

# Sad Stories in the International Public Sphere: Richard Rorty, Culture, and Human Rights

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## ABSTRACT

Prominent among the voices that have in recent years attacked the so-called "academic" or "cultural" left in the U.S. for its international or Third Worldist sympathies has been that of Richard Rorty. This paper shows that the practice of liberals like Rorty publicly attacking liberals in the name of liberal politics is not merely counterproductive in the light of current conservative trends in American politics, it is, in this case in particular, philosophically misguided. The invocation of a respect for "culture" (in the absence of any absolutist ground for human values), which makes the international sphere immune to critique and dialogue—which renders the international sphere a curiously *private* one—turns "culture" into an all-or-nothing, take-it-or-leave-it proposition. This attitude supports entrenched power structures and offers a too-easy defense by governmental bodies of virtually any action. On the contrary, as seen in the rise in influence and effectiveness of Non-Governmental Organizations (NGOs) in changing local politics via appeals to international arenas, it is only by remaining at least potentially open to criticism, by not hiding behind the absolute protection of incorrigibility, that culture can help engage the international intricacies of power.

## KEY WORDS

American Internationalism  
private  
human rights  
NGO

public  
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dialogue

This paper belongs to a larger study of the varieties and vocabularies of American internationalism. The term "American internationalism" may strike you as a bit paradoxical, but this paradox seems to me unavoidable. It stands guard, one might say, before any effort to think through or beyond the nation. Among my assumptions are therefore the following: 1) that there are many internationalisms, many sorts and scales of political or proto-political solidarity and trans-national recognition which carry people beyond a simple identification with the interests of their own country; and 2) that these solidarities and recognitions are not necessarily incompatible with some of the larger or more complex interests of a given nationalism. I nonetheless also assume 3) that there is some positive value in each of them, a value however that is not absolute or universal, but depends on local circumstances.<sup>1</sup> If there is no internationalism without support from within the nation, if there could be no American-style or American-situated internationalism, say, that would *not* reflect, on same level, national assumptions and interests of the U.S., then proper critique demands something more than simply pointing out the existence of those interests and assumptions. It demands, I will suggest, an open-ended discussion of what that internationalism means here and now, what it means under local circumstances. The phrase "open-ended discussion" sounds much too feeble to serve as a conclusion, I grant you, but I will try to demonstrate that it is not quite the empty piety it appears.

Before urging that attention should be paid to what I call "human rights internationalism," a notable example of the paradoxical overlap between internationalism and nationalism, I want to begin, closer to home, with the different and perhaps even opposing style of internationalism pursued in the U.S. by students of culture. If it were not already clear that culture has been the source or ground for a particular style of internationalism, American academics have lately been reminded of it. As some of you are probably

aware, the so-called "academic" or "cultural" left in the U.S. has been violently attacked in recent years for its internationalist or Third Worldist sympathies. Last year for example the *New York Times* published an Op-Ed piece by the philosopher Richard Rorty under the title "The Unpatriotic Academy." The trouble with the academic left in the U.S., Rorty argued, is that "it is unpatriotic. In the name of 'the politics of difference,' it refuses to rejoice in the country it inhabits. It repudiates the idea of a national identity, and the emotion of national pride."<sup>2</sup> Rorty concludes: "If in the interests of ideological purity, or out of the need to stay as angry as possible, the academic left insists on a 'politics of difference,' it will become increasingly isolated and ineffective. An unpatriotic left has never achieved anything. A left that refuses to take pride in its country will have no impact on that country's politics, and will eventually become an object of contempt."<sup>3</sup>

This is a rather ugly diatribe, more reminiscent than I'm sure Rorty would want it to be of Nazi and Stalinist denunciations of "rootless cosmopolitans." Still, I think it is offered in a good cause—the cause of negotiating a new alliance between liberals and radicals on behalf of the defense of the ever more endangered social welfare state. (Radicals would add: *and the extension* of the social welfare state.) The cause is good, and the problems are urgent. I would like to take up these problems—the relative rootlessness of cosmopolitanism in America, the lack of linkages between American academics and the American public—from the reverse angle.

Rather than attribute the split between the academic left and the American public to a massive lack of patriotism on the academic left (something I would be glad to see more evidence of), and rather than suggest that this split might therefore be remedied by mass expressions of patriotism throughout the nation's colleges and universities, I would prefer to ask why there isn't more discursive space available *outside* the academy for positions that do *not* identify themselves firmly and unequivocally with the U.S. national interest. And, more constructively, I would like to reflect both on the lack of domestic public support for a trans-national sense of public accountability, such as I believe has been encouraged by students of culture inside the academy, and (at the same time) on the lack of academic interest in concrete forms of international accountability that *do* have support outside the academy, for example human rights.<sup>4</sup>

Rorty's attack on the unpatriotic academy is intriguingly similar to his various other attacks on the cultural left. If, in the Op-Ed piece, it is the absence of patriotism that is rewarded with contempt, the same contempt seems elsewhere in his writing to result from a commitment to culture. The cultural left, Rorty complains, has not been taking the U.S. as its standard, an

admittedly imperfect but nonetheless exclusive and peremptory standard, and we have not been doing so, he implies, precisely because or to the extent that we have been concerned with *cultural* politics rather than *real* politics. In a debate with Andrew Ross in 1991-92 in the pages of *Dissent*, Rorty sets up an opposition between the real politics of the Old Left, which is electoral politics (drafting and passing bills) and the merely academic politics of the New Left, which is cultural politics (the demand for total social transformation, for change at the deep level of language, and so on). Cultural politics can be negatively defined, for Rorty, as politics that doesn't have to do with legislation, with passing bills into laws. "It is true that the Old Left ignored a lot of injustices and inequalities," he writes, "but it is also true that it struggled, with good effect, against a lot of other injustices and inequalities. The utility of this left is illustrated by its role in drafting and passing Lyndon Johnson's Great Society bills. The inutility of Ross's left is suggested by its disdainful refusal to think in terms of drafting and passing bills" (265).<sup>5</sup>

