The Monstrosity of Human Rights
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# The Monstrosity of Human Rights

EDUARDO CADAVA

> *Fellow citizens! I will not enlarge further on your national inconsistencies. The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretence, and your Christianity as a lie. It destroys your moral power abroad; it corrupts your politicians at home . . . it makes your name a hissing, and a byword to a mocking earth. It is the antagonistic force in your government. . . . It fetters your progress; it is the enemy of improvement, the deadly foe of education; it fosters pride; it breeds insolence; it promotes vice; it shelters crime; it is a curse to the earth that supports it; and yet, you cling to it, as if it were the sheet anchor of all your hopes. Oh! be warned! be warned! a horrible reptile is coiled up in your nation's bosom; the venomous creature is nursing at the tender breast of your youthful republic:* for the love of God, tear away *and fling from you this hideous monster, and* let the weight of twenty million crush and destroy it forever.
>
> —Frederick Douglass, "What to the Slave Is the Fourth of July?" (383–84)

IN HIS NOW FAMOUS ADDRESS ON THE MEANING of the Fourth of July to the slave, Frederick Douglass seeks to delineate the various ways in which the persistence of slavery in a nation that was founded on the virtues of freedom, liberty, and equality produces a national ideology traversed by ambiguities, tensions, and contradictions. Suggesting that the experience of freedom cannot be thought apart from that of slavery, that abstract equality can only be imagined alongside the story of black subjection, he argues that these inconsistencies have two consequences. They derail the course of American democracy, and they leave their most painful and material consequences on the lives and bodies of the slaves without whom the narratives of freedom and equality could never be written. This is why he often refers to the violence, inequality, economic oppression, and racist exclusions that have harmed and devastated so many human beings in the history of America and the history of the world. For Douglass, America finds itself in mourning the moment slavery exists, populations are removed, dispossessed, or exterminated, wealth is distributed unequally, acts of discrimination are committed in the name of democracy and freedom, and rights are withheld—and what it mourns is America itself. As he tells us in his Fourth of July oration, this mourning belongs to the long history of efforts to actualize equality, to realize, that is, the promise of the right to representation for everyone, of an America that to this day still does not exist, which is why it must always be mourned. "I am not included within the pale of this glorious anniversary!" he writes. "*Your* high independence only reveals the immeasurable distance between us. . . . The rich inheritance of justice, liberty, prosperity, and independence, bequeathed by *your* fathers, is shared by *you*, not by *me*. . . . This Fourth [of] July is *yours*, not *mine*. *You* may rejoice, *I* must *mourn*" ("What to the Slave" 368).

That America can define itself in relation to the granting and protection of rights within its borders while it withholds these

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rights from a particular community within the same borders, that it can declare itself a strong and privileged representative of the best elements of "humanity" even as it decides who belongs to this humanity and who does not, means that such rights, such (presumably inalienable and independent) "human" rights, are guaranteed by an alien power and are thus vulnerable to the special interests of this power. By depriving slaves of civil rights, by subjecting them to displacement, denaturalization, and denationalization, America demonstrates that a nation that defines itself in relation to human rights nevertheless can produce millions of people who are not granted citizenship and who lack civil or human rights. Refused their minimal human right—the right to life—slaves become subject to a state-organized violence that operates, and monstrously so, under the sanction of human rights themselves.

If the I that mourns the loss of rights must, as Douglass suggests, be imagined outside the limits and legal purview of American nationalism, the work of the oration is to demonstrate that the mournful self affirms its Americanness in this act of mourning. In a series of chiasmatic reversals—reversals that belong to the signature of his rhetorical strategies—Douglass suggests that the self in mourning is the only self able to become the true heir of the revolutionary fathers, the only self able to have, in Hannah Arendt's words, the "right to have rights" (294). Only this mourning and mourned self understands that the promises on which America was founded have yet to be realized; it alone comprehends the need to rebel, in the name of rights, against the monster slavery. The effect of these reversals is that the distinguishing features of American identity become the alienation, dispossession, and mourning that characterize the slave experience. If the slave becomes the representative American, however, Douglass demands not only a new definition of American identity but also a new way of thinking identity itself, since now to be American means, strictly speaking, not to be American; it may even mean to be a monster. Indeed, Douglass never forgets the monstrosity of the slave's conditions, of slavery and racism, and of a nation that supports these other monstrosities and thus nurses its own destruction. At stake in Douglass's speeches and writings is a mode of language that would remain faithful to the monstrous paradox of American identity and to the traces and history of the miscegenated body. For him, this requires a reconceptualization of not only national and individual identity but also the meaning of the word *human* and of the claim that a human being is entitled to rights.

