

REGARDING THE PAIN OF "OTHERS":  
HUMAN RIGHTS APPEALS AND INTER-ETHNIC SOLIDARITY

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When the Nazis came for the [communists](#),  
I remained silent;  
I was not a communist.

When they locked up the [social democrats](#),  
I remained silent;  
I was not a social democrat.

When they came for the [trade unionists](#),  
I did not speak out;  
I was not a trade unionist.

When they came for the [Jews](#),  
I remained silent;  
I wasn't a Jew.

When they came for me,  
there was no one left to speak out.

--Pastor Martin Niemoller

Human Rights and Communicative Action

Why and how do victims of human rights abuse and their advocates seek identity-based coalitions with similarly situated or at-risk peer groups? And why do groups not currently at risk respond to these appeals? Analyses of transnational social movements and political campaigns increasingly emphasize the role of symbolism and "information politics" in transforming states and global institutions. (Keck and Sikkink) Meanwhile, scholars of globalization claim transformative powers for communication at the system level (Rosenau, Keck and Sikkink, Price). Norm change in the contemporary international human rights regime is enhanced by the formation of coalitions that both broaden support and resources for a given campaign, but also legitimate the representativeness and generalizability of the claim. Moreover, the study of inter-ethnic solidarity is a useful corrective to the current emphasis on inter-group conflict and theories of the clash of civilizations; such solidarity shows the possibility for human rights as a lingua franca of the new world order. Inter-ethnic solidarity may transcend

more materialist views of ethnic communities as interest groups, as projections of values and Other-identification coexist with more predictable dynamics of collective self-defense or withdrawal that ignores or even competes with the suffering of other groups.

Critical theory combines a commitment to the transformative power of communication with a recognition of the structural limits of communicative public space, reaching an apex in Habermas and a more cautionary version in Giddens' account of dialectical "structuration." Constructivists suggest that communicative action can transform world politics through the power of persuasion (Risse). Yet communicative action claims must be articulated by legitimated social actors, reflect recognizable and governable social processes, and reach a relevant transnational audience. The speakers, content, and affect matter, and identities are part of the message.

In our age, human rights discourse is a master paradigm (Bobbio, Donnelly), and a form of communicative action (Li). Leaders, movements, and communities can all be agents of rights discourse, and the constitution of new agents and solidarities is one aspect or phase of the process of social change. The narrative of human rights violations fosters or hinders civil society in framing, claiming, and forming collective identities (Brysk 1995). Transnational ties are constructed through the communicative processes of identification with the Other, clear causal narratives of injustice and redress, and "branding" of locations and victims (Brysk 2000, 2005).

"Human rights" is not a single concrete injunction, but rather an interconnected set of beliefs about our duty to protect strangers. These beliefs depend on the dual assumptions that we are rights-holding liberal agents, and that we identify as such with demographically disparate but morally equivalent Others (Tan 2004, Monroe 1996). But such cosmopolitanism is not necessarily a homogenous, abstract universalism—"contingent solidarity" is often constructed via overlapping circles of partial identification (Appiah). Further, generic commitment to human rights may be reinforced by specific "lessons" of a group's historical experience or situation.

How do such identity-based human rights appeals shift political behavior? For constructivists, "the identities, interests and behavior of political agents are socially constructed by collective meaning, interpretations and assumptions about the world." (Adler 1997: 324) The identities that shape interests are constructed in relation to others. "Identities perform three necessary functions in a society: they tell you and others who you are and they tell you who others are." (Hopf 1998: 175) Thus, processing the human rights claims of another group helps to reinforce or extend the boundaries and markers of one's own identity.

Bridging narratives of human rights depend on the elements of memory, analogy, and social learning, which have been explored extensively in relation to communities' own response to trauma (Edkins). In order to identify with another struggle, a group must be able to articulate an established history of its own persecution. That history must be available for analogy with another experience (Khong, Lakoff); it must not be perceived as wholly unique, and must be describable in some generalizable terms. Finally, the

coalition partners must have compatible “lessons of history” and projections of prevention of future traumas (May); a common “prescription for survival.” All of these factors will be shaped and colored by global repertoires of memorialization, labeling, and institutional prescriptions following mass atrocities and/or discrimination.

