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New Texts Out Now: Lori Allen, *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine*

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by Lori Allen

Jul 10 2013

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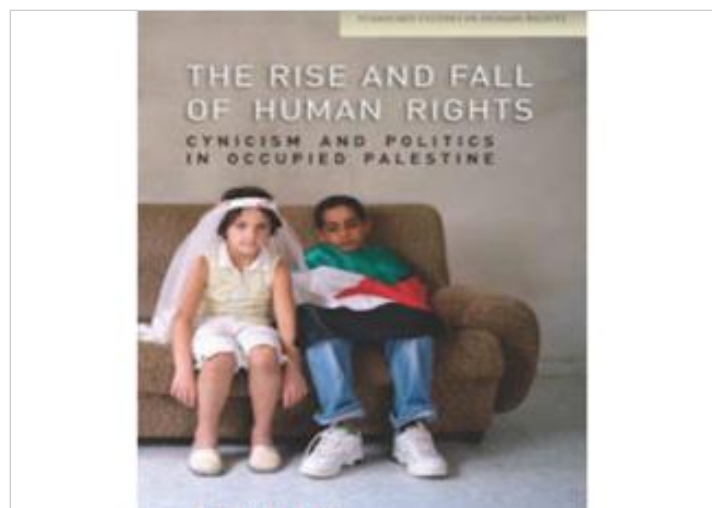
Lori Allen, *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine*. Palo Alto: Stanford University Press, 2013.

Jadaliyya (J): What made you write this book? How does it connect to and/or depart from your previous research?

Lori Allen (LA): My original research question focused on the generative capacities of violence and suffering, which I hoped to illuminate through investigating Palestinian human rights NGOs. I understood these institutions to be a central source by which Palestinian suffering and the victimization of Palestinians by the occupation were turned into tools of resistance against the occupation.

The first time I visited Palestine in 1993, the direct Israeli occupation of the West Bank and Gaza was winding down, but its presence was still obvious and everywhere: in the Israeli army jeeps that patrolled along the poor, unmaintained Palestinian roads; in the poverty of families kept locked in a stifled economic structure beholden to occupation regulations of movement and markets; in the color-coded ID cards that people carried, indicating a range of military occupation-imposed political identities, from Jerusalem resident to former political prisoner. One of the women who hosted me during that first visit—an extraordinary human rights activist, a feminist with a commanding voice made gravely by too many cigarettes, who was also a former political prisoner in Israeli occupation jails—repeatedly said as she took me around the West Bank, “See how we suffer?” Indeed, the suffering of people living under occupation was, like the occupation itself, obvious and everywhere.

I knew there was a puzzle in the repetition of this refrain, which I heard in many keys, from a wide variety of people. True, there is little surprising in the basic fact of the centrality of suffering to a people whose children are shot dead on their way home from school (or even *in* school), when large numbers of their people die in violent attacks, their houses are demolished and their freedom of movement denied. So why ask a question about something that seems so obvious? Suffering—physical and emotional pain—was, and is, everywhere. But this basic acknowledgment of the



[Cover of Lori Allen, "The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine"]

basic, human significance of suffering does not answer the question of *how* suffering brings people together, mediates their political discourse, shapes their strategies, and colors their understanding of the world and their place in it as individuals and a nation. So I wanted to understand what the human rights system made of that suffering.

When the second intifada began in September 2000, my original research plan quickly became almost irrelevant. The human rights NGOs I had intended to study were engaged in round-the-clock documentation of deaths and injuries. “Suffering”—what I had determined was an organizing category of Palestinian national identity before the intifada—was not only an organizing principle but a dominant one: suffering as something that people were going through, talking about, explaining, representing...suffering was everywhere. That is what I was writing about before this book—the problem of how Palestinians in the occupied territory experience, memorialize, and adapt to political violence.

