

Human Rights and the Care of the Self

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Thanks so much to the organizers of the conference: Peter Balint, Adrian Little, Lauren Sanders, Miriam Bankovsky.

Forthcoming book, same title, from Duke University Press.

What I want to do is present my argument as clearly and simply as I can, and hope to encourage all of you to buy the book and push my overall sales in the high double digits.

Let me start by **setting out my thesis as simply as I can**, before going back to fill it in with some detail.

I know I take my own life in my hands when I say this, but **I think I've hit on a new way to look at human rights**, a new theory of human rights, if you like.

Now this theory isn't meant to be comprehensive, in the sense of a redescription of what human rights have always and everywhere been. I'm not providing a redescription of what human rights are and do as a whole.

But I've noticed **something in the human rights tradition that keeps popping up over and over**, and which hasn't been explicitly identified as a recurrent theme or idea.

My Big Idea:

Many authors/actors in the human rights tradition see human rights in terms of "self-help" or caring for oneself: i.e., as a means to transform, improve, and/or better the self.

Maybe this sounds like a strange way of looking at human rights. And the reason why is that it **goes against the grain of what are perhaps the two most basic assumptions we make about human rights**.

And to start off I want to present the contrast:

Assumption #1:

The purpose of human rights is to *protect* all human beings from serious social, legal and political abuse.

This first assumption is so obvious that it is only rarely said aloud. I mean, what else would human rights institutions and norms do but try and protect people?

Assumption #2 is almost as basic and concerns **the “object” of human rights**, for lack of a better word.

And that object is *other* people, not the self/oneself.

Human rights are an institution to empower and care for *other* less fortunate people.

Human rights, in other words, are in the business of advancing global justice.

That's assumption #2: the object of human rights is *other* people and care for *other people*.

Here, by contrast, is what I'm trying to bring out with this idea of human rights and “the care of the self.”

1. The purpose of human rights is personal transformation

Instead of stressing the “protection” element of human rights, **I'm highlighting the role that human rights play in “conversion”**, namely in the personal transformation of individual human beings.

Second, and maybe this is the more counter-intuitive move I'm making, instead of taking it for granted that human rights are about *other* people, and caring for *other* people, **I'm looking to a whole series of thinkers who**, independently from one another, **propose that human rights are a medium or a tool for people to help care for themselves.**

This, then, is my switch: **The object of human rights is the self and to learn how to care for the self.** In this respect, I'm looking at human rights as a therapeutic device.

Third, and corresponding and contrasting with the idea that rights are relational in character, **I've noticed that a great many thinkers also see human rights as a way to transform the relation we have to ourselves**, in terms of modifying our desires, our perceptions of other people and the world around us, and maybe the most important, the kind of person we aspire to become.

3. (Human) rights can modify the relation we have to ourselves.

Now, of course, presented starkly like this **in a PowerPoint these contrasts are all too stark** and don't really capture what I'm trying to do in the book.

First of all, **I don't think the two sets of "assumptions" are necessarily in conflict with one another.**

In fact, in all the thinkers I'm looking at, they end up being **complementary**, such that **there is no tragic dilemma** of having to pick whether to care for other people or for ourselves, for whether to strive to protect all human beings or to transform people.

But what I find very fascinating in the authors I'm studying is **they all reach the points on the left side of this PowerPoint**, i.e., those we usually start from, **by going through the items of the right side of the PowerPoint:**

- Protection of all human beings will only be feasible on condition of personal transformation.
- To care for others we must learn to care for ourselves.

(But not instrumentally: we don't convert to protect; we don't care for the self to care for others. These are taken as ends in themselves. But they have the effect, the consequence if you like, of fostering those other goals.)

Ok, that's the first qualification, these points aren't in conflict or even competition.

The second qualification with respect to this slide I want to make straightaway is that **I'm definitely not arguing that ALL human rights authors and discourses see human rights this way**, namely in terms of personal transformation and caring for oneself.

It is a minority position in the history of human rights.

What my book does is collect a handful of well-known figures who approach human rights this way over the ages. Still, however, it's by no means a kind of secret orthodoxy: more people think according to the "basic assumptions" here than the other way around.

My people: [do mini-summary]

I'd like now to spend a few moments with Foucault and the **key concept of my book** and what it means: **care of the self**.

If you're hearing this phrase for the first time – which in this room is not the case – it probably makes you think of like a spa-treatment or a shampoo commercial or something.

But no, it has a prouder heritage than that.

As you probably know, the phrase isn't my own invention but comes from the French philosopher and historian Michel Foucault.

In the last years of his life, Foucault took to study ancient philosophy and ethics, a gigantic historical period of time starting, say, with Socrates in 400 BC and continuing up until late Stoicism and early Christianity in 500 AD. So a thousand year period.

