

Book Review

Micheline R. Ishay, ed,
The Human Rights Reader: Major Political Essays, Speeches, and Documents From the Bible to the Present
New York: Routledge, 1997

Reviewed by Howard Doughty

As we approach the year 2000, speech-writers are already preparing predictable packages of pomposity for politicians to pronounce at the beginning of the new millennium. Few, however, will be able entirely to ignore the fact that the 20th century - for all its well-touted technological triumphs - has been anything but singular in its record of human slaughter, the final denial of what we prettily call "human rights." As putative innovators, it is therefore incumbent upon readers of this journal to consider how the innovations that we endorse either enhance or diminish those rights.

Moreover, at a time when both historical knowledge and philosophical understanding of current issues tend to be discounted in favor of transient and manipulable public opinion, any anthology that reveals the ancient roots and the manifold ethical dimensions of contemporary debates ought not to be demeaned. Micheline Ishay's collection of essays, speeches and documents on the broad topic of human rights is therefore a commendable contribution to popular understanding of the central traditions upon which our notions of liberty, equity and justice rest.

Locating the origins of the concept of universal human rights in both religious humanism and classical political thought, Ishay traces its lineage through medieval times, the enlightenment and the industrial age. She then offers selected writings on diverse 20th century themes from national self-determination to gay and lesbian equality. Finally, she provides, in whole or in part, a number of recent international affirmations of fine liberal sentiments culminating in the 1995 Beijing Declaration on the rights of women.

Her book has been widely and rightly praised as an informative, inspirational and indispensable contribution to serious students of the subject. It is, but there are problems.

In raising two concerns, I shall not disparage Professor Ishay's accomplishment. Among primers in the field of human rights, hers is admirable. Some might carp at the brevity of several decontextualized excerpts from philosophical discourses; others might lament her uncritical presentation of the concluding catalogue of Charters, Covenants and Conventions, the pertinent practical effects of which skeptics can surely be forgiven for questioning. I shall do neither, for my criticisms cut a bit deeper.

I must first admit that critics who find fault with an anthologist's choice of inclusions are usually on shaky ground. Editors, after all, normally have in mind some coherent perspective on a topic when they make their selection of materials. When critics come to assess the completed work, they should take account of the editor's purpose and not presumptuously second guess or, worse; ignore what the editor was trying to do. As well, critics who, while accepting an editor's overall

approach, bring to their task strong partisan opinions and limit themselves to expressing outrage at the inclusion or exclusion of writers with whom they (dis)agree merely display envy that someone else was chosen to do a job they would have liked to have had. Aware of such pitfalls, I must nonetheless mention two difficulties - one general and one specific.

My general concern is with what has sometimes been called the "Whig" interpretation of history. Implicit in the selection and arrangement of Ishay's readings is the idea that human rights - despite frequent set-backs and occasional disasters - are part of the saga of relentless human progress. Her optimism begs examination.

To deal comprehensively with human rights requires consideration of arguments presented by those whose mood is pessimistic, whose tone is somber and whose attitude is sometimes fearful in the face of popular democracy. I do not speak of those who trumpet racism, sexism, militarism, corporatism or authoritarianism in any of its many guises, nor do I insist on giving rebuttal space to pseudo-Nietzscheans, nihilists and sophomoric postmodernists who cynically disdain the principles of human rights as an unqualified human good. I refer instead to "conservative" political practitioners and thinkers from Edmund Burke and Alexander Hamilton to Leo Strauss and George Grant, and to Pope John Paul II.

While not denying the virtues of liberty and equity, such people raise legitimate questions. They display a willingness to speak of values other than unfettered freedom as worthy of our attention. They ask whether or not majority rule sometimes admits of a greater tyranny than benevolent hierarchy. They wonder if actual privileges are not more important than abstract rights. They worry that those who would use violence to win their rights may not possess the wisdom to husband them. In saying this, I am not suggesting that the enthusiasm for human rights, nor even the idea of progress is fundamentally misplaced; instead, I submit only that a narrative that ignores tales of caution is less persuasive than one which gives voice to those who retain a taste for liberty but understand that liberty can be destroyed by those whose zeal overcomes their civility.

With regard to my concern about specific writers, Professor Ishay ought to be praised at the outset for including among her authors people not commonly associated with the "post-Communist" view of human rights. She includes eleven (albeit brief) extracts from the works of Marx and Engels as well as substantial pieces by Kautsky, Trotsky, Rosa Luxemburg and the anarcho-socialist Pierre-Joseph Proudhon. From another well-known but sometimes neglected tradition, she admits not only St. Paul, St. Augustine and St. Thomas Aquinas but also less familiar figures such as 16th century Dominican missionary Bartholomé de Las Casas and 18th century scholar Abbé Charles de Saint-Pierre to the conversation. Plato is necessarily present to provide a text to which appropriate footnotes can be appended, as are Aristotle, Cicero and Epictectus. Hobbes and Locke, Rousseau and Kant, Tom Paine and even Robespierre appear. Some, like Hobbes, were no libertarians but provided an essential part of the theoretical basis for a distinctly modern conception of human rights; others such as Mary Woolstonecraft and J. S. Mill speak eloquently in favor of the defense and expansion of those rights in practice. But where, again, are the skeptics.

To be fair, Micheline Ishay includes an engaging essay by Steven Lukes that effectively skewers utilitarian, communitarian, proletarian and libertarian interpretations of human rights before

offering his own egalitarian perspective. It is not enough, however, to provide a sensible refutation of views that have not been clearly expressed in the first place. Egregious as I believe their arguments to be, it is especially unsafe simply to ignore those whose market-centered version of human rights claims the hearts and minds of many opinion leaders (and followers) today. The "neoconservative" notions of von Hayek, Friedman, and the apparent majority of contemporary corporate CEOs, radio talk show hosts and politicians must be exposed to the light of reason, for they have plainly captured the political agenda of most advanced societies. As Kurt Vonnegut mentioned in his autobiographical collage, *Fates Worse than Death*, Don Quixote was something of a neoconservative in his day, but his resources were limited. So, all he did was damage a windmill and scare some sheep. The possibilities for harm to human rights today from those whose ideas of liberty are merely warmed over versions of John Locke and Adam Smith (absent their concern for morality and the common weal) are considerably more serious.

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