It was a few years later that I returned to focus specifically on the human rights system in the occupied Palestinian territory. Human rights and other NGOs flourished as the Israeli occupation took on a new rhythm. The Palestinian Authority (PA) was becoming more entrenched; it was also increasingly criticized as a lackey of the occupation, doing Israel’s bidding and policing their own people through extra-judicial means. It soon became clear that there was a common collective recognition of human rights, and the state-in-the-making, as a performance. Many people conveyed to me their sense that “human rights” was a pretense, a façade that everyone recognized as such but was feigning to keep up nevertheless. *The Rise and Fall of Human Rights* is my effort to understand the genesis and effects of that shared charade, and the state of cynicism that unites Palestinian human rights defenders, abusers, victims, critics, and observers alike.

My analysis does not stop at dismissing the NGO world or human rights organizations as “*dakakin*,” however. This is a term that many Palestinians use to refer to NGOs as corner shops that collect international donor money, and the word does convey something of the cynicism towards the human rights system that *The Rise and Fall of Human Rights* describes. Many western critics also scorn “human rights” as just a tool of western imperialism, but the stories and reflections of Palestinian human rights workers challenge the typical criticism of human rights as “depoliticizing.” The ethnographic accounts in my book reveal the extent to which such terms never capture the nuance of people’s lives and beliefs.

In Palestine, the language and laws of the human rights system helped motivate new forms of collective action, and became a source of creativity and even courage for some people living under occupation. The book traces the ways in which foreign funding and the establishment of the PA shaped the human rights world in the occupied Palestinian territory from the 1990s onwards. The formalization and institutionalization of human rights and nationalist work led many Palestinians observing human rights organizations and the PA to criticize what they saw as the production of a “bad faith” society. Ethnographic description of human rights training courses, as well as the Palestinian Authority’s interactions with the human rights system, helps explain further the development of cynical attitudes towards the human rights system and the PA’s state-building efforts.

J: What particular topics, issues, and literatures does the book address?

LA: This book explores Palestinian nationalism as an ethical discourse, a framework of values, and a system of political and social ethics in profound transition. Revealed in the story of the human rights world that I tell in this book are the tribulations of a form of nationalism that is struggling to keep its place in a context of state-building guided by “the principles of good governance, accountability, and transparency.” Unlike many social scientific analyses of “the state,” this book highlights the interlocking of ethics and political consciousness, the consciously evaluative aspect of political discourse. In trying to find a language to encompass this political consciousness and the political and social effects of it, I developed a notion of cynicism as an analytic concept, a concept that is meant to express political dimensions of emotion, discourse, and critique. But I consider cynicism also to be part of how people continue to critique and search, or at least hope, for something better—and the human rights system continues to be one means that Palestinians engage in that search.

J: Who do you hope will read this book, and what sort of impact would you like it to have?

LA: I wrote this book hoping that people who are interested in the Israeli-Palestinian conflict might read it and learn something about the recent history of the place, how Palestinians have tried to use the human rights system to resist occupation and build their own democratic society—and the enormity of the forces in place that thwart those efforts. The tangled problem of consent, authority, and legitimacy in the constitution of “stateness” is a general one, so the book should also speak to people interested in the social and political work of human rights and NGOs in the Global South more generally, as “human rights” have become a technicized criteria, a box to be checked, by which certain governments are expected to prove their worthiness (for legitimacy, for foreign funding, and so on).

Besides messing with liberal western students and shaking their idealistic belief in the power of NGOs to do good and “fix” things, hopefully this book will also encourage human rights activists in Palestine and elsewhere, international donors and NGOs, and those who work for state aid and other development agencies to reflect on the unintended consequences of their work. It is not hard to understand why the human rights system does not actually protect human

rights, since rights are only protectable within authorized political and legal structures that can enforce accountability. The question, rather, is how such a system, which so obviously does not deliver on its promises, continues to grow, functioning as if it could fulfill those ideals.

I also hope that people who do not yet actively oppose the Israeli occupation will read this book. I want them to understand, through the Palestinians' words and views and experiences that I convey, what the Israeli occupation destroys; and I want them to see what many Palestinians continue to manage to do in order to create, and build, and continue.

J: What methodologies did you use in your research for this book?

