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# Are Human Rights a Philosophy of History? The Case for the Defense

## **Cover Page Footnote**

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## **Are Human Rights a Philosophy of History?**

### **The Case for the Defense**

On December 10, 1948, the United Nations General Assembly adopted The Universal Declaration of Human Rights (UDHR) as a response – at least in part – to the horrors of the Second World War.<sup>1</sup> The motivation for The Universal Declaration of Human Rights is represented in the phrase, “whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.”<sup>2</sup> The first seven sentences of the preamble to the UDHR begin in a declaratory fashion, starting with, “whereas.” They then trail off into sets of statements with undoubtedly appealing sounds (for example, “freedom, justice and peace in the world”). However, upon reading these lines, one realizes that the UDHR is dictating the nature of the human being to other human beings (its reader). Occasionally, human rights are accused of imperialism.<sup>3</sup> Such wordplays might be the basis of at least some of those claims.

Indeed, human rights *do* tell us about the nature of the human being – at least *human rights'* view of the human being. The UDHR's first article is provocative: “All human beings are born free and equal in dignity and rights.” The tone itself does not surprise. One *would* be surprised if human rights betrayed an allegiance to oppressive political ideologies (or perhaps any political ideology at all).<sup>4</sup> However, it is not just the *political* state of the human being, at least “originally,” about which human rights tell us. It is also about the *existential* characteristics of the human being. Those characteristics are political – “free” and “dignified.” However, those existential characteristics are also *intellectual*; they involve some level of cognitive process. Human beings, claims Article 1, are “endowed with reason and conscience.” Humanity has some kind of thinking machine. Article 1 also states that human beings should “act towards one another in a spirit of brotherhood,” or *fraternité*. It appears, somehow, that brotherhood is connected to reason and conscience. Though reason and conscience may be baseline human characteristics, humanity appears to have had a difficult time realizing them. Indeed, as the UDHR phrases it, it appears that humanity has spent more than a small amount of time involved in “barbarism.”<sup>5</sup>

Interesting about all this is the idea that human rights may involve a *philosophy of history*. Clearly, human rights are sometimes thought to involve *stories*. Rights scholar

Joseph Slaughter compares human rights to *Bildungsroman*, for example – stories of individual development in which people are socialized to learn what “everyone presumably already knows.”<sup>6</sup> Rights, argues Slaughter, are romantic, enlightenment stories. It has also been suggested that specific narratives – usually of traditionally oppressed groups – have to be injected into understandings of rights.<sup>7</sup> This also does not surprise. It feels logical that imaginations of the past would play into senses of the injustices rights are intended to address. However, stories, imaginations, and philosophies of history may not be the same. “Stories” might be about the past or might not. One can say the same about imaginations; they might be fictional, or they might be real.<sup>8</sup> Philosophies of history, however, presumably *are* about “reality” – the “past.” At least philosophies of history involve projects concerned with making *sense* of the past, or interpreting projects of human development. Hence, in addition to a story (as well as law, international norm, institutional practice and dimension of foreign policy), human rights might “be” a philosophy of history. At least a particular philosophy of history might play a role in the imagining of rights. This might help accord rights a particular place in today’s world – a contemporary world we somehow inhabit and take as connected to a past.

The aim of this paper is to explain what a human rights philosophy of history might be, how such a philosophy of history might function, and why it might be important that human rights maintain, or reflect, a philosophy of history. A number of steps are necessary to make this argument. First, it will be necessary to discuss what a philosophy of history *is*. Philosophy of history maintains a high level of interplay with history. As a field, philosophy of history’s importance has diminished – it once lay at the heart of debates over the destiny of historical studies. Philosophy of history also lay at the heart of the birth of new disciplines, such as sociology and anthropology. The field has become a bit marginalized in the latter years of the twentieth century and the first years of the twenty-first. That is even though the area encompasses some of the headline names of the humanities and social sciences (Hegel, Marx, and Foucault would be among these).<sup>9</sup> To this extent, it is important to get a sense of what philosophy of history *is*. There are several branches of philosophy of history. When this paper refers to the philosophy of history, it specifically means “speculative philosophy of history.” “Speculative philosophy of history” is a distinct branch of philosophy of history, which this paper will describe.

Secondly, it will be necessary to delve into the UDHR to reveal how a philosophy of history is manifested in *human rights*. At the very least it should be clear how one can find a philosophy of history in one of human rights' central *documents*. The UDHR, albeit very briefly, refers to the past in its discussion of "barbarism" and earlier "disregards" for human rights. The UDHR also refers to the past as *justification* for realizing human rights that humanity has previously denied. The conundrum in the midst of this situation, however, is why, if we are born into "reason and conscience," would it be a problem to realize human rights? Why would we not realize something "inherent" to us? The UDHR claims that rights are the most natural things in the world. Rights are central to all of us (one theorist has claimed that rights proceed "social custom, judicial announcement, or some act of parliament").<sup>10</sup> Therein, individual poor behavior is not a valid explanation for rights' violation. We have the characteristics by which we would *not* violate rights. Therein, an absurdity lies at the heart of human rights: humanity is apparently supposed to *rerealize* something that is already there (reason and conscience). The question thus becomes, if humanity was not able to realize such things the first time (reason and conscience), why would it be able to realize them *now*? Why did humanity behave unreasonably and unconscientiously ("barbarously") in first place? These are the types of question speculative philosophy of history addresses.

To conclude, this paper will discuss why examining the philosophy of history and human right thought, in conjunction, is important. Why in a larger sense does it matter that human rights involve a "philosophy of history?" Why does it matter that human rights make, or at least encourage *us* to make, holistic meditations on the past? Is there any *social* relevance to academic discussions asserting that a mode of thought most popular in centuries to which we do not belong lies at the heart of a mode of thought belonging to a century to which we *do* belong? I will claim that the answer lies in belonging – humanity's belonging to its own time, and the relationship humanity maintains with rights in the times it inhabits. Ultimately, this involves the question of whether or not we, in our times, maintain meaningful relations with the concept of the past at all. A human rights philosophy of history suggests we do.

## Philosophy of History: Senses of Ancientude

Philosophy of history is not a new discipline. Undoubtedly, the field enjoyed popularity during the mid- to end of the twentieth century – that being when the humanities and social sciences were in varying degrees of crises about postmodernism. Might man really be washed away like a “face on the edge of the sea?” as Michel Foucault suggested it would.<sup>11</sup> The point was that, generally, modernity had posited man and history as going hand in hand. A diverse and influential school of history in France – the so-called *Annales* School – once claimed it was interested in “history without people.”<sup>12</sup> Its emphasis, as one of *Annales*’ founding fathers claimed, was on the *longue durée* – vast spans of time often having as much to do with the environment as anything social.<sup>13</sup> *Annales* was not postmodern. “History without people,” however, encapsulated the problem. Deconstructing the human subject sounded dangerous. Perhaps it was the end of history. At least it appeared to present a challenge to human identity and belonging.<sup>14</sup>

Philosophy of history enjoyed a resurgence in the last decades of the nineteenth century and the start of the twentieth century (the other end of the “short twentieth century”).<sup>15</sup> This was a time when it was not always easy to tell where, precisely in a disciplinary sense, one was located. Psychology was new – at least the clinical psychology (the first psychology lab opened in 1879) – and anthropology and sociology were in the initial stages of branching off into their own disciplines.<sup>16</sup> Sociology presented a particularly interesting case. For a while, it was difficult to tell if one was a historian or a sociologist. Important figures to the history of sociology – August Comte, Émil Durkheim, Max Weber, Georg Simmel – all maintained significant interest in philosophy of history. A central work in Simmel’s oeuvre was explicitly dedicated to philosophical problems in the area, “The Problems of the Philosophy of History” (1892). In part, the overlap concerned the fact that history and sociology, as well as psychology and anthropology, all addressed the collective life of human beings. This was in the various modes in which humanity’s life forms expressed themselves the past as well as in the present.<sup>17</sup>

The centrality of philosophy of history also connects to ranges of phenomena in nineteenth-century Europe. Such broad statements involve *gestalt* views of the past both historians and philosophers of history occasionally eschew.<sup>18</sup> Indeed, some point to “historicist” outlooks and preoccupations with philosophical views of the past as specifically

*German*.<sup>19</sup> To some extent, this is true. German historians, philosophers, and humanists dominated historicism.<sup>20</sup> Historical thought, however, was not *purely* German. Historical thought connected to Enlightenment and post-Enlightenment intellectual trends in a general sense. These involved, among other things, Western investigations of the human being in its fundament, attempts to establish laws about human beings as well as the social ramifications of historical ideas.<sup>21</sup> These were problems for philosophers and historians. However, they also concerned problems of nation-building, imperial expansion and the establishment of modern political parties. As Claire Norton asks, how might one have a nation or political project without having a national or political *story*?<sup>22</sup> Indeed, how might one claim to found nations or political parties without national or political stories that one might prove, or at least *argue*, to be *true*?<sup>23</sup> “History” and philosophical reflections upon it became important. Philosophy of history was bound into central projects defining the cultural spaces of modern Europe and, due to European expansion, spaces beyond Europe as well.

As the field is usually discussed today, philosophy of history has three branches. The first is historiography. One authority describes historiography as investigating the “history of the writing of history itself.”<sup>24</sup> Historiography involves finding the roots of the modern historical mind – modes of comprehending the past concerned with new “forensic” (“scientific”) attitudes; ideas, as it was famously put, of finding the past as it “actually was.”<sup>25</sup> This is a famous idea – the proclamation of a historical science by Leopold von Ranke.<sup>26</sup> However, historiography also involves finding variants within forensic attitudes. Can historiographers find ways of writing history – either in longer distant or nearer pasts – *denying* forensic concepts? Historiography can also ask us to think of representing the past as something other than a mode of scientific investigation (Jacob Burckhardt asked historians to stand closer to art, or levels of *gestalt* picture creation, rather than purely empirical modes of investigation).<sup>27</sup> Historiography tells history’s history in relation to the emergence of its various concepts and the distinctions between them. Historiography involves discerning the unity and diversity in the history of historical practice.