What happens if we translate this opposition between law and culture, the first real and popular, the second unreal and academic, from the national to the international scale? We would seem to get a parallel opposition between "human rights internationalism," on the one hand, based on the universality of the law (though human rights instruments are of course not international law in the strict national sense, in the absence of global enforcement; they are "soft" law), and on the other hand a sort of cultural cosmopolitanism based on respect for the unique particularity of different cultures. On the cultural particularity side we would find only those privileged academic élites whom Rorty describes, in a killing association with aestheticism, as "connoisseurs of diversity."<sup>6</sup> On the legal universality side we would find a broad majority of popular opinion. As it happens, however, the translation of this opposition from the national to the international scale is not quite so problem-free.

Whether one thinks about Bosnian "ethnic cleansing," about the Michael Fay "caning" case in Singapore, or more recently about Harry Wu and conditions in Mainland China's prisons, it is clear that the discourse of human rights offers the U.S. public one of its most serviceable vocabularies of trans-national engagement—ephemeral, parochial, and confused engagement, perhaps, but also deeply popular, passionate, and (as we have seen in Bosnia) capable of twists and turns inconvenient to U.S. markers of foreign policy. And, as Rorty might have predicted, this is a discourse that academic internationalism in the humanities, the internationalism of the "cultural left," has had little interest in or dialogue with. One can imagine various compelling reasons for this: that concern for human rights is a sort of media scam, a chaotic humanitarianism that offers public solidarity only with

isolated and carefully selected individuals; that the isolation of these individuals displaces any possibility of more coherent politics, thus repeating and sustaining the origins of human rights theory in the political theory of possessive individualism; and, most significantly perhaps, that human rights discourse is a piece of Western cultural imperialism falsely universalizing from Western advantages in the international division of labor, used arrogantly and hypocritically by rich countries against poor countries so as to keep them at a moral and political as well as an economic disadvantage.

Some of this may be true, but none of it would be a matter of universal agreement among American humanists. The only universal, uncontroversial reason for the neglect of human rights discourse by the otherwise internationalist cultural left is culture itself. The practical effect of a commitment to phrases like the "irreducible uniqueness" or the "relative autonomy" of culture, different as these phrases are in emphasis, has been described succinctly in terms of what Charles Taylor calls the "incorrigibility thesis." If cultures are supposed to be seen only from their own point of view and in their own terms, Taylor says, then they can never be "wrong, confused or deluded" (123).<sup>7</sup> Thus, for all the multitudes of contested meanings the concept of culture tries to contain (singular "high" culture and plural, ordinary "lived" cultures, organic wholeness and ironic distance, tradition and innovation, identity and the necessary incompleteness or indeterminacy of identity, and so on), it remains a single organizing center of knowledge-production in relation to which the abstract, ideally unambiguous, universalizing discourse of human rights has seemed marginal at best, at worst unassimilable and frankly antagonistic.

This opposition between cultural particularism and legal universalism is real at least in a historical sense; it has worked successfully to divide the attitudes and efforts of people who otherwise share a great deal.<sup>8</sup> But it is conceptually unstable as well as politically problematic. And its instability emerges, surprisingly enough, from Richard Rorty himself. Given the opposition between real politics and cultural politics on which he so forcefully insists, one would expect Rorty to argue that human rights are allied with law, and thus (despite the absence of anything like a world government) that they represent just the right style of politics on an international scale—a style of persuasive rather than forceful intervention that remains faithful, as he says is "inevitable and unobjectionable"<sup>9</sup> for a Westerner, to "distinctively Western social democratic aspirations." For culture, he has argued, should not matter to politics on an international scale any more than it matters on the national scale. "We can suggest that UNESCO think about cultural diversity on a world scale in the way our

ancestors in the seventeenth and eighteenth century thought about religious diversity on an Atlantic scale: as something to be simply *ignored* for purposes of designing political institutions."<sup>10</sup>

The sort of attention Rorty feels *should* be paid to cultural diversity on a world scale is spelled out in an essay called "Private Irony and Liberal Hope." To transcend one's given ethnocentrism, he argues there, is after all an excellent ambition—so long as the ambition remains private. "Ironists," he writes, "are afraid that they will get stuck in the vocabulary in which they were brought up if they only know the people in their own neighborhood, so they try to get acquainted with strange people (Alcibiades, Julien Sorel), strange families (the Karamazovs, the Casaubons), and strange communities (the Teutonic Knights, the Nuer, the mandarins of the Sung)." "Ironists read literary critics, and take them as moral advisors," he goes on, "simply because such critics have an exceptionally large range of acquaintance"<sup>11</sup>(80). An exceptionally large range of acquaintance may well have a deprovincializing, anti-ethnocentric effect on one's sense of self, and this is all to the good. What is not good, for Rorty, is to believe that such an effect can or should be *public*, in the double sense 1) that it can have a broad popular appeal, and 2) that it can be transmuted, therefore, into actual political institutions. Ethnocentrism is necessarily public, and the refusal of ethnocentrism is necessarily private.

This is why Rorty abruptly backtracks, at some risk of moral inconsistency. "[T]he rise of literary criticism to preeminence," he writes, and with it the rise of ironists, has "widened the gap between intellectuals and the public" (82). That is, the same gap that he accuses the cultural left of culpably enjoying, in the *New York Times* article, is here described as the inevitable and proper result of the cultural left's concern with culture, a concern that he himself declares should *not* be more public, should not be closer to the public. For we must uphold "a firm distinction between the private and the public" (83). Culture is a matter of private fantasy of which no public use should be made. It is, and should remain, he says, "largely irrelevant to public life and to political questions" (83). Literature and its ironies constitute a sort of synthesis: privacy *with* and even perhaps *for* others, but privacy all the same. In other words, despite the "range of acquaintance" metaphor, these others are not necessary or even possible conversational partners. They do not fall under that key meaning of the term "public." And therefore they need not enter into practical discussions about reality, whether political or otherwise. They constitute, that is, not a new international public sphere, but what can only be called the international *private* sphere.