### My brother’s keeper

What does it take for an identity community to decide to defend another? First, the group receiving the appeal must identify with the victim group; they must literally or figuratively speak the same language. I am my brother’s keeper because we are part of the same “family of man” (Brysk, Parsons and Sandholtz 2002). After identification, the appeal group must apply a diagnosis of its own suffering to the victim group. What happened to me—and how are you suffering the same condition or threat? Moreover, the appeal group must have some tradition or “lesson of history” that suggests that solidarity is a necessary or sufficient response to persecution (rather than exit, assimilation, or co-optation). The broader question is: What kind of a world prevents me and others like me from suffering? Together, these discourses answer the basic agenda of human rights: who is human? what is right? And who is responsible? (Brysk, HR PW)

On the outcome side, we can distinguish psychological identification with Others by *individuals* from a historically persecuted group (leadership) from organizational mobilization by ethnic *organizations* or inter-ethnic campaigns (resources, lobbying, public advocacy). Both may be relevant, but they are likely to have different dynamics. The relevant outcome is mobilization rather than impact, since the formation of a coalition or campaign reveals the presence of Other-identification, while the ultimate efficacy of a solidarity effort may be influenced by factors beyond the influence of either group, such as the power position or alliances of the repressive state. We must also consider *indirect universalist promotion* effects, when ethnic leaders or organizations spearhead a universalist campaign for situations analogous to their historical persecution, which comes to focus on specific similarly affected groups without any specific appeal for a named peer group.

In terms of explanatory patterns, we might hypothesize that internationalist values, experiences, and structures will make groups more available for communicative action in the global public sphere. Thus, one strengthening factor would be a universalist religion or political culture. Another would be diasporic experience, with widespread dispersion generally providing more opportunities for contact and involvement with other groups. Similarly, historical sequence should matter in several ways. First, a persecuted group would be expected to require some distance from its own insecurity before making common cause with Others. On the other hand, generations of assimilation or reestablishment of a homeland or placement may blur memories of the persecution experience and shift group priorities. Finally, groups may go through a learning curve, from isolated persecution to intra-ethnic outreach to inter-ethnic Other-identification.

### *Latin American indigenous rights*

During the emergence of the Latin American indigenous rights movement from the 1970's through the 1990's, Indians of the Americas received disproportionate support and critical infusions of resources from European ethnic minority groups. European activists for human rights, self-determination, and cultural survival provided leadership, financial backing, publicity, and lobbying coalitions vis-à-vis international institutions. In some cases, European minorities even contributed to the formation of a transnational pan-indigenous identity and labeling as oppressed "peoples"--like their European interlocutors. (see Brysk 2000 for details and sources of the information below)

Numerous individuals from European minority groups were key players in the transnational indigenous network. The earliest example was Roger Casement, a late 19th-century Irish nationalist and British diplomat who brought world attention to enslavement and decimation of Indians on rubber plantations in the (Peruvian) Putumayo region of the Amazon. Later, European minority activists helped establish the Anti-Slavery and Minority Rights global advocacy organizations. Fiona Watson of the British group Survival International is actually Scottish; Teresa Aparicio of the Copenhagen-based International Work Group on Indigenous Affairs is Catalan. Javier Izko is an anthropologist from Spain who has worked with a variety of development and environmental organizations to sensitize them to indigenous cultural concerns, currently based in Quito with the International Union for The Conservation of Nature. When I commented on the seeming irony of a Spaniard advising Latin Americans on "dialogue with the Other," he replied, "Please, I am from the [Basque] region."

Several improbably active advocacy movements and a proportionally enormous aid program come from Belgium, peopled by that country's Flemish minority. The 1992 Anti-Quincentenary Campaign's most solid support in Spain came from Basque groups, which founded a special periodical to promote Indian rights--in the Basque language. The Catalan-based Fundacion La Caixa has sponsored conferences, publications, and development programs for Latin American Indians. Mexico's Zapatista indigenous rebels have also enlisted a strong international support network with a strong presence of European groups, including numerous pan-minority or self-determination constituencies alongside anti-globalization and environmentalist allies.

This experience shows the potential resonance across vast cultural and developmental divides of a common identity as oppressed, stateless nations. Contemporary European activists fit the historical pattern of a middle phase of relative security but remaining difference. They hold typical European cosmopolitan values, and have experienced regional internationalization, although usually not diasporic diffusion. Their "lesson of history" is that dominant culture hegemony (especially by Spain) suppresses key universal values, and that cultural autonomy is necessary for empowerment and contributes to global progress.

### *South African anti-apartheid*

Like Latin American Indians, South African blacks received special normative and material support in their struggle against persecution and apartheid from two other

internationalized ethnic minorities that had suffered systematic discrimination: South African Jews and American blacks.