“Critical philosophy of history,” also known as “analytical philosophy of history,” can be considered philosophy of history’s second discipline. “Historical judgment” is the analytical terrain of that philosophy of history’s “critical” investigator.<sup>28</sup> “Historical objectivity” may be the field’s central purview.<sup>29</sup> Critical philosophy of history involves

history's truth claims – does history, or at least do historians, use adequate theories of knowledge? Do historians, make logical assertions concerning the epistemologies they invoke in the context of *knowing* the past? These are heavy questions for historians. It is no small task to sift through archives, the arguments of other historians and deal with material that is “out there.” That is as opposed to material “in here,” or cognitive epistemological questions. Still, the problem of knowledge is powerful. It is hard to know about *anything* without a theory of knowledge. This is at least employed in an implicit, if not explicit, sense. History, notes one critic, must relate to “other forms” of knowledge.<sup>30</sup> This includes theories of knowledge in themselves.

Speculative philosophy of history, the focus of this paper, can be considered the heart of philosophy of history. Speculative philosophy of history presumes one can know the past. Speculative philosophy of history departs from the idea that history is universal. Speculative philosophy of history focuses upon problems of difference; the idea that multiple human cultures have developed over time is central. However, speculative philosophy of history feels a duty to investigate *why* change happens; the area theorizes change itself. That is the problem many analytical philosophers of history have with philosophy of history's speculative branch – “looking at history as a whole.”<sup>31</sup> What one can do, claim advocates of analytic approaches, is make valid *arguments* about the past. Knowing the *nature* of history – the past “itself” – verges on impossible.<sup>32</sup>

Critical philosophy of history emerged as a reaction to speculative philosophy of history. Philosophers, historians, and other social scientists (never mind the man or woman in the street), one critic has argued, “Should not engage in unfounded speculations about the past.”<sup>33</sup> Thought about the past should not be “wild eyed dreaming.”<sup>34</sup> Speculative philosophy of history departs from “meta,” or large-scale theses about ranges of issues – time, the human being, the possibility of human meaning and the idea that there might be “goals” in historical processes. Speculative philosophy of history works off *a priori* assumptions. Empiricism, though at least some speculative philosophers of history have claimed to have been “empirical” (Marx and Hegel claimed to start with the definite “facts” of human history), is not the *modus operandi* of the speculative philosopher of history.<sup>35</sup> Analytical philosophers of history may have a point. The space for critico-analytical philosophy of history is checking the logic of the assertions historians make. It is also to

check the conceptual forms of the more philosophically-inclined counterparts which historians sometimes find in their company. It may well be that, unchecked, speculative philosophy of history veers on theology; it can be “providential.”<sup>36</sup> Speculative philosophy of history may resemble religious-like assertions about the nature of time, space and “man.”

Historiography, however, or at least investigations into historiography, may *also* rely on speculative philosophy of history. Published in 1973, Hayden White’s *Metahistory: The Historical Imagination of Nineteenth-Century Europe*, is perhaps the most influential work written in the last thirty or forty years in any areas of philosophy in history. White’s work represents a plethora of choices for the historical thinker – “empirical” or “philosophical.” Regardless of on what plane we engage it, argues White, history involves emplotment. To think about history is to give it its structure. To think about history is to engage in narration. It is to tell *stories*.<sup>37</sup> This makes history, at least in part, a matter of literature. Though in the years since, White’s arguments have become more or less accepted, at the time that most historians did not conceive of history this way.<sup>38</sup> Most trying to engage history thought they were naively describing the past. One appeared to “find” history rather than emplot it.<sup>39</sup> One tried to uncover *truth*. This was not the reality, however – at least not for White. As argued in *Metahistory*, there may be potentially no “proper history” which is not at the same time a “philosophy of history.”<sup>40</sup> In other words, writing history *always* involves *a priori* assumptions. “The possible modes of historiography are the same as the possible modes of speculative philosophy of history.”<sup>41</sup> This repeats White’s assertion, but with a different twist. White again tells us that speculative philosophy of history is central to historical practice. However, historiography, White tells us, has particular modes because *philosophy of history* functions in relation to particular modes – aesthetic forms that imaginations of the past inhabit.

In *Metahistory*, White lays out a range of modes through which history and speculative philosophy of history play out (again, that as at least for White, history “is” speculative philosophy of history). One can explain history via classic approaches to literary emplotment. White points to Northrop Frye’s 1957 *Anatomy of Criticism* to outline three options. Most emplotment, White argues, boils down to romance, tragedy, comedy or satire. Romance is the emergent hero transcending evil – he or she who claims virtue over vice and wins the day. Romance is “the sort of drama associated with the Grail legend.”<sup>42</sup> Romantic

history is humanity triumphant; Christ resurrected. The Romantic sees liberation from imprisonment. These are concepts important to human rights.

Comedy, tragedy and satire are all a little different. Comedy is occasional reconciliations of differences; the humorous “realization.” Comedy, however, is also the coming apart of difference again to reveal irony and uncanniness. Comedy is Puck in *A Midsummer’s Night Dream*, announcing the whole course of events was imagined. Tragedy is destruction; tragedy concerns the inevitability of the world as larger than oneself. Try though they might, for example, Romeo and Juliet cannot move beyond the dire straits in which they find themselves. Satire is the world as in fact *truly* larger than oneself. At least with tragedy, one becomes educated; one learns about the possibility of folly or one’s place in the world (*Romeo and Juliet* at least provides a lesson). Satire is darker, however. Satire is based on the idea of the “ultimate inadequacy” of action – the idea that, never mind resolution, one might not even gain *insight*.<sup>43</sup> In satire, things might just be bizarre, random, and uncanny. These are views, asserts White, one can employ to address fiction. They can help to create “poetry.”<sup>44</sup> However, they can also be used in the context of “real” humanity. They are views one can use to describe the evolution of the past.

Despite the power of classic literary plots, however, White also asserts that one can philosophize about history via “formal argument.” That is, in addition to plot, one can make assertions about “putatively universal law[s] of causal relationships” between events.<sup>45</sup> This, somehow, is metahistory as *metahistory* – attempts to add depth to claims that one is actually talking about the past and not just emplotting events which concern reality or might not. White uses another mid-twentieth-century reference for “formal argument”: Stephen Pepper’s 1942 *World Hypothesis: A Study in Evidence*. White identifies four approaches to history, “formist,” “organicist,” “mechanistic” and “contextualist.” Mechanism concerns studying history to “divine the laws that actually govern [history’s] operations.”<sup>46</sup> Mechanism tries to write history to “display in a narrative form the effects of those laws.”<sup>47</sup> Mechanism focuses upon finding rhyme and reason in historical processes – regularity in a machine; “patterns and rhythms” for the “whole” swath of human events.<sup>48</sup> Formism concerns “the identification of the unique” in the historical field – allowing relativity between objects or at least a relativity between experiences.<sup>49</sup> Here, White’s arguments may be less clear. It is hard to see where “putatively universal” laws apply to Formism; the issue

seems to concern the unique and the possibility of *irregularity*. Organicism seeks integration of the unique *and* universal – that there might be laws governing the relations between the two (indeed, White suggests that this is usually the case).<sup>50</sup> Organicists (Hegel is an example) eschew the notion of “laws” on behalf of concepts of “ideas” or “principles.”<sup>51</sup> The issue is that it is unclear what the difference is between a “law” and a “principle.” Both seem to concern the nature of change. Contextualism concerns notions “that events can be explained by being set in the ‘context’ of their occurrence.”<sup>52</sup> Again, to the extent that “formal argument” concerns “putatively universal laws” of causal relationships, it seems less than clear what context has to do with law except to the extent that it might be a law that something reacts to its context. Mechanism thus seems the paradigmatic form of explanation via formal argument.

Finally, White argues that one can also argue about history via “ideological implication.” By “ideological implication,” White has in mind stories offered by modern political ideologies and political philosophies – socialism, liberalism, radicalism, conservatism, anarchism, and even fascism. White picks out four. “Conservatives,” writes White, “are inclined to imagine historical evolution as a progressive elaboration of the institutional structure that currently prevails, which structure they regard as ‘utopia’.”<sup>53</sup> “Utopia” is here proposed as “the best form of society that men can...hope for.”<sup>54</sup> Conservatives thus become relatively non-utopic. That is to the extent that utopia might be imagined as a form for humanity *not* yet achieved.<sup>55</sup> Liberals “imagine a time in the future when [current] structure[s] will have been improved.”<sup>56</sup> That will be a “remote” future, however. It will take time and reform to reach utopia. Radicals “are inclined to the view the utopian condition as imminent.”<sup>57</sup> This “inspires...concern with the provision of the revolutionary means to bring...utopia to pass *now*.”<sup>58</sup> For political readers, this is perhaps a bit less radicalism in the sense of modern “radical” parties than a mode of political behavior – engaging the political *avant-garde* and seeking revolutionary action. Finally, anarchists are “inclined to idealize a remote past of natural-human innocence from which men have fallen.”<sup>59</sup> Humanity’s fall from natural innocence has resulted in “corrupt” social states – states characterizing a good deal of human history. Still, for the anarchist, not all is lost. This is because of the essence of the free, naïve, potential-driven characteristics residing within the human being. From the anarchist perspective, utopia and liberation are possible

“at any time, if men will only seize control of their own essential humanity.”<sup>60</sup> Such “seizing” happens through will or consciousness. The “anarchist” perspective is contingent upon the idea that humanity *maintains* consciousness – that one may act in accordance with reason, or measured invocations of logic and will. Like Romanticism, there is much here that seems to resonate with human rights.

The upshot of *Metahistory* is that what historians, philosophers of history and, indeed, *any* historical thinker do is combine available modes of emplotment and analysis. Essentially, historical thought is a dinner plate made from the buffet of cognitive options available at the table of historical representation. Not all dishes go together. One cannot combine comedy and mechanism, for example. Mechanism demands more resolution than comedy provides. One may also not combine Radicalism and satire. One sees change as highly possible, the other less so. Indeed, the combination of twelve essential tropes boils down to four: metaphor, metonymy, synecdoche and irony (White’s touchstone is linguist Roman Jakobson).<sup>61</sup> There are a great number of specifics in *Metahistory*. However, at the most fundamental level, White asserts that when one discusses history, one is discussing *stories*. One is discussing tracing “sequence[s] of events lead[ing] from inaugurations to...terminations of social and cultural processes.”<sup>62</sup> One should grant history “formal coherence...as a comprehensible process.”<sup>63</sup> Links or reasons should exist for relations between history’s “beginning[s], middle[s] and end[s].”<sup>64</sup> Logics should be provided. Indeed, if the story one is telling concerns “humanity” – all of humankind at one time – one can remove the “s” from the end of “beginning,” “middle” and “end.” That is as history *itself* – history regarding *everyone* – has a “beginning, middle and end.” Such things, however, are not just “history.” They are also part-in-parcel the historical-*philosophical* thinking that all “history” inevitably represents – speculative meditations on the past and the nature of its unfolding.