As a description of literature, this is perhaps not flattering to its critics,

but neither is it terribly shocking. What *is* somewhat shocking is that this same description holds for human rights as well, as least as Rorty sees them. In a decisive and uncomfortable way, human rights too fall into the international private sphere.

Asked to speak by Amnesty International in 1993, in the midst of horrifying reports of Serbian "ethnic cleansing," Rorty did not describe human rights in the public vocabulary of justice or law, which would presumably hold domestically. He described them as a private matter of imagination, of "sympathy," of literature. Progress in human rights will not be made by winning support for universals, by getting more and more people to overcome the parochialism of "kinship and custom," by inducing them to accept the universal "obligations imposed by recognition of membership in the same species" (133). It will be made by "manipulating their sentiments" (127). For progress in human rights thus far "seems to owe nothing to increased moral knowledge, and everything to hearing sad and sentimental stories" (118-19). Human rights talk, Rorty argues, should aim at inducing "the sort of reaction that the Athenians had more of after seeing Aeschylus' *The Persians* than before, the sort that white Americans had more of after reading *Uncle Tom's Cabin* than before" (128). You can and should talk about justice, and then go on to legislate accordingly—the problem with the cultural left, remember, is that it did not. But you can only talk about justice, it appears, within your own nation. Extended across national borders, matters of justice become not legislation but literature. Or (in a phrase Rorty borrows from the Argentinian jurist Eduardo Rabossi), they become "human rights culture" (115, my emphasis).<sup>12</sup>

Now in a sense Rorty is right. The expression "culture of human rights" is used (positively) by human rights advocates, who thus acknowledge that human rights are a culturally specific product. As the advocates also admit, if more intermittently, this culture of human rights—which can be described from without, as well and as badly as other cultures are described—is a culture whose particularity sometimes interferes with its (often laudable) political aims, for example when it unconsciously assumes its own universality and doesn't pay enough attention to its particular interlocutors. Rorty's use of the phrase makes a different point, however. In describing human rights as cultural rather than juridical, and thereby denying them any foundational status, he is not merely taking up the (to my mind, inescapable) challenge of supporting human rights without positing a human nature, a definition of humanity known in advance on which those rights can be based. What it means not to have a foundation, he implies, is indeed to exist on the level of culture, on the level of "sad and sentimental stories"—but this is true

only beyond the nation. For there *is* such a thing as law, and law is what politics is properly about. And law has a better foundation. But law exists, for Rorty, only *within* the nation. Why?

If the reason is not a resonant technicality (the fact that there is no supra-national executive power), then it can only be the following: because it is only within the nation that Rorty is willing to recognize that other (foundationless) foundation on which law is based, the alternative to culture or aesthetics that he calls "solidarity" or "consensus" or "conversation."<sup>13</sup> There is no law outside the nation because, in short, there is no public outside the nation, no collectivity "viewed as possible [or necessary] conversational partners," no set of people whose opinions need to be consulted.<sup>14</sup> Hence there is no need for discussion beyond the nation. The international is the private. Beyond the nation, all the rest is literature.

From this perspective we can see, in a sort of mirror image, what culture has meant to the humanities, politically speaking. It has meant, of course, a stretching of what counts as reality in "the political sphere"—a stretching that may indeed have sometimes overstretched the meaning of the political, so that it seems anything will count and nothing will count very much. But this stretching does not just include revaluations of everyday social activity and revolutions in ordinary language—what Rorty satirizes, not without some justification, as "that ubiquitous, insensibly corrupting, bourgeois ideology" (487). It also includes "real actions and events" *beyond the nation's borders*. Culture seems to have functioned, that is, as a sort of Trojan horse by which the need to take the experience of distant others into account, along with a need for solidarity with or at least accountability to those others, could be smuggled into America's notions of political "reality" and the "public sphere," notions which—to repeat the crucial point—Rorty and others seem perfectly willing to confine within the nation and within our patriotic duties to it.<sup>15</sup> Culture has insidiously served to provide a vocabulary for reality beyond the nation-state, and (since the real for Rorty is established by discussion and consensus) it has therefore helped produce and sustain a trans-national sense of "the public."

To contemplate this definition of culture-as-international-public-sphere is perhaps to reacquaint ourselves with some of the reasons for our initial commitment to it. The cultural left has in effect been invited, as the price of alliance with beleaguered liberals, to shift our working vocabulary away from "culture" while also restricting the working definition of "the public" to the scale of the nation-state. And the wording of the invitation helps us see that we need culture to continue in its internationalist service.

But this leaves a large and troublesome question. Is the category of

culture, whose marginality seems to have made possible an internationalism that was censored or simply ruled out closer to the center of Western societies, definitive of and necessary to such an internationalism? Does culture's marginality set excessively restrictive limits on what can be done with this internationalism? Can't one, shouldn't one aim to encourage an interantionalism that would be more socially central, in as many nations as possible, and thus more effective? And if so, wouldn't this require some adjustment in the concept of culture as we know it—an adjustment very different from the supposed passage from a "high" to an "anthropological" concept?<sup>16</sup>

In the U.S. today there is speculation from various quarters that we may have come to the end of culture, even in the more comprehensive sense that includes both of these. Some of the motive for these speculations is directly and locally political. Although the colonization of fields like law by concepts like literariness is no longer seen as a self-evidently good thing even by literary scholars, many of whom are now hastening to return defensively to "literature" in the narrow sense, the Republican victories in the Congressional election of November 1994 and their subsequent moves to attack the budgets of the universities have created a demand for an *academic* politics would engage academics first and foremost as *citizens*, that would avoid, in other words, what might be seen as disciplinary deformations in too exclusively academic politics. Culture, many have suggested, may be the source of one such deformation. Certainly much of the anti-Enlightenment, anti-liberal rhetoric in which we blithely continue to frame many of our arguments has been informed and encouraged by a commitment to culture. And the current demand for a broad anti-Republican coalition makes some of this rhetoric seem, at the least, politically naïve and self-defeating. At a moment when we are seeing the public legitimacy of what we do in political terms, when the assault on the institutions of the welfare state is what is on the agenda, and when the strongest potential allies available are the liberals, it doesn't make a lot of sense to spend one's time routinely denouncing liberals, even in an oblique, disciplinarily slanted way.