South African Jews are an especially interesting case, because they were a transnationalized but ultimately local group, who faced little anti-Semitism under apartheid and generally benefited economically. South African Indians may comprise a parallel group in a relatively privileged diasporic community which mounted strong opposition to apartheid, but arguably suffered more directly from the apartheid system of racial classification--thus blending some principled and some interest-based opposition. South African Jews made up the leadership of the English-speaking political opposition, such as Helen Suzman of the \*[Liberal?] Party, and numerous figures of the Communist party and associated trade unions. South African Jewish women were especially active in the Women's March of the 1950's and the later Black Sash movement, as well as other feminist and multi-racial social movements. A current South African cabinet official reminded South Africans that "Ninety-five percent of the whites who supported our struggle against apartheid were Jews." (Jhazbhay 2004: 288-289) The Jewish national organization, the South African Board of Jewish Deputies, pressed the global Coordinating Board of Jewish Organizations--led by B'nai Brith International--to oppose apartheid, and influenced the global body to issue a series of calls for the end of segregation (Galchinsky 2008: 40). Furthermore, South African Jewish dissidents were not conflicted over the apartheid regime's alliance with Israel--which did impede some of the American Jewish community's principled opposition to the minority regime. Nor were South African Jews apparently motivated by religious principles of solidarity, as South African Jews were not particularly religious as a community, and the activists were often secular Jews who identified only with ethnicity and a history of global persecution. Cosmopolitan identifications rooted in Jews' 19th-century European contact with socialism and 20th-century post-Holocaust "lesson" of the dangers of racial discrimination seem to account for South African Jews' solidarity with their black neighbors.

The strongest overseas support for black South Africans also comes from a somewhat unexpected source: African-Americans. Although African-Americans had a clearly analogous history of enslavement and structural racism, the continuing burdens of their own situation had not permitted any systematic international outreach through the 1960's peak of the civil rights movement. (Episodes of pan-Africanism resembled American Jews' sporadic relationship to Palestine in the pre-Zionist era, and focused solely on a return to roots rather than solidarity or reform of conditions in the homeland).

From the 1950's onward, some African-American churches and community advancement organizations did organize relief efforts and early petitions to the U.N., in association with anti-colonialist and non-aligned movements. Black American anti-apartheid activism took off during the 1970's, following a decade of educational and electoral reforms that brought significant numbers of African-Americans into policy-making circles. Catalytic figures like Randall Robinson linked normative appeals against apartheid to civil rights movement networks and values, and founded the new organization Transafrica in 1976. Meanwhile, newly empowered black legislators

established the Congressional Black Caucus, which quickly took up apartheid as its main international issue. Congressman Ron Dellums drafted an early sanctions bill at the request of South African black unions, that formed the basis of eventual U.S. restrictions, after over a decade of struggle. "The Black Caucus was also the source of the Comprehensive Antiapartheid Act of 1986 that transformed U.S. policy toward South Africa. This collaboration between congressional leaders and human rights activists was reflected in the Free South Africa Movement, which organized the arrests of thousands of demonstrators outside the South African Embassy in Washington D.C. in the early 1980s. During the demonstrations numerous African American Congressmen were arrested along with ordinary citizens and celebrities in the sit-ins outside the South African Embassy." (Nesbitt 2004)

The identification of African-Americans with South African blacks, and their projection of this identity into American political discourse in the post-civil rights era, were clearly key to the success of anti-apartheid mobilization in securing U.S. and global sanctions that contributed to the transition to majority rule in South Africa. The fact that this is an elective and selective process is suggested by American blacks' relatively low identification with Caribbean blacks sharing a similar history of enslavement, impoverishment, and current abuse. The difference is that South Africans' troubles were based on a system of minority domination and legally inscribed discrimination that resonated with U.S. history, while the chronic suffering of Haitians occurred under majority rule and corresponded more to structural, economic, and imperialist systems of domination rather than overt legislative racial discrimination.

### *The Japanese American Citizens' League*

An even more distant, principled, and unlikely case of solidarity is the civil libertarian advocacy of Japanese-Americans, explicitly based on their experience of legal discrimination culminating in the internment of Japanese-Americans during World War II. Such advocacy has been concentrated largely in one organization--the Japanese-American Citizens' League--established to combat such discrimination, and ultimately the sponsor of legal activism to secure retroactive remedies for the abuses of Japanese internment. The JACL's general history of periodic support for civil libertarian measures was surprisingly *increased* in the post-9/11 era, when the JACL became an active challenger to the series of violations undertaken in the name of the "war on terror"--with no direct implications for Japanese-Americans, and despite widespread stigmatization of the Arab-Americans and Muslims who were the primary focus of such repression. The JACL's framing of its mandate is instructive (JACL web site and press releases): "The Japanese American Citizens League, established in 1929, is the oldest Asian American civil rights organization in the United States. Our mission is to secure and maintain the human and civil rights of Americans of Japanese ancestry *and others victimized by injustice.*" [ my emphasis]

Prior to and following the analogous situation of post-9/11 detentions, the JACL occasionally advocated the principled civil liberties of an even more stigmatized group, with a tenuous relationship to Asians: African-Americans. Thus, the JACL filed an

important amicus brief in the *Brown vs. Board of Education* case that put an end to legal educational discrimination in the United States. They have spoken out on contemporary issues of racial profiling and discriminatory treatment of minority youth, notably in the Jena case where several African-Americans in conflict with whites at their high school were charged and sentenced in a murky and biased trial. The organization's reasoning shows clear inter-ethnic solidarity and principled identification:

The JACL's National Youth Student Council, which represents the voice of JACL members under the age of 25, declared the issues surrounding Jena Six of particular relevance, as it involves clear violations of civil rights with regard to race and youth in a school setting.

