Review

After Evil: A Politics of Human Rights

Robert Meister. New York: Columbia University Press, 2010. 526pp.

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In *After Evil: A Politics of Human Rights*, Robert Meister puts forth an original, subtle, and provocative critique of mainstream human rights discourse in contemporary global politics. He describes this discourse, which he capitalizes as Human Rights Discourse throughout the text, as "… a new discourse of global power that claims to supersede the cruelties perpetrated by both revolutionaries and counterrevolutionaries during the previous two centuries" (3). Meister argues that this discourse creates a false temporal divide between historical periods of "evil" in which gross violations of human rights are committed and post-conflict periods of justice during which parties are presumed to move beyond evil through various mechanisms of transitional justice.

In making this argument, Meister distinguishes among three basic categories of actors positioned differently vis-à-vis contemporary human rights discourse. *Perpetrators*, those who physically torment victims, may be punished via transitional justice mechanisms associated with the post-World War II paradigm of human rights. *Victims* who "suffered physical torment" (27) under the previous regime may achieve a certain moral victory through these transitional justice mechanisms even as they continue to face economic and social inequities that remain in place. Yet, *beneficiaries* of the oppressive political, social, and economic system that came before continue to enjoy their (unjustly won) economic and social advantages and privileges.

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Because the beneficiaries of oppression are not implicated by the contemporary human rights paradigm, Meister argues that this paradigm cannot foster the attainment of genuine justice or human rights in response to oppressive political, economic, and social systems. So long as structural inequities and injustices remain in place, evil still exists, and real justice and human rights are out of reach. In this way, Meister questions the validity of the rigid demarcation of the lines between evil and justice. Instead, Meister claims that the pursuit of transitional justice and human rights perpetuates evil by encouraging victims of unjust political, social and economic systems to accept only a minimal definition of justice (the end of active, direct physical violence) while allowing beneficiaries of these systems to rationalize their ongoing privileges in transitional systems of governance. In Meister's words, "Here we reach the crux of the twenty-first-century conception of human rights, namely, that there is nothing worse than cruelty and that cruelty toward physical (animal) bodies is the worst of all" (16). In short, he is critical of a politics of human rights that prioritizes the protection of political rights that minimize people's exposure to violence against the body at the expense of economic, social, and redistributive rights rooted in a revolutionary sense of social justice and economic equity.

Not only does Meister suggest that contemporary human rights discourse inappropriately downplays the importance of economic rights and social justice, but he also argues that post-World War II human rights discourse ultimately rationalizes the hegemony of a system of global capitalism that actively serves to undermine the attainment of human rights broadly defined. In this regard, Meister's argument depicts mainstream human rights discourse as a counterrevolutionary project that works against an alternative, historical conception of human rights encompassing radical ruptures with unjust economic, social, and political systems through revolutionary means. In short, a human rights discourse that delegitimizes violence in all forms serves as a break on the pursuit of a radical conception of human rights that might require violent struggle against systems of oppression. Indeed, Meister goes so far as to suggest that "… the human rights culture to be established in the twenty-first century is a continuation, by more benign means, of the counterrevolutionary project of the twentieth—to assure that beneficiaries of past oppression will largely be permitted to keep the unjustly produced enrichment they presently enjoy" (31).

According to Meister, the agents of change under the contemporary paradigm of international human rights are governments, international organizations, or non-governmental organizations who intervene to protect, or provide relief to, the victims of political violence, regardless of the underlying causes of such violence. In contrast, the agents of human rights activism under the historic conception of human rights, in Meister's view, are the revolutionaries who used violent tactics to advance human rights—"the revolutionary... [as] the standard paradigm of a militant for human rights" (20). Within contemporary human rights discourse, militant revolutionaries become the paradigmatic violators of, rather than fighters for, human rights.

Meister develops his argument by applying this critique of human rights discourse to an analysis of several specific topics. He begins the book by applying this critique to an analysis of the South African Truth and Reconciliation Commission (TRC), which he depicts as a mechanism that sought to provide a moral victory to victims and a sense of closure to beneficiaries while leaving an unjust and inequitable economic and social system essentially intact. By pursuing a model of justice as reconciliation, the TRC might be seen as representing a continuation of the counterrevolutionary project "… to the extent that the victims of the old regime let its beneficiaries keep their gains in the new" (69). He similarly describes national recovery and reconstruction efforts in the United States after the Civil War as mechanisms which prioritized the (re)construction of a national identity and moving beyond the divisive past at the expense of distributive justice. Meister also includes a full chapter on the issue of reparations as a mechanism for responding to past and current economic injustices and argues that a "gains-based" approach to property law warrants calling for reparations from beneficiaries of unjust economic gains even in the absence of clear cut "victims" to whom concomitant economic losses might be traced.

