

Historical Origins of Human Rights A Genealogy of Morals

History W 3964
TTh 2:40-3:55
Int'l Affairs Building 417

Instructor

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Teaching Assistants

1. Sergei Antonov
2. Giuliana Chamedes
3. April Holm
4. Amit Prakash

This European history course, an exercise in analysis rather than advocacy, provides a hard look at the historical origins of the long-term tradition and contemporary fashion of human rights thinking, understood as part of the larger tradition of liberal humanitarianism. The goal is to avoid a triumphal and progressive story of where the dominant contemporary Western morality came from in order to provide a less comforting "genealogy" to our views. In this spirit, the course shall not only study the short-term legal origins of present-day commitments, but also put those legal origins both in a short-term political context and a variety of long-term moral contexts. The first goal of history studied this way is surprise: to see the controversial nature of commitments taken for granted and to see that they might have been (and in the future become) other than they are. The languages of human rights, as well as the culture of humanitarianism of which they are usually a part, are not human constants. How did humanity have to be redefined in history in order for "human rights" to become its operative system of moral and political belief? The second goal of history studied this way is to test commitments: only by confronting the origins of moral sentiments, the course assumes, is it possible to justify them persuasively.

Course Requirements:

- 1) Lecture Attendance
- 2) One 5 pp. Paper (25%)
- 3) One 7 pp. Paper (35%)
- 4) Final Examination (30%)

- 5) Option A: Attendance and Participation at Section (10%)
- 6) Option B: No Section, Long Paper and Final Exam Each Count 5% More
(You must choose between Option A and B when sections are organized.)

* Lecture attendance is not an optional extra, and online lecture outlines made available to help you study are no replacement for the lectures themselves. If you consider not coming because you have trouble staying awake or focusing (even if the professor is to blame!), just take more stimulants before class then show up.

* It is highly recommended that you sign up for section in order to add a more interactive dimension to the course. Section may not meet every week, but you need to be free weekly at the time you indicate on your section preference form (to be filled out in the second week of the course). Your TA will determine each week whether it is necessary to meet and will tell you what readings will come under discussion in each session.

* The final exam, and the final grades for the class as a whole, are done on a curve.

Assigned Texts

Vacláv Havel, *Open Letters* (1991), ISBN # 0679738118
Jeri Laber, *The Courage of Strangers* (2002), 1586482882
Sven Lindqvist, "*Exterminate All the Brutes*" (1997), 1565843592
David Rieff, *A Bed for the Night* (2003), 074325211X (optional)
Susan Sontag, *Regarding the Pain of Others* (2003), 0312422199

These texts are available for purchase at Labyrinth Books on 112th St.

The other readings (noted with an asterisk below) are available in the course sourcebook, available for purchase at Columbia Copy Center, on Broadway around 108th St. It should cost about \$35. Due to printer error, it is missing a few pages that I will supply later via a PDF file. You may want to call ahead since they print the packs in response to demand: (212) 865-1212. The reader is also on reserve.

[PAPER 1 TOPICS \(DUE OCTOBER 11\)](#)
[PAPER 2 TOPICS \(DUE NOVEMBER 29\)](#)

Schedule of Lectures and Readings:

[Tues., Sept. 6: Introduction: Studying Human Rights as a Culture](#)

Readings: *Friedrich Nietzsche, *The Genealogy of Morals*, Preface; *Paul W. Kahn, *The Cultural Study of Law*, 1-6, 36-40, 91-117; complete these methodological readings within the first few weeks of the course

Part I: Prehistory of the Human Rights Movement

[Thurs., Sept. 8: Lineages of the Concept of Humanity](#)

Reading: *Ernst Troeltsch, "The Ideas of Natural Law and Humanity in World Politics"

[Tues., Sept. 13: Backgrounds to the Concept of Rights](#)

Reading: *Michel de Montaigne, *Apology for Raymond Sebond*; *Richard Tuck, "The 'Modern' Theory of Natural Law"

[Thurs., Sept. 15: The Enlightenment: "The Sentimental Revolution"](#)

Reading: *Thomas Laqueur, "Bodies, Details, and the Humanitarian Narrative"

[Tues., Sept. 20: Cruelty and Torture: The Campaign against Pain](#)

Reading: *Pierre Clastres, "Of Torture in Primitive Societies"; *Montaigne, "Of Cruelty"; *Michel Foucault, *Discipline and Punish*; Optional: *Judith Shklar, "Putting Cruelty First"

[Thurs., Sept. 22: Why Care about Far-Flung Strangers?](#)

Reading: *Carlo Ginzburg, "To Kill a Chinese Mandarin"; Susan Sontag, *Regarding the Pain of Others*, §§ 3 and 7; *Nicholas Kristof, "The Secret Genocide Archive," *New York Times*, Feb. 23, 2005

[Tues., Sept. 27: Rights in the Age of Revolutions](#)

Reading: *Lynn Hunt, "The Paradoxical Origins of Human Rights"; *some revolutionary documents

[Thurs., Sept. 29: The Campaign against Slavery as a Human Rights Movement](#) (Lecture by April Holm)

Reading: *Laurent Dubois, "Insurrection and the Language of Rights" etc.