This strategy is legible in the way in which Douglass often enacts his sense of dispossession and displacement by dispersing his voice across several voices, thus suggesting that his voice is never simply his own. Offering us a kind of miscegenated writing—a writing that takes its point of departure from his own mixed genealogy as, at least, African, American, and Cherokee; a writing that also is composed of the arguments, vocabularies, and texts he has read, which, borne by his own language, prevent it from ever being simply his language—Douglass evokes and revises the languages and vocabularies of nationalist ideologies in the name of a democracy that, with the abolition of slavery, might help realize the promise of freedom and equality on which a heterogeneous America was founded. To read Douglass, we must remain vigilant to a language that performs its historical and political work through the mobilization of figures whose movement and multiple significations refer to both the linguistic past sealed within them and the unpredictability of a future that could alter, and thereby create, the meaning of his and our historical existence.

If the effort to transform history requires an act of reading and writing that labors to revise past texts to meet present needs, we can begin to trace Douglass's engagement with

history and politics in the texts whose language he evokes and transforms, and whose words he mobilizes in different directions and contexts to further the work of abolition. In what follows, I provide a brief account of perhaps the most complex example of Douglass's work of transformation, of his conviction in the relation between literary performance and politics—a transformation and conviction that seek to secure for the slave the right to be human, even if he rethinks the human in terms of monstrosity. Douglass's well-known story in his 1845 *Narrative* of the ways in which he learned to read and write draws directly from a passage in Mary Shelley's *Frankenstein* where the monster tells Victor how he acquired language. Douglass represents himself as a monster by using a language that, strictly speaking, does not belong to him, and surrenders himself to someone else's language—in this case, to that of a character in Shelley's novel. Engaging in what Walter Benjamin would call "the art of citing without quotation marks" (458), he simultaneously conceals and reveals his identification with the monster. Nevertheless, his self-portrait turns out to be a portrait of the monster, of himself as a monster. If Douglass tells us something here about the nature of presentation—that the presentation of a self always entails its loss, its appearance as an other—he also stages the embodiment of his strangeness, which not only joins him to the monster and a female author but also conjoins black to white, and American, African, and Cherokee to English. In this way, he suggests the reasons why any effort to provide a monogenealogy of America could only mystify its history and why slaves—precariously positioned between the human and the nonhuman—become human only when, not human, they are no longer capable of having rights. Douglass is drawn to Shelley's novel—and, in particular, to the figure of the monster—because it allows him to mobilize the political resources of a certain rhetoric of monstrosity against what he and many others consider the monstrosity of slavery and racism and because the novel's most prominent themes are, like the themes of his 1845 *Narrative*, language, selfhood, genealogy, freedom, rebellion, violence, creation, racism, rights, and the question of what it means to be human.

Shelley's portrayal of her monster is indebted to the demonic imagery often associated with revolutionary traditions, to contemporary attitudes toward blacks, to the growing fears and promises of the abolition of slavery in the British West Indies, and to broader debates over the nature of the human and the question of rights. H. L. Malchow has argued that "the black Jacobins in Haiti and the parliamentary struggle in England to abolish the slave-trade guaranteed that issues of race played a significant contemporary role in the larger political debate surrounding the capacities and rights of mankind" (11). As he demonstrates, Shelley's monster was created in relation to these debates. Indeed, the monster embodies several stereotypical descriptions of blacks that would have had great resonance for Douglass, including the strong relays between the monster's story of racism and prejudice and Douglass's own. Since the echolalia between these two stories is exceedingly complex, however, I only point to the features of the monster's story that I believe would have been the most important to Douglass.

Beyond the monster's body, in which Douglass would have recognized several features linked to black slaves (his brutelike strength, size, "lustrous" and "ragged" black hair [41], black lips, capacity to subsist on coarse diets and to endure extreme climes), it is his story that first would have caught Douglass's attention. The monster asks Victor to listen to his tale in the hope of gaining Victor's recognition, like the slave who pleads for a hearing with his master in "Dialogue between a Master and a Slave," which Douglass finds and reads in the *Columbian Orator*. Understanding that the hideousness of his form

might discourage this recognition, the monster places his hands over his creator's eyes and his hopes in his rhetorical powers.

