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Evaluating and Addressing *Inventing Human Rights*

Lynn Hunt's *Inventing Human Rights* considers the causes and implementation of human rights. Hunt concludes that a growing sense of empathy and a focus on the self in the second half of the eighteenth century caused a surge in human rights, as seen through the focus on universal rights in the American Declaration of Independence and the French Declaration of the Rights of Man and Citizen. She also takes note of the move away from human rights after the French Revolution, discussing nationalism's effects on the idea of universal human rights. However, these generally exclusionary effects were overcome with the horrors of the World Wars, Hunt finds. Through her discussion, she asks the vital question of whether or not the period of the late eighteenth century had an effect on the development of human rights. Hunt proposes that a growing sense of empathy contributed to a greater understanding of human rights, and she then discusses the history with a convincing argument to prove her point.

Hunt's book is split into five chapters as well as an introduction. She gives her argument in a chronological fashion covering 200 years, discussing and evaluating the time with respect to a certain step towards greater human rights. In the introduction, Hunt first points out that what is currently called human rights has evolved over time, and that what is considered to be in its breadth has changed. This is due to changes in humans' behaviors and views, specifically toward each other. From this, Hunt wants to find out specifically how the perspective on human rights has changed and why. This introduction gives the reader a brief idea of the overall discussion by simply asking the question of how and why human rights have evolved over the most recent centuries, which then leads into her overall discussion.

Hunt's first discussion is with regards to literature. Her argument throughout the first chapter is that during the second half of the eighteenth century, people began to be more empathetic towards each other, and this was due to people practicing empathy through literature. Through this chapter, she discusses the effect of the novels *Julie*, *Pamela*, and *Clarissa*, which tell stories of certain issues faced in society by women then. These novels struck people in such a way that allowed them to identify with the characters regardless of social and cultural boundaries.[1] Being taken away by a story's characters and feeling empathetic towards them is one of the ways a reader can practice empathy, for feeling empathetic towards a fictional character is not unlike feeling empathy more generally. As Hunt argues, "Reading novels created a sense of equality and empathy through passionate involvement in the narrative"[2]. She furthers this argument by noting that "almost all of the action in the three novels turns on expressions of female will, usually a will that has to chafe against parental or societal restrictions"[3], specifying that this empathy has a specific direction—towards fewer restrictions for women. Hunt's argument here is that due to a greater feeling of empathy, people are more willing to take a message, that being that society as a whole having better conditions is a positive change. Because these heart-wrenching stories are describing women trapped in their societal bounds, people feel supportive in the protagonists' quests for greater freedom.

Hunt then turns to history in the second chapter, and specifically the history of torture and how a greater feeling of empathy helped end torture as a punishment for crime. She specifically focuses on Voltaire's response to the death of Jean Calas. Judicial torture had been a common practice for centuries, but quickly found itself beginning to fall out of favor due to the increased empathy discussed in the previous chapter and a greater focus on the sanctity of the individual as

[1] Hunt, *Inventing Human Rights*, 40.
[2] Hunt, *Inventing Human Rights*, 39.
[3] Hunt, *Inventing Human Rights*, 59.

a whole[4]. Jean Calas' case was particularly important due to how brutal the torture was; he was broken on the wheel after being rigorously tortured to find accomplices to the murder of his son, and Voltaire argued that this was too brutal[5]. Voltaire first argued that this was religious persecution due to the nature of the crime, but then later moved to argue against judicial torture as a whole, which was also a turn throughout Europe[6]. Torture was simply no longer acceptable as a form of punishment as times moved towards a greater sense of empathy. Feeling more empathy for others makes torture seem more and more reprehensible due to another being in pain. Moreover, scholars such as Beccaria began arguing against its utility, arguing for instance that "the robust escape, the feeble remain condemned"[7]—if one can withstand the pain and maintain innocence, they go free, no matter how false the innocence is. Thus, torture ended because the old idea of what it meant to be a person fell apart and sanctity of the self increased.

