

Historical Origins of Human Rights

A Genealogy of Morals

History W 3964

MW 10:35-11:50

Int'l Affairs Building 417

Instructor

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Teaching Assistants

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Why are “human rights” the moral language of today, the language in which recent generations -- include that of today's undergraduates -- frame their idealism? How can one think about human rights as a product of history, and as a story about the changing moral lenses through which people look at the world and decipher its problems? This course, focused on European and American history, looks at these questions, starting with how the categories of “humanity” and “rights” arose, and then turning to how they were combined and used in the last few centuries. The language of human rights is not a human constant. How did humanity have to be redefined in history in order for “human rights” to become its operative system of moral and political belief? Special attention is given to the rise of international law and shifts in international politics in the 19th and 20th centuries. An exercise in analysis rather than advocacy, 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. 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 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 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%)

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 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.

[PAPER ONE TOPICS \(CLICK\)](#)

[PAPER TWO TOPICS \(CLICK\)](#)

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, *At the Point of a Gun* (2005), 074328707X (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. You may want to call ahead since they print the packs in response to demand: (212) 865-1212. The reader is also on reserve.

Schedule of Lectures and Readings:

[Weds., Jan. 17](#): 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

[Mon., Jan. 22](#): Lineages of the Concept of Humanity

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

[Weds., Jan. 24](#): Backgrounds to the Concept of Rights

Reading: *Michel de Montaigne, *Apology for Raymond Sebond*; *Richard Tuck, “The ‘Modern’ Theory of Natural Law”

[Mon., Jan. 29](#): The Enlightenment: “The Sentimental Revolution”

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

Weds., Jan. 31: 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"

Mon., Feb. 5: 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

Weds., Feb. 7: Rights in the Age of Revolutions

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

Mon., Feb. 12: NO CLASS

Weds., Feb. 14: The Campaign against Slavery as a Human Rights Movement

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

Mon., Feb. 19: 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.)

Weds., Feb. 21: 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)

Mon., Feb. 26: Humanity in Warfare

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

PAPER 1: DUE FEBRUARY 27

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

[Weds., Feb. 28](#): Progress and Violence: Humanitarianism, Empire, and War

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

[Mon., March 5](#): 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

[Weds. March, 7](#): Origins of the Universal Declaration

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

SPRING BREAK

[Mon., March 19](#): The Nuremberg Trials and the Evolution of the Law of War

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

Weds., March 21: NO CLASS

[Mon., March 26](#): The Geneva and Genocide Conventions

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

[Weds., March 28](#): From Passé to Prestigious: Rights Talk in Philosophy

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?

[Mon., April 2](#): 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*

Weds., April 4: The Return of Human Rights in the Later Cold War

Reading: *Helsinki Accords

Mon., April 9: 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

Weds., April 11: ... and Western Intellectual Responses (the Crisis of the Left)

Reading: *Bernard-Henri Lévy, *Barbarism with a Human Face*, selections

PAPER 2: DUE APRIL 13

Mon., April 16: Non-Western Responses to Human Rights -- Lecture by Adam Bronson)

Reading: None

Weds. April 18: The Rise of NGOs – Lecture by Jeri Laber, Human Rights Watch founding member (Sponsor: The Harriman Institute)

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

Mon., April 23: Class Canceled

Reading: None

Weds., April 25: America in the World from the Carter Administration to the Present

Reading: *James Earl Carter, "Foreign Policy and Human Rights"; Optional: David Rieff, *At the Point of a Gun* (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)

Mon, April 30: Conclusion

Reading: *[David Kennedy, "The International Human Rights Movement: Part of the Problem?"](#); *[Mike Davis, "Planet of Slums"](#), [Mahmood Mamdani, "The Politics of Naming: Genocide, Civil War, Insurgency"](#); [Samuel Moyn, "On the Genealogy of Morals"](#) (read two of these four in preparation for the final exam)

Thurs., May 3, 4 p.m., 417 IAB: SPECIAL COURSE EVENT, Paul W. Kahn,
Robert Winner Professor, Yale Law School, "Why We Care About Torture"
(Sponsor: Columbia College)