"As student and youth representatives of the JACL, we empathize with the black students in Jena as we have also been the target of discrimination and racism on school playgrounds and inside classrooms. We hope that this incident sheds light on the critical state of race and youth in our society," said Brandon Mita, a representative from the Youth Student Council and law student at Howard University in Washington, D.C. The JACL did not condone the violence, but instead expressed its disappointment with the way the case has been handled by school officials, local law enforcement and the Louisiana judicial process.

"Equal treatment and fairness under the law remains the critical concern of the JACL," said National Director Floyd Mori. "The Jena Six case is troubling and has overtones of the Vincent Chin incident where the victims have more reason for concern than the perpetrators of hate."  
[JACL press release]

The JACL has focused on overturning the complex of post-9/11 denials of habeus corpus, use of torture, and military commissions. A 2007 press release explicitly links their defense of habeus corpus to the historical

lessons of the World War II detentions:



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### **PRESS RELEASE**

#### **IT'S TIME TO RESTORE LAW AND JUSTICE**

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September 18, 2007

WASHINGTON, D.C. - Yesterday, the Senate debated points regarding the Defense Authorization Act for fiscal year 2008. Embedded in that bill as an amendment based on The Habeas Corpus Act of 2007 sponsored by Chairman of the Senate Judiciary Committee, Senator Patrick Leahy and Senator Arlen Specter (R-PA). This bipartisan amendment would restore habeas corpus for enemy combatants held under U.S. authority and would also allow those charged with terrorism to discover whether their incarceration is legal in federal court.

Habeas corpus was undermined in last year's Military Commissions Act which took away any non-citizen labeled an enemy combatant to challenge the abuse of power by the Government. Senator Leahy warned that restoring habeas corpus not only affects those held in detention facilities such as Guantanamo Bay, it includes an estimated 12 million lawful permanent residents in the States today. Under current law, any of these people can be detained indefinitely, without the ability to challenge their detention in court.

Senate Majority Leader Harry Reid (D-NV) filed for cloture on the amendment last night. The Senate is expected to vote this week as soon as Wednesday. Unfortunately, the Justice Department said it would recommend that President Bush veto the bill if it contains the Leahy-Specter amendment despite the fact that it has support from both Democrats and Republicans and is co-sponsored by many Members of Congress.

The JACL maintains it is of utmost importance to fight to restore these rights. Referring to the internment of 120,000 Japanese Americans during WWII, National Executive Director, [Name], states, "Japanese Americans know well the impact when the Great Writ of habeas corpus is suppressed. It is at the heart of our Constitutional rights guaranteed everyone, even for those considered the least of us. Restoring habeas corpus will restore us again to a country of the rule of law, not under absolutist authority."

## Contests of memory: American Jews

The "lessons of the Holocaust" are a central component of contemporary global norms. But even that event's most numerous and targeted victims cannot agree as to *which* lessons we can derive from the Nazis' state-sponsored mass murder. For one sector of the Jewish community, "never again" imposes a universalist moral agenda. As the American Jewish World Service states in the Darfur Action Campaign, "As Jews, we have a particular moral responsibility to speak out and take action against genocide." (Galchinsky 2008: 83) For others, it mandates nationalist self-determination and collective self-defense, largely realized through Zionism. Nationalist defense of Israel has influenced the American Jewish community's response to a surprising range of issues, including unlikely blockages on campaigns for South Africa and the Armenian genocide. A third alternative, individualist assimilation, even undermined some American Jewish elites' response to the liquidation of their own European brethren; U.S. Supreme Court Justice Felix Frankfurter denied evidence of the genocide (Power 2002) and first-generation Jewish-American government officials took no action to influence U.S. policy on key humanitarian issues like immigration quotas and possible military attacks on concentration camps.