### **Human Rights: The Emergence of the Hero**

To properly discuss human rights as a philosophy of history we must define what human rights are and how they might be understood. Again, this paper uses the UDHR as its point of departure. The UDHR is a document with a complex history. The attempt to overcome at least several decades of European “nihilism” became the impetus behind an international rights declaration, as well as rights’ incorporation into the United Nations, in the late 1940s.<sup>65</sup>

The Holocaust was pivotal. As one scholar puts it, memories of the “camps” weighed heavily on the minds of international leaders after the *Götterdämmerung* of the Second World War.<sup>66</sup> Nonetheless, the Holocaust was but one in a range of significant social justice issues influencing the constitution of international rights – issues of Third World development and sovereignty among them.<sup>67</sup> As noted, the UDHR gained approval from the UN General Assembly in Paris on December 10, 1948. It was not always clear that rights would be part of the UN agenda. Rights were significantly downplayed in some of the proposals leading to the UN.<sup>68</sup> Once rights were included in the UN Charter, there was again debate about which should be emphasized.<sup>69</sup> Forty-four of fifty-two voting nations more or less agreed. Eight nations were more skeptical.

The eight “skeptics” of the initial UN family were South Africa, Saudi Arabia, Belarus, the Ukraine, Poland, Yugoslavia, Czechoslovakia, and the USSR. These states did not vote “no” to the UDHR. They did, however, abstain, meaning they refused to participate in the proceedings. South Africa was concerned about Apartheid. Eric Louw, South African representative to the UN, noted that the UDHR might “destroy the whole basis of the multi-racial structure” of South Africa.<sup>70</sup> In the end, the UDHR may have indeed contributed to this.<sup>71</sup> The Saudis thought at least the specific *form* of rights described in the UDHR – liberal, gender equality, and stressing religious freedom – was too Western. Such perspectives ignored more “ancient civilizations,” argued Saudi representative Jamaal Baroody.<sup>72</sup> The communist states – Belarus, the Ukraine, Poland, Yugoslavia, Czechoslovakia and the USSR – objected because they thought the UDHR placed too much emphasis on individual free speech rights. That was as opposed to more collectively thought economic rights. Paraphrasing one scholar, the Soviet argument was that one’s “belly must be full” before one can worry about free speech and political freedom.<sup>73</sup>

There may have been something to the communist objection. The UDHR *does* prioritize what are called “civil and political rights” (CPRs), as opposed to “economic, social and cultural rights” (ESCRs). The opposition is roughly between liberal rights (free speech, legal equality and democratic participation) and more socialist rights (the right to work, welfare, free education, health care and material security). About two thirds of the UDHR – articles 2 through 21 – concentrate on CPRs. That is as opposed to four articles encompassing ESCRs (22 through 26). It may be impossible to avoid ascribing human rights

a liberal core. The “full and free” development of the individual, Joseph Slaughter argues, is the end game of rights.<sup>74</sup> There is logic to this. Even Marx thought the reallocation of economic resources was ultimately in the service of free individuals. The reorganization of economics should hopefully lead to the reintegration of the human being. On a good day, argued Marx, one would “hunt in the morning, fish in the afternoon, rear cattle in the evening and criticize after dinner.”<sup>75</sup> It was a bucolic, free, critical and intellectual existence.

After 1948, the UDHR became the touchstone for rights. The international human rights regime – loosely, the broad collection of documents, legislation, courts, organizations, institutions, conventions and declarations pertaining to rights – spreads in myriad directions.<sup>76</sup> The UN maintains ranges of conventions, including but not limited to the International Covenants on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention on the Elimination of All Forms of Discrimination against Women (1979), and the Convention on the Rights of the Child (1989). The UN maintains tribunals to help societies transition from periods of conflict. The most famous of these are the International Criminal Tribunal for the Former Yugoslavia and the Special Court for Sierra Leone. *Regional* organizations, such as the Organization of American States, the European Union, and African Union maintain their own human rights declarations (the 1969 American Convention on Human Rights, the 1950 European Convention on Human Rights, and the 1981 African Charter of Human and People’s Rights). International organizations, most famously Amnesty International and Human Rights Watch, investigate and publicize human rights violations. Some states have adopted human rights into national law – the 1998 British Human Rights Act is an example.<sup>77</sup> The International Criminal Court prosecutes crimes against humanity. Views on rights are not necessarily uniform. Somehow, however, the precepts of the UDHR stand underneath by far the larger part of the plethora of rights practices and institutions. Especially via their emphasis on CPRs and ESCRs, the UDHR’s precepts form the essential foundation of the larger part of the human rights world.

Where is philosophy of history in all this? Where are the large-scale interpretations of the past – the “putatively universal” laws of historical change outlining a human rights “philosophy of history?” Why would it not only be important *where* and *how* human rights

maintain a philosophy of history, but *that* human rights maintain a philosophy of history at all?

If one is willing to look more closely at the precepts of philosophy of history, the answers to at least the first question are relatively simple. Firstly, one needs agreement about what – which document, institution, court, practice or idea – one is referring to when one discusses human rights. In this paper, the UDHR is taken as representative of the international rights regime. Secondly, one needs to find human rights’ “beginning, middle and end” tale. Again, there is a particular reliance in human rights on romantic and anarchist tropes or narrative structures. Human rights portray heroic victories and recoveries of naïve humanity through invocations of the human “essence.” First and foremost, however, Romanticism and anarchism are beginning to end tales. Humanity begins in one place and ends another (the victory of a concept or the recovery of an essence). The beginning to end structure is what makes Romantic and “anarchic” narratives relevant to philosophies of history. Human rights chart a course of events; they chronicle humanity’s unfolding. Where are such chronicles in human rights? What is the human rights “journey” beyond emerging heroes and “essential” humanity?

“Beginnings, middles and ends” are some of human rights’ clearest points. All rights, the UDHR maintains, extend from two concepts. Firstly, the human being is born “free and equal in dignity and rights” (article 1). Humanity’s original human state was “with rights.” Rights are “natural.” However, it is difficult to miss the historical designation in this idea: that *all* human beings at all times were *born* with rights. This of course means that every human individual is born such a way: free and dignified. However, it also means that *every human being at any time* was born in such a state. Indeed, the point seems to be that sometime, in a mythic past, humanity had a mythic, bucolic origin. Perhaps this is true; certainly, it provides a more optimistic take on human life than Thomas Hobbes’ concept of human existence as “nasty, brutish and short.”<sup>78</sup> Regardless of the veracity of the claim, however, *human rights* clearly tell us that human history started a particular way. Human existence, in good, natural law form, began as “free.”<sup>79</sup>

The free human being, however, was not only free. Using Jean-Jacques Rousseau’s phrasing, it was not just that man was “born free,” yet is “everywhere in chains.”<sup>80</sup> The human being was also born into “reason and conscience” (article 1). Humanity came with

cognitive and reflective capacities over and above essential political and/or social states (free and dignified). Humans could *reflect*. Humanity was able to *think*. That helps justify rights. The positing of a human essence means that unless one wants to defend essential hierarchical social structures, one *has to* accord a modicum of egalitarian recognition to all human beings.<sup>81</sup> Such concepts constitute the essence of rights.

Still, humanity encountered problems. In White's words, humanity was "corrupted." Humanity fell into "chains." Evil entered human affairs. Humanity stopped behaving reasonably. Some started to deny others freedom. This was history's middle. It is where the torsion, or drama, in the human plot took place – the entry of history's villains and the use of reason and conscience for purposes other than liberation.

In a way, it simply sounds like we are talking about stories. Human rights are but a parabolic address to morality – Christ encountering the moneychangers in the marketplace. For human rights, however, such arguments are not only matters of bending to literary form. Rights should not tell tales. Rights should offer statements about the *past*. Barbarism is at least partly a statement about genocide.<sup>82</sup> Barbarism is also a statement about the brutality of warfare – Europe and the world had been through *two* global conflagrations within the memory of most of those involved in formation of the UN and the UDHR. Barbarism and the disregard and contempt for rights are statements oppressions such as racial and gender discrimination. Rights are intended to *ameliorate*, or substantively change, such injustices. Everyone, without regard to race, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (article 2) should enjoy human rights. Not everyone has, however. Again, this is after an at least theoretical moment in which humanity was free, naïve and in enjoyment of rights.

Still, important for human rights is that not all hope is not lost. Rights posit that humanity can save itself. This concerns a number of factors. One is the declaration of rights itself – the *act* of declaring rights via documents such as the UDHR. Declaring human rights, especially universally, is a way of reversing "contempt" for rights. Declaring human rights is a mode of *embracing* rights. Declaring rights is a mode of asking global *communities* to embrace rights. At the very least, the UDHR and subsequent rights documents proclaim human rights as a norm. The UDHR and subsequent rights documents assert rights as present remade as well as a future destination for humanity. The UDHR preamble offers

that “Whereas the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world...the General Assembly [of the United Nations] proclaims the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations.” The authors of the UDHR clearly held that if one denies human rights, one denies the end of humanity. The proclamation of human rights is intended as a realization of humanity’s potential.

Still, the UDHR is clear on the constitution of rights-based societies. “Societies” here means national societies. “Societies” may also mean regions without specific national borders. “Society” might mean the international community. As noted, freedom, justice and peace are the “common standards of achievement” for which all peoples should strive. There are no boundaries on freedom, justice and peace. Still, freedom, justice and peace also mean specific things. Freedom, justice and peace mean “freedom of speech and belief.” They mean “freedom from fear and want.” They mean freedom from “tyranny and oppression.” They mean “friendly relations between nations.” It is hard to say if the drafters or approving voters of the UDHR hoped individuals would “hunt in the morning, fish in the afternoon, rear cattle in the evening and criticize after dinner.” They certainly imagined human beings getting along, though. So does any reader of the document who believing in its precepts.

