

### **A New Global Morality? The Politics of Human Rights and Humanitarianism in the 1970s**

**Veranstalter:** Jan Eckel (University of Freiburg); Samuel Moyn (Columbia University); Freiburg Institute for Advanced Studies (FRIAS)

**Datum, Ort:** 10.06.2010–12.06.2010, Freiburg

**Bericht von:** Thomas Probert, Cambridge University

This workshop was conceived as a response to the convenors' shared interest in how suddenly both the language and the politics of human rights emerged in the 1970s. As scholars have reacted against the 'rise and rise' school of the history of human rights the need for empirical investigations of potentially discontinuous periods has become increasingly obvious. JAN ECKEL made clear in his opening comments to the group that in his view the 1970s could not be considered 'another phase' in the 'organic growth' of human rights; they rather represented a discontinuity, 'a profound transformation', heralding new actors, new political practices and with new motivations. But he also insisted that the question mark in the title of the workshop was sceptical rather than rhetorical.

SAMUEL MOYN expanded regarding some of the questions encompassed. A whole range of issues presented themselves in this and the following discussion: Is it legitimate to conflate the politics of human rights and humanitarianism? What do we mean when we discuss 'movements' in this context? When did the '1970s' begin and end? How do 'human rights' fit synchronically in the 1970s (as part of the received interpretation of 'nervous breakdown' over 'moral breakthrough') or diachronically into the longer period (does the very idea presuppose a longer history)? How does the idea affect the geographic dichotomies of East/West and North/South? Straddling all of these is the broader historiographical question with which all the of the papers delivered over the next three days grappled in some way: in trying to write empirical history of human rights how does one balance the competing claims of monumentalism and criticism?

The first series of papers focussed on humanitarianism, and specifically the Biafran crisis of 1967-70. LASSE HEERTEN's examined the way in which the Biafran conflict, and the '70s more generally, constituted a tipping point between the association of human rights and self-determination in the 1950s and '60s (exemplified in the debates surrounding decolonisation), and the paradoxically opposite association of human rights and western interventionism in the '80s and '90s. KONRAD KUHN examined the role of the church in the Swiss relief efforts for Biafra, and the conflict this precipitated with the Swiss arms industry. MICHAL GIVONI delivered a more wide-ranging paper on Médecins Sans Frontières and the emergence of 'bearing witness' as a form of humanitarian activism. In an insightful comment, FRANK BIESS elaborated on the 'politics of action' (Heerten) and the 'politics of pity' (Givoni) noting that this period followed a shift of 'emotional regimes' from one of cultural restraint to one of expressiveness during the 1960s in which the public performance of emotion became important. These presentations were followed by a stimulating discussion in which two important distinctions were made that would shape comment throughout the rest of the workshop. The first, from BRADLEY SIMPSON, was between human rights movements and (the far more explicitly political) solidarity movements. The second, offered by LORA WILDENTHAL, was between human rights activism for others and human rights activism for oneself, a distinction offered as a possible means of clarifying the difference between humanitarianism and human rights. Jan Eckel highlighted the potential importance of investigating a discontinuity of interventionism (between colonial and postcolonial) for the emergence of a discourse of cultural relativism. However he also mentioned the continuation of 'bearing witness' as a key feature both of anti-nuclear activism and the Civil Rights Movement in the US.

The second day of the workshop began with three papers on human rights campaigns. The first was from SIMON STEVENS, on the British anti-Apartheid Movement, the second from BARBARA KEYS on Amnesty International's Campaign Against Torture,

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and the third from GREGORY MANN on Saharan Prisoners. Stevens' paper addressed three main areas: the way in which movements gain momentum in the public mind, the role of exiles in this process, and the extent to which a movement with overtly transnational ambitions can also be driven by a domestic agenda. Keys' paper was probably the most critical presented over the course of the workshop: she examined the 1972 Campaign for the Abolition of Torture and the way in which those inside Amnesty have openly acknowledged its publicity attraction. She also made the assertion that by taking the 'easy' option in the 1970s, of implicitly campaigning against the torture of innocent victims rather than the more challenging course of campaigning against torture of *anybody*, Amnesty partly contributed to the moral quandary in which liberal thought in many Western countries now finds itself. Mann also examined Amnesty, this time in connection with the prisoners of conscience in Mali. He described an 'anti-politics of human rights' in connection with the way in which, in a rise coinciding with African independence, the Amnesty project did not create a discourse of human rights, but rather built on a much older, anti-colonial, rhetoric.

The subsequent discussion centred around two main topics arising out of the papers. Firstly the question of strategies and opportunism in human rights movements: Moyn highlighted that Keys' critique of Amnesty relied on a normative judgement (about selective division of labour) but that it also made a point which was not selective at all, about the way in which Amnesty conducted its politics. BENJAMIN NATHANS highlighted how human rights movements could be both utopian and opportunistic. He also, addressing the second of the two main topics, concerning the nature of the political, questioned whether Mann's notion of an 'anti-politics' reverted too much toward a state-centric understanding of politics, and whether more might not be gained from an association of politics as power. Mann defended his terminology in the African context: a post-colonial arrangement of 'gate-keeper states' where civil society was very weak and the realm of politics quite narrow.