After the war, diaspora Jewish communities played a central role in establishing and staffing the international human rights regime. The American Jewish Committee catalyzed inclusion of human rights in the U.N. Charter, Jewish lawyer Raphael Lemkin invented the term "genocide" and lobbied for the Genocide Convention, and Rene Cassin--president of the French Jewish community's Alliance Israelite Universelle, played a key role in drafting the U.N. Universal Declaration of Human Rights. The sociology of Jewish involvement in the international human rights movement is overwhelming, and clearly linked to the social psychology of interpretations of historical persecution. "Many of the general human rights NGOs were themselves founded, headed and largely staffed by Jews: Human Rights Watch (Robert Bernstein, founder; Kenneth Roth, executive director), Helsinki Watch (Aryeh Neier, executive director), the International League for Human Rights (Roberta Cohen, its first executive director), and the Lawyers Committee for Human Rights (Michael Posner, founder and executive director). In addition, many U.S. officials working on human rights issues had close affiliations with Jewish NGOs, including. . . Morris Abram, a one-time president of the AJC as well as U.S. ambassador to the U.N. Commission on Human Rights; and Max Kampelman, ambassador to the Conference on Security and Cooperation in Europe during the Helsinki process." For several generations, these activists closely linked group values and interests to universalist agendas. As Sidney Liskofsky, director of the Foreign Affairs Department of the American Jewish Committee said when establishing the Jacob Blaustein Institute for the Advancement of Human Rights: "The ethical ideals of Judaism and the historical experience of the Jewish people bear witness that human rights and Jewish rights are of one warp and woof." (Galchinsky 2008: 1, 22, 33).

Yet the organized American Jewish community has varied tremendously in its relationship to the persecution of similarly situated groups. U.S. Jewish organizations strongly supported the African-American civil rights movement, but had a mixed record

opposing apartheid in South Africa--lagging behind the global Jewish community. Jews spoke out against refugee quotas for Cambodians and urged U.S. intervention in Bosnia, but were relatively silent on Rwanda (Galchinsky 2008: 100-102). Currently, American Jews have rallied strongly against genocide in Darfur, but equivocated on recognition of the Armenian genocide. And the American Jewish community has been notoriously reluctant to criticize human rights abuses in Israel, only slightly mitigated by the recent emergence of a few dissident American Jewish organizations focused on Mideast peace.<sup>1</sup> (Galchinsky 2008)

A careful analyst of this mixed record attributes it to a shifting balance between three logics: "internationalism, Jewish nationalism, and domestic pluralism." (Galchinsky 2008: 5) Leading Jewish figures in international law and multilateralist Jewish NGOs clearly adopted the message that Kantian cosmopolitanism was the ultimate guarantee of "never again." American Jewish NGOs lobbied for forty years for the Genocide Treaty despite U.S. isolationism, under the aegis of the Ad Hoc Committee on Human Rights and Genocide Treaties, and helped to draft the Declaration on the Elimination of All Forms of Religious Intolerance (Galchinsky 2008: 36). Meanwhile, Jewish jurists carried personal Holocaust histories into multilateralism. Nuremburg prosecutor Benjamin Ferencz became an ICC advocate and reparations activist. Judge Richard Goldstone circulated from the South African Constitutional Court to the International Tribunals for the former Yugoslavia and Rwanda to Argentina's investigation of recurrent Nazi activity. Thomas Burgenthal, whose mother survived Auschwitz, chaired the U.S. Holocaust Museum's Committee of Conscience and the Inter-American Court of Human Rights, as well as sitting on the U.N. Human Rights Committee and the International Court of Justice. (Galchinsky 2008: 109)

The internationalist projection of "never again" reached its apogee in an unlikely identification with distant victims of a barely comprehensible genocide in Sudan--as in Bosnia, claiming mostly Muslim victims. After years of retreat from internationalism over quandaries related to global condemnations of Israel's human rights record, the American Jewish community rallied around the cause of Darfur. By 2004, the American Jewish World Service had established a coalition of 170 NGOs, the Save Darfur Coalition. The coalition has lobbied President Bush for multinational intervention, raised over \$4 million, and led rallies throughout the United States. In parallel fashion, the Jewish press and numerous synagogues have publicized and raised funds for Darfur relief. Activists sport buttons that read "Never Again--Darfur," and draw explicit comparisons to the Holocaust. A Jewish college student, the grandchild of four Holocaust survivors, raised \$250,000 from fellow students to fund African Union peacekeepers, and established a new social action organization: the Genocide Intervention Network. (Galchinsky 2008: 84, 103)

On the other hand, the limits of inter-ethnic solidarity by American Jews are dramatically illustrated by the organized Jewish community's equivocation over recognition of the Armenian genocide. This shocking moral gap clearly shows a triumph of nationalism over principle, as American Jews preferentially identify with Israeli foreign policy. It is

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<sup>1</sup> These include the Jewish Movement For Peace, the transnational Brit Tzedek, and the new "J Street

deeply ironic, in that one of the lessons of the Armenian experience is the consequences of international passivity for the next victims; in this case, Jews. In planning the Final Solution, Hitler overcame his own generals' concern over international reaction, stating: *Who, after all, speaks today of the annihilation of the Armenians?* (Power)