Given the prejudice, condescension, surprise, and anxiety that Douglass experienced on his own entry onto the oratorical stage, he would have understood what it meant for Shelley to offer her readers, as Peter Brooks has put it, "a deformed and menacing creature who, rather than using grunts and gestures, speaks and reasons with great eloquence, logic, and persuasiveness" (207). This is why the novel raises its most significant questions in the monster's use of language, for language alone promises the monster and Douglass the opportunity to overcome what is perceived as their monstrous nature (Brooks 207). It is thus not surprising that, like the master who is persuaded to free his slave in the *Columbian Orator*, Frankenstein is touched and moved by the monster's eloquence. The monster establishes an initial relation through language, and language has been critical to him from the beginning of his story. Having experienced discrimination and rejection in his early encounter with humankind, he comes to understand that, because he cannot rely on visual relationships, learning language is essential. Like Douglass in his early experiences with language, the monster soon realizes that language is figurative, that there are no fixed relations between a word and what it signifies. His entry into language is accelerated with the arrival of Safie, since he is now able to overhear Felix and Agatha teach Safie French (with her arrival, there is a dizzying crisscrossing of languages: French, Turkish, German, and English). Just as Douglass's entry into language is mediated by his first mistress, Sophia Auld, here the monster's acquisition of language is mediated by the Turkish Sophia, Safie. The monster claims that by listening to Felix read Constantin-François Volney's *Ruins of Empires* to Safie, he gained "a cursory knowledge of history," a "view of the several empires at present existing in the world," "insight into the manners, governments, and religions of the different nations of the earth," and a history of war and Christianity (94). He also confesses that on hearing of the discovery of the American hemisphere, he wept with Safie over the fate of its original inhabitants. The next few paragraphs of the story resonate with Douglass's concerns about the monstrosity of slavery and of the ideologies that support it, as well as with his effort to expose the injustice and violence of racism and class struggle, his uncertainty about his descent, his sense of alienation and isolation, his ambiguous legacy of inheritance and dispossession, the depression that comes with a greater knowledge of his condition, and his desire to die. As the monster tells us:

> Every conversation of the cottagers now opened new wonders to me. While I listened to the instructions which Felix bestowed upon the Arabian, the strange system of human society was explained to me. I heard of the division of property, of immense wealth and squalid poverty; of rank, descent, and noble blood.
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> The words induced me to turn toward myself. I learned that the possessions most esteemed by your fellow-creatures were, high and unsullied descent united with riches. A man might be respected with only one of these acquisitions; but without either he was considered, except in rare instances, as a vagabond and a slave, doomed to waste his powers for the profit of the chosen few. And what was I? Of my creation and creator I was absolutely ignorant; but I knew that I possessed no money, no friends, no kind of property. I was, besides, endowed with a figure hideously deformed and loathsome; I was not even of the same nature as man. I was more agile than they, and could subsist upon coarser diet; I bore the extremes of heat and cold with less injury to my frame; my stature far exceeded theirs. . . . Was I then a monster, a blot upon the earth, from which all men fled, and whom all men disowned?
>
> I cannot describe to you the agony that these reflections inflicted upon me; I tried to dispel

> them, but sorrow only increased with knowledge. . . . I wished sometimes to shake off all thought and feeling; but I learned that there was but one means to overcome the sensation of pain and that was death. Other lessons were impressed upon me even more deeply.
>
> I heard of the difference of the sexes; of the birth and growth of children; how the father doted on the smiles of the infant, and the lively sallies of the older child; how all the life and cares of the mother were wrapt up in the precious charge; how the mind of youth expanded and gained knowledge; of brother, sister, and all the various relationships which bind one human being to another in mutual bonds. But where were my friends and relations? No father had watched my infant days, no mother had blessed me with smiles and caresses; or if they had, all my past life is now a blot, a blind vacancy in which I distinguished nothing. What was I? (95–96)

Bereft of a determinable childhood, the monster embodies Douglass's own sense of monstrosity and the slave's nonrelation to parentage, to date and place of birth, and to brothers and sisters. As Douglass states in his 1855 *My Bondage and My Freedom*, "Genealogical trees do not flourish among slaves. A person of some consequence here in the north, sometimes designated *father*, is literally abolished in slave law and practice" (140). This practice of separating children from their fathers and mothers, he goes on to say, "is a marked feature of the cruelty and barbarity of the slave system . . . it is in harmony with the grand aim of slavery, which, always and everywhere, is to reduce man to a level with the brute" (142). Because the slave is never granted the right to a genealogy, the right of belonging, Douglass makes a plea for a broader conception of rights. As Arendt explains in her monumental analysis of the relations among rights, citizenship, and statelessness, when human rights end another right announces itself as the unconditional condition of all rights: the "right to have rights." This proto-right emerges when the question of who or what a human may be is left open, and indeed it suspends all given and posited rights that would claim to define and determine the essence of humanity. The monster and Douglass plead for a right that would precede every political legitimization of rights based on citizenship (something neither of them have) and that is valid for those who have been excluded from civil and human rights because they have not been considered human.

