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American foreign policy since the Iraq war has highlighted human rights and democracy in the Middle East, but Arab public opinion does not believe that these values represent America's priorities in the region. Many in Washington blame this skepticism primarily on the Arab satellite media, especially al-Jazeera and al-Arabiya. While it is true that my public-opinion surveys with Zogby International in six Arab countries (Egypt, Saudi Arabia, Jordan, Lebanon, the United Arab Emirates, and Morocco) show that al-Jazeera has the most viewers and al-Arabiya the second most, there is less evidence that these media outlets are the cause of Arab attitudes toward the United States. In the data analysis, no statistically significant correlation could be found between the stations that viewers watched most and their attitudes toward the United States. This does not mean that the media do not matter. What matters is the competitiveness of the market: no outlet has a captive audience, as some did only two decades ago. Thus, when there is a story such as the Abu Ghraib prison scandal, someone is bound to run it, and those who don't will lose viewership. This market variable affects reporting. Moreover, media matter less for attitudes toward primary issues (those that people rank at the top of their priorities), which are based far less on media sources than on preexisting notions of identity or on information gathered from political and religious groups and from personal networks. The public seeks media outlets that reflect its opinions on primary issues and trusts them accordingly. Attitudes toward secondary issues (those that are not ranked high in the public's priorities) are often shaped by what people see on the television stations they trust most. American foreign policy, including positions on human rights and democracy, has been a primary issue for the Arab public in recent years. (ST)

Afterword

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It is probably fair to say that Domna Stanton and I were afflicted by the problem of conjunctions when we organized the conference on humanities and human rights and these papers from it. As Stanton points out in her introduction, the *and* functioned less to separate and conjoin two different entities than to hold the place of a relation whose contour we could not quite imagine at the time we made this proposal. What became clear, though, as this process unfolded, was that the humanists we asked to talk about human rights had themselves worked within that movement and that the human rights workers we asked to comment on the humanistic implications of their labors were already engaged with problems of narrative and representation, terms that are central to the humanities and, in particular, modern languages. What, then, do we end up thinking about the relation between human rights and the humanities? It is a potentially uneasy conjunction, and there are times when the critique of human rights discourse stands

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in tension with the desire to use it. And yet there are also ways in which critique and use work together, along with desire, and I hope to pursue this conjunction in the brief, final comments I have to offer on this subject.

If the humanities are already in the thinking of human rights discourse and in its claims, then the humanities are in no sense an outsider to the problem of human rights. And yet, even if this is so, we must still ask, what are the political translations that must be made between the different ways that claims are made, the different modes of discourse, the different public and political aims they serve?

Of course, the most obvious place to discern the implication of the humanities in human rights is in the notion of the human itself. We might conjecture that human rights presuppose the human, but if we do, we are immediately confronted with at least two questions: which legacies of the human do human rights presuppose? And is it possible that human rights do not so much presuppose the human as conjecture or posit its future possibility?

Among the contributors to this collection, some have seized on the first of these two questions: which legacies of the human do human rights presuppose? We read here, for instance, that the human as protected and regenerated by human rights discourse is an effect of juridical law—that is, a kind of status that exists outside citizenship. If this is the case, then those who do not have juridical status are not human according to the juridical norms that found human rights discourse. At this point, is it necessary to distinguish between humanity, understood as the quality of being human, and the human as a subject position secured through juridical power? A just human rights activism would have to address the incommensurability between the established subject of rights and those who are, by definition, not established, disestablished, or yet to be established. Further, can juridical status be severed from the legacy of colonialism of which it is part? If claims for humanity are always made for those who mark the limit of juridical status, then even our conceptions of humanity appear to be linked to colonial structures. How strong and unthematized is this linkage?

It is possible to seek recourse to the human to ground human rights, but which human? And does human rights then grind to a halt? After all, the conception of the human is elaborated among inequalities that cannot be thematized from within the framework established by the human, considered as ground. Only when the human is ungrounded, then, can we can ask, how does the human come into being at the expense of the inhuman, and how do these qualities become allocated on the basis of power differentials? If the human is inaugurated on the basis of such a norm of exclusion, then we have to ask whether the human of human rights is asserted precisely on the condition that the violence of its own emergence remains illegible.

If we think more carefully about the human as the ground of human rights, we are compelled to effect a critical archaeology of that ground, since some key capacities of that human cannot be explained at once—for instance, the ability to make a claim, to make a claim in speech that can be understood and to which a response is possible. The claim of human rights is articulated in a speech situation in which someone can speak in a language that is not only understood but also engaged, received, responded to. Thus, the conditions of possibility of making a claim already raise the problem of address and translation—of communicability; the norms of reasonableness; the conditions for utterability, aural registration, and a more generalized response. And if we consider the response to such a claim, we also confront the problem of *ethics*.

Both of these issues—translation and ethics—emerge centrally when we reconsider that humanity is a quality that adheres to humans and becomes problematic and contested when apparent humans do not qualify as humans according to established juridical norms.