This becomes one way in which human rights maintain a philosophy of history. Human rights maintain narratives. Human rights maintain beginning to end structures. Human rights maintain beginning to end structures with a *middle*. The middle of human history is “barbarism.” History’s middle – as well as the beginning and end – pertain to real events: histories of human conflict; genocide, civil conflict, and social repression. Human rights also provide notions for “inaugurations” of historical processes. That involves the birth of humanity itself – the emergence of the reasonable, conscientious creatures human beings supposedly are. There are notions of the “termination,” of “social and cultural processes.” This concerns the realization of rights themselves. This includes the UDHR’s stated goals for the international community (freedom, justice, peace). However, the proclamation of rights themselves is a kind of beginning of an end. Proclaiming rights represents the reemergence of rights consciousness. Proclaiming rights represents humanity taking control of its “essential humanity” through “acts of consciousness.” Again, the

wordplay here is drawn from the anarchist vision of history – that one might realize one’s “essential humanity” at “any time” if “by an act of will or consciousness” one engages the fundamentals of rights. “Anarchist” or not, however, the form of the idea touches on something deeper – a beginning to end structure connecting humanity’s ends and beginnings; humanity’s “terminations” and “commencements.”

Again, in theory, there is a story of the past here with greater status than fiction. Theoretically, rights stories concern sets of human realities that have been that (realities). This includes holocausts, marginalizations, cruelties, oppressions, and injustices. The story concerns origins. Origins of course are difficult to prove in “forensic” senses – senses of “scientific” pasts. Human rights nonetheless posit origins at least providing justification for their political goals. This concerns ideas that humanity maintains rights because rights are an intrinsic part of the human being.

Still, we are left with a conundrum: why did humanity fall into barbarism, oppression, marginalization and injustice *at all*? Why did humankind descended into the behaviors the UDHR seeks to root out – the violations of each other’s humanity that *are* part of the past; disregards and contempts for human rights into which many of us have fallen? Why have we done the things against human rights are a reaction? Why did humanity fall from grace? Why does humanity need a heroic return – a rights revolution, as such?<sup>83</sup> In fact, why might we *expect* such a revolution?

The UDHR provides no immediate answers. Nor does any other rights document (for example, those noted as part of the international human rights regime). Rights offer no statements to the effect that “humanity behaves strangely for the following reasons.” There are no statements proffering “the nature of history is as follows.” Still, though rights may not provide putatively universal *laws* for historical change – explanations for “strange” or “barbaric” human behavior – human rights nonetheless provide putatively universal *characteristics* for humanity. Humanity is free and dignified; humanity has a fundamental political state. However, humanity also has reason and conscience – humanity has a *cognitive* state constantly accompanying the human being. In theory, humanity was *born* with the cerebral characteristics in question; humanity “always” has reasons and conscience. If fundamental characteristics in fact have characteristics themselves – in other words, if reason and, if not *conscience*, then at least the *consciousness*, behaves certain ways, it could

be one is on one's way to laws concerning how human beings behave. That is behavior over time. "Human behavior over time" resonates with the terrain of "history." Certainly a belief in how human behavior over time resonates with the terrain of a *philosophy* of history.

### **The Logic of Heroes**

One might divide the field of speculative philosophy of history into optimists and pessimists. Different attitudes have pervaded speculative philosophy of history over time. White addresses these through literary and explanicist modes. For example, Hegel preferred tragedy and comedy to irony. That is as tragedy and comedy provided levels of plot resolution irony do not.<sup>84</sup> Marx was the ultimate mechanist; a thinker of "laws." Marx, argues White, sought laws governing history in the manner of a "physics presumed to govern nature."<sup>85</sup> Marx's historical story was to be "scientific." This paper employs a different vocabulary. This is to provide larger categorizations of trends concerning "putative" and "universal" historical change. The idea is to stay within the bounds of stories – beginning to end structures. However, the idea is also to look for a particular kind of story – stories defining the particular travails humanity has had. These stories concern the "laws" of historical change.

Given these categories, "optimists" tend to take the view that, though a long and sometimes radically violent road, there is a good chance of, if not inevitability in, humanity arriving at where it wants to go. No two names from philosophy of history are better examples of this than Marx and Hegel. Accepting these examples as but examples, however, Marx, like human rights, posits some modicum of consciousness, if not "reason," at the start of history.<sup>86</sup> It is part of our "species being," Marx asserted, that humanity had some awareness of itself.<sup>87</sup> Part of human "species being" is that we have awareness of our surroundings. "Human consciousness" is confronted by the fact that "physically, man lives only on the products of nature."<sup>88</sup> Humanity has life. Humankind has an origin, briefly naïve. Shortly into its life, however, humanity gets some unfortunate news: it has to work. The problem is that as soon as humanity works, it no longer belongs to itself. As soon as humanity works, it begins to view itself as things – things that labor. Because labor is so crucial, humanity also turns its *labor* into a thing (an object to be bought and sold, as well as something used to describe itself [commodities]). In essence, Marx's thesis was that such existential conditions have psychological results – alienation, or loss of the self. In laboring

to live, asserts Marx, we suffer the “estrangement of man from man.”<sup>89</sup> We lose the innocent core of who we are.

Human history represents attempts to overcome this. Of course, for Marx, overcoming alienation entails material effort. Any degradation of labor – any non-recognition of the full value of every human action (the “devaluation of labor”) – is cause for conflict. Social classes embody this. Social classes consist of those who perceive themselves as degraded on one side, and those who do not on the other. Of course, for Marx, class was a historically-formed consciousness; class was a product of the drive to accumulate in order to survive. Given the realities of accumulation, however, the conflict between two social groups could only go in one direction. That was towards the liberation of the degraded – the “proletariat.” The reason for this inevitability of the proletariat’s liberation was that wealth simply cannot be concentrated in few hands. Over time, such conditions become untenable. At the social level, then, history is thus bound to correct initial sets of class divisions emerging from humanity’s drive to accumulate the material wealth it needs to survive. The essential alienation of labor might not disappear. Alienation’s creation of class conflict might, however.

Such perspectives become relevant to human rights as an essential human property – consciousness – combined with an essential condition (the need to survive) gives way to *massive* human conflict. “The history of all hitherto existing society,” wrote Marx in *The Communist Manifesto*, “is the history of class conflict.”<sup>90</sup> The transition from feudalism to capitalism was about class conflict. The fight for better working conditions under capitalism involved conflict. Revolutions *against* capitalism were matters of conflict. Politically, Marx held, humanity can organize itself on behalf of itself. At the very least, those on the losing end of historical accumulation might organize themselves on behalf of *themselves*. The *Manifesto* was a call to do such a thing (“working men of the world, unite!” pleaded Marx; “you have nothing to lose but your chains!”).<sup>91</sup> Still, there was no avoiding the essential conflict between haves and have nots characterizing the larger trajectory of the human story. History had immutable laws. History’s laws, however, emerged not from bizarre or arcane locales. Rather, history’s laws emerged from the heart of human beings and what they are. History, its conflicts, as well as its victories, emerged from the conscious nature of human life itself. This is very close to a human rights perspective.

Potentially, speculative philosophy of history's best-known thinker is Hegel; a complex thinker who will have to be simplified here.<sup>92</sup> Summarizing Hegel, however, is a matter of saying that, in a formal sense, he thought many similar things to Marx. In essence, the difference between Marx and Hegel is that Marx maintained much more emphasis on the economic than the more idealistically oriented Hegel. For Hegel, history in fact relies on matters of consciousness. "Mind" and consciousness – "Spirit" (*Geist*) or some kind of sense perception (*Sinn*) – is the universal attribute of human beings. Mind and reason are what endowed human beings with the ability to make history and marked them *as* human. However, like Marx, the nature of consciousness was to be in constant states of reflection on itself. In essence, consciousness was in a constant state of doing and redoing its conception of both itself and the world. "Being," Hegel argued in one of the famous statements of modern philosophy, is "thought."<sup>93</sup> Thought, Hegel went on to say – perhaps a bit dauntingly – is "negativity" (*Negativität*). It sounds pessimistic – that thought concerns destruction, or "annulling" (*Aufhebung*) somehow. This ultimately was not necessarily a negative point for Hegel, however. For Hegel, at stake were simple descriptions of the nature of knowledge. One did not know without turning something – the world or oneself – into an object (*à la* Marx, one had to see oneself). This nonetheless meant something not unlike Marx's description of the worker looking down and realizes he or she is just that – a worker, and, as such, an alienated being. Reconciliation of this situation involved establishing rationalities and reasons for what one saw – what one perceived. That was both about oneself as well as the world.

The importance of humanity's psychological drama was that it had multiple effects. It involved not only individuals and thoughts, but culture, politics and the trajectory of global change itself. In *The Philosophy of History*, a series of lectures Hegel delivered in 1837, during the latter stages of his career, he argued that forms of state represent the "culture of a nation."<sup>94</sup> Forms of state reflect the worldviews of individuals who, via their individual consciousnesses (or decision making processes), formed communities. Culture for Hegel was a developmental process. "Culture" (*Kultur*) represents the particular state in which one has "apprehended" oneself (again, "seen" is an equally applicable term).<sup>95</sup> Culture was then how one *makes sense* of the states in which one found oneself – turning one's reality into sets of principles and ways of doing things (indeed, German has two words for these concepts;

*Kultur* and *Bildung* [roughly, “culture” and “education”]). These activities are the basis for social evolution and change. They are also the basis for political evolution as politics reflect worldviews. Changes in politics and society, however, are *en toto*, *historical* evolution. This is with “history” as a larger category encompassing specific dimensions of the human experience. Reason, spirit, mind – humanity’s animating forces – have to have the patience to pass through its various “shapes” over the “long passage of time.”<sup>96</sup> Reason and conscience are the engines behind the “enormous labor of world history.”<sup>97</sup> We are endowed, Hegel argues, with the ability to know. The ability to know is nonetheless something of a curse as well.

This is a central point: the ability to know is *quite* a curse. As with Marx, this is where the relevance to human rights emerges. The problem with knowledge, consciousness, conscience and reflection – and, moreover, that subjects are distributed through space and time – is that human subjects do not develop the same way. In the manner of human rights, human beings might have the same essence. Human beings also might have the same purpose – realizing and acting on the nature of the human essence. However, at any given time, humans see things different ways. That has historically meant conflict. “History,” wrote Hegel, is the “slaughter bench at which the happiness of peoples, the wisdom of States and the virtue of individuals has been victimized.”<sup>98</sup> Hegel does not say much about international relations. Hegel does, however, say a good deal about the negotiations involved in constituting civil society.<sup>99</sup> Social negotiations are that – negotiations. Indeed, while Hegel applauded what he called “world historical individuals” – individuals embodying and willing to act on the most advanced principles of their age (Napoleon was an example for Hegel). Hegel was nonetheless clear that the politics of state often involved war. The “diffusion” of peoples and ideas, Hegel noted, could mean conflict.<sup>100</sup> Believing something about oneself or about the world in general – humanity’s basic business – meant truths would likely come into conflict. Someone might act on belief. At that point, the slaughter bench would come out – barbarism.