This argument can also be made in less pragmatic, more conceptual terms. Is culture indeed a concept that must be aligned against such normative concerns as human rights? The backlash against the so-called politicizing of culture has not been the ideal means of revealing what such politicizing really signifies. Politics talk has served as a way in which those who deal with culture professionally could make a dramatic (some would say desperate) claim for the public singificance of their work, hence for its public legitimacy. Which is to say that politics talk has merely brought to the foreground an

element of hidden normativity, or cryptonormativism, that was always already there in culture but that now needs to be made more explicit.<sup>17</sup> In an essay called "Given Culture: Rethinking Cosmopolitical Freedom in Transnationalism," Pheng Cheah suggests that cultural arguments against universality, especially trans-national universality, are often inconsistent: "the critique of the false universalism of cosmopolitical culture already harbors a desire for access to a true universal. The argument for the autonomy of the local presupposes the universal value of autonomy and proposes to apply it to every particular group or collective unit... the truth of cultural relativism is multicultural universalism" (12-13).<sup>18</sup> If the ostensibly cultural always involves cryptonormativism, then perhaps the cultural version of the universal/particular conflict is actually a conflict not for or against normativity itself, but rather between two units or scales of normativity, or even between units or scales that can be shown (like nationalism and internationalism) to overlap, and thus can be shown to be susceptible of resolution.

To say that culture has been a vehicle and guarantor for trans-national commitments is of course not a fully satisfactory argument in its favor. Such an argument would have to take up the immense challenge of discovering how to *use* the circuits of internationalist commitment thereby held open—use them (to paraphrase Rorty) so as to do something to rectify the imbalance between the rich countries and the poor, the strong countries and the weak. But in order to do so, in order to get more political results in exchange for its political indirectness, I think it can and must accommodate itself further to reality in Rorty's philosophical sense of the term: reality as (this is also the most attractive meaning of "real politics") a consensual domain of the public where joint decisions can be reached and where the rules demand conversational reciprocity. For culture has not discouraged Rorty's contrary equation of the international with the private, that is, with a sphere outside discussion, rational argument, and the possibility of agreement. Indeed, much of the resistance to human rights internationalism comes from just this sense of culture.

According to Rorty, "cultural diversity" should be "simply ignored" in the task of "designing political institutions." As one political institution where human rights internationalism does assume some real if limited agency, the United Nations is also a site where the opposition between culture and human rights has been fought out many times, and where (as preparations accelerate for the Beijing conference in September 1995) it continues to be debated. There is no reason for me to rehearse these debates here. All I would like to do, continuing the line of argument begun above, is try to break down the

apparent opposition further, suggesting the limits of the culture concept as an obstacle to human rights activism and at the same time suggesting a better conceptual basis for properly resisting false and selective impositions of supposed universality.

In the ten years between the fortieth anniversary of the founding of the U.N. and its fiftieth anniversary this past June, there has been at least one change in the rhetoric by which the U.N. is defended. Today, as in 1985, one hears that its mere survival is a triumph<sup>19</sup>; that, despite its inability to prevent wars, it is "better than nothing" (President Clinton's phrase)<sup>20</sup>; that it's better for enemies to talk than not to talk.<sup>21</sup> And one also hears, very properly, that the U.N. is only as good as its constituents. As Richard Falk wrote in 1985, for example, "the United Nations is neither better nor worse than the states that control its purse strings, and hence its operations" (234).<sup>22</sup> Eqbal Ahmad, in the same issue of *The Nation*, titled his contribution "Only as Good as its Members" (242): "The failures of the United Nations are not its own. An organization of states can be only as good as its members" (244).

This remains common sense. And yet there is new evidence, between 1985 and 1995, which suggests that the U.N. can no longer be described (if it ever could) as a transparent representation of the global balance of power, a sort of non-entity, not really "there" at all, whose underlying and definitive reality is the unequal power of existing nation-states. That evidence comes from the dramatically increased impact, especially since the end of the Cold War, of the so-called NGOs, or Non-Governmental Organizations—units that are precisely other than nations. Before 1970, NGOs had no voice at the U.N. at all. But at the World Conference on Human Rights in Vienna in 1993, attended by some 5000 representatives of 900 organizations, these groups were arguably the decisive force, the force that broke the sterile state-induced impasse between First World universalists and Third World relativists—especially, it should be noted, NGOs from the so-called Third World. "Perhaps the most significant lesson to be learned from the experience," wrote Fateh Azzam, a Palestinian organizer, "was the new-found strength of the human rights movement, based in large part on the development and participation of Southern and national NGOs" (99).<sup>23</sup> The sense of paradox was widespread. "In a curious kind of way," Upendra Baxi reported, "the global human rights movement triumphed at Vienna. Curious, because the measuring rod of illegitimacy and illegality of practices of power was provided by sovereign states themselves... In an ironic gesture, the perpetrators of inhuman wrongs—the member-states of the United Nations—sat together with the representatives of people's human rights organizations to fashion a new charter of human rights" (1-2).<sup>24</sup>