The foundation for American Jewish passivity was set by Israel: ". . . Israeli officials sometimes engaged in realpolitik that prevented them from taking a universalist stance on genocide. During the 1980s, for example, Israel was attempting to build an alliance with Turkey. . . . So valuable was this alliance that in 1982, the Israeli government refused to condemn the Turkish genocide of Armenians, despite the existence of a sizable Israeli Armenian minority, and it acted to prevent an international genocide conference in Tel Aviv from going forward because the conference contained a panel on the Armenian genocide." (Galchinsky 2008: 87)

Recurrent attempts by Armenian-American activists to appeal for Jewish support produced individual sympathy but organizational torpor, frustrating the Armenian community that sought to draw on the Jewish precedent. The Holocaust Museum and Reform religious movement explicitly recognized the genocide, but key gatekeeper organizations such as B'nai Brith and the American Jewish Committee demurred.

This chronic tension resurfaced in 2007, as a U.S. Congressional Resolution to recognize the Armenian genocide wound its way through the legislature--and some Jewish organizations actually worked to oppose the measure, on the grounds that it would threaten the U.S. and Israel's strategic alliance with Turkey. As a local response, a network of Armenian organizations in Massachusetts demanded the withdrawal of the Anti-Defamation League as a provider of tolerance education programs to public schools and civic organizations. Challenging the ADL program's title of "No Place For Hate," the Armenian groups titled their campaign and accompanying web site: "No Place For Denial." An ADL regional New England staffer who publicly sympathized with the Armenian critique was fired (although subsequently rehired).

On August 21, 2007, the ADL issued the following statement:

"We have never negated but have always described the painful events of 1915-1918 perpetrated by the Ottoman Empire against the Armenians as massacres and atrocities. On reflection, we have come to share the view of Henry Morgenthau, Sr. that the consequences of those actions were indeed tantamount to genocide. If the word genocide had existed then, they would have called it genocide. . . . Having said that, we continue to firmly believe that a Congressional resolution on such matters is a counterproductive diversion and will not foster reconciliation between Turks and Armenians and may put at risk the Turkish Jewish community and the important multilateral relationship between Turkey, Israel and the United States."

The Human Rights Commission of Newton (MA), one of the contractors of the tolerance program asked the ADL to support the Congressional resolution or withdraw. Critiquing the ADL's statement, the Jewish mayor of Newton said, "Whenever I saw the word

Armenian, in my mind I substituted the word Jewish. And whenever I saw the word genocide, I substituted the word Holocaust. And I said, would I be satisfied if this were the response of my leaders? And the answer was no.” (www.noplacefordenial.org )

Eli Weisel, the author, Nobel Laureate and Holocaust survivor, was interviewed on this point as he attended the annual convention of AIPAC--the American-Israel Political Action Committee. Although his very presence at the meeting indicated his support for Israeli nationalism, he identified with the Armenian position:

I have been fighting for the right of the Armenian people to remember for years and years. How could I, who has fought all my life for Jewish remembrance, tell the Armenians they have no right to remember? But I understand the administration's view. Fortunately, as a private citizen I don't have to worry about Turkey's response. But I do feel that had there been the word "genocide" in those days, what happened to the Armenians would have been called genocide. Everyone agrees there was mass murder, but the word came later. I believe the Armenians are the victims and, as a Jew, I should be on their side. (Interview with Elie Wiesel--Charles Smolover, Philadelphia Jewish Voice, November 2007)

French philosopher Bernard-Henri Levy was interviewed by a progressive American Jewish daily newspaper, and challenged to defend his principled identification with the Armenian genocide. His responses speak to the relative influence of universalist values and inter-ethnic principled projection over strategic alliance:

**GS:** *It seems to me that Jewish opinion on the genocide question falls into two schools: those who feel that, when it comes to moral questions, Jews are answerable to a higher standard than the world at large and those who argue that Jews should be held to standard no more high than the rest. Those belonging to this second group will say that when Armenian allies — like, say, Iran — deny the truth of the Holocaust, no one calls on the Armenians to speak up in the Jews' name. And yet, when the roles are reversed, the Armenians expect the Jews to support them. What do you make of this tension?*

**BHL:** I don't care what the Armenians expect. What I expect from myself is faithfulness to the Jewish message, which is a message of universality, and my neighbor's lack of faithfulness in the idea of universality does not give me the right not to be faithful myself. It is the truth to say that there was a genocide in Armenia. It is the truth to say that the denial of the Armenian genocide by Turkey is a reason for despair. It is the truth to say that I feel a kinship with the sons and grandsons of the survivors of the Armenian genocide. I'm not engaging in politics; I'm just trying to be faithful to the message of my ancestors and the books in which I believe.