Still, as with Marx, all was not lost for Hegel. History’s conflicted process had a purpose. The virtue of consciousness, thought Hegel – though also the root of human problems – was that consciousness could only be *one thing*: consciousness. It is a tautological argument – disputed as the best approach to causality.<sup>101</sup> Tautology nonetheless

offered possibilities. When one deals with an absolute – which in Hegel’s estimation, consciousness was – one is dealing with an A=A situation (Hegel’s vocabulary).<sup>102</sup> What the unity of consciousness meant – as well as the omnipresence of consciousness, reflection and reason through human historical life – was that one had to figure out what their nature was. In the case of consciousness, its nature was knowledge. The nature of consciousness revealed destiny. This was for both groups and individuals. The point of human history was knowledge about knowledge. The point of human history was humanity advancing through knowledge’s stages to achieve “self-certainty.”<sup>103</sup> Indeed, the point was *science* (orderly, verifiable approaches to knowledge). With true insight into what knowledge was, rationality might appear. Human rights are not necessarily concerned with science. “Self-certainty,” however, also concerned politics. States might gain constitutions. Statecraft might become rational and deliberated. International relations might be governed by law. Even art might take on ever more penetrating forms. The conscious and reasonable nature with which humanity was endowed might bear fruit. Again, like human rights, this was in the form of cultural and political forms reflecting reason and expressing the logics of the characteristics to which humanity is bound.

Other optimists, such as Benedetto Croce and R.G. Collingwood, adopt similar forms of argumentation.<sup>104</sup> Pessimists, however, not only have maintained varieties of speculative philosophy of history, but speculative philosophies of history putting similar issues into play. Humanity’s nature, as such – humankind’s “natural” characteristics – can cause change. That includes the problematic situations and places in which human history can end up.

The difference between optimists and pessimists comes from their offering two different shapes for historical development. Nietzsche, also one of modern philosophy’s thoroughly discussed figures, is well known for his idea of the *ewige Wiederkehr* – the “eternal return (of the same).”<sup>105</sup> In works from “The Use and Abuse of History for Life” (1874), *On the Genealogy of Morals* (1885), *Twilight of the Idols* (1889) and his best known philosophical novel, *Thus Spake Zarathustra* (1883-5), Nietzsche maintained a slightly different historical prime mover than Hegel or Marx: life. Nietzsche’s views on life are intentionally diverse. Nietzsche spoke explicitly against “systematizers” – those who tried to do *precisely* what Marx and Hegel did: create “metahistories,” (larger understandings of historical processes).<sup>106</sup> Still, it is not atypical to comprehend Nietzsche himself as

maintaining a grander vision. White suggests that Nietzsche's view of history was determined by a "need to flee from reality into a dream, to impose order on experience in the absence of any substantive meaning or content."<sup>107</sup> The lack of "meaning or content" in history meant that it intrinsically had none. However, that humanity gave history direction and purpose meant that the question of direction and purpose at least deserved analysis.

In this context, the question became what history's direction and purpose *might* be. As some have noted, especially in works such as *Zarathustra*, Nietzsche appears to provide hints that human desire provides order behind the chaos. *Zarathustra* is ultimately a heroic tale; something akin to White's "romantic" mode. The story's protagonist moves through ranges of trials and tribulations – a *Bildungsroman* in Slaughter's sense. The hero does not become enlightened, however. Rather, the hero (*Zarathustra*) retreats from civilization. The hero seeks a natural, organic existence. Indeed, the hero seeks to commune with life itself (life in *Zarathustra* is portrayed as a woman who comes and speaks to him).<sup>108</sup> Somehow, Nietzsche suggests, enlightenment, or the "end" history of history, is a kind of non-enlightenment, or relinquishment of reason. That is of course different than human rights. Rights seek *recoveries* of reason. This difference, however, gives way to a key realization: reason is the concept that drove humanity precisely to history's torsions and problems. As Nietzsche characterizes it in not only *Zarathustra*, but works such as *The Genealogy*, the contest over viewpoints and the power of perspective on the world stage explains not only the history and diversity of modern political systems, but the general project of creating social order in any form. Humanity appeals to visions of logic and incontrovertible truths to create social worlds. Such visions are, however, but tools for but new modes of order – "slave revolts in morality."<sup>109</sup> For Nietzsche, it was best to relinquish control. Unlike in human rights, there was no naïve utopia. History had no natural resting place. Still, that leads to a point in fact *resembling* human rights. We *had* conscience and reason. We had awareness. They might not liberate us. They did, however, effect where humanity went. This included the trouble in which humanity often found itself.

Again, this paper tries to establish patterns of thought and arguments involved in philosophy of history and resembling those of human rights; patterns of thought and arguments filling in the last gaps in human rights' historical-philosophical arguments. As with "optimists" – those seeing an "end" to historical processes – one could invoke more

“pessimists.” Arthur Schopenhauer and Søren Kierkegaard might be primary among these.<sup>110</sup> Another key thinker in this area is Oswald Spengler. While Spengler is not as well known today as Hegel or Marx, a look at this work (which was wildly popular in his time) reveals a meaningful philosophy of history. His book *The Decline of the West* one of both philosophy’s and history’s best sellers through the 1920s.<sup>111</sup> *Decline* is an extensive text. In part, Spengler claimed to develop Nietzschean themes. Civilizations rose and fell. Cosmopolitan worlds were the beginning of civilizations’ ends; indeed, for Spengler, “civilization” was equatable with the last stages of the life of a culture. Again, I make short shrift of a complex and interesting work. The problem, however, was “intellect.”<sup>112</sup> We always had it. Reason, consciousness and the mind were bound to assert themselves in one form or another. Not unlike in Hegel, we were always involved negotiating images of ourselves and understandings of the world around us. This gave humankind the urge to build civilizations – to universalize itself and turn itself into a totalizing cosmos (the cosmopolitan city was the mark of civilization, Spengler argued). Very simply, however, in the move to universalization – cities and cosmos – people lost senses of themselves. People and peoples became vacuus; without character. In such precarious conditions – whether they realized their conditions or not – peoples might be challenged by cultures with distinctly stronger senses of self. There was thus no infinite life in culture; all civilizations, argued Spengler, had “strictly limited and defined.”<sup>113</sup> Civilizations would collapse, somehow, like every other life form. Civilization would grow old, bloated and decay.

Like Nietzsche, Spengler saw no way of saving history. Indeed, Nietzsche might be more optimistic than Spengler to the extent that he suggested the possibility of finding solace in the quiet, contemplative life. Still, history at least made *sense*. History had a *mechanism*. Indeed, history’s mechanism was not unlike that suggested by human rights: reason, or a mind of sorts. We cognize and contemplate. This causes cultures to grow. However, it causes human decline as well. One had to be someone, Spengler thought; one had to have an identity. The problem the intellect we tried to invoke in creating identities was nonetheless that it tried to speak for everyone. Intellect was universal. The intellect’s projects would ultimately fail, however. That is as intellect was ultimately ours; individual.

Undoubtedly, rights more closely resemble Hegel’s and Marx’s approaches to history than Nietzsche’s and Spengler’s. Human rights do not discuss proletarian revolution, like

Marx. Though they provide cases for the importance of economics via the inclusions of ESCRs, human rights do not extensively portray conflicts for economic resources. Still, Marx speaks to rights' contradictions – points of initial awareness, series of problems emerging after humanity's initial awareness, or the endowment of humanity with reason and conscience, and the possibility, if not inevitability, of victory over at least significant dimensions of humanity's alienation from itself, or its "barbarism." Two points are salient. One is that history can save itself. Humanity can realize its nature and institute political forms bringing human life in accordance with how it "should be." The human being should *not* experience the degrees of barbarism and torsion he or she does. Nonetheless, social conflict, political conflict, and the torsions of historical change generally emerged precisely out of the essence of what humanity is. Humanity is in possession of fundamental capacities and relations with the world that never change. Those capacities and relations are humanity's curse and salvation. Human rights do not make this assertion. They are, however, right on the cusp of doing so. That consciousness is as problematic as liberating fits the human rights' notion of "barbarism." The essential capacities maintained by human beings that might liberate us are also those which might give us trouble. Reason and conscience, or at least *consciousness*, may cause "inhumane" behaviors as much as those we might consider "humane."

Among those presented here, Hegel's philosophy of history is that most closely resembling human rights'. In rights' literature, Hegel has been argued as helping to justify human rights as a political concept.<sup>114</sup> However, Hegel has yet to be argued as providing a *philosophy of history* resembling that of human rights'. Nonetheless, one can overlay certain of Hegel's themes and those of human rights and see degrees of resemblance. Conscience, *consciousness*, and reason are the heart of Hegel's human being. "Being is thought." Thought will liberate humanity from its "slaughter bench" – there will be a time in the future when humanity will realize its capacity for reason. It will use that capacity. That means the presence of that capacity. However, thought also gets in the way. Thought creates partially complete forms of the human picture to come – worldviews under development that might be reasoned yet do not realize the full power of reason itself. To this extent, humanity can behave irrationally. Humanity will go to war with itself and is involved in sometimes tense negotiations over the nature of social order. In Hegel's view, this makes sense. This is

because consciousness must labor. Consciousness and reason must work, through time, to realize what they are. This explains both both human victories and human downfalls. The last mechanisms of a human rights philosophy of history are close to locking into place.

Both Nietzsche and Spengler were skeptical of such optimistic perspectives. Such beliefs, both posited, derive from universalizations of reason. These universalizations, though natural enough, were not always healthy for humankind. Humanity *will not* save itself because reason is an occasion for trouble. “Intellects” represent exercises of power; conscience and consciousness impose on the world. Humanity is bound to social and intercultural conflict because when it asserts truth, it will inevitably conflict with the truth of others. Still, though while of a different tenor than Hegel and Marx, properties lying very close to the heart of the human being – capacities for reason and knowledge – provide logics for historical change. Capacities for reason and knowledge provide “putatively universal” laws via which humanity can expect “barbarism” at determined points within its history. Those points are the moments at which humanity uses its primal capacities to make its way in the world. The difference between Nietzsche and Spengler and human rights (as well as Hegel and Marx) is that humanity will probably not make its way to the destinies or ends it would like.