I have been collecting material for this book since I first began visiting the occupied Palestinian territory: through participant observation volunteering with human rights NGOs; working with a community-based NGO that implemented human rights projects; sitting in on human rights education courses for refugee youth and Palestinian Authority employees; interviews with human rights activists; and general conversations with Palestinians who had an opinion about the NGO world and the human rights system—which it seems is pretty much everyone living under occupation.

From 2007, the intensity of the competition between Hamas and Fateh increased, making research on that Islamist party difficult. The bulk of my analysis of the Hamas movement and government relied on publicly available statements, publications, and media, which provided a lens onto Hamas's uniquely critical perspective on, and approach to, the practice of human rights.

I also conducted interviews with people involved in setting up the first Palestinian human rights NGO, Al-Haq, as well as with people who organized the Human Rights and Democracy MA program at Birzeit University. All of these people reflected cogently on their original hope-filled plans for developing a human rights culture in their society, which could both fight the occupation in the universal, neutral language of international human rights and humanitarian law, and also be used to develop democratic principles within their own governing structures. And they all saw and critiqued the various ways in which those original optimistic plans were stymied by a range of economic and structural political dynamics. Despite these disappointments, however, it was clear in the conversations I had with other young activists that people persist in working with human rights principles and human rights institutions in creative ways.

J: What other projects are you working on now?

LA: My next book, for which I'm now conducting archival research, will be an anthropological history of international investigative commissions to Palestine—of which there have been dozens and dozens. *A Genealogy of Political Proof: A Short Century of Investigative Commissions to Palestine, 1919-2009* is also a history of Palestinian nationalism as it developed in dialectic tension with Israel's legacy as a refuge for the Jews—which I hope to offer as a new way of understanding the ongoing history of conflict in Palestine—a conflict in which the rules of debate and parameters of legitimacy have been repeatedly revealed to be shifting and undependable. Through a history of international investigative commissions that have visited Palestine-Israel since the demise of the Ottoman Empire, including those sponsored by the League of Nations and the United Nations, this book will examine how political struggles rooted in concepts of humanity and suffering emerged. The book pays particular attention to what happened to Palestinian political appeals in the wake of the Holocaust, with the establishment of the UN and the international human rights regime.

Excerpts from *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine*

From Chapter Two: The Beginning of the Decline: International Aid and the Production of Bad Faith

Nimr: The Apathy of a New Bourgeoisie

Similar to Abu Wisam, who complained that donors are teaching Palestinians to lie, Hiba, the feisty director of a research center in Ramallah asserted to me in 2009 that “people do human rights just because there is money. It's just a trend. International funders set the agendas. The problem is that the resistance is now all working in NGOs. But what else could they do? What other opportunities are there? It's a problem.” Not only does human rights work offer the educated, often formerly active leftists a place to focus their energies in the absence of any organized and appealing political venues, but through their cosmopolitan networks, relatively high salaries, and opportunities for international travel, the NGO system also promotes individualistic bourgeois values and interests that are inconsistent with nationalist politics. Mirroring trends across the Middle East and the global South, NGOs in Palestine have become “natural havens for disaffected party cadre” (Hammami 2000:17).

Haitham, an HRO worker with definite Marxist views, explained what foreign funding and the growth of large NGOs has done to Palestinian politics:

It has taken away a large section of people who were active or considered part of the grassroots intellectuals of the West Bank and Gaza Strip. It's like cutting the head off a popular movement. It does provide a

temptation, and once you get into the milieu, it removes you from that kind of [political] activity. It institutionalizes your political activity, and gives you benefits which are quite immense compared to the rest of the society, and that change in your social existence changes your consciousness as well. That's one of the reasons I think people are demoralized. Their social existence has changed. In a way it's a conscious attempt of imperialism to intervene in the Third World, take these people who should be leaders or have been leaders, and move them somewhere else.

Haitham's observations correlated closely with Nimr's story. I met Nimr when I volunteered at DCI-Palestine from 2000 to 2001. He was a man in his early thirties from a refugee camp in the southern West Bank. Married with a baby daughter when I met him, his situation exemplifies the case that many scholars have made about the relationship between human rights and depoliticization. In contrast to narratives of nationalist fortitude like that of Dia', Nimr felt that he had succumbed. His case illustrates further the correlation between moral and political economies, and shows how a loss of nationalist dedication is considered to be a moral failure linked to individualistic material desires.