How had it come about that member-states could support the "vision and vitality" of a declaration derived, in Baxi's words, "from the solidarity in struggle of the world's peoples against perishable state sovereignties" (2)? As Azzam notes, one crucial factor was the impact of regional and national NGOs. Such NGOs often won international backing from their own and neighboring nation-states, even though these same states opposed them violently at home. The states agreed, however, that they and their regions required greater representation, at the international level, to balance the weight of Western states and better-funded, Western-oriented, international NGOs. In other words, the level of "international civil society" where NGOs are key actors had won for itself enough legitimacy, had sufficiently demonstrated its autonomous political importance, so that states had an investment in compromising with those who could represent them there. Azzam mentions the expansion of NGO participation beyond those few NGOs with so-called "consultative status," their strong joint statements to their governments, stressing the universality and indivisibility of human rights, and new modes of organization "on the streets and in the local papers" (90). "It was evident that Asian governments had not anticipated so many NGOs beating on their doors with their demands" (94). When it was over, the *Human Rights Monitor* reported: "Too often in the past, Asian governments as the UN Commission have dismissed NGO criticisms as concerns of foreigners who do not know their cultures. With Asian NGOs speaking out so clearly, they will now find that a more difficult defence to adopt" (94).<sup>25</sup>

Yet this was not a simple embrace of universal public reason at the expense of the local, the private, and the cultural. On the contrary.<sup>26</sup> The single clearest triumph of the Vienna conference was a direct result of disputing the public/private line that had previously governed the very definition of human rights. The feminist critique of human rights has always insisted, correctly, that "public" has been a gendered category; it has condemned male violence against women when it expressed itself through the state, but by the same token it has ignored the abuse of women in its far more pervasive "private" or non-state forms.<sup>27</sup> In Vienna, the extraordinary success of NGOs in getting women's rights described as human rights involved forcing the so-called private into the so-called public—a doubling, one might say, of the shift in agency by which ostensibly private agents (NGOs) asserted their power against more public ones (states). And a doubling as well of a certain shift in formal means. In Vienna, much of the political work was accomplished by means of "sad and sentimental stories" of the sort Rorty mentions. Or, perhaps more precisely, by means of horrifying stories of violence and atrocity.<sup>28</sup>

Here there is reason to pause and reconsider the virtues of what is *not* private, or cultural, or narrative. As Laura Flanders suggests, perhaps such stories had too large a place in Vienna; perhaps the urge to focus on first-person narratives of Violence proved too hard to resist. "In a global women's movement rent by class, race, age, and national divisions," Flanders notes, the experience of violence provides a powerful common ground. It's also sexy; sexier than labor rights, illiteracy, self-determination or poverty. The Vienna conference certainly demanded a clear, preferably dramatic profile. If the story is gruesome enough, the mainstream media may come along. What bleeds, as the familiar press maxim has it, leads" (175).<sup>29</sup> As a result, she concludes: "Of the recommendations from the Women's Caucus, those that addressed violence mostly got accepted. Those that dealt with poverty and development did not" (177).

Here if you like is a commentary on Rorty's "sad and sentimental story" account of human rights discourse. Fleeing the false universality of philosophy, which permits the illusion of building on a solid foundation, Rorty strangely attributes just this missing progressiveness to fictions, perhaps because they make no claim to be foundational. But critics have reason to know, by our training, the inconclusiveness of "sad and sentimental stories." We know how evasive they are, how susceptible to multiple and contradictory interpretations. We also know how often stories have functioned to "make strange" rather than to produce recognitions of sameness, and sometimes—one thinks of those unverified but highly functional anecdotes which set off rampages—to produce horrors rather than fend them off. The apparent universality of suffering and the apparent universality of the sentiments in the face of suffering are no less open to possible abuse than any other universality. As Rorty himself admits in his lecture for Amnesty, many and perhaps most of the human rights stories we have been hearing lately tend to make us feel about the Serbs just what the Serbs apparently feel about their Muslim victims—that they are inhuman animals. If this is not the conclusion we want (and the stories themselves cannot be depended on to make this point), then philosophical reason cannot solve its problems in this domain by abdicating in favor of culture. It is not in the stories themselves, but rather in the conversation *about* these stories, just the sort of discourse in which Rorty himself is engaging in his lecture, that such supplementary discriminations are properly made. And, to go back to Flanders' discontent with feminist storytelling in Vienna, this is a discourse in which universality, if not necessarily philosophy's version of universality, has a necessary place. For it is only more universality, not less—for example, attention to what Etienne Balibar calls the "real universality" of capitalism—that can widen our view,

returning us to such questions as "poverty and development" that the sad stories of violence left undiscussed:

Rorty's international private sphere looks better from the perspective of the rising NGOs at Vienna in 1993. But to celebrate the NGO at the expense of the state, or for that matter to celebrate (private) culture at the expense of (public) reason, is to forget how little progress was made at Vienna toward opening up to public scrutiny the entirely "private" functioning of the World Bank and the IMF (Baxi calls for "a direct imposition of human rights conditionalities" on both [6]), or how much the progress of the NGOs themselves owes to a "privatization" campaign by the U.S. and its most powerful allies. After all, the undermining of the nation-state in the name of human rights serves a variety of purposes, not all of them desirable, while it also leaves untouched that other, economic power, represented by the World Bank and the IMF, which is more indirectly but no less effectively responsible for many of the world's human rights abuses. If power and its abuses are at the heart of human rights, then the state as such, like universality as such, cannot be *the enemy*.<sup>30</sup>

Though both unequal power and cultural difference exist in friction with the universality of human rights, the two differ in at least one crucial respect. The assertion of cultural difference is an all-or-nothing proposition that offers no substance for further debate, while the assertion of unequal power opens out into a continuing discussion with more than two sides, indeed with a profusion of tactical and principled complications to attend to. It relativizes the universal on a common ground of assumption—from within universality itself, as it were. I take one or two examples. "From the days of England's gunboat diplomacy to the present day," Rey Chow writes, "the question of human rights, when it is raised in China in relation to the West, has never been separable from the privilege of extraterritoriality demanded by the Western diplomat, trader, or missionary." In other words, "nationals and subjects of the 'treaty powers' were subject to the civil and criminal laws of their own countries and not to Chinese law" (85).<sup>31</sup> The reverse was of course not true; exemption from local jurisdiction worked in only one direction. Notice, however, that Chow's protest against this classic double standard is not a protest on behalf of cultural difference or against universalizing standards as such. Rather, it is a protest against the abuse of power. And as such it depends on, and is perfectly compatible with, a more strenuous, more principled version of universalism.