1. The purpose of care of the self is to transform the self.

To use two of Foucault's favorite expressions, the care of the self is essentially a "**poetics**" and "**cultivation**" of the self.

Within this tradition the self is not seen as a fixed substance or pre-given essence. It is, instead, **a material to be worked upon and crafted** in light of an end or telos.

Ancient ethics thus attempts to do more than just modify our conduct.

Its true goal is to transform our ethos and way of being in the world, right down to the level of our desires, perceptions, ideals, pursuits, and self-understanding.

2. The object of care of the self is the self.

Foucault is emphatic that for the ancients, the self and not others – or more precisely, one’s own self – is the definitive object of the care of the self.

The stridency of these remarks should not lead to misunderstanding. **Foucault is not saying that the care of the self is by nature individualistic or egoistic**, as if it must take place at the expense or ignorance of others.

He claims, rather, that in ancient morality the care of the self – along with the techniques of the self – is a self-sufficient moral end. It is not merely preparatory labor for the care of others.

3. Care of the self is voluntary.

Care of the self is not prescribed by law or rule. It is not a system of morality that places heavy emphasis on punishment or sanction for non-compliance.

To the contrary, it presupposes the freedom and choice of the individual undertaking it.

To speak plainly, I do not try to lead a certain lifestyle because I have been commanded to do so or because there is a penalty if I do not. I do so because I want to take care of myself.

These three criteria are very important to me. In fact, they are the **touchstone of the book.**

Because when I propose to discover care of the self in the human rights tradition, **all three criteria must be present.**

Human rights must **prioritize the need for personal cultivation and a poetics of the self.** (What I called “conversion.”)

My authors must also regard the self and **caring for the self as a self-sufficient moral aim**, which is a delicate point given that we are talking about human rights.

And, third, my authors must see **care of the self as non-prescriptive and encourage individuals to voluntarily take on human rights codes and practices to cultivate the self.**

To uncover the care of the self in the field of human rights, in all its three-criteria glory, is in a sense the goal of my present research.

That's how I'm using Foucault.

Now, whether he would have agreed with this is a whole different question!

There are lots of indications that he might have disagreements.

Very quickly:

Foucault thinks the Care of the Self dies out after antiquity, even if it has some flashes of rebirth.

Each of these components up here gets challenged.

1. The purpose of care of the self is to transform the self.
Killed by early modern philosophy.
2. The object of care of the self is the self. Ended by Christianity.
Killed by Christianity.
3. Care of the self is voluntary.
Killed by modern political thought.

(The subject of law, which envisages morality and subjectivity in terms of prescription of the law.)

And here, I can't resist, one final quote.

It's from a late interview (1981), and Foucault is asked whether or not, now that he's done his "little trip" studying antiquity, he'll go back to

modern political thought and look for the problematic of the care of the self.

[Question.] Could the problematic of the care of the self [*souci de soi*] be at the heart of a new way of thinking about politics, of a form of politics different from what we know today?

M.F. I admit that I have not gone very far in this direction, and I would very much like to come back to more contemporary questions to try to see what can be made of all this in the context of the current political problematic. But I have the impression that in the political thought of the nineteenth century – and perhaps one should go back even farther, to Rousseau and Hobbes – the political subject was conceived of essentially as a subject of law, whether natural or positive. On the one hand, **it seems to me that contemporary political thought allows very little room for the question of the ethical subject.** I don't like to reply to questions I haven't studied.

We can talk about why Foucault is reluctant to take on board the suggestion that ethics and the care of the self might have a role to play in the question period.

To conclude, let me **suggest a few contributions** this research might make. And, to end, **raise some potential objections** you may have that I can maybe (but probably not) head off at the pass.

I hope this book makes two contributions, one **to human rights and the other to philosophy/ethics.**

My contribution to the field of human rights is to demonstrate that a past and present feature of human rights discourse and practice is to inspire individuals to a new way of life and to care for themselves.

As I've been saying, I think this feature of human rights hides in plain sight in its history and it's worthwhile drawing it out.

At very minimum, it shows a different valence and potential of human rights, and in terms of practice, is very closely related to current ambitions in the human rights education movement to show how human rights can become embedded and actualized in everyday life.

At a minimum I want to show how, time and again in the tradition, human rights have been claimed as intensely relevant and dear to people as a means to respond to personal cares and troubles. And, just as significantly, I also want to show how human rights come to be anchored in the nitty-gritty of everyday life as a practical technique to care for the self.

The second contribution is to **ethics and the care of the self**.

As I said, this concept is Foucault's. But he might have had doubts about this project.

But Foucault thinks that the tradition of the care of the self dies out in modernity.

I think Foucault's mistaken and by turning to the field of human rights, **I propose that it proliferates as one form of response to contemporary social and political problems that wreak spiritual and psychological distress.**