The primary contribution of Meister's book is to bring a contradiction within the prevailing paradigm of human rights to the center of analysis. Contemporary human rights discourse is grounded on the premise that politically-motivated physical violence against innocent persons is always wrong. Yet, global norms calling for humanitarian intervention and a "responsibility to protect" on the part of an ill-defined international community suggest that prohibitions against the use of politically-motivated physical violence are over-ridden when such violence is committed by "the international community" in the name of global human rights.

At a fundamental level, the assumption is that humanitarian intervention by the "international community" rises above politics and reflects a presumptively *ethical* use of violence. Of course, humanitarian intervention by the international community, a "community" whose interests and actions are determined primarily by the preferences and policies of major powers, is no less political than military actions carried out by local actors. Thus, Meister challenges proponents of human rights to consider why military actions initiated at the global level by an "international community" dominated by major powers should be considered, by definition, ethical even when "collateral damage" occurs whereas as militarist movements in specific localities are always deemed to violate human rights when innocent civilians are victims, even if these movements are motivated by an underlying concern with human rights and justice. Moreover, Meister's analysis raises questions about the extent to which beneficiaries of injustice, even if they are not direct perpetrators of violence, should be considered innocent.

In short, Meister is asking readers to consider when and against whom the use of violence for human rights ends should be considered legitimate. Unfortunately, Meister does not ultimately give us a set of tools for answering this question. Although the book's tone suggests that he is sympathetic to the use of militant violence to advance a radical vision of economic equity and social justice, he ultimately waffles on this point. "Do my misgivings about justice-as-reconciliation make me nostalgic for the revolutionary project of the twentieth century? Yes, in the limited sense that we need to oppose, politically and ethically, the ways in which Human Rights Discourse protects the beneficiaries of past injustice. I believe, however, that an adequate successor to the revolutionary project must begin with the recognition that moral victory is a sine qua non for political victory—but without thereby dropping the demand for distributive justice" (69). In short, Meister poses a critical question about the legitimacy of the use of violence towards human rights ends but falls short of providing us with a meaningful set of criteria to apply in the messy world of real politics.

Meister's work is primarily philosophical rather than empirical, which leaves him open to criticism from empirically-oriented social scientists. For example, he overstates the extent to which states have embraced the Responsibility to Protect doctrine under international law. Meister claims that "… it is clear that global politics (insofar as it successfully avoids issues of wealth and resource distribution) is now focused on humanitarian intervention to stop atrocities committed at the local level" (48). In fact, the

international community, dominated by the major powers, has a notably weak record in responding to genocide and other humanitarian crises (a point Meister acknowledges), as the millions of dead in Rwanda, Darfur, and other sites of modern-day genocides starkly illustrate. When major powers do intervene abroad, the rhetoric of "humanitarian intervention" often (but not always) merely provides cover for the underlying strategic interests motivating such interventions. In short, Meister may take states' deployment of the rhetoric of human rights too seriously. To the extent that a narrow conception of political rights focused on humanitarian protection appears to trump economic and social rights in the contemporary human rights paradigm, it may be more of a reflection of classic power politics in international relations than a genuine prioritization of political over economic rights.

Mainstream human rights scholars likely will also take issue with Meister's claim that the prioritization of political, physical violence against the human body in contemporary human rights discourse is counterrevolutionary. In making this claim, Meister assumes a dichotomous vision of human rights that assumes that a clear cut choice exists between two paradigms—a human rights discourse that seeks to delegitimize political violence even at the expense of leaving structural inequities in place and a revolutionary paradigm of human rights where political violence might be tolerated as a means for achieving economic and social justice. In short, he *assumes* that the sacrifice of political rights under a revolutionary approach to human rights will produce better results in the economic and social spheres. Many liberal proponents of human rights will reject this proposition. Moreover, Meister criticizes the liberal human-rights paradigm for prioritizing the suffering of the body (160–61), but isn't the suffering of human bodies also what is at stake in regards to fundamental economic rights? Indeed, abject poverty produces some of the most degrading and devastating bodily suffering imaginable, and I have always recognized such bodily suffering as a primary rationale for fundamental economic and social rights.

Throughout the book, Meister draws upon insights from a wide range of disciplines, including political theory, history, literature, psychology, religion, and law and, in doing so, demonstrates an impressive interdisciplinarity. In addition to applying his critique of mainstream human rights discourse to prevailing approaches to transitional justice, Meister weaves in a wide range of intriguing arguments and ideas, including a view of truth commissions as social melodrama, religious and literary meditations on

sorrow and disgrace, a discussion of the evolution of the concept of trauma, the roots of genocide in colonial concepts of “natives” and “settlers,” and the role of psychological processes in shaping individual reactions and social responses to human rights abuses and genocide. A nuanced consideration of these additional ideas goes well beyond the scope of this review. Suffice it to say that *After Evil* is an ambitious work that should be read widely by scholars interested in human rights. Even mainstream human rights scholars who are likely to disagree with his underlying argument about the value of the prevailing paradigm of human rights in contemporary global politics and with many of his conclusions will find the work thought-provoking and impressive in the scope and sophistication of ideas covered.