Like the monster, Douglass is prompted by the vehemence with which his master opposes his entry into literacy to insist that only the acquisition of language can help him challenge and resist a complex system of ideologies that operate primarily through language to sustain slavery. Like the monster, he becomes a creature of language. Since the relays between the two stories are too numerous to indicate here, I note in particular that the sequences of the monster's and Douglass's education and their responses to it are nearly identical, especially after Douglass reveals the sources of his eloquence, including the Bible that Mrs. Auld reads to him, the Webster's *Spelling Book* he uses to look up words, the abolitionist materials he reads, and the speeches and dialogues he encounters in the *Columbian Orator*. In a passage that closely echoes the monster's response to finding the treasured books that become the sources of his language and education, Douglass writes of the *Columbian Orator* texts:

> These were choice documents to me. I read them over and over again with unabated interest. They gave tongue to interesting thoughts of my own soul, which had frequently flashed through my mind, and died away for want of utterance. . . . The reading of these documents enabled me to utter my thoughts, and to meet the arguments brought forward to sustain slavery; but while they relieved me of one difficulty, they brought on another even more painful than the one of which I was relieved. The more I read, the more I was led to abhor and detest my enslavers. I could regard them in no other light than a band of successful robbers, who had left their homes, and gone

> to Africa, and stolen us from our homes, and in a strange land reduced us to slavery. . . . As I read and contemplated the subject, behold! That very discontentment which Master Hugh had predicted would follow my learning to read had already come, to torment and sting my soul to unutterable anguish. As I writhed under it, I would at times feel that learning to read had been a curse rather than a blessing. It had given me a view of my wretched condition, without the remedy. . . . In moments of agony, I envied my fellow-slaves for their stupidity: I have often wished myself a beast. I preferred the condition of the meanest reptile to my own. . . . It was this everlasting thinking of my condition that tormented me. . . . I often found myself regretting my own existence, and wishing myself dead; and but for the hope of being free, I have no doubt but that I should have killed myself, or done something for which I should have been killed. (32–33)

Douglass here suggests that his hope and drive to freedom are inseparable from an experience of mourning that is intimately linked to how the *Narrative* departs from itself by inheriting and revising a complicated set of texts. The *Narrative*'s language always surrenders itself to an other—be it a monster, Shelley, or any of the other voices encrypted in the movement of its sentences—whose language, no matter how fragmentary, disfigured, and transformed, enters the text and is still legible in Douglass's rewriting. If the fact that Douglass's language is never simply his own partly constitutes his monstrosity, this monstrosity is the point of departure for his efforts to revise and revolutionize language. In other words, Douglass writes in the conviction that there can be no revolution that does not revise language, that is not an appropriation and displacement of other language. But if this monster seeks to transform language, he does so to alter the relations in which we live, to evoke another model for rights and equality than the one against which he writes his book.

Douglass understands that emancipatory discourses of rights and equality depend on forms of racial domination and on the invisibility of their own mechanisms of domination and discipline. As Marx emphasized when he pointed to the history of racial subjugation and enslavement and to the entanglement of slavery and freedom, the politically and legally asserted democratic rights to autonomy and self-determination proclaimed by America depend, despite the presumed universalism of such principles, on a violent politics of racial and economic oppression, on the installation of certain forms of ideological enslavement, and thus on the destruction of autonomy and self-determination. In Werner Hamacher's words:

> [T]he process of the practical universalization of individual and social liberties has, in the last centuries, gone hand in hand with a process of oppression, disenfranchisement, and the massacre of countless persons and peoples. And this process—one hesitates to call it a process of civilization—has to this day not ceased to feed on the massive, capitalist exploitation of individuals and peoples . . . the formation of cultural ideals, which is supposed to culminate in the *autonomy* of the self, is at the same time a process of the *automation* of the mechanism of capital—of paying and counting. It is a process of the obliteration of labor, the obliteration of history and of the heteronomous particularity of the socio-economic and politico-cultural forces that sustain this autonomy and automation, a process of the erasure of those who are always insufficiently paid and of that which cannot be counted. Whoever invokes the universalism of *this* freedom and *this* equality—both as yet unattained—invokes, whether or not he acknowledges it, *this* history of automatization, colonialization, and exploitation. (301)

Whoever appeals to equality, in other words, does so within a history of inequality. In Douglass's context, such an appeal takes place within a history in which the America that was to realize the promise of the right to representation for everyone perhaps can only exist in the form of a promise, but one that must be enacted and

performed with every breath we take. This is why, Hamacher concludes, we "must call to mind the history of the universalization of the principle of autonomy . . . not in order to discredit the universalist ethics of the claim to freedom—this claim can be imperative only because it can never be simply fulfilled and never completely discredited—but rather to see the paradoxes of its principle clearly wherever they become political realities in history, that is, where they make history" (303–04).