**GS:** *There is an Armenian community in the United States. It is, to a large extent, they who pushed for the genocide recognition bill. Among the Armenians in America there is significant antisemitic sentiment. What are we to make of that?*

**BHL:** The black community in America can sometimes be antisemitic. Does this mean that we Jews have to become anti-black? Does this mean we have to regret the part we played in the civil rights movement? The sense of my life, personally, is to refuse the clash of memories, the clash of victimhoods. 'I am a victim. You are not a victim. I am more a victim. You are less a victim.' I hate that. First of all, we must break the competition of victimhoods. Number two, you criticize the fascists wherever they are and fight them, whether in the black community, the Armenian community or anywhere. They are my enemies. But we must refuse the perverse theory that because we are victims, they cannot be. Compassion is not a cake, from which nothing is left for others if you take too big a piece.

(Protecting the Graveless, Q&A, By Gabriel Sanders, *The Jewish Daily Forward*, Thu. Feb 28, 2008)

### Social Learning and the Contemporary International Human Rights Regime

What this analysis of communicative action in the international human rights regime shows is that a critical aspect of the regime is social learning. Struggles over memory, truth, and legitimacy construct and invoke the institutions and relationships that constitute the contemporary system of rights claims and protection. While social learning is cumulative, it is also continually contested.

African, Japanese, and Jewish Americans all learned from their own persecution to offer support to similarly situated groups--as did European Basque, Irish, Flemish, and others. But suffering offers multivalent lessons, and universalism is only one alternative response. The availability of global communications and transnational linkages suggests that universalism will become more frequent. But the persistence of nationalist conflicts and the reinscription of nationalist identities among diasporic groups may overwhelm these tendencies. This means that part of the task of the international regime is to generate its own communicative action; overarching concepts, narratives, and frames that make universalist sense of local suffering.

In the post 9/11 era, the stirrings of inter-ethnic solidarity have not been noticeably deterred. The human rights impact of the "war on terror" has been centered in war crimes, secondarily in suspensions of the civil liberties of U.S. citizens, and has been checked in that order. But the War on Terror master narrative sets new barriers to communicative action, adding new vocabularies of national insecurity rhetoric and clash of civilizations to the perennial resistance of nationalists and security elites to cosmopolitanism. The potential for diffusion of these effects across the global spectrum of human rights issues is attested on the one hand by the defection of civil libertarian intellectuals like Alan Dershowitz and Michael Ignatieff on the basis of spurious ticking bomb scenarios, and on the other by manipulation of the incendiary dialectic of Holocaust denial by defensive Iranian dictators.

Caring for strangers is the heart of human rights. Constructing bridging identities that position strangers as fictive kin is thus an urgent task.

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Bradford R. Pilcher, "The Day The Holocaust Died," *American Jewish Life*, Tuesday, November 13, 2007. [re the Armenian genocide controversy and the ADL]

Why is history there if not to be analyzed, applied, and learned from? The history of the Nazis and the Holocaust isn't immune from that, nor should it be.

Then there's the use of anti-Semitism, cast as a dire threat to the state of Israel, as cudgel against political opponents. I could quote from Foxman's new book where so many people who are merely critics of Israeli policy get recast as anti-Semites. But it would be just as easy to quote from Alvin Rosenfeld's recent article, "'Progressive' Jewish Thought and the New Anti-Semitism," endorsed and released by the American Jewish Committee. It explicitly equates progressive political positions, including critiques of Israeli policy, with anti-Semitic belief. The guise of an Israel wiped out by Arab nukes is often presented as a potential "second Holocaust," and at best these progressive critics are aiding and abetting the enemies of Jews. Rosenfeld is hardly alone in putting forth this position, though he may be the most explicit.

This is why the Holocaust no longer matters to me, why I'd just as soon we forget about it, if this is what we're going to do with it. By this, I mean put it in museums, memorialize it to the point of irrelevance, and use it as a platform for moral authoritarianism. By this, I mean use it as a cudgel to silence critics we don't want to hear from, all the while ignoring the crimes of people who support us - or support Israel, which isn't necessarily the same as supporting us. By this, I mean render the Holocaust from a disaster of human action and inaction to be learned from into some kind of memorial flame, too hot to touch and too fragile to light the way to a better tomorrow.

I'm not hopeless about this. Abe Foxman and his ilk can't occupy the stage forever. At the very least, perhaps he could get laryngitis. But I'm not particularly hopeful either. We've made a civic religion, eagerly adopted by plenty of Jews who can't be bothered to meander into a synagogue more than a couple times a year, out of Holocaust remembrance. We've replaced a wandering Diaspora of Torah scholars with an affluent American populace of Jews holding up the flame for the Holocaust without bothering to ask ourselves what moral imperatives that memory requires of us.