### **Eternal Returns: Human Rights in a Post-Historical Age**

It is not the case that human rights say “consciousness, reason, or conscience is why history changes.” Human rights do not say “humanity is self-conflicted, causing its own victories and downfalls.” Human rights do not say barbarism is a necessary dimension of “man’s emergence from his self-incurred immaturity,” as Immanuel Kant once put it.<sup>115</sup> Human rights offer no *explicit* discussion of historical laws. Human rights nonetheless assert it is *prima facie* possible to *realize* rights. Human rights say human rights may be realized because of what human beings are. Human beings are “free” and “dignified.” Human beings have rough political and ethical characteristics. However, human beings are also more than political and ethical. Human beings are “reasonable.” Human beings are endowed with “conscience.” Indeed, it seems, in some ways, humanity is on its way to realizing at least part of the destiny rights suggest could be ours – worlds of “freedom, justice and peace.” Again, rights declarations and protocols might at least be a small step towards realizing such

a world. The UDHR and its succeeding documents are intended to represent a degree of this realization.

Nonetheless, the UDHR *also* says humanity has spent a lot time *not* realizing rights. That is even though humanity was *born* into rights. Moreover, humanity appears to be born into the *capacity* to realize rights. At the very least, humanity seems born into capacities that appear to beg the accordance of rights to both ourselves and others. This is reason and conscience. Again, these are characteristics we all theoretically have. There is a clear story in human rights. This story is human history's start in naiveté and at least *potential* ending in political forms reflecting our naiveté. Ends and beginnings are related. Nonetheless, there is also a "middle" in which rights have at the very least been highly contested; rights have been hard to realize. This conforms with modes of thinking about the past identifiable as "philosophies of history." There is a "meta-story" in human rights. They go from "here" to "there." Rights also invite clear speculation on why.

"Why" is not an easy issue. It is one thing to tell a story. It is another thing to tell a story one purports to be *true* and offer a *logic* as to why that story has played out the way it has. Rights are on the cusp of naming that reason. They use answers that more than a few headline names from speculative philosophy of history provide. Reason, consciousness, conscience – the intellect, ideas "at large" – are notions viewed in very different ways by very different philosophers of history. Marx invokes these concepts in highly practical senses. The mind helps us relate to the world. The mind's relation to the world, as well as to senses of self, is a tense one. Those relations bring barbarity. That is largely in the form of class conflict. Still, something within the human essence works itself out over time. That is as we are always animated by the drive to be who we are, to have a dignified existence. This is a drive to be in control of ourselves, to have sovereignty over our life and thought.

Nietzsche and Spengler maintained highly skeptical views of such concepts. Reason is undoubtedly present in human history. Reason makes nothing but trouble, however; reason and conscience provide no grand reconciliations. "Rationality" is our downfall rather than salvation. "We suffer from man," Nietzsche wrote.<sup>116</sup> We are our own worst enemy. Still, this is the point. Humanity can make itself suffer. That is due to who, or at least *what*, we are (creatures reflecting on and making sense of the world). Humanity will never quite get out of the loop of finding new ways to either torture itself or pretend to master the world

when in fact it does not. It is the recovery that is missing for historical-philosophical pessimists in relation to figures like Marx.

In Hegel, we probably have the closest thing to a human rights “philosophy of history.” It is worth reiterating that human rights do not set out to be a philosophy of history. One might thus debate whether they *are* a philosophy of history, or “represent” one. There is a kind of *confrérie* between Hegel’s and human rights’ view of the past, however. There is something naïve in “Spirit,” the “mind,” or general capacities for reason with which we are all endowed. The mind has a freedom. The mind seeks and *may* seek its own nature. The mind may seek information generally as well as information about itself. The road along which the mind seeks (cognates), however, is fraught with peril. Realizing what we are is difficult. The difficulty is largely generated by *us*. That has to do with how hard it is for reason to know itself. That is despite the fact that reason and mind seek to know themselves precisely because they *are* themselves (compounding the problem at the same time that it provides the ultimate solution; “self-certainty”). This paper has intentionally stayed away from the precise political forms towards which Hegel would like to see humanity move. This is a complex topic, best saved for another time.<sup>117</sup> Suffice it to say that Hegel maintained a view of freedom. This was freedom in a sense that balanced a variety of liberalism and paternalism – perhaps like contemporary rights.<sup>118</sup> However, not unlike Marx’s communist utopia, future rights forms represented clear social improvement. Future forms of right represented freer, indeed, more “just” and “peaceful,” societies than that which humanity had up to now. There was a rights future in Hegel.

The notion of futures is a useful transition point towards a conclusion. The reality is that alternate systems were tried in the twentieth century. Primarily, this concerned socialism. This paper in now way attempts to say that Hegel was interested in socialism. He was not.<sup>119</sup> Socialism may not have been brought to the world by revolution or even consensus; it may rather have been foisted upon many of the locales that experienced its realities.<sup>120</sup> Still, socialism’s existence in multiple forms – Stalinism, Maoism, Hoxhaism, North Korea’s *Juche*, among others – helped define an ideological polarity central to large parts of the twentieth century. This was the polarity of the Cold War. The Cold War involved significant amounts of historical thinking. This involved historical-philosophical arguments; arguments about why one system – socialism or liberal democracy – was

inevitable. These were arguments about how one or the other system accorded more thoroughly with the nature of “man.” The foundation of the Soviet Union, Stalin claimed, was the “objective...reorganization of society.”<sup>121</sup> This was based on the “rich experience” of “history.”<sup>122</sup> Proponents of liberalism of course argued the opposite.<sup>123</sup>

It is an open question whether it is possible to find arguments like this anymore. In 1989, philosopher Slavoj Žižek argued that ideology concerned “antagonistic splits” in competing visions of social order.<sup>124</sup> Žižek, of course, wrote just when major portions of ideological fault lines were being smoothed over; “velvet revolution” consumed Eastern Europe (of course, the transition was less than “velvet” in places such as Romania), the Communist Party in China maintained an authoritarian hand yet had been liberalizing its economy since the 1980s, and the state that started it all – the USSR – was two years from disappearing altogether. North Korea and Cuba would be all that was left of the old school. Perhaps it was the “end of history,” one commentator argued.<sup>125</sup> Francis Fukuyama, of course, meant the “end of history” in terms of competitions between socialist and liberal powers. The “end of history” also had something to do with ideas, though. One concept had won. Systems and the individuals that supported them did not need to make historical, “nature of man,” arguments anymore.<sup>126</sup> History made those itself.

In 1989 came the liberalization of the world system – indeed, perhaps the world’s integration into a single economic and political (never mind cultural) system – was a boon for processes of globalization. Technologies could flow more freely across borders. Markets might become increasingly integrated. Media could become more diverse yet simultaneously more homogenous as similar images became more widespread. Language became increasingly homogenized as English experienced a bump in dominance only previously experienced with the expansion of the British Empire.<sup>127</sup> One theorist on such issues has posited the notion of “-scapes” – “landscapes” of people, money, ideas, images and technology washing across broad sets of borders, creating terrains on which groups and individuals contest their identities.<sup>128</sup> We are no longer involved in the simple argumentations for ideas. Rather, we are today involved in odd, asymmetrical rushes for bits and pieces of concepts swirling through communicative networks in an increasingly globalized world.

Some have suggested all these effects social relations with history. This is at least social relations with history as an *idea*. David Harvey argued for processes of “time-space” compression over the course of the twentieth century.<sup>129</sup> Harvey’s book on the issue came out in 1989; potentially, he had not seen the most thoroughgoing manifestations of the phenomena he discussed. Roughly, however, the notion was that the world’s technologies (modern communications and travel technologies) had shrunk space and made society increasingly presentist. Contemporary economic, social and technological forces, argued Harvey, made us “flexible;” humanity moved, as laborers, tourists, communicators and even citizens, to increasingly diverse global locales. The inhabitant of the modern world, Harvey argued, did not always know where he or she belonged. It was the “end of all narratives and meta-theories.”<sup>130</sup> It was the beginning of an age of forgetting about history – longer-term senses of human identity and senses of connectedness with time.

Philosophers, however, had been at work for some time picking on the idea of history. As noted, historians and philosophers have been considering the nature of historical knowledge for many years. Analytical philosophers of history had always dissected history’s truth claims. “What counts as historical reality” was the province of not only historians, but those who would comprehend how history was written.<sup>131</sup> White’s work represents a contribution to such thinking. However, deeper, existential and in themselves somehow historical claims were also made about the problem. History, particular groups of theorists began to claim, might not be a kind of space in which knowledge emerged. One might not “find” history. Rather, history *itself* might be an order of knowledge. History might be a “cultural code;” a reorganization of relations between “words” and “things.”<sup>132</sup> History might not be transcendental. History might be a cultural construct.

The emergence, popularity and even potential dominance of the concept of human rights at a time that seems to have such complicated relations with the idea of history makes one reflect. In contemporary society, we come into contact with human rights or at least rights representations, in many ways. We hear about human rights in the news. Samuel Moyn has shown that already in the 1970s, media references to human rights were on the rise.<sup>133</sup> This trend would only seem to have continued. The number of international rights organizations has taken off, and human rights have become an increasingly debated dimension of foreign policy.<sup>134</sup> Human rights are deployed in entertainment media – top

selling films like *Blood Diamond* (2006), *The Interpreter* (2005) and *Hotel Rwanda* (2004) are organized around rights themes. Major international corporations maintain social responsibility platforms incorporating human rights.<sup>135</sup> Clothing companies – Benetton is the most famous – use human rights for advertising; rights clothing for global, middle class populations.<sup>136</sup> The philosopher Norberto Bobbio posited that ours might be an “age of rights.”<sup>137</sup> Though perhaps an exaggeration, he might not be totally off the mark. Human rights might be as dominant as any political or social idea on the late twentieth and early twenty-first century intellectual marketplace.

The point becomes this: are we, via human rights, recuperating a lost relationship with the idea of history? Via confrontations with human rights, are we subtly encouraged to re-immense ourselves in large-scale imaginations and beliefs concerning the past – beliefs seemingly belonging to another era? There are no easy answers. Human rights are very clearly a historical idea. “Historical idea,” means less that human rights come from ideas in the past – though they do. Rather, “historical idea” means that concepts, imaginations of, and, arguing about and philosophizing on history is a subtle but central dimension of rights. Human rights come awfully close to maintaining something that looks like a full-blown philosophy of history – beginning to end narratives, descriptions of history’s “middle” sections, senses of direction for the past and even, with a bit of nudging, theories of change. At least human rights maintain concepts that can be massaged into theories of change. That is not incidental. The past is on human rights’ mind. The past is a territory out of which human rights make their claim to legitimacy – the naturalness of rights, rights’ concordance with what humanity is and (thus) the inevitability of rights’ realization.

