

**History 600, Fall 2010**  
**The History of the Idea of Human Rights**

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This seminar will investigate the development of the idea of "human rights" from ancient times to the present. We will look at secular and religious visions of human rights, considering arguments about "natural rights," "universalism," and "cultural relativism." We will focus particular attention on the development of the modern idea of human rights—and will look in depth at the connections among war, retribution, and international human rights law.

**Format:** This is an advanced seminar that requires your regular attendance and full participation. **Weeks 2 through 10 we will conduct the class like a reading group.**

-Each week all students will come up with two discussion questions based on the readings. The questions must be sent to me and to the week's discussion facilitator(s) via e-mail by noon the day before the seminar meets.

-Each week students will write one-page "response papers." These papers are due no later than 10 p.m. the evening before the seminar meets. The response papers also should be sent to me via e-mail.

**Weeks 11 and 12 students will focus on their research and writing.**

**Weeks 14 and 15 students will give short research presentations.**

-Please note: Students are expected to begin work on their research papers during the first weