Marx and democratic rights

Tony Evans, The Politics of Human Rights: A global perspective

Ann Talbot
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Tony Evans, The Politics of Human Rights: A global perspective, *Pluto Press, 2005*

The publication of a new, revised edition of *The Politics of Human Rights: A global perspective* by Tony Evans reflects the deep-going interest, especially among young people, in the question of rights. It is a book which now occupies a place on the reading lists of many international relations and human rights law courses throughout the English-speaking world. In the United States the book is being distributed by the University of Michigan Press.

This is a book that is helping to shape the current discussion in universities and beyond. The question is in what way is it shaping that debate and does it fill the need for a clear and coherent account of what rights are and how they can be defended in the present period?

Evans's thesis is that the American and French revolutions were "seminal moments in the modern human rights movement" when "the principles of the new order—the people as sovereign, the authority of the civil administration and the rights of the citizen—replaced the principles of the old order—the divine right of kings, the authority of the Church and a duty to obey the monarch."

He continues, "The regimes that emerged from the French and American revolutions sought to legitimate their authority through the new language of natural law and human rights, which suggested an inclusive harmony of interests." But really, all the talk about human rights represented "new power relationships that served the interests of particular groups."

After World War II the United Nations produced the Universal Declaration of Human Rights and a series of internationally binding treaties relating to torture, the degrading treatment of prisoners and genocide. Various regional conventions on human rights followed. Evans recognizes this as "a remarkable achievement." But he points out that all this international human rights law was written under American hegemony and was based on the same liberal principles that underpin capitalist social relations. "By defining human rights as that set of rights associated with liberalism, the United States sought to protect its sphere of influence over a much wider area and to gain access to world markets."

In the post-Cold War era, Evans argues, a new situation has emerged when, "Under conditions of globalization it is not self-evident that international law, which governs relations between states, is an appropriate tool with which to protect human rights."

The problem, as he sees it, is that liberal democracy is indissolubly tied to the nation state, but in an age of globalization, when there are transnational companies with larger turnovers than many states and powerful world bodies such as the World Trade Organisation, the nation state loses its autonomy. Consequently, "As the state moves from being an active policy maker to a passive unit of administration, there is a decline in the capacity of people to participate in defining a political agenda that expresses a genuine concern for human rights and human dignity."

According to Evans, Karl Marx took the same view of human rights, maintaining that they are "concerned with rights to enjoy and dispose of property arbitrarily, free of all social or political responsibilities, except those commensurate with the equal rights of others."

Evans continues, "To paraphrase Marx, the rights represented by civil society are extended to those who want to receive the freedom of property or the egoism of trade, not to those who desire to free themselves from property and trade."

This is a book produced by Pluto Press, the publishing house associated with the British Socialist Workers Party, meaning that it will be seen as a Marxist account. It will appear on a university reading list representing the Marxist view of democratic rights. Evans tells us, in this ostensibly Marxist analysis of democratic rights, that Marx regarded democratic rights as merely the means by which the bourgeoisie maintained their power. If that is the case, it is difficult to see why anyone who opposes capitalism, and wishes to see an end to the injustices that this system produces, would want to defend democratic rights, since they are no more than a means of concealing and perpetuating bourgeois rule. At the very least Evans's view would serve to encourage passivity in the face of the ongoing attack on democratic rights.

Let us examine what Marx and his closest collaborator, Frederick Engels, actually said about democratic rights. The work that Evans cites to back up his contention that he did is *On the Jewish Question*.

It must be said at the outset that *On the Jewish Question* is one of Marx's early works. He wrote it in 1843, that is to say, before he recognized that the working class was a revolutionary class and before he had made a study of political economy. He had just begun to make a critique of the Hegelianism in which he had been trained as a student and to absorb the materialist ideas of Ludwig Feuerbach (1804-1872). But Marx's own philosophy was not yet fully developed. In other words, Marx was not yet a Marxist when he wrote *On the Jewish Question*.

The complexities of the article are increased by the fact that it is a polemic written against the Left Hegelian Bruno Bauer. Much of what Marx writes in *On the Jewish Question* is a response to specific points that Bauer has made. It is simply not possible to lift a convenient quotation from the text and expect it to illuminate a modern debate about rights theory without understanding the context in which Marx wrote.

Bauer was responding to the demand for Jewish political emancipation in nineteenth century Germany, where Jews were denied civil rights. Bauer rejected this demand. The Jews, he argued, could not be emancipated until they ceased to be Jews.

Universal human emancipation, Bauer argued, was not possible as long as people remained religious. The Jews could not therefore demand emancipation as an exceptional case because no one in Germany was emancipated. Emancipation, Bauer argued, meant rejecting the ideological domination of religion.

Marx pointed out that political emancipation was a different thing from universal human emancipation. In the USA there was no state religion and the state was explicitly secular, "yet North America is the land of

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religiosity *par excellence*." [1]

The state could emancipate itself from religion by acknowledging no religion, Marx explained, but this did not amount to universal human emancipation. Political emancipation was a restricted and limited kind of emancipation. The state might remove property qualifications or educational qualifications for citizenship, but that did not mean that differences in wealth or education disappeared from private life any more than the removal of religious barriers to citizenship meant the religion disappeared.

Despite these limitations, Marx argued, "Political emancipation is certainly a big step forward. It may not be the last form of human emancipation, but it is the last form of human emancipation *within* the prevailing scheme of things. Needless to say, we are here speaking of real, practical emancipation." [2]

Marx's attitude to democratic rights was consistent. His writings from the years 1842-43 are pervaded with the issue of press freedom and these were never repudiated in his later works. He even defended the Archbishop of Cologne against imprisonment. He set out his ideas in some detail in response to an article which claimed that the common people supported Frederick William IV of Prussia.

Marx wrote, "The real people, the proletariat, the small peasants and populace ... would first and foremost force His Majesty to grant a constitution with universal suffrage, freedom of association, freedom of the press and other unpleasant things."

He added, "The current worthy occupant of this monarchy could count himself fortunate if the people employed him as a public barker of the Berlin Artisans' Association with a civil list of 250 talers and a cool pale ale daily." [3]

Universal suffrage was the second demand in the pamphlet that the Communist League issued in 1848, as revolution broke out in Germany. The first was for a republic. The separation of church and state was a central demand. [4]

Nor should it be thought that Marx's defence of democratic rights only extended to countries in which there was feudal absolutism. He and Engels worked closely with Chartists such as Julian Harney and Ernest Jones in England. Marx and Engels supported the Chartists' campaign for universal suffrage and for factory legislation to reduce the working day. They were also consistent in their defence of the Irish Fenians in their struggle against British rule.

The experience of the 1848 revolutions and the brutal way in which they were crushed—in Paris 3,000 prisoners were killed and 15,000 deported after the June Days—led Marx and Engels to develop their concept of revolution. They now realized that, when faced with the threat of a working class that was emerging on to the political scene in its own right, the bourgeoisie was more inclined to rely on feudal absolutism than risk a democratic republic, which would strengthen the ability of the workers to defend their own interests.

Marx had already criticized the high flown abstractions of the French revolutionary slogan Liberty, Equality, Fraternity in his article on the Jewish question. Now the two men were able to understand the contradiction between rhetoric and reality in much more concrete terms. They recognized that this was a question of the class struggle. Writing after the June Days, Engels condemned the use of the republican rhetoric that was used as long as the bourgeoisie wanted to topple the king. He wrote:

"*Fraternité*, the brotherhood of antagonistic classes, one of which exploits the other, this *fraternité* which in February was proclaimed and inscribed in large letters on the façades of Paris, on every prison and every barracks—this found its true, unadulterated and prosaic expression in *civil war*, civil war in its most terrible aspect, the war of labour against capital." He continued, "This brotherhood lasted only as long as there was a fraternity of interests between the old bourgeoisie and the proletariat" (emphasis in original). [5]

Engels' article appeared in the *Neue Rheinische Zeitung*, of which Marx was the editor, and which carried on its masthead the slogan *Organ of Democracy*. Marx and Engels continued to reject the false use of slogans derived from the French Revolution of 1789, but they never ceased to defend democratic rights. In fact they were highly critical of socialists who dismissed democratic rights as having no importance. Engels, for example, criticized the Lassallean tendency in German socialism that wanted to support Bismarck against the German liberals. Bismarck, Engels pointed out, would stamp out freedom of the press and free association without which no workers' movement was possible. He went on:

"The bourgeoisie cannot gain political supremacy and express this in the form of a constitution without, at the same time, arming the proletariat. On its banner it must inscribe human rights in place of the old system of social position based on birth.... Therefore, for consistency's sake, it must demand universal and direct suffrage, freedom of the press, association and assembly, and the repeal of all emergency laws directed against particular social classes. But this is all that the proletariat need demand from the bourgeoisie. It cannot expect the bourgeoisie to stop being the bourgeoisie, but it can demand that it apply its own principles consistently. The result will be that the proletariat will lay its hands on all the weapons which it needs for its final victory." [6]

It is clear from these extracts that Marx and Engels thought the struggle for political rights was important even though it could not remove all the inequalities that existed in society. Democratic rights gave the working masses the weapons they needed to build their own political movement.

Marx's writings are complex, and his early writings are particularly so, but when we look at them in the context of his intellectual development and the disputes in which he was engaged, it is entirely possible to see what he was getting at. In fact, even Marx's early writings are considerably clearer than Evans's book in which we must wade our way through the tired old language of critical theory, with a little structuralism, a dash of Foucault and a large serving of postmodernism thrown in for good measure.

Human rights, we are told are "a discourse of 'progress.'" Everything is a discourse and the word progress never escapes without quotation marks. International institutions, such as the International Monetary Fund, are described bafflingly as the *nébuleuse*, as though such a term explained something. The word is just the French for nebula. Quite what the connection is supposed to be between the behaviour of a star that can no longer support fusion and an institution of international finance capital is never explained and one is at a loss to imagine.

It is surely time that the deliberately obfuscating language that has been associated with the social sciences in the postwar period was cleared out of the universities and an attempt made to address political, economic and social questions in language whose clarity matches the urgency of the task. Students should be encouraged to read original sources, not indulge in the incestuous recycling of quotations and references.

It is to be hoped that any one putting Evans's book on their reading list will also put Marx's original beside it. His writings are now widely available on the Internet. Marx's analysis of democratic rights makes far more sense of what is happening in the world today than Evans's tortured prose. Even Marx's early works are rather fresh and invigorating beside the dusty academic treatment that Evans offers us. While Evans is abstract, Marx is concrete. While Evans is mechanical, Marx embraces the organic richness of the dialectical contradictions contained in social development.

As far as Evans is concerned, there is an entirely mechanical relationship between the existence of a capitalist society and the ideology of human or democratic rights. The ideology is a direct expression of the economic interests of the ruling class in capitalist society. If that were

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really the case then governments would have no reason to curtail the democratic rights of their citizens by tapping their phones, arbitrarily arresting them, torturing them, restricting their movement, banning free association, illegalizing free speech, or shooting them down in the street on the pretext that they are terrorists. Nor would they have any need to invade other countries in contravention of all international law.

Yet that is precisely what we see all around us. Far from the state rolling over and playing dead, as Evans suggests it should because of globalization, it is becoming stronger at the expense of democratic rights at home and abroad. For Evans it remains a perplexing conundrum that there can be so much talk about human rights and at the same time so many violations of them. He sees no way out of this dilemma and offers no possibility of resolving it in his book. As a result his conclusions are essentially pessimistic.

The idea that working people might take up the demand for democratic rights and use those rights to build a powerful movement for social change in the interests of all oppressed people does not even seem to occur to him. This was the conclusion that Marx and Engels drew in the nineteenth century and it is the vital political task facing the working class today.

Notes:

1. Karl Marx, *Early Writings*, Penguin Books, 1975, p. 217
2. Ibid p. 221; or http://www.marxists.org/archive/marx/works/1844/jewish-question/
3. Karl Marx, "The Communism of the *Rheinischer Beobachter*," *Collected Works*, 6:220; or www.marxists.org/archive/marx/works/1847/09/12.htm
4. Karl Marx, "Demands of the Communist Party in Germany," *Collected Works*, 7:3; or www.marxists.org/archive/marx/works/1848/03/24.htm
5. Frederick Engels, "The June Revolution," *Collected Works*, 7:144; or www.marxists.org/archive/marx/works/1848/06/29a.htm
6. Frederick Engels, "The Prussian Military Question and the German Workers Party," *Collected Works*, 20:37; or www.marx.org/archive/marx/works/1865/02/27.htm

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