This compatibility between universalism and a local critique of human rights internationalism also emerges from the Singaporean controversy over the so-called Michael Fay "caning" case. In an issue of *Commentary*, the

Journal of the National University of Singapore Society, one writer points out that caning is a holdover from British rule, and the caning of Michael Fay shows that “the prerogatives of the ‘law and order’ structures of the old colonial state have been indigenised, and have now been applied to a white person. Thus history plays its little cruel jokes” (164).<sup>32</sup> The same writer, C.J. Wee Wan-ling, adds that “the charges of barbarism against a white body smack of an implicit demand for extraterritorial rights of the sort which existed in the imperial era” (164). A similar point is made by the next writer, Leon Perrea: “*The New York Times* appeal for phone calls to the Singapore embassy in Washington and to U.S. firms doing business with Singapore in order to pressure the Singapore government into pardoning Fay were not directed at abolishing the caning sentence itself in Singapore. As such, this appeal had more in common with nineteenth century Western requests for extraterritorial rights in imperial China than it did with a concern for universally applicable human rights norms. The same can be said for the disappearance of the issue from the media agenda in the US subsequent to the caning, even though mandatory caning is still on the statue books here” (124).<sup>33</sup> And Perera goes on: “the whole Fay saga has to be seen in the context of the postwar history of American foreign policy; concerns about democracy and human rights have always been selective and subordinated to the political agendas of *realpolitik* as articulated by the state planners of the day” (124).

The discrimination that has to be made here is one that Perera makes himself: between cultural relativism and national sovereignty concerns, on the one hand—which Perera criticizes for their mutual support (130)—and the insistence, on the other hand, that Singaporeans participate in the conversation about rights in their country and that, in this way and others, human rights discourse should become *truly* universalistic. The national sovereignty defends “only works,” Perera comments, “if the U.S. was unambiguously trying to secure exemption from punishment for Fay because he was an American... the US should not only oppose Singapore’s caning of Americans but also Singapore’s caning of *Singaporeans* from a consistent human rights-based standpoint.” Most American criticism, Perera writes, was not universalistic: it expressed outrage “that Singapore should presume to cane an American rather than that it should cane *anyone at all* irrespective of nationality” (122).<sup>34</sup>

Perera quotes one opinion from the newspaper *The Straits Times*: “human rights have become a convenient weapon for sections of American opinion to set upon systems they do not like for whatever reason... human rights is actually an effort by dominant nations to keep down emergent

powers, by denying them access to prosperous markets unless they agree to abide by externally-mandated human rights standards" (130).<sup>35</sup> Perera then comments that even the author of this position makes a concession to "the idea that there *are* universally valid human rights standards which may occupy a legitimate place in the debate" (131). When Singaporeans criticize the U.S. for a criminal justice system that doesn't work, they are acknowledging universality of a sort. This is precisely Perera's own position: "If the values embodied in our domestic political arrangements can be defended without recourse to arguments about incommensurable cultural differences, but rather using purely political ideas, isn't this an admission that the choice of values can be made on the basis of transcultural criteria? If stiffer penalties will deter crime in America as well as Singapore, then can't we say some things about desirable and feasible socio-political arrangements which apply to *all* societies?... Perhaps the Michael Fay saga will be remembered as a milestone in the evolution of mainstream discourse in Singapore: that it is moving towards the use of arguments based on universally valid socio-political values" (132).<sup>36</sup>

In his essay "Two Cheers for the Cultural Left," Richard Rorty objects to talk about the "transformation" of society, which he takes to be "more or less synonymous with 'revolution.'" "I am not sure I want to see our society revolutionized, to see our basic institutions replaced."<sup>37</sup> Whatever one's opinion of Rorty's unrepentantly liberal preference for reform over revolution, there is surely something strange going on when, as he points out, the demand for total or revolutionary transformation migrates out of the world of politics (where, in the U.S. at least, no one seriously believes it is on the agenda) and takes up exclusive residence in the concept of culture. It is this displaced, desperate habit of mind on the cultural left that makes culture seem an all-or-nothing, take-it-or-leave-it proposition, in effect beyond discussion or debate. But our political imperatives are too urgent, there is too much that needs discussion in order to be done, both at home and abroad, for us to take refuge in the all-or-nothing paradigm. When culture is invoked, it should I think be invoked as one component of local circumstances—that is, in a sense that both insists on particular realities and remains open to further debate on common or universal grounds. It is only by remaining at least potentially open to criticism, by not hiding behind the absolute protection of incorrigibility, that it can help engage the international intricacies of power.

Does this position put too much faith in mere conversation? To Rorty, liberalism means the existence of "functioning mechanisms of social improvement which rely on persuasion rather than force."<sup>38</sup> This is of course a false dichotomy; persuasion *is* force, as the cultural left is fond of repeating.

