



The humanity of universal crime: inclusion, inequality, and intervention in international political thought

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Sinja Graf's *The Humanity of Universal Crime* offers a deflationary critique of the faith of contemporary liberals that moral and political progress in world politics can or will result from centering 'humanity' as the organizing concept of international political morality. The book arrives at its assessment by examining the 'political productivity' of the concept of humanity as a collective that can be offended by 'universal crime' or its legalistic variant of 'crimes against humanity.' What happens when the concept of 'humanity' is joined with 'criminality,' producing the subject positions of defenders of humanity and violators of humanity's law? In other words, what kinds of politics result from the operationalization of a concept of humanity in the service of disciplinary discourses and practices in world politics? The bottom line of Graf's analysis is: Humanity will not save us. It may be part of the problem!

To make the case for analyzing the political productivity of 'universal crime,' the book first deals with a different kind of critique, that the criminalization inherent in 'crimes against humanity' and its juridification essentially serve a depoliticizing function. Graf makes a cogent and important argument that the introduction of the concept of 'crimes against humanity' and its juridification do not simply lead to the depoliticization of political opponents or conflicts. Rather, 'it is precisely this normative quality of appeals to humanity that sustains its political dimension' (p. 15). Juridification is not depoliticization, but another form of politics. Yet against liberal juridical intentions or aspirations for introducing crimes against humanity into the moral vocabulary of international law and relations, Graf crafts a lucid and beautifully presented argument that the concept of 'universal crime' plays a constitutive role in producing and reproducing hierarchical politics of domination and coercive intervention in international politics.

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In contemporary liberal cosmopolitan strands of international political theory, the idea of humanity translates into a normative commitment of shared or common moral duties to others by virtue of this humanity. In such a framework, the inclusive language of humanity typically aims to expand universes of moral obligation beyond the bounds of citizenship and sovereign statehood. Graf, however, examines a variety of European canonical and theoretical claims about ‘humanity’ in the ‘liberal tradition,’ broadly conceived, to show how the concept of universal humanity, while producing inclusion, also produces grounds for a hierarchy of divided humanity. Universal crime posits ‘an injured humanity, on behalf of which outsiders may claim to act towards concrete others for the sake of punishment’ (p. 8). Instead of a universally inclusive standard of morality that emancipates universally, conceptions of universal crime have produced ‘the figure of the offender against mankind,’ and a normative hierarchy that privileges ‘European actors as the guardians of humanity’s law’ (p. 8), buttressing ‘justifications for European colonial, imperial, and postcolonial (military) interventions into non-European political societies’ (p. 3). The idea of universal crime thus heralds a form of unequal inclusion that makes some vulnerable to force and violence in the name of defending humanity. In making this argument the book builds on previous studies by Adom Getachew, Jennifer Pitts, and Antony Anghie on the oppressive and dominating inclusions of international law, order, and politics.

Why does the concept of humanity not have the emancipatory political productivity that liberal cosmopolitan normative theorists or jurists intend? The answer to this question has implications for whether and how such theorists should engage in the theoretical task of developing the concept of humanity, as well as crimes against humanity. The book seems to provide two answers to this question that may not be compatible; they stem in part from an ambiguity in how Graf understands the method of analyzing the ‘political productivity’ of concepts and ideas. She argues that rather than asking questions about the specific content of universal crime, or its historical variations, ‘the vantage point of political productivity illuminates the ways in which the notion of universal crime shapes our vision of mankind via the kinds of subjectivities, forms of agency, and relationships of authority that the concept entails’ (p. 7). At the same time, to analyze the political productivity of universal crime is to engage in a non-normative study of norms that is grounded in a historical analysis (p. 178).

In its conceptual analysis of ‘humanity’ and ‘universal crime,’ the book aims to show how, at the conceptual level, they entail ‘the coercive enforcement of universal norms against those found in violation of humanity’s constitutive values’ (p. 10). In colonial and postcolonial historical contexts, these concepts have ‘functioned as a major mediating element reconciling the universality of mankind and the concrete violence of foreign coercion’ (p. 10). Thus, the concept of universal crime has led to justifications of Indigenous dispossession, usurpation, and genocide, and military intervention in faraway places (such as against Iraq in 2003). What is unclear is whether it is the very logic of the concepts of collective humanity and universal crime that necessitate their service of domination or oppression by the powerful, or whether it is the historical condition of international order that explains their political productivity.



The priority of conceptual logic entailing political productivity is most fully developed in the chapter on John Locke. The case is not entirely convincing, however, and the reasons may point us to an alternative way of thinking about how to understand the political productivity of concepts. In the chapter on Locke, Graf analyzes the *Second Treatise* and argues that it can be read to make the Native American a universal criminal, or offender against natural law (p. 50), and therefore justify Indigenous dispossession, not to mention genocide. Absent agricultural labor, Native Americans ‘trespass against the whole species’ (p. 65). Graf’s analysis conforms with much of the postcolonial interpretation of Locke’s *Second Treatise*, which started in the 1990s, attributing to his theory a potential justification for dispossession of Indigenous peoples and for settler colonialism (Tully, 1993). Yet it is a disputable reading, given Locke’s own trenchant critique of settlers in his *Letter Concerning Toleration*, and reference to Indigenous leaders as kings (see also Bertoldi, 2023).

And while Graf is right that Locke’s political theory would not support the liberal faith that an appeal to universal humanity could serve as a remedy for violence in the international system (p. 72), such an aim was not clearly Locke’s own aim of building his theory. After all, Locke’s political objective was precisely to provide a ground for making judgements about domestic tyranny, and to justify remedies to domestic tyranny in the form of violent popular rebellion! Perhaps in the discussion of Locke, Graf missed an opportunity to develop a different account of the political productivity of universal crime, which might have emerged from a more historical analysis of Locke’s own politics.

The alternative answer to why humanity will not save us is that, as a concept, it is too malleable. It can be used for colonial and anti-colonial politics. Graf acknowledges this point (pp. 171–174), but this indeterminacy of the political productivity of concepts seems inconsistent with the way she approached her analysis of Locke’s theory. If we think that concepts such as humanity and crimes against humanity are indeterminate in terms of their political productivity, then Graf’s analysis is not as deflationary of the aspirations of liberals and jurists as it may seem.

I am convinced that the language of ‘humanity as such does not necessarily herald a morally improved world politics’ (p. 173). But it may be that ‘humanity’ is not the problem. Is there any language or concept that can save us, or produce political progress by the force of its own logic? Is the concept of universal humanity fated to sustain symbolic orders of criminality that divide and subordinate some to others? Perhaps it is too much to expect of a concept or norm, that it can *do* anything. Norms do not interpret or apply themselves. They are enlisted in the production of politics through the interpretive agency of political actors, but not necessarily in logical or coherent steps (as Isaiah Berlin might say). Understanding the political productivity of ‘humanity’ in our time has benefited greatly from the careful focus that Sinja Graf has put on the concept of universal crime in this book, illuminating what it does, rather than what it is. Still, we should be clear that what humanity does in any given period or condition does not place a conceptual or practical limit on what humanity in an altered condition or set of circumstances could do.



References

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