If we're not going to ask those questions, and listen to the difficult answers, then we're probably better off not remembering at all. After all, a false veneer of moral authority in the absence of moral action may be the most immoral thing of all.

## On Armenian Genocide, Politics Trumps Truth

<http://www.forward.com/articles/11385/>

*The Hour*

**By Leonard Fein**

Wed. Aug 15, 2007

On the surface, it should be an easy call. Here, for example, is the

text of a cable that Henry Morgenthau, Sr., then America's ambassador to Turkey, sent to the State Department on July 10, 1915: "Persecution of Armenians assuming unprecedented proportions. Reports from widely scattered districts indicate systematic attempt to uproot peaceful Armenian population and through arbitrary arrests, terrible tortures, whole-sale expulsions, and deportations from one end of the Empire to the other accompanied by frequent instances of rape, pillage and murder, turning into massacre, to bring destruction and destitution on them. These measures are not in response to popular or fanatical demand but are purely arbitrary and directed from Constantinople in the name of military necessity, often in districts where no military operations are likely to take place." And then, on August 11, his cable back home referred to "this effort to exterminate a race."

Morgenthau couldn't use the word "genocide"; it wasn't invented until 1944. But today, the overwhelming majority of scholars around the world are in agreement: The first genocide of the 20th century was committed by Turkey, and the Armenians were its victims.

But Turkey disagrees, labors mightily to impeach the scholarship, to expunge the term, to establish its claim that Armenians were mere casualties of war. Unlike the many nations that have established commissions of truth and reconciliation, that have looked fearlessly into their own past crimes against humanity (most notably, Germany itself), Turkey hires K Street lobbyists to persuade the American public and the U.S. Congress that its hands are clean, its heart is pure. (See, for an example, the statement of former Congressman Bob Livingston, who has been paid at least \$700,000 by Turkey, [here](#).)

It is doubtful that many people are persuaded by the Turks and their lobbyists. The United States Holocaust Memorial Museum recognizes the Armenian genocide, as does the Reform Jewish movement, as, one assumes, do most Jewish leaders, at least privately — perhaps

even the leaders of the Anti-Defamation League, the American Jewish Committee, the Jewish Institute for National Security Affairs and B'nai B'rith International. Yet the leaders of these organizations have steadfastly refused to endorse a bill currently before Congress that would formally acknowledge the fact of the Armenian genocide.

How can that be? Why do they shy away from using the word "genocide" to describe the tragedy of the Armenians at the hands of Ottoman Turkey?

The answer is unsettling. It has nothing to do with history or truth; it has everything to do with the strategic interests of Israel, as also, to a lesser degree, of the United States.

Turkey is a Muslim country that maintains cordial and strategically important relations with both Israel and America. That is presumably why, in 2001, Shimon Peres, then Israel's foreign minister, could say, "We reject attempts to create a similarity between the Holocaust and the Armenian allegations. Nothing similar to the Holocaust occurred. What the Armenians went through is a tragedy, but not genocide."

The Peres dismissal led Professor Israel Charny, executive director of the Institute on the Holocaust and Genocide in Jerusalem, to write to Peres: "Even as I disagree with you, it may be that in your broad perspective of the needs of the State of Israel, it is your obligation to circumvent and desist from bringing up the subject with Turkey, but as a Jew and an Israeli I am ashamed of the extent to which you have now entered into the range of actual denial of the Armenian Genocide, comparable to denials of the Holocaust."

The matter has suddenly become a volatile disruption. In Watertown, a suburb of Boston that is home to some 8,000 Armenians, a challenge has been mounted against ADL's "No Place For Hate" program, a popular anti-bigotry campaign in which hundreds of communities around the nation participate. And cyberspace is filled

with criticism of Abe Foxman, the ADL's chief, who recently said, "This [the genocide] is not an issue where we take a position one way or the other. This is an issue that needs to be resolved by the parties, not by us. We are neither historians nor arbiters."

It is true that Foxman is neither a historian nor an arbiter. But it is not possible to believe that he is unaware of the relevant history. And that raises a number of pressing questions:

At what point do we allow Israel's *raison d'état* to override the sober and sobering truth? There's a long record on this one, going back to Israel's efforts to impose silence on American Jews regarding the plight of Soviet Jewry, regarding our views of the junta in Argentina, even regarding the war in Vietnam. Israeli officials will necessarily act in what they perceive as their nation's interests, but is there no way for Israel's friends to express their own considered views without impinging on those interests?