Tues., Oct. 4: NO CLASS

[Thurs., Oct. 6: Explaining the Historical Function of Humanitarianism](#)

Reading: *"A Note on the Marxist Interpretation of Human Rights," *Karl Marx, "On the Jewish Question"; *Thomas Haskell, "Capitalism and the Origins of Humanitarian Sentiment" (Ask your TA whether Marx's own text is optional for you or not.)

[Tues., Oct. 11: The Respatialization of the World and the Rise of Telescopic Philanthropy](#)

Reading: *Charles Dickens, *Bleak House*, chapter 4; *Henri Dunant, "A Memory of Solferino" (skim anything you find boring)

PAPER 1: DUE OCTOBER 11

Thurs., Oct. 13: NO CLASS

[Tues., Oct. 18: Humanity in Warfare](#) (Lecture by Sergei Antonov)

Reading: *The Hague Regulations Concerning the Laws and Customs of War on Land; Start Sven Lindqvist, *Exterminate All the Brutes*"; optional: *Alice Conklin, "Colonialism and Human Rights," in counterpoint to Lindqvist's argument

Part II: Interwar, Wartime, and Postwar Origins of Human Rights

[Thurs., Oct. 20: Progress and Violence: Humanitarianism, Empire, and War](#)

Reading: Finish Lindqvist; *Stéphane Audouin-Rouzeau and Annette Becker, *14-18: Understanding the Great War*, 135-42

[Tues., Oct. 25: The Interwar Laboratory and the Horror of War and Genocide](#)

Reading: *Jacques Maritain, *Man and the State*, sections; *Franklin Delano Roosevelt, State of the Union address, January 11, 1944

[Thurs., Oct. 27: The Nuremberg Trials and the Evolution of the Law of War](#) (Lecture by Giuliana Chamedes)

Reading: *Robert H. Jackson, "Opening Address for the United States" and other Nuremberg Documents

[Tues., Nov. 1: Origins of the Universal Declaration](#)

Reading: *"Universal Declaration of Human Rights"; *early drafts by René Cassin and John Humphrey of the document

[Thurs. Nov. 3: The Genocide and Geneva Conventions](#)

Reading: *"Convention for the Prevention of Genocide"; *Michael Ignatieff, "Lemkin's Word"; * Geneva Conventions selections

Tues., Nov. 8: NO CLASS

[Thurs., Nov. 10: Postwar Skepticism](#)

Reading: *Jacques Maritain, ed., *Human Rights: An Int'l Symposium*; *Hannah Arendt, "The Perplexities of the Rights of Man"; *Giorgio Agamben, "Beyond Human Rights"

Part III: Why Have Human Rights Returned Today?

[Tues., Nov. 15: The Dog that Did Not Bark: Human Rights in the Early Cold War](#)

Reading: *Amnesty International Founding Article (1961); short excerpts from *[Peter Benenson](#), *Persecution 1961*

[Thurs., Nov. 17: The Return of Human Rights in the Later Cold War](#)

Reading: *Helsinki Accords

[Tues., Nov. 22: Eastern Dissidence...](#)

Reading: *Charter 77 Declaration; Jiri Hájek, *"The Human Rights Movement and Social Progress"; Vacláv Havel, *Open Letters*, 109-16, 125-214, 247-71, 320-22, 355-62

Thurs., Nov. 24: NO CLASS: Thanksgiving

Tues., Nov. 29 ... and Western Intellectual Responses (the Crisis of the Left)

Reading: *Bernard-Henri Lévy, *Barbarism with a Human Face*, selections; *Claude Lefort, "Politics and Human Rights," excerpt

PAPER 2: DUE NOVEMBER 29

Thurs., Dec. 1: The Rise of NGOs (Guest Lecture by Jeri Laber, founding member of Human Rights Watch)

Reading: *Rose Styron, "Torture"; Jeri Laber, *The Courage of Strangers*, 1-8, 26-7, 31-4, 53-60, 63-6, 69-88, 93-153, 167-9, 202-10, 221-3, 228-31, 247-50, 252-71, 297-301, 309-36, 347-51, 373-9

[Tues., Dec. 6: America in the World from the Carter Administration to the Present](#)

Reading: *James Earl Carter, "Foreign Policy and Human Rights"; Optional: David Rieff, *A Bed for the Night* (you may want to read this book about the contemporary world over break if you are as interested or more interested in the subject of humanitarianism and human rights after the course)

[Thurs., Dec. 8: Conclusion](#)

Reading: *[David Kennedy, "The International Human Rights Movement: Part of the Problem?"](#); *[Mike Davis, "Planet of Slums"](#)