But there is as much difference among forces as among cultures. And the differences are just as significant. Human rights internationalism today does not promise revolutionary transformation, but it has become a force to be reckoned with—a force the cultural left would be mistaken not to reckon with, especially when our own persuasions are in quest of more forceful international modes and venues. The question of how to think of human rights “without succumbing to the interventionist arrogance of neocolonial enlightened reason,” in Phend Chean’s words, can only be answered by a shifting, relational notion of what rights mean within a “shifting global field of forces.”<sup>39</sup> The possibilities of debate are of course circumscribed by that field, but that field is also responsive to the possibilities of debate.

### Notes

<sup>1</sup> There is also the further ambiguity as to whether the term “internationalism” is not too strongly political, by its historical associations, to describe recognitions and solidarities that might be thought of as less organized, more ad hoc than the word politics usually implies.

<sup>2</sup> Richard Rorty, “The Unpatriotic Academy,” *The New York Times*, Sunday, February 13, 1994, E15.

<sup>3</sup> Richard Rorty, “The Unpatriotic Academy,” *The New York Times*, Sunday, February 13, 1994, E15.

<sup>4</sup> Supposing the academic left wants to do what it *can* do to have more effect, broaden its base, narrow this divide—narrow it on the terms most favorable to itself, and not by opportunistic surrender to chauvinism—it obviously needs a theorization of the divide, and of its own distinctness and authority, that is not only better than the one Rorty offers, but better than any it has thus far offered itself. One of the most remarkable aspects of Rorty’s patriotic pep talk is the way it mirrors one of the worst aspects of the multiculturalism it attacks, namely, the tendency to reduce intellectual effort to a passive reflection of the opinions of a given constituency. Rorty’s constituency—patriotic Americans—may seem larger, but the principle of collapse-into-constituency is the same: a piously masochistic demand that intellectuals dissolve into the collective will of those they represent leaving no remainder, nothing they are or do other than faithful and self-effacing mimesis of others. An alternative would require a different theorization both of the geographical location of intellectuals and of their work, work that is inescapably representative and yet is also a value and an activity added on to the passive virtue of representativeness, and that thus runs the risk (like any

description of what intellectuals do) of legitimating a perceived claim to superiority over non-intellecutals.

<sup>5</sup> Richard Rorty, "Intellectuals in Politics," *Dissent* 38 (Fall 1991), 483-490. The response by Andrew Ross, "On Intellectuals in Politics" and "Richard Rorty replies" are in *Dissent* 39 (Spring 1992), 263-267. The quoted lines are from "Richard Rorty replies," 265.

<sup>6</sup> Richard Rorty, "On Ethnocentrism: A Reply to Clifford Geertz," *Objectivity, Relativism, and Truth: Philosophical Papers, I* (Cambridge: Cambridge UP, 1991), [203-210], 210.

<sup>7</sup> Charles Taylor, *Philosophy and the Human Sciences* (Cambridge: Cambridge UP, 1985).

<sup>8</sup> A recent, ill-tempered denunciation of the so-called "postmodern left" in the name of human rights is Marshall Berman, "Modernism and Human Rights Near the Millenium," *Dissent* (Summer 1995), pp. 333-341. Berman sets this postmodern left against Habermas, whom he describes as "the most serious theorist of human rights today" (340).

<sup>9</sup> Rorty describes a form of ethnocentrism that is "inevitable and unobjectionable" (212) as one that would "look forward, in a vague way, to a time when the Cashinahua, the Chinese, and (if such there be) the planets which form the Galactic Empire will all be part of the same cosmopolitan social democratic community" (Richard Rorty, "Cosmopolitanism without Emancipation: A Reply to Jean-Francois Lyotard," *Philosophical Papers, I*, [211-222], 212).

<sup>10</sup> "Reply to Geertz," 209. See Habermas on immigration in *Multiculturalism* collection for related argument on the limited value of a cultural politics.

<sup>11</sup> Richard Rorty, "Private Irony and Liberal Hope," *Contingency, Irony, and Solidarity* (Cambridge and NY: Cambridge UP, 1989). We may pause to note above that if Europe, Asia, and Africa all have communities, only Europe appears to possess families and individuals.

<sup>12</sup> Richard Rorty, "Human Rights, Rationality, and Sentimentality," in Stephen Shute and Susan Hurley, eds., *On Human Rights: The Oxford Amnesty Lectures 1993* (NY: BasicBooks, 1993), 111-134.

<sup>13</sup> My own argument here remains Rortyan in the sense that, rather than seeking a universal philosophical foundation for human rights, I take as my point of departure the existence of a provisional trans-national consensus about human rights, legitimized in my view by the increasing participation of NGOs, especially non-Western ones, and the existence of continuing dialogue about the limits and unequal applications of human rights instruments.

<sup>14</sup> Richard Rorty, "On Ethnocentrism: A Reply to Geertz,"

*Philosophical Papers, I*, 203.

<sup>15</sup> I develop this argument at greater length in "Some Versions of U.S. Internationalism," *Social Text*, 45 (Winter 1995), 97-123.

<sup>16</sup> After all, self-marginalization is a more or less continuous fact about the culture concept, whether one is speaking of Matthew Arnold or cultural studies. Rorty's attack on the cultural left today could as well have chosen any number of targets before the advent of cultural studies, way back to the very heart of the discipline in the "Culture and Society" tradition; it is no more pertinent to cultural studies, aimed at norms and unified identities, or to deconstructive literariness, aimed at authoritative propositional transparency, than it was to the Romantic critique of the Enlightenment. At no point does culture cease to draw some sort of line between its adherents and practical, policy-minded liberals.

<sup>17</sup> See Amanda Anderson, "Cryptonormativism and Double Gestures: The Politics of Post-Structuralism," *Cultural Critique* (Spring 1992), pp. 63-95.