Hunt then moves on to discussing how rights are declared, and why it is specifically declarations. Here, she specifically discusses the 1776 American Declaration of Independence and the 1789 French Declaration of the Rights of Man and Citizen, proposing the following:

> "Why must rights be set forth in a declaration? Why do countries and citizens feel the need for such a formal statement? The campaigns to abolish torture and cruel punishment point to one answer: a formal, public statement confirms the changes in underlying attitudes that have taken place. Yet the declarations of rights in 1776 and 1789 went further still. They did not just signal transformations in general attitudes and expectations. They helped effect a transfer of sovereignty"[8]

Hunt regards these specific declarations as absolutely vital for understanding how rights are declared. She argues that these declarations are a statement of the attitudes of an overall society, and due to the nature of declarations usually coming from a place of power, these also act as a statement of sovereignty. They are a way to assert that the declaration reflects the general

[4] Hunt, *Inventing Human Rights*, 77-92.
[5] Hunt, *Inventing Human Rights*, 70-74.
[6] Hunt, *Inventing Human Rights*, 75-76.
[7] Hunt, *Inventing Human Rights*, 101.
[8] Hunt, *Inventing Human Rights*, 113-14.

public's views, and that because they know it, that they have power. Hunt specifically references the Declaration of Independence in this case, arguing that discussing rights in a universal and individualistic way is not only a symptom of the increasing empathy and individualism, but also inspires others to think about rights as their own, setting an example for future declarations[9]. Hunt also discusses the French Revolution, pointing out that the National Assembly focused highly on rights, and the Declaration of the Rights of Man and Citizen reflect that, discussing rights without a specific case[10]. These cases point out that the discussion of rights is becoming more universal through these documents, and that universality allows more of an argument for increasing human rights.

Hunt then turns out of theory in Chapter 4, discussing the implementation of these rights, and specifically, who they apply to. Throughout the decades following the Declaration of the Rights of Man, the French struggled with who specifically gets rights. The French had declared all men have rights, yet still denied them to non-whites and non-Catholics. However, these groups used the broadness in the declaration to wrestle for their own rights, and once one group got rights, a similar group had a better basis for obtaining rights—for instance, once Protestants gained rights, Jews had a much easier time arguing for the same[11]. A similar thing had happened for freed black men and slaves, although it was not as easy to obtain rights for them[12]. While documents might have said people have rights, the theory did not entirely match with reality, as groups were still forced to argue for their own rights, no matter what a declaration had said. Notably, this is a step back from increasing empathy and the movement towards more rights.

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[9] Hunt, *Inventing Human Rights*, 116-26.
[10] Hunt, *Inventing Human Rights*, 126-35.
[11] Hunt, *Inventing Human Rights*, 150-60.
[12] Hunt, *Inventing Human Rights*, 160-67.

Simply put, these minority groups were not given as much empathy, and thus, were forced to fight harder for their rights.

In the final chapter of the novel, Hunt asks another question—Why did it take nearly 200 years from when this rhetoric of rights was first introduced to the UN Declaration of Human Rights[13]? Hunt concludes that this is due to the path of history leading towards nationalism and leaders grasping for more control. Allowing more rights dispersed more power, and limiting those same rights was a way for leaders to keep power[14]. Nationalism also played a key role in the move away from human rights, for people excluded other ethnic groups as a way to find their own identity, eventually leading to a rhetoric that excluded groups were biologically different and thus either unfit to lead or too powerful to be trusted[15]. This rhetoric eventually peaked during the World Wars, whose atrocities forced the most powerful nations to move for a more international way of peace. However, they needed to still be pushed to discuss rights due to the fear of consequences[16]. Eventually, the UN Declaration of Human Right began the process of recognizing these rights, and began a definite movement towards allowing more rights[17]. This argument cleanly describes why human rights was left inactive for nearly 200 years; ethnic nationalism was strong and by nature, exclusionary. Human rights could not survive in this environment and thus suffered.

Hunt's focus on the changes on what it means to be a human is tied in directly to her argument, bolstered by her first chapter, which describes how Hunt perceives these changes through literature. Hunt finds that through more dramatic novels focused on the self like *Julie*, people grow to become more empathetic through practice, even if this is simply through fiction.

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[13] Hunt, *Inventing Human Rights*, 176-77.
[14] Hunt, *Inventing Human Rights*, 177-81.
[15] Hunt, *Inventing Human Rights*, 181-96.
[16] Hunt, *Inventing Human Rights*, 200-4.
[17] Hunt, *Inventing Human Rights*, 204-8.

For instance, Hunt finds that in a review of *Julie*, Diderot "has what he called himself that 'interior feeling' that is necessary to human rights"[18]. Hunt directly connects literature to how human rights develop in an incredibly compelling way. The rest of her novel is derived in part on the basis of increasing empathy, which literature helped cause. However, it is not enough of an explanation on its own, for many other factors had a strong influence on the rise of human rights. She also finds that an increase in individualism furthers human rights, for focusing on the individual creates yet more empathy for others. Hunt explores this connection in Chapter 2, through how and why judicial torture was nearly abolished. Because there was more of a focus on the self, people had a greater distaste for torture. Hunt then searches for these ideas in both the Declaration of Independence and the Declaration of the Rights of Man and Citizen, and argues that both individualism and a greater sense of empathy play into the heart of both. The culmination of these two significant changes push a larger case for human rights as a whole, which she sufficiently connects to the history of the latter half of the eighteenth century.

While more modern ideas of the emergence of human rights are vital, there is a significant argument to be made for using earlier texts regarding morals such as the Bible. The Bible is vital in understanding the very basis of morality and ethics, something that is closely sourced when arguing about human rights in general. For instance, Leviticus 19 states that "you should revere his mother and father, and keep My sabbaths" and "You shall not steal; you shall not deal deceitfully or falsely with one another"[19]. These are simple declarations of morals and how to treat one another, which can tie into more general ideas of empathy that Hunt discusses. However, that is not to say that more immediate causes of a rise in human rights are to be ignored, for Hunt's research carefully examines how human rights developed more recently.

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[18] Hunt, *Inventing Human Rights*, 56.
[19] "Leviticus 19,"https://www.sefaria.org/Leviticus.19, 19:3 and 19:11.

Moreover, Hunt discusses ideas of sovereignty differently than others would, examining its impact on declarations' power. This is still vital to her argument and again a more direct explanation of human rights rather than more far-reaching ideas that span millenia rather than centuries. Generally, Hunt's focus on more historically recent ideas is vital, although it should not exclude more far-reaching ideas throughout history.

Samuel Moyn's *The Last Utopia* adds a new angle to Hunt's argument regarding human rights. Hunt ends her history with the UN Declaration of Human Rights, yet Moyn discusses how human rights have developed through the Cold War and the implications on human rights overall. Instead of agreeing in Hunt's more optimistic view with empathy moving towards human rights, Moyn instead describes human rights are a utopian project due to its broadness[20]. This is in disagreement with Hunt, with the context of the latter half of the twentieth century taken into consideration.

James Loeffler has a similar standpoint to Moyn, but his scope is much smaller. Instead of focusing on the state of human rights throughout the Cold War, he focuses on the state of Jews and their rights throughout a similar period. In doing so, he describes the challenges Jews faced when searching for rights of their own as well as a state of their own. Through this, he argues that it is more complicated than Hunt says it is, especially after the UN Human Rights Declaration. While Hunt and Loeffler both recognize that the tragedies of the World Wars allowed for more focus on rights for all, Loeffler goes further and argues that that Zionism eventually came to be more and more negatively viewed as Israel's role as a state developed, allowing for a critical view of Israel through the 1960s[21]. While Hunt argues that empathy and

[20] Yehudah Mirsky, "Utopia Lost," *Democracy Journal*, no. 19 (Winter 2011): 98-99.
[21] Yehudah Mirsky, "Universal Rights and the Particular Jew," *Jewish Review of Books*, Spring 2019, 22.

equality will always trend more positively, Loeffler argues that it is more complex than that and not always a move towards more empathetic human rights, especially in the case of Zionism.

Allowing more people to have human rights is, in my opinion, one of the best ways to ameliorate the human condition. Generally, allowing people more freedom to do what they wish is the best way we can help them on a societal level. This is taken in contrast to limiting what humans do, which can directly cause stress and an overall decrease in the quality of life. While it is not perfect, it is the best thing we can do, at least to the current technological and social power of humanity. The ideal way to live one's life is an unanswerable question because everyone's circumstances are slightly different, and it is naïve to think that there is a one-size-fits-all solution. Thinking about how to most effectively live one's life is best done with the knowledge of circumstances, and I think empathy is a large part of that.

I don't quite know that any of my other subjects directly address how to live someone's life, but I think that knowing how nations act on an international stage is fundamental to understanding how groups of people work, which can be used in consideration of the policies a country uses towards its people. Moreover, my studies in the computer science field allow me to understand just how programs that can change one's perspective work exactly, even if it is not exactly psychological.

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