From this discussion, the workshop moved to discuss perhaps the best (if not fraught) case-study of the interaction of human rights and political power, namely the United States. SARAH SNYDER presented a paper on Donald Fraser's Congressional Subcommittee, the hearings and report of which, along with the subsequent legislation, she argued represented a turning point in US foreign policy formulation, that would culminate in the Bureau of Human Rights and Humanitarian Affairs, annual reports, and increasing limits on assistance to repressive regimes. LYN-SAY SKIBA then presented a paper written by DANIEL SARGENT (who was unable to attend the workshop at short notice). This paper contended that, to understand the 'human rights moment' of the 1970s, we ought to examine the interplay of three historical factors: the acceleration of globalisation, the ebb and flow of Cold War politics in an era of détente, and the revival of liberalism in the aftermath of decolonisation and desegregation. The context of the 'anti-politics of human rights' is vital to this understanding. Both papers debunked what MARK BRADLEY later described as 'the Carter immaculate conception myth', challenging perceptions of a transformation. Indeed Bradley contended that, far from being the first to 'get' human rights, the US may well have been the last: and when it did, the debate always seemed to be about 'them' rather than 'us'. Simon Stevens also made a subtle distinction within the 1970s from a US policy focussing on the restriction of trade/aid changing (with Carter) to a more active promotion of human rights.

The next session focussed on new human rights actors in the 1970s: CHRISTIAN ALBERS offered a paper on the renewed and revived activities of the World Council of Churches (and particularly its Commission of the Churches on International Affairs); JEAN QUATAERT discussed the role of the Women's Movement and the way in which women converged on the subject of human rights in the 1970s; and DOMINIQUE CLÉMENT presented a paper about human rights in Canada, though more broadly about social movements and the way in which the transformation of international politics is driven by domestic change. These papers pre-

ceded an interesting discussion of the ways in which the discourse of human rights spread: what Lora Wildenthal described as the 'Midas touch of human rights', and what others described as a 'ripple effect' of domestic change precipitating international transformation.

The final day of the workshop began with a discussion of human rights and South America, initiated by two fascinating papers, the first from PATRICK KELLY on the solidarity movement against the Pinochet junta. His paper focussed explicitly on *rhetoric*, identifying its origins in the 1960s, its explosion in Chile after 1973 leading up to a more fully developed language being available by the time of the 1976 coup in Argentina. This interlinked perfectly with LYN SAYS SKIBA's paper on Argentinean-US relations during the 1970s, which, focussing on the testimony of two Argentinean lawyers before Fraser's Subcommittee, identified three significant shifts: 'from Revolution to rights' (a legalistic shift), 'from the national to the international' (a strategic shift to take advantage of the human rights moment in the US) and 'from politics to something more'. The subsequent discussion focussed less on the 'emergency of human rights in the Southern cone' than on the interesting comments made by both Kelly and Skiba about the *politics* of human rights, or Kelly's 'politics of anti-politics' – a nod to the way in which the appeal to a moral framework beyond politics was in fact a very astute political move. Wildenthal offered a useful distinction in an effort at clarification: that politics is goal-orientated, a sphere and purpose in which law cannot operate. Michal Givoni also emphasised that human rights is a different kind of politics (what Skiba had called 'something more'): it is political in structure but not in language.

The penultimate session consisted of two thought-provoking papers, from NED RICHARDSON-LITTLE, examining the way in which the language of human rights could be subverted by an 'hegemonic state discourse' (in this case that of the GDR), and from Benjamin Nathans, who offered a stimulating paper on the Soviet dissidents, which he used as a counter-example to hold against some of the generalities on which the workshop had worked so far. The three most

significant contentions which he attempted to overturn were that human rights were/are a utopian project, that they required the collapse of older utopian projects in order to thrive in the 1970s, and that this replacement took the form of rupture or revolution rather than the organic flowering of an idea. By looking at the civil rights movement in the Soviet Union from the 1960s onwards, (for which he made the claim of 'the first human rights movement'), Nathans not only successfully interrogated these claims, but also forced the workshop to more carefully consider the distinction between civil rights and human rights movements. Moyn insisted that absoluteness was rather a red herring in a discussion of discontinuity, and Eckel insisted that, nonetheless, there was a massive convergence of human rights initiatives in the 1970s (though he didn't see them as utopian).