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On what basis do we argue that they should be included in the human? On what basis do we argue that, regardless of their juridical status, they deserve fair treatment, protection from violence, and rights of expression and mobility? Under these conditions, one must become critical of "the human" to assert human rights. If the concept of the human produces a figure outside itself, the nonhuman, the monstrous, the nonfigurable, then it would seem that the negotiation of humanity happens here, at the juncture where the human confronts the limits of its self-definition.

It follows from what is suggested above that human rights do not take the human as their ground but query the human as a site of power differentials. They do so because of the need to understand who can make a claim within a human rights framework (or another framework) and on what basis we can adjudicate the limits of such frameworks and the cultural and political conditions under which a claim is audible.

The last question brings us to the problem of representation, since for there to be a claim, there must be a language, and there must be a one or a plurality who can speak or bear rights. And no claim exists if there is no condition under which to *recognize* and *receive* a claim. Hence, we might consider the fields of power that determine and allocate speakability, the capacity to be regarded as bearing a right (since no one bears a right without being regarded as bearing one), and the conditions of possibility for recognition, reception, and efficacious response.

All this means that there can be no rights without media. We may rightly think of media as the various institutions—television, radio, print, literature, documentary film, Internet, photography—that illustrate or document human rights abuses. It is clear that the photographs of torture at Abu Ghraib, for instance, do not simply illustrate the abuse but form part of the evidentiary basis on which the claim of torture can be made. The stories of destruction in Jenin or starvation in Darfur are part of the making of the case that an abrogation of human rights has happened or is happening there. Thus, media are not ancillary to the claim but are the means through which the claim is made. In this regard, it is important to include legal language not only as an instrument through which human rights claims are made but also as another medium that participates in the building of the claims themselves.

If a condition of possibility of a human rights claim is a language or medium in which the claim becomes articulable, it follows that media are crucial to communicating the existence of suffering, disenfranchisement, violence, and inequality, to name a few. This does not mean that suffering is only media. It means, rather, that without media, no suffering can be known. And it will not do just to present it or to know it, since the media also make a case for action, are themselves a kind of action or mode of conduct, and solicit or fail to solicit another mode of action, one that seeks to counter or alleviate the injustice at issue. A report on human rights abuses becomes believable by building evidence in a way that commands credulity. That command of credulity sometimes requires the suspension of formulations that undergird everyday credulity (e.g., "my country is not capable of torture"). In this sense, it can precipitate and sustain a crisis of belief.

The inverse is true as well. The language of human rights activism sometimes conforms to established modes of credulity, to existing forms of power, and ratifies the perspectives through which state power tells its story of the present. And it sometimes reiterates and ratifies those modes of argumentation to be "pragmatic." Although no one would contest the need for human rights discourse to be pragmatic—that is, to have effects, to be effective—must it suspend a *critical* relation to power as a consequence? This tension becomes most pronounced when hu-

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man rights advocates maintain that to have a seat at the table of power and to adjudicate when and where rights abuses take place during a war, they must remain neutral on the question of whether or not that war is just. If a human rights group opposes a war on the grounds that the war permits a systematic abuse of human rights, the group is regarded as "politically" allied and so disqualifies itself as an impartial arbiter of human rights abuses. Of course, a second problem with such a move is that it at least partially attributes responsibility for a set of human rights abuses to war itself and so puts into question whether the abuses are committed by a subject, conceived as a state or a group.

It is always possible to itemize human rights abuses that take place in a war, and surely there are many good reasons for itemizing and publicizing them. But should we not also consider that itemization deflects attention from the broader systemic conditions that continually regenerate those abrogations? If human rights groups agree to remain silent on the injustice of a war in order to participate in the adjudication of when and where human rights abuses exist in that war, do the groups aid and abet the war? And if such groups are "at the table" helping to decide whether bombings of particular sites would cause collateral damage and undermine the rights of civilians, are the groups not part of the war effort, sanitizing the actions of war and deflecting a serious judgment on whether the war is just?

If efficacy and pragmatics require human rights activists to restrict what they see and say—and even know—have they purchased their pragmatic function at the price of not knowing what they know? Has pragmatics then made itself dependent on disavowal, and does it police its own operation through self-censorship? Has pragmatics ceased to be critical?

Here is where the language of human rights must also be considered a kind of media, a language that presents reality and renders it credible or not. Human rights discourse can flatten the affect of horror, render war neutral in order to prosecute some of war's effects without ever contesting its justice. On the other hand, human rights discourse can elicit the indignation and repugnance that allow a human rights claim to be heard and known and to prompt an intervention.

To the extent that human rights claims require media and are themselves forms of media, it follows that human rights depend on the humanities and that the humanities are "in" human rights, participating in the making of its claims. Whether or not we are claimed is, finally, a question of whether human rights discourse can overcome its formation in certain exclusionary notions of the human and broker the terms between what is juridically established as human and what is not established or yet to be established. At stake is not only the assertion of humanity as the differential between the human and the monstrous or inhuman but also the ability of human rights discourse to pursue a path that is at once rigorously critical and committed to effective intervention.

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