<sup>18</sup> Pheng Cheah, "Given Culture: Rethinking Cosmopolitical Freedom in Transnationalism," ms. available from the author, Dept. of English, Cornell University. Cheah also usefully defines the dilemma with which I began: "A metropolitan cultural politics which espouses a hands-off approach to a museumized cultural other leaves the neocolonial staging of that other—fundamentalism, ethnicism, patriarchal nationalism—untouched. Yet if we intervene in those other spaces as self-proclaimed didacts of freedom, we forget that we too are part of the crisis because the problems of unequal development and the post-industrial feudalisation of the periphery are fundamental structures of *our* everyday."

<sup>19</sup> *New York Times*: "during the global contest between the nuclear giant, the U.N. passed its most exacting test. It survived, and so did the human race." "The United Nations at 50," *The New York Times*, June 26, 1995, editorial page.

<sup>20</sup> Barbara Crossette, "U.N. Finds Skepticism Is Eroding the Hope That Is Its Foundation" *The New York Times* (June 25, 1995), A 1.

<sup>21</sup> The editorial of *The Nation's* 40th birthday special issue in 1985 presented the U.N. as a "Global Talk Show." Describing the Nairobi conference that capped off the U.N. Decade for Women, *The Nation* said, "The conference brought together people who do not normally talk to one another" (228). *The Nation*, 241:8 (September 21, 1985), "Reflections on a Glass House: The U.N. at 40."

<sup>22</sup> Richard Falk, "The United Nations After 40 Years" (*Nation*, 241:8[September 21, 1985]).

<sup>23</sup> Fateh Azzam, "Non-Governmental Organizations and the U.N. World Conference on Human Rights," *Review of the International Commission of Jurists*, 50 (1993), pp. 89-100. "Southern human rights NGOs have come of age and will be a force to be reckoned with in the human rights debate in the future" (99).

<sup>24</sup> Upandra Baxi, "The Spirit of our Age, the Realities of our Time: The Vienna Declaration on Human Rights," *Mambrino's Helmet: Human Rights for a Changing World* (New Delhi: Har Anand, 1994).

<sup>25</sup> ISHR, *Human Rights Monitor*, 21 (May 1993), p. 21. Note that as Azzam says, NGOs themselves declared the Vienna Declaration a "Flawed Document" (98) for its failure to commit governments to concrete measures.

<sup>26</sup> The NGOs could function as well as they did because, like culture, they and their rights discourse were seen as *not* being fully or explicitly political. They were not states, but units of "international civil society"—something between the powerlessness of culture and the power of the state. Indeed, Azzam sees the very success of the NGOs in Vienna as dangerous, for it crossed "the very thin line between human rights advocacy, populist advocacy, and political advocacy" (99).

<sup>27</sup> Catherine MacKinnon, "Crimes of War, Crimes of Peace" in Shute and Hurley, pp. 83-100; also Julie Peters and Andrea Wolper, eds., *Women's Rights Human Rights: International Feminist Perspectives* (NY and London: Routledge, 1995).

<sup>28</sup> It is possible that Rorty intended to distinguish, interestingly, between atrocity stories, whose effect he is rightly skeptical about, and the "sad and sentimental stories" he credits with developing human rights culture. But no such distinction appears in his text.

<sup>29</sup> Laura Flanders, "Hard Cases and Human Rights: C. MacKinnon in the City of Freud," *The Nation*, August 9/16, 1993, pp. 174-177.

<sup>30</sup> Baxi: "While most 'obstacles' and 'challenges' emanate from unjust, and evil, forms of governance, the civil society, too, may provide a fertile soil for the growth of 'obstacles' and 'challenges' to human rights attainment. In so far as this is the case, the Declaration envisages a substantial interventionist role by the state and superstate institutions" (4).

<sup>31</sup> Rey Chow, "Violence in the Other Country: China as Crisis, Spectacle, and Woman," Chandra Mohanty, Ann Russo, Lourdes Torres, eds., *Third World Women and the Politics of Feminism* (Bloomington: Indiana UP, 1991), p. 85.

<sup>32</sup> C.J. Wee Wan-ling, "Re: Michael Fay," *Commentary, Journal of the National University of Singapore Society*, 12:1 (1994). For apparently unrelated reasons, this issue was suppressed by the NUSS management

society.

<sup>33</sup> Leon Perera, "The Micheal Fay Controversy: What Was at Stake?" in same issue of *Commentary*. Perera points out as well how Singaporean opinion tended not to object to foreign intervention as such: "Mainstream opinion here... is generally supportive of U.S.-led U.N. military intervention in the killing fields of Rwanda and Bosnia" (122). Respect for sovereignty is not an absolute principle.

<sup>34</sup> A Cuban resolution of 1985, opposed by the Western powers but finally passed in 1991, asserted the principle of non-selectivity, impartiality, and objectivity in dealing with human rights. It is unclear that this resolution has had any effect on human rights work.

<sup>35</sup> Asad Latif, *Straits Times* (23 April 1994).

<sup>36</sup> According to the polls I saw, the US public did not agree with its political leaders and editorialists who condemned the caning as an act of barbarism. A majority agreed that the American criminal justice system does not work and thought it might improve if the U.S. followed Singapore's example and caned vandals. In the months following the Fay case, several bills were presented in state legislatures around the country which, inspired by Singaporean policy, called for whipping as punishment for graffiti. Is this internationalism, or merely Americanocentrism of a different type, one that prefers to seize upon similarities to what it knows rather than assuming difference? In other words, is it just the recognition of sameness that Rorty's sad and sentimental stories are supposed to encourage? The incongruity once again between mass opinion (which tended to approve the caning) and the so-called educated élites (which condemned it) is worth following up.

<sup>37</sup> Richard Rorty, "Two Cheers for the Cultural Left," in Darryl J. Gless and Barbara Herrnstein Smith, eds., *The Politics of Liberal Education* (Durham and London: Duke UP, 1992), [233-240], 235.

<sup>38</sup> "Two Cheers," 234.

<sup>39</sup> Pheng Cheah, "Posit(ion)ing Human Rights in the Current Global Conjecture," ms. available from the author.