If human rights have always been, with and beyond all the praxes that seek to secure them, a way to think about what it means to be human and what it means to have the right to live and to be human, Douglass works to demonstrate that the human does not always count with the same force in invocations of human rights, or in their absence. For him, human rights remain at the heart of any politics or ethics that concerns itself with who we are and what it means to live in a world where calls for humanitarian intervention are not always made to prevent the dispossession of rights, which often defines the conditions of human existence. As Ian Balfour and I have argued:

> [I]f Benjamin were alive today, he might remind us that there is no document of humanitarianism that is not at the same time a document of inhumanity, inequality, and violence, and that the human rights activist should therefore dissociate himself or herself from it as much as possible. If the projects and discourses of human rights do not wish to throw this counsel to the wind, they will have to define themselves continuously against the inhumanity, inequality, and violence that threaten them from within as well as from without. Always and at once motivated by humanitarianism and democracy—but a humanitarianism and democracy that would correspond to other, and more just, forms of humanitarianism and democracy than those we have with us today—they would begin in an aporetic praxis, one that would take its point of departure from the "perplexities" of human rights. (293)

Such projects and discourses would seek to inaugurate a world in which racisms, nationalisms, class ideologies, and economic oppressions of all kinds would no longer exist and, like Douglass, would ask us to imagine what the world has never offered us: freedom, justice, equality, and rights.

Recalling the etymological link between monstrosity and futurity, we can understand the reasons why the future Douglass sought to bring into existence could only be anticipated in the form of absolute danger. It is precisely against this possibility of monstrous reformation that Thomas Roderick Dew, in an 1832 essay entitled "Abolition of Negro Slavery," warns of the consequences of emancipating and educating slaves. Citing a speech by George Canning, the British foreign secretary, in an 1824 parliamentary debate over whether or not the children of West Indian slaves should be freed on achieving the age of maturity, Dew writes:

> In dealing with a negro we must remember that we are dealing with a being possessing the form and strength of a man, but the intellect only of a child. To turn him loose in the manhood of his physical passions, but in the infancy of his uninstructed reason, would be to raise up a creature resembling the splendid fiction of a recent romance; the hero of which constructs a human form with all the physical capabilities of man, and with the thews and sinews of a giant, but being unable to impart to the work of his hands a perception of right and wrong, he finds too late that he has only created a more than mortal power of doing mischief, and he recoils from the monster which he has made. (60)

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# Child Witnesses: The Cases of World War I and Darfur

MARGARET R. HIGONNET

*Why, the war is for children.*

—Angelo Patri[1]

AS THE FIRST "TOTAL" WAR OF THE TWENTIETH century, World War I marked a turning point in the understanding of what Goya had called the disasters of war. The years 1914–18 witnessed a difficult struggle to recognize and defend civilian rights in wartime, rights that had primarily been defined as those of soldiers and prisoners of war, under the Laws and Customs of War on Land, established at The Hague in 1899 and 1907.[2] Wartime conditions that blurred lines between civilian and combatant unleashed violations of civilians' human rights that the conventions had not anticipated. The ensuing debate during the Great War exemplified the growing complexity of disputes about human rights. In particular, it revealed that competing claims of victimization could exacerbate reprisals in the confusion of combat. In a duel of countercharges, states published documentation carrying titles that denounced enemy indifference to the "law of nations," such as *Die völkerrechtswidrige Führung des belgischen Volkskriegs* ("The Conduct of the Belgian People's War in Violation of the Law of Nations" [1915]) and *Rapports . . . en vue de constater les actes commis par l'ennemi en violation du droit des gens* ("Reports . . . to Record Enemy Actions in Violation of the Law of Nations" [1915]). A "war of words" raged, as well as a war of dumdum bullets that spread on impact, poison gas, and aerial bombardment—all instruments of war that had been explicitly banned by the conventions of the preceding years.

In this war of words, children came to the fore as the epitome of the vulnerable human

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