Of course, one may not perceive oneself as having a relationship with history. Historians and philosophers of history surely do. The man or woman in the street, however, may not invest extensive energy into thinking about their relations with the past. The past may fade into rough, intuitive backgrounds. Still, whether it is due to changes in the dimensions of global politics, relations with globalization and technology or even more academically-oriented doubts about the past and its objective existence, there may be forces about exculpating us from senses that in fact we should and *do* think about the past. Members of contemporary society may get subtle yet nonetheless present messages from diverse ranges of locales suggesting that the past is no territory for the present – history is no

longer the terrain of the modern mind. To the extent that we are interested in the idea of human rights, however, this may not be true. History, history's modes of change, patterns, rhythms and narratives seem to be very much be human rights' terrain. To that extent, such issues might be our terrain – a home of sorts for us – as well.

## Endnotes

<sup>1</sup> Issues of Third World development and long-term issues in colonialism also influenced the writing of the Declaration. See Susan Waltz, "Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights," *Third World Quarterly* 23, no. 3 (2002): 437-48.

<sup>2</sup> The United Nations, "The Universal Declaration of Human Rights," <http://www.un.org/en/documents/udhr/>.

<sup>3</sup> See Bonny Ibhawoh, *Imperialism and Human Rights: Colonial Discourses of Rights and Liberty in African History*, (Albany: SUNY Press, 2007); Jean Bricmont, *Humanitarian Imperialism: Using Human Rights to Sell War*, (Dehli: Aakar Books, 2007).

<sup>4</sup> Andrei Sakharov, for example, argued that human rights concerned the "world-wide defense of individual people;" they were decidedly *not* concerned with political dogma or ideology (that despite the fact that clear ideological streams flow into human rights). In Samuel Moyn, *The Last Utopia: Human Rights in History*, (Cambridge, MA: Harvard Bellknap, 2010), 139.

<sup>5</sup> All references to the UDHR are from United Nations, "The Universal Declaration of Human Rights," <http://www.un.org/en/documents/udhr/>.

<sup>6</sup> Joseph Slaughter, *Human Rights Inc.: The World Novel, Narrative Form, and International Law*, (New York: Fordham University Press, 2007), 3.

<sup>7</sup> Elizabeth Swanson Goldberg, *Beyond Terror: Gender, Narrative, Human Rights*, (Rutgers: Rutgers University Press, 2007).

<sup>8</sup> See, for example, Roland Barthes, "The Reality Effect" in *The Rustle of Language*, trans. Richard Howard, (Berkeley: University of California Press, 1989), 141-8.

<sup>9</sup> See Robert Burns and Hugh Rayment-Pickard, eds., *Philosophies of History: From Enlightenment to Postmodernity*, (Oxford: Blackwell, 2000).

<sup>10</sup> Johannes Morsink, *Inherent Human Rights: Philosophical Roots of the Universal Declaration*, (Philadelphia: University of Pennsylvania Press, 2009), 21.

<sup>11</sup> Michel Foucault, *The Order of Things*, (New York: Vintage, 1994), 387.

<sup>12</sup> See Emmanuel Le Roy Ladurie, *The Territory of the Historian*, trans. Ben Reynolds and Siân Reynolds, (Chicago: University of Chicago Press, 1979).

<sup>13</sup> Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans, Siân Reynolds, (New York: Harper and Row, 1972), 20.

<sup>14</sup> See, for example, Derek Attridge, Geoff Bennington and Robert Young, eds., *Post-Structuralism and the Question of History*, (Cambridge: Cambridge University Press, 1987).

<sup>15</sup> On "short twentieth century," see Eric Hobsbawm, *The Age of Extremes: The Short Twentieth Century 1914-1991*, (London: Abacus, 1994).

<sup>16</sup> For a useful overview of the history of the human sciences, see Roger Smith, *The Norton History of the Human Sciences*, (New York: W.W. Norton, 1997).

<sup>17</sup> The human sciences, Smith argues, concern nothing more or less than "our nature," the "everyday world we inhabit" and what has been "thought and said" about human nature and experience. In time-honored tradition, he wonders if the human sciences can be natural sciences. Their object, though, is undoubtedly "men and women." See *ibid.*, 4, 14.

<sup>18</sup> "History," wrote, Leopold von Ranke, "turns sympathetically...to the particular." Cultural historian Hans Medick wrote that "the concrete practices of subjects, between circumstances of life [and] relations of production and authority" should not be lost in history's gestalt, or "meta," perspectives. This is a long and ongoing debate in historical studies; the "particular" versus the "genera" – one that has yet to find resolution. See Burns and Rayment-Pickard, *Philosophies*, 92; Hans Medick, "Missionaries in the Rowboat: Ethnological Ways of Knowing as a Challenge to Social History" in *The History of Everyday Life: Reconstructing Historical*

*Experience and Ways of Life*, ed. Alf Lüdtke, (Princeton: Princeton University Press, 1989), 43. See also Aviezer Tucker, ed., *A Companion to the Philosophy of History and Historiography*, (Oxford: Blackwell, 2011).

<sup>19</sup> See Iggers, *The German Conception of History: The National Tradition of Historical Thought from Herder to the Present*, (Wesleyan: Wesleyan University Press, 1983).

<sup>20</sup> See Michael Bentley, *Modern Historiography: An Introduction*, (London: Routledge, 1998).

<sup>21</sup> “Rational prediction” and “salvational expectation,” asserts intellectual historian Reinhart Koselleck, were the foci of late eighteenth century politics and philosophy. Koselleck, *Futures Past: The Semantics of Historical Time*, trans. Keith Tribe, (New York: Columbia University Press, 2001), 21.

<sup>22</sup> On history writing and nationalism, see Claire Norton, ed., *Nationalism, Historiography and the (Re)Construction of the Past*, (Washington D.C.: New Academia Publishing, 2007).

<sup>23</sup> See Beverley Southgate, *What is History For?*, (London: Routledge, 2005).

<sup>24</sup> F.R. Ankersmit, *History and Tropology: The Rise and Fall of Metaphor*, (Berkeley: University of California Press, 1994), 125.

<sup>25</sup> Bentley, *Modern Historiography*, 1.

<sup>26</sup> In Burns and Rayment-Pickard, *Philosophies*, 21.

<sup>27</sup> See Joseph Mali, *Mythistory: The Making of a Modern Historiography*, (Chicago: University of Chicago Press, 2003).

<sup>28</sup> Ankersmit, *History*, 125.

<sup>29</sup> Jonathan Gorman, *Understanding History: An Introduction to Analytical Philosophy of History*, (Ottawa: University of Ottawa Press, 1992), x.

<sup>30</sup> Leslie Armour, “Speculative versus Critical Philosophy of History” in *The Philosophy of History: A Reexamination*, ed. William Sweet, (Farnham: Ashgate, 2004), 133.

<sup>31</sup> *Ibid.*, 131.

<sup>32</sup> The goal of analytic philosophy of history, Gorman argues, is to limit “unconstrained speculation;” it should focus on historical practice as opposed to full-scale comprehensions of the “march of history.” Gorman, *Understanding*, ix-x.

<sup>33</sup> *Ibid.*, x.

<sup>34</sup> Armour, “Speculative versus Critical,” 131.

<sup>35</sup> Karl Marx and Friedrich Engels, *The German Ideology; Part One with Selections from Parts Two and Three and Supplementary Texts*, ed. C.J. Arthur, (New York: International, 1993), 46; G.W.F. Hegel, *The Philosophy of History*, trans. J. Sibree, (New York: Dover, 1956), 16.

<sup>36</sup> Armour, “Speculative versus Critical,” 132.

<sup>37</sup> Similar points have featured in Paul Ricoeur’s *Time and Narrative*, 3 vols., trans. Kathleen Blamey and David Pellauer, (Chicago: University of Chicago Press, 1984-8).

<sup>38</sup> Richard T. Vann, quoting Brian Fay, has referred to White’s work as a “turning point” to which the field of historical studies was compelled to react. See Vann, “The Reception of Hayden White,” *History and Theory* 37, no. 2 (1998), 143.

<sup>39</sup> Hayden White, *Metahistory: The Historical Imagination of Nineteenth-Century Europe*, (Baltimore: Johns Hopkins University Press, 1973), 6-7.

<sup>40</sup> *Ibid.*, xi.

<sup>41</sup> *Ibid.*, xii.

<sup>42</sup> *Ibid.*, 8-9.

<sup>43</sup> *Ibid.*, 10.

<sup>44</sup> *Ibid.*, x.

<sup>45</sup> *Ibid.*, 11.

<sup>46</sup> *Ibid.*, 17.

<sup>47</sup> *Ibid.*

<sup>48</sup> Ankersmit, *History*, 125.

<sup>49</sup> White, *Metahistory.*, 13-4.

<sup>50</sup> *Ibid.*, 15-6.

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*, 17-8.

<sup>53</sup> *Ibid.*, 25.