A college graduate, Nimr had been a social worker at a human rights organization since the early 1990s. Throughout his youth he had been involved with a leftist faction. He was imprisoned, the first time at age fourteen, and tortured several times. He once described to me a particularly excruciating form of torture he had experienced. His Israeli interrogators hung him from the ceiling by his wrists, then kicked out from under him the stool on which he was standing, leaving all of his body weight pulling down from his shoulders. He said he felt like they would come apart. The look on his face as he described the experience made me wince; just the memory caused him evident distress.

Like many in his position, his formal political involvement ended after the PA came to power and his former party lost whatever effectiveness or popularity it once had enjoyed. The failures of the first intifada, which was unable to secure for the long term that uprising's social, political, and organizational gains, also contributed to the decline not only of leftist parties but also of trade unions, women's groups, and student organizations. Nimr told me how his attitude toward politics transformed over time:

I was active, but now I hate politics. Sure, I keep up on the news, but I hate politics. I'm fed up. I've seen a better life, and being active wasn't easy. I'm tired of that. I made this decision to leave politics in a snap during college—even before getting married. Che Guevara said, "marriage is the death of a revolutionary." My wife joked that since I quit politics before she and I met, surely there must have been some woman in my life before her...but no, I just saw that there were better things, and now all of my friends are like this. We have lives outside of politics, because of the problems within the parties. There are lots of internal problems: they have no alternative vision, they're against the Oslo accords but they have no other suggestions, and they're against the Israeli policies, which really did wear people out. People are just too tired. We were all taught that the USSR was God. We read all about communism in prison, the paradise that was the USSR. But then, when it fell, it was like in a moment our dreams were gone. We realized it was all a lie. . . .

"Or," he added quietly, "maybe I'm a coward."

[...]

From Chapter Five: Nationalizing Human Rights: The Political Ethics of Hamas

A sharp contrast to the ways in which the West Bank PA plays at human rights, betraying and even emphasizing the falsity of its performances, is the politics of sincerity that mark the human rights engagements of the Hamas-led PA in the Gaza Strip. As part of its own state-making efforts, Hamas has become entwined within the human rights system, by engaging with HROs, providing human rights training, and submitting reports to UN bodies. However, it does so in ways that are announced as ethical and effective, placed in an explicitly nationalist context, and opposed to what are portrayed as the perfidious ways of Fateh. In its insistence on Palestinians' right to be nationalist, on their right to demand rights that will be guaranteed by a political rather than a technocratic solution, Hamas presents an alternative to the cynical human rights system and to the limbo status quo in politics. Despite the fact that Hamas's declarations of sincerity and ethical behavior are recognized by some as more of a claim than a description of actual actions, their political-ethical approach resonates with a nostalgic nationalism in which many Palestinians take comfort. It also fuels their critique that has enabled their unique engagement with the human rights system, which is both critical and bureaucratic. Hamas has continuously named many of the human rights system's faults, calling attention to the hypocrisies that so many Palestinians recognize as being inherent within that system. They publicly condemn what others see and stew over. Even though their bureaucratic interactions with the human rights regime bespeak an organization trying to instantiate themselves as regularized state actors in a system of global governance, Hamas members still present themselves as noncynical nationalists acting on behalf of the people. Their alternative take on human rights, engendered within this nationalist framework, goes some way toward explaining why the movement has been a preferred political

alternative for some Palestinians.

[...]

Seeing the mobilization of human rights in the context of this ethical world helps us understand what human rights “really mean” to Hamas, and to Palestinian society, in a unique way. It also sheds light on the kind of government Hamas has attempted to produce. It is one that is trying to engage the international community in a self-confident, self-consciously agentic, nondefensive manner, one that asserts its own principles but also tries to find points of political intersection and bases of mutual recognition. Also evident in Hamas’s interactions with human rights and UN organizations is a concern with bureaucratic form that is nevertheless still firmly rooted in nationalist substance. In Hamas’s negotiations with the human rights system, we see another way in which the human rights system shapes state practice.

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