

Marx, Marxism and Human Rights

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We live in strange, almost unbelievable, and certainly scary time. In a scene right out of the 1931 film *Frankenstein*, 70,000 Poles brandishing torches marched in protest of immigrants in Poland. Demonstrations like this are repeated in Germany, France, and much of Western Europe as right-wing (some say fascist) parties witness increasing support in local and even national elections. One Republican US presidential aspirant urges the use of torture and advocates the killing of families of known (and perhaps suspected) terrorists. Another claims the only way to control terror is to increase police presence and vigorously patrol Muslim communities in the US (never mind that there are no calls to do the same in right-wing Christian areas – a scan of murders will show that in the US since 9/11 more people were killed by anti-abortionists and anti-government activists than by Islamic extremists). France has considered revoking the citizenship of terrorists, broadly defined, while US politicians ponder the degree to which we might deport people and block all immigration from Muslim nations.

Add to that, and much to the horror of most compassionate observers, millions of people displaced by the madness in Syria, Iraq and most of the Middle East and North Africa live in limbo as they must flee the warfare and destruction in their own lands but are shunned by countries in a position to take them in and offer safety and support. The United States, a country founded on the backs of immigrants, perhaps literally (and on the genocide of native peoples and African slaves), is increasingly sounding like a country trying to protect some sort of national identity (whatever that may be) through restrictions on immigration. Citizens of a country, where most don't have to go back more than two or three generations in their own family histories to find immigrant tales of struggle and success, now pretend that they must protect the US from ... what? In short, people in this country are defending rights and privileges they never had in the first place.

The world is facing a crisis over human rights, whether it is about the treatment of minorities and women everywhere, about the plight of child laborers and the growing business of human (and mainly female) trafficking, about the access to clean and safe drinking water (see Fasenfest and Pride, 2016, for events in the US), or about problems facing people dispossessed of their homes, whether occupied by foreign forces (like Palestinians) or dealing with forces in opposition to their governments (for example, areas controlled by Boko Haram in Nigeria). Human rights include the right to work, to be free to express cultural differences, equality before the law, the right to self-determination, access to education, access to safe food and water, expectations of social security and many more rights, as outlined or implied in the UN Universal Declaration of Human Rights. Yet these seemingly basic standards are not being met, and so people suffer.

There are no questions about the importance of human rights, and the articles in this issue of *Critical Sociology* and in earlier issues (see, for example, Engstrom, 2012; Martell, 2009; Critelli and Willett, 2013; Pereira, 2012; Gordon and Webber, 2014) explore this across a range of considerations: limits to and implications of the pursuit of human rights politically, economically and socially. But there is some confusion over whether Marx supported human rights in his writings, and whether Marxism fails to take on this important aspect of capitalism, especially in this neoliberal period of expansion and austerity. Three problems confound this question: a) Marx had little if anything to say about human rights, b) the concept of human rights was not a well-developed idea at the time he wrote (as a creation of the French and American revolutionary period), and c) there is little consistency in how Marxism is understood or what is written under its banner.¹ The notion of human rights coincided with the emergence of capitalism as the dominant mode of production that propelled both human rights discourse and Marxism itself.

The claim that Marx did not advocate human rights is situated in his response to Bruno Bauer's assertion about Jews in Germany. Marx (1843a) rejects the notion of individual human rights and Bauer's call for political emancipation of the religious person. Marx points out that political freedom does not ensure individual freedom (Engle, 2008). Guarantees to religious freedom are implicit in rights more generally: that is, a person has the right of equality, liberty, security and property.

For Marx, the right to liberty is an expression of human separation rather than association; the right to equality is little more than a right to equal liberty; the right to property is the expression of self-interest; and the right to security is simply the egoistic assurance that as individuals we can count on all the other rights being inviolate. Human emancipation is not secured by the freedom and right to engage in business, but as a result of freedom from business. For Marx (1843b), political emancipation may have value as the first big step forward towards, but not a guarantee for, human emancipation (Swanson and Buttigieg, 2004; Gordon et al., 2014). The failed revolutions of 1848, and the killing of thousands and deportation of many more thousands in Paris, led Marx (1871) and Engels to point out contradictions between the rhetoric of political freedom on one hand and state actions in the face of popular discontent on the other.

In his later writing, Marx implies a social theory of rights, though not central to his overall critique of capitalism. Social relations of production generating the value form of human labor give rise to modern notions of rights. The right of 'private' property emerges with the capitalist mode of production. The loss of control over one's own labor, its commodification, brings forth the immiseration and loss of rights of the working class. All that remains are the rights of property over the rights of the individual. As he and Engels wrote in the *Communist Manifesto*, law (as historical accidents) and morality protect bourgeois interests.

Brad Roth (2004) points out that Marxism offers a normative project which illuminates and unpacks the divergent views of freedom within the rights discourse. Without insuring the ability to procure food and shelter, a legalistic rights narrative is a sham. What Marx contributes, Roth argues, is that neutral and harmonious political efforts at human rights 'cannot be realized so long as a society's class antagonisms have not been transcended' (2004: 53). He goes on to state that in any class-based society, 'the promise of legal protections from arbitrary imposition and of legal implementation of collective empowerment go largely unrealized' (2004: 54).

Unequal power relationships are the hallmark of any class-based society, relationships that limit the kinds of issues that could be raised in the political arena and privilege outcomes of political engagement to those benefiting from those relationships. Marx's fundamental critique of human rights under capitalism implicitly is that there can be no human emancipation under a system that inherently privileges one part of society (property holders) over another (those without the means of production). Through a critique of capitalism, Marxism offers a vision of human emancipation

post a class-based society; laws passed by class-based societies will not ensure human rights. Globalization creates new challenges and offers new opportunities for advancing a human rights agenda. Marxism provides the language of and mechanisms for resistance to neoliberal agendas that strip human rights, and promotes common cause with all who struggle for human rights.

Note

1. What follows is based, in large part, on my earlier essay (Fasenfest, 2013)

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