- <sup>54</sup> Ibid. White borrows from Karl Mannheim's *Ideology and Utopia: An Introduction to the Sociology of Knowledge* (1936). Here, concepts of utopia are posited as decisive for modern concepts of knowledge. This includes political argumentation. See Mannheim, *Ideology and Utopia*, trans. Edward Shils, (New York: Harvester Wheatsheaf, 1985).
- <sup>55</sup> See Gregory Claeys and Lyman Tower Sargent, eds., *The Utopia Reader*, (London: Routledge, 1999).
- <sup>56</sup> White, *Metahistory*, 25.
- <sup>57</sup> Ibid.
- <sup>58</sup> Ibid.
- <sup>59</sup> Ibid.
- <sup>60</sup> Ibid.
- <sup>61</sup> Ibid., 31.
- <sup>62</sup> Ibid., 6.
- <sup>63</sup> Ibid., 7.
- <sup>64</sup> Ibid.
- <sup>65</sup> Michael Ignatieff, *Human Rights as Politics and Idolatry*, ed. Amy Gutman, (Princeton: Princeton University Press, 2001), 4.
- <sup>66</sup> Morsink, *The Universal Declaration of Human Rights: Origins, Drafting & Intent*, (Philadelphia: University of Pennsylvania Press, 1999), 37.
- <sup>67</sup> See Waltz, "Reclaiming and Rebuilding."
- <sup>68</sup> This reference here is the Dumbarton Oaks proposals, which outlined the shape of the new UN organization. Among twelve extensive chapters, rights gain one fleeting mention in a small section of chapter 9. See Washington Conversations on International Peace and Security Organization, Dumbarton Oaks, <http://www.ibiblio.org/pha/policy/1944/441007a.html>.
- <sup>69</sup> See Roger Normand and Sarah Zaidi, *Human Rights at the UN: The Politics of Universal Justice*, (Bloomington: Indiana University Press, 2008).
- <sup>70</sup> Morsink, *The Universal*, 27.
- <sup>71</sup> See Anton D. Lowenberg and William H. Kaempfer, *The Origins and Demise of South African Apartheid: A Public Choice Analysis*, (Ann Arbor: University of Michigan Press, 1998).
- <sup>72</sup> Morsink, *The Universal*, 24.
- <sup>73</sup> Rhoda Howard, "The Full-Belly Thesis: Should Economic Rights Take Priority over Civil and Political Rights: Evidence from Sub-Saharan Africa," *Human Rights Quarterly* 5, no. 4 (1983): 469. On the UDHR drafting and approval process, see Morsink, *The Universal*.
- <sup>74</sup> Slaughter, *Human Rights Inc.*, 4.
- <sup>75</sup> Marx and Engels, *The German Ideology*, 53.
- <sup>76</sup> John D. Montgomery, "Fifty Years of Human Rights: An Emergent Global Regime," *Policy Sciences* 32, no. 1 (1999): 79-94.
- <sup>77</sup> Canada, for example, also maintains a human rights act (1985) as does India (1993).
- <sup>78</sup> Thomas Hobbes, *Leviathan*, ed. J.C.A., Gaskin (Oxford: Oxford University Press, 1996, 84).
- <sup>79</sup> "All men," wrote John Locke, for example, "are naturally in...a state of perfect freedom." Locke, *Second Treatise on Government*, ed. Richard Cox, (Indianapolis: Harlan Davidson, 1982), 3.
- <sup>80</sup> Jean-Jacques Rousseau, *The Social Contract*, trans. Maurice Cranston, (New York: Penguin, 1969), 49.
- <sup>81</sup> See, for example, Amélie Oksenberg Rorty, "Descartes and Spinoza on Epistemological Egalitarianism," *History of Philosophy Quarterly* 13, no. 1 (1996): 35-53.
- <sup>82</sup> See Robert Meister, *After Evil: A Politics of Human Rights*, (New York: Columbia University Press, 2011).
- <sup>83</sup> See Ignatieff, *The Rights Revolution*, (Toronto: House of Anansi Press, 2000).
- <sup>84</sup> See White, *Metahistory*, 81-131.
- <sup>85</sup> Ibid., 281-330.
- <sup>86</sup> White, for example, also looks at Benedetto Croce – for whom "history was philosophy and philosophy was history." Ibid., 380.
- <sup>87</sup> Marx, *The Economic and Philosophic Manuscripts of 1844*, trans. Martin Mulligan, (New York: Prometheus, 1988), 76.
- <sup>88</sup> Ibid., 75.
- <sup>89</sup> Ibid., 78.
- <sup>90</sup> Marx and Engels, *The Communist Manifesto*, ed. Samuel Beer, (Indianapolis: Hackett, 1955), 46.
- <sup>91</sup> Ibid., 46.

- <sup>92</sup> See Stephen Houlgate and Michael Baur, eds., *A Companion to Hegel*, (Cambridge: Cambridge University Press, 2011).
- <sup>93</sup> Hegel, *Phenomenology of Spirit*, trans. A.V. Miller, (New York: Oxford University Press, 1977), 33.
- <sup>94</sup> Hegel, *The Philosophy*, 50.
- <sup>95</sup> Hegel, *Phenomenology*, 296.
- <sup>96</sup> *Ibid.*, 17.
- <sup>97</sup> *Ibid.*
- <sup>98</sup> Hegel, *The Philosophy*, 21.
- <sup>99</sup> See Z.A. Pelczynski, "Political Community and Individual in Hegel's Philosophy of State" in *The State and Civil Society: Studies in Hegel's Political Philosophy*, ed. Z.A. Pelczynski, (Cambridge: Cambridge University Press, 1984), 50-76.
- <sup>100</sup> *Ibid.*, 62.
- <sup>101</sup> A positive view of tautology is taken in Alan Tither, *The Power of Tautology: The Roots of Literary Theory*, (London: Associated University Press, 1997). However, Tither also explains the general objections to the idea – largely, that it involves circular logic.
- <sup>102</sup> Hegel, *The Phenomenology*, 9.
- <sup>103</sup> *Ibid.*, 485.
- <sup>104</sup> See Stein Helgby, "Collingwood and Croce" in *A Companion to the Philosophy of History*, 498-507.
- <sup>105</sup> On Nietzsche, see Bernard Magnus and Kathleen Higgins, eds., *The Cambridge Companion to Nietzsche*, (Cambridge: Cambridge University Press, 1996).
- <sup>106</sup> Friedrich Nietzsche, *Twilight of the Idols in The Portable Nietzsche*, ed. Walter Kaufmann, (New York: Penguin, 1976), 470.
- <sup>107</sup> White, *Metahistory*, 332.
- <sup>108</sup> Nietzsche, *Thus Spake Zarathustra in The Portable Nietzsche*, 338-9.
- <sup>109</sup> Nietzsche, *The Genealogy of Morals and Ecce Homo*, trans. Walter Kaufmann, (New York: Vintage, 1989), 36.
- <sup>110</sup> See Burns and Rayment-Pickard, *Philosophies*.
- <sup>111</sup> See Jeffrey Herf, *Reactionary Modernism: Technology, Culture, and Politics in Weimar and the Third Reich*, (Cambridge: Cambridge University Press, 1984).
- <sup>112</sup> Oswald Spengler, *The Decline of the West: Form and Actuality*, trans. Charles Francis Atkins, (New York: Knopf, 1937), 32.
- <sup>113</sup> *Ibid.*, 39.
- <sup>114</sup> See Lewis P. Hinchman, "The Origins of Human Rights: A Hegelian Perspective," *The Western Philosophical Quarterly* 37, no. 1 (1984): 7-31; Costas Douzinas, "Identity, Recognition, Rights or What Can Hegel Teach Us about Human Rights?" *Journal of Law and Society* 29, no. 3 (2002): 379-405; Richard Mullender, "Hegel, Human Rights, and Particularism," *Journal of Law and Society* 30, no. 4 (2003): 554-74.
- <sup>115</sup> See Burns and Rayment-Pickard, *Philosophies*, 52.
- <sup>116</sup> Nietzsche, *On the Genealogy*, 43.
- <sup>117</sup> See Pelczynski, *The State and Civil Society*.
- <sup>118</sup> *Ibid.*
- <sup>119</sup> See Joel Anderson, "Hegel's Implicit View on How to Solve the Problem of Poverty: The Responsible Consumer and the Return of the Ethical to Civil Society" in *Beyond Liberalism and Communitarianism: Studies in Hegel's Philosophy of Right*, ed. Robert R. Williams, (Albany: SUNY Press, 2001), 185-205.
- <sup>120</sup> See Pavel Kolář, "Communism in Eastern Europe" in *The Oxford Handbook of the History of Communism*, ed. Stephen A. Smith, (Oxford: Oxford University Press, 2014), 203-19.
- <sup>121</sup> J.V. Stalin, *Works: Volume 14, 1934-1940*, (London: Red Star, 1978), 33.
- <sup>122</sup> *Ibid.*, 38.
- <sup>123</sup> See, for example, Karl Popper, *The Open Society and Its Enemies*, 2 vols., (Princeton: Princeton University Press, 1945).
- <sup>124</sup> Slavoj Žižek, *The Sublime Object of Ideology*, (London: Verso, 1989), 126.
- <sup>125</sup> Francis Fukuyama, *The End of History and the Last Man*, (New York: Penguin, 1992).
- <sup>126</sup> See also Ian Adams, *Political Ideology Today*, (Manchester: Manchester University Press, 2001), 280-97.
- <sup>127</sup> See Christian Mair, ed., *The Politics of English as a World Language: New Horizons in Post-Colonial Cultural Studies*, (Amsterdam: Rodopi, 2003).

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<sup>128</sup> Arjun Appadurai, "Disjuncture and Difference in the Global Cultural Economy," *Theory, Culture & Society* 7 (1990): 295-310.

<sup>129</sup> David Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change*, (Oxford: Basil Blackwell, 1989).

<sup>130</sup> *Ibid.*, 350.

<sup>131</sup> Gorman, *Understanding*, x.

<sup>132</sup> Foucault, *The Order*, xx.

<sup>133</sup> See Moyn, *The Last*, 231.

<sup>134</sup> See, for example, Chih-Hann Chang, *Ethical Foreign Policy?: US Humanitarian Interventions*, (Farnham: Ashgate, 2011); Alison Brysk, *Global Good Samaritans: Human Rights as Foreign Policy*, (Oxford: Oxford University Press, 2009).

<sup>135</sup> The Coca-Cola website, for example, features articles from Mary Robinson, former United Nations High Commissioner for Human Rights. See Mary Robinson, "Engaging Business in Human Rights," <http://www.coca-colacompany.com/opinions/engaging-business-in-human-rights>. See also See "Supplier Workplace Accountability," McDonald's Corporation, accessed March 7, 2013, [http://www.aboutmcdonalds.com/mcd/sustainability/library/policies\\_programs/sustainable\\_supply\\_chain/supplier\\_workplace\\_accountability.html](http://www.aboutmcdonalds.com/mcd/sustainability/library/policies_programs/sustainable_supply_chain/supplier_workplace_accountability.html).

<sup>136</sup> See Marwan M. Kraidy and Tamara Goeddertz, "Transnational Advertising and International Relations: The U.S. Discourse on the Benetton 'We on Death Row' Campaign," *Media, Culture & Society* 25, no. 2 (2003): 147-65.

<sup>137</sup> Norberto Bobbio, *The Age of Rights*, trans. Allan Cameron, (Cambridge: Polity, 1996).