The final session was started by Bradley Simpson, with a paper on human rights, the end of colonialism and the right to self-determination. He highlighted that one of the most significant questions raised by the work of scholars (such as Moyn) positing a rise of human rights in the 1970s is to ask why anti-colonial movements didn't embrace human rights earlier. He suggested that rather than a 'new global morality', was the '70s in fact the opposite: the closure of a debate about global morality that had been ranging for several decades – a defeat for the alternate view of human rights (that of the South), squashed by a more liberal, procedural version (the Amnesty, Human Rights Watch type).

After a few concluding remarks were volunteered from around the table this brought to a close a very stimulating conference at which the concepts of a new global discourse of human rights emerging in the 1970s was variously (if not comprehensively) explored not only over the course of a multitude of excellent papers, but also, perhaps more valuably, over the series of (admirably supplied) coffee and lunch breaks. The informal and friendly environment of this workshop was, I think, one of its greatest strengths. Everybody left the workshop with the issues to a certain extent clarified, but to another, important extent, problematised. But in addition to the conceptual exploration it was encour-

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aging to see the extent of empirical work being conducted (by tenured faculty and graduate students alike) in the field of the history of human rights. This is of course the particular contribution that historians, rather than lawyers or political scientists, are able to make to the study of human rights.

One of the most significant contributions of this historical perspective, however, is its insistence that we must not allow periodisation to become an end in itself – the 1970s are perhaps a useful prism, but what is of interest are the underlying factors; and one of these underlying factors, one which did not perhaps receive the attention it deserved during this workshop, must surely be *context*. Eckel discussed in the workshop's closing moments the 'globalisation of political awareness' in the 1970s, but this surely would apply to the 1960s as much if not more. Mark Bradley lamented the fact that the workshop had not provided a satisfactory explanation for why the ideas of human rights that were 'thrown up' in the 1970s, 'stuck' so effectively: and one of the answers to this question must surely lie in a consideration of what the ideas were being thrown against – namely the context of the earlier period.

This particular epistemological query notwithstanding, it remained the case that the workshop overwhelmingly discussed origins rather than consequences – all of the papers concentrated on investigating the emergence of human rights. An exploration of consequence might have led to a slight change of emphasis: to take one example, the session on US human rights policy focussed on the Congressional hearings of Donald Fraser over the Congressional activism of Henry Jackson. It is certainly true that, within the 1970s, the election of Carter signalled the ascendancy of the liberal view typified by Fraser, but ultimately Reagan's election and subsequent policy handed victory back to the Jackson view.

### Conference Overview:

#### *Introduction:*

Jan Eckel (FRIAS)  
Samuel Moyn (New York)

„New Humanitarianism“?

Lasse Heerten (Berlin):

The Biafran War and the Language of Rights

Konrad J. Kuhn (Zürich):

Biafra as a Turning Point in Humanitarianism

Michal Givoni (Tel Aviv):

Reframing Humanitarian Concern. Médecins Sans Frontières and the Advent of the Expert-Witness

Comment: Frank Biess (San Diego)

Discussion

#### *Human Rights Campaigns*

Simon Stevens (New York):

The British Anti-Apartheid Movement

Barbara Keys (Melbourne):

Amnesty International's Campaign against Torture

Gregory Mann (New York):

Human Rights and Saharan Prisons

*New Departures in the U.S.*

Sarah Snyder (Yale):

Congress and the Development of U.S. Human Rights Policy

Daniel Sargent (Berkeley):

Human Rights as a U.S. Foreign Policy Doctrine

Comment: Mark Philip Bradley (Chicago)

Discussion

#### *New Actors?*

Christian Albers (Karlsruhe):

The World Council of Churches and Human Rights in the 1970s

Jean H. Quataert (Binghamton):

The Women's Movement and Human Rights in the 1970s

Dominique Clément (Alberta):

Human Rights in Canada—Social Movement and International Politics

Comment: Lora Wildenthal (Houston)

Discussion

*Human Rights Politics Towards South America*

Patrick W. Kelly (Chicago):

The Transnational Solidarity Movement  
against the Pinochet Junta

Lynsay B. Skiba (Berkeley):  
The Transnational Politics of Human Rights.  
Argentina-U.S. Relations during the 1970s

Discussion

*Appropriations in Eastern Europe*

Ned Richardson-Little (North Carolina):  
Socialist Human Rights in the GDR

Benjamin Nathans (Pennsylvania):  
Soviet Dissidents and Human Rights—Then  
and Now

Comment: Stefan-Ludwig Hoffmann  
(FRIAS/Potsdam)

Discussion

Bradley R. Simpson (Princeton):  
The End of Colonialism and the Right to Self-  
Determinatioin

*Final Discussion*

Introduction: Jan Eckel (FRIAS), Samuel  
Moyn (New York)

Tagungsbericht *A New Global Morality? The  
Politics of Human Rights and Humanitarianism  
in the 1970s*. 10.06.2010–12.06.2010, Freiburg,  
in: H-Soz-Kult 09.08.2010.