
Review

Rights as weapons: Instruments of conflict, tools of power

Clifford Bob

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In 2016, when I was a postdoctoral fellow at Brown University in the United States, I attended an event on the legal and political discrimination faced by the Palestinian citizens of Israel, organised by the Middle East Studies Program. Scholars and politicians discussed in depth the systematic rights violations to which the Palestinians living under the rule of Israel were subjected. Before entering the auditorium, I was struck by something unusual: I saw a robot dressed in a suit and tie, with an iPad for a head that was displaying a representative of the right-wing pro-Israeli organisation Stand With Us. When I asked the person in charge of the robot what was behind this unsettling presence, he told me: ‘this event is biased. We [Stand With Us] asked to be involved as speakers in order to provide the audience with a different perspective. But the organisers refused, so we sent a robot. They want to talk about rights while violating the right to academic freedom and freedom of speech’.

This sort of tension between competing and conflicting rights claims is at the core of Clifford Bob’s *Rights as Weapons*, and the case of Stand With Us, to which the author dedicates one of the conclusive and most fascinating chapters, is a particularly illuminating one. As Bob shows, besides policing the academic discourse in US colleges and universities through robotic-legal tactics, the organisation’s use of ‘rights as wedges’ – rights as instruments to weaken an enemy – includes multifaceted forms of intervention in Israel-Palestine. This is the case with the mobilisation of Israel’s positive LGBT rights record in order to discredit the Palestinian right to a homeland. ‘Why does Israel look like paradise to gay Palestinians?’ reads a viral advertisement circulated by the Islamophobic right-wing organisation in one of its campaigns analysed by Bob. The message is straightforward: national self-determination is not going to protect Palestinian gays and lesbians; thus, it is not worth it. Forget intersectionality.

With this new book, Bob expands, refines, and systematises some of his previous reflections and intuitions – in particular those he elaborated in his previous book *The Global Right Wing and the Clash of World Politics* (2012) – on the contentious



nature of rights discourses and politics. He does so by reconstructing carefully a myriad of different illuminating cases of rights struggles and diatribes taking place in the new millennium. What emerges is a global fresco of rights battles in which different groups, movements, and political entities, from the US, Europe, Africa, and Asia, transform complex social and political conflicts into wars fought via rights.

Thus, rights can become a form of ambiguous ‘camouflage’. Such is the case of Catalan independentists who tried to ban the ‘Spanish’ *corrida de toros* (bullfighting) in the name of animal rights as a means to advance national independence, while simultaneously defending and not outlawing other cruel games with bulls that are part of the Catalan cultural traditions and practices. Bob shows how activists who mobilise rights as camouflage from a non-hegemonic position navigate complex and often contradictory politico-cultural fields of forces in order to articulate their specific claims.

Weak groups use rights also as ‘spears’, Bob argues, as narrow and targeted tactics with broader strategic objectives. This often takes place through litigation in court – or in many courts – like in the legal case orchestrated by Italy’s Union of Rational Atheists and Agnostics against the presence of crucifixes in the schools of a country with a Catholic majority. According to the Union, the presence of religious symbols in public schools constitutes a violation of the right to freedom of belief – a claim reinforced by the European Court of Human Rights in its 2009 decision on the case, where it ordered the removal of the crucifixes from all Italian classrooms. But the Italian government rejected the argument and countered it with the right of the Catholic majority to protect its cultural traditions. It was the atheists (and the EU) who discriminated, the government maintained, in an attempt to reverse the European court decision. Rights are also weapons through which the victim/perpetrator nexus can be endlessly resignified and inverted.

In opposite scenarios – in which rights are deployed by majorities – rights can become ‘dynamite’, according to Bob: deadly weapons utilised to attack minorities. Like in the case of the recent ‘Same Sex Bill’ with which the Nigerian government has criminalised homosexuality, or the case of the French government and the outlawing of the full veil. Rights are used for ‘explosive purposes’, metaphorically but also literally, as the mobilisation of women’s rights during the US-led invasion of Afghanistan reveals. Therefore, rights are not merely emancipatory weapons of the weak, as a certain linear progressive narrative argues, but also weapons through which the strong can consolidate a regime of discrimination, oppression, and violence.

Rights claims are tricky and insidious, and can create divisions among people who perceive themselves as carrying out progressive struggles. Therefore, rights



can become a form of ‘blockade’, like when in 2018 Labour asked its trans members to self-identify as females. Labour feminist activists mobilised and tried to block trans members from having access to the all-women quotas that the feminist had fought for in previous years. In the world of rights as weapons, women’s rights can trump trans rights, or vice-versa, resulting in fratricidal wars between marginalised groups.

Bob acknowledges that these weaponisations of rights, which he investigates in his book, are not a new phenomenon. Many of the cases he deals with resonate and chime with other histories of rights struggles that Bob evokes comparatively in different chapters. The use of rights as blockade has characterised the history of suffragism in America. The use of rights as wedges is not a prerogative of pro-Israel activists; in fact, the Soviet Union mobilised civil rights as an international weapon against the US during the Cold War. And, beyond contemporary Catalonia, history is full of rights-as-camouflage tactics, especially when it comes to the histories of national independence.

What has changed in the last couple of decades is the increasing ‘rightsification’ of politics: the increasing translation of politics into rights struggles. Hence, with the popularisation of rights claims, and their use to achieve political goals by ideologically opposing actors, comes the necessity to develop a new theoretical framework and a new vocabulary. Building on the tradition of legal realism, Bob constructs an agonistic model of interpretation, focused on what rights and rights struggles *do to* power asymmetries. He rejects any metaphysics of rights, and he develops an instrumentalist conception thereof – rights as tools for gaining something real – which allows him to broaden our thinking by tracing better the relationship between the discursive force of rights and the material forces at work in contexts of social and political conflict.

Ultimately, *Rights as Weapons* has a counterintuitive objective: to show the fallacy of mainstream interpretations of rights as defensive democratic tools in the service of humanity and to demonstrate the heuristic and political potential of an understanding of rights as offensive weapons that can enhance power and shape power relations. ‘Vindicating the rights of one comes at the expense of another’, writes Bob while analysing the ‘nocturnal face of rights’ (p. 4). Through this prism, the difference between legal and military battles, between defence and offence, is blurred. Rights are dragged from the progressive comfort zone to a zone of indeterminacy where they acquire meaning only through struggle. In this zone of war, rights become shields, spears, wedges, or dynamite that is used to camouflage, parry, blockade, thwart or carry out an aggression, or fuel different forms of rivalry, denial, reversal, and repudiation. Bob provides us with a martial vocabulary whose theoretical, analytical, and political implications are worth exploring.



Reference

Bob, C. (2012) *The Global Right Wing and the Clash of World Politics*. Cambridge: Cambridge University Press.

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Nicola Perugini
University of Edinburgh, Edinburgh EH8 9YL, Scotland, UK
nicola.perugini@ed.ac.uk