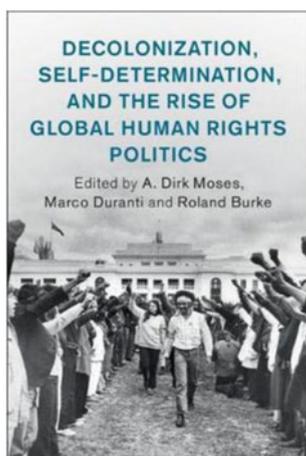


LIBRARIAN'S PICK



Decolonization, Self-Determination, and the Rise of Global Human Rights Politics

Edited by A. Dirk Moses, Marco Duranti and Roland Burke*

Book review by Charlotte Mohr, ICRC Reference Librarian for the collections on the ICRC's history and activities.

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In 2010, the publication of Samuel Moyn's *The Last Utopia*¹ took a wrecking ball to the well-established narrative of the global history of human rights – a story of constant progress from the US Declaration of Independence (1776) and the French Declaration of the Rights of Man and of the Citizen (1789) to the Universal Declaration of Human Rights (1948). Moyn's revisionist account centred on the thesis that human rights only emerged as the dominant aspirational framework in the 1970s. They broke through, he argued, only after other utopias failed, like that of self-determination embraced by the anti-colonial actors of previous decades. Edited by historians A. Dirk Moses, Marco Duranti and Roland Burke, *Decolonization, Self-Determination, and the Rise of Global*

* Published by Cambridge University Press, Cambridge, 2020. A. Dirk Moses is a historian of global human rights history, particularly in relation to genocide, memory and intellectual history. He is Frank Porter Graham Distinguished Professor in Global Human Rights History at the University of North Carolina at Chapel Hill since 2020. His latest book is *The Problems of Genocide: Permanent Security and the Language of Transgression* (Cambridge University Press, 2021). Marco Duranti is Senior Lecturer in Modern European and International History at the University of Sydney. As a historian of late modern Europe, his research focuses on the origins of international law and organizations. He is the author of *The Conservative Human Rights Revolution: European Identity, Transnational Politics, and the Origins of the European Convention* (Oxford University Press, 2017). Roland Burke is Senior Lecturer in World History at La Trobe University, Victoria. He is the author of *Decolonization and the Evolution of International Human Rights* (University of Pennsylvania Press, 2010).

ICRC Library

The “Librarian’s Pick” is a regular section of the *Review* in which one of the International Committee of the Red Cross’s (ICRC) librarians picks and writes about their favourite new book relating to international humanitarian law, policy or action, which they recommend to the readers of the journal.

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Human Rights Politics opens with an account of this revisionist history and its influence on recent scholarship in the history of human rights. But the editors soon move on to their volume’s *raison d’être*: bringing out new materials, new primary sources and new case studies in order to investigate the history of human rights on the margins. The book resists recreating a linear narrative of the history of the global human rights regime; instead, it brings to light the plural histories of human rights that emerge when historians zoom in on specific but diverse moments and contexts.

In sixteen case studies, the volume’s contributors take turns looking at sources and actors that have not been put front and centre in the historiography of human rights. Excluding these sources and actors from human rights history, the editors argue, means validating an anachronistic, restrictive definition of the concept of human rights—one which happens to coincide with the definition put forward by (neo)colonial powers in order to isolate human rights from anti-colonialism. It is a sweeping under the rug of part of the history of the concept of human rights as a contested space and the struggles that defined how its meaning became fixed over time.

Refuting a clear-cut opposition between human rights and the right to self-determination, the book investigates how human rights made their way into decolonization rhetorics, activism and policies. The relationship between human

1 Samuel Moyn, *The Last Utopia: Human Rights in History*, Belknap Press of Harvard University Press, Cambridge, MA, 2010.

rights and the fight for self-determination was always complicated by a long tradition of interlocked “humanitarian” and colonial projects, and the use of human rights discourse by colonial powers. Anti-colonial actors of the 1950s and 1960s, it is often argued, wielded human rights rhetorics to frame their fight in terms that could not be opposed on the international scene. This traditional explanation, however, only looks at human rights as an “imported good” in anti-colonialism. It denies anti-colonial actors agency in the making of human rights as a concept and a global movement.

Decolonization, Self-Determination, and the Rise of Global Human Rights Politics aims to look beyond this instrumentalist interpretation of the relationship between human rights and decolonization. It brings the construction of human rights as an ideal under the microscope and explores its linguistic and conceptual shifts through a historical lens. The volume’s case studies analyze the diverse meanings that human rights took in anti-colonial policies and rhetorics, and the counter-efforts made by (neo)colonial powers to confine that meaning. “Human rights were not born from the death of anti-colonialism”, the editors argue; “human rights in the West died as a viable means for expressing any optimistic anti-colonial vision”.² The editors connect this to the refashioning of human rights in the 1970s, when they lost their transformative “bite” and began to take on a more palliative role. Eventually, the book argues against interpretations of the use of human rights rhetorics by anti-colonial actors as pure political staging. It highlights how mobilizing human rights language allowed those fighting for self-determination to connect local or national projects with a global vision.

Divided into three parts, the book’s contributions span Africa, Asia, Europe, Oceania and the Americas, from the 1940s to the present. Chapters in the first part examine how human rights and self-determination became intertwined in the discourse of anti-colonial actors. In the opening contribution, Bonny Ibhawoh argues that self-determination and human rights did not stand in opposition in the eyes of the anti-colonial movement in Africa. Instead, the movement saw the right to self-determination as the first of the human rights, in a conception that emphasized collective rights over individual liberties. Ibhawoh sees the impact of this different prioritization of rights on crucial developments in the global human rights regime, via the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960) and the International Convention on the Elimination of All Forms of Racial Discrimination (1965). He stresses the importance of including grassroots movements in the history of human rights, as well as sources overlooked by historians, like texts in local vernaculars. The over-representation of Western sources and perspectives not only distorts the global history of human rights, he argues, but tends to remove the concept from history altogether, giving it, in retrospect, a meaning more stable and restricted than that which it actually bore through time. In her chapter, Miranda Johnson looks at how indigenous activists

2 Roland Burke, Marco Duranti and A. Dirk Moses, “Introduction: Human Rights, Empire, and After”, in *Decolonization, Self-Determination, and the Rise of Global Human Rights Politics*, p. 20.

in the Anglo settler States invoked and expanded the language of human rights to articulate their struggle in the 1970s. Indigenous peoples' claims to rights of collective identity and sovereignty may not have fit the 1970s minimalist definition of "human rights", but their framing of the issue as a matter of concern to humanity through human rights language allowed them to internationalize their cause and opened new legal and political avenues for recognition.

The second part of the book looks at the role occupied by human rights in the construction of postcolonial States, both nationally and in their newfound position on the international stage. Cindy Ewing analyzes how human rights were included in the constitutions of the newly independent Burma, Ceylon and India in the late 1940s. She focuses on their codification of the rights of minorities, at a time when such rights were excluded from the Universal Declaration of Human Rights. Raphaëlle Khan's chapter on India provides an enlightening contribution to the historiographical debate on anti-colonialism and human rights in the 1940s. She looks at India's participation in the early days of the UN human rights system as an example of a postcolonial State mobilizing human rights for an issue unrelated to the struggle for independence, in this case the protection of the Indian diaspora.

The third and final part of the book turns to colonial and neocolonial actors' responses to the anti-colonial mobilization of human rights. Miguel Bandeira Jerónimo and José Pedro Monteiro's opening chapter looks at how Portugal navigated human rights taking centre stage at the United Nations. The late colonial power followed a strategy of appropriation of human rights language, with unrelenting efforts to dissociate such language from ideas of self-determination. Roland Burke then investigates South Africa's defence of apartheid on the international scene through the use of internationalist discourses – including the rhetorics of human rights. This pioneering example of a regime putting together a playbook to co-opt and subvert human rights language had long-lasting consequences, Burke argues, and became a blueprint for future regimes attempting to defend the indefensible.

In her chapter, Eleanor Davey investigates the participation of national liberation movements in the development of international humanitarian law (IHL) in the 1970s. Her contribution retraces the history of the International Committee of the Red Cross's (ICRC) engagement with such movements in the lead-up to the 1974–77 Diplomatic Conference and during the consultation process for the drafting of Additional Protocols I and II to the Geneva Conventions. She argues that a convergence emerged between the ICRC's commitment to minimizing suffering during conflict and national liberation movements' will to see the individual protections granted by IHL applied to the conflicts in which they were involved. She sees in the developments of the decade "an opportunity to channel the politics of self-determination into novel constructions of international law and genuine attempts to engage new actors in the process".³

3 Eleanor Davey, "Decolonizing the Geneva Conventions: National Liberation and the Development of Humanitarian Law", in *Decolonization, Self-Determination, and the Rise of Global Human Rights Politics*, p. 396.

If Samuel Moyn's *The Last Utopia* moved the history of human rights beyond a linear, often triumphalist, narrative ten years ago, *Decolonization, Self-Determination, and the Rise of Global Human Rights Politics* now invites the reader to take a step in a new direction. It challenges a historiography that perpetuates the opposition between anti-colonialism and human rights while remaining overly based on Western-centred sources and conceptions of human rights. The volume draws a nuanced and fragmented picture of the history of human rights, fitting for what its editors argue⁴ is an intrinsically diverse subject. The book's main achievement is perhaps to expose our current definition of "human rights" as the product of a long struggle to co-opt the concept's meaning between actors with diverging, if not dramatically opposed, agendas. Eventually, the relationship between decolonization and human rights in history is defined by who is given custody of the concept—who gets to invest it with perennial meaning. Lesser known moments in human rights history—times when human rights bore different meanings and served different causes—become particularly promising objects of study, and this makes *Decolonization, Self-Determination, and the Rise of Global Human Rights Politics* an illuminating pick for any reader interested in challenging his or her preconceptions about the history of human rights.

4 Roland Burke, Marco Duranti and A. Dirk Moses, "Introduction: Human Rights, Empire, and After", in *Decolonization, Self-Determination, and the Rise of Global Human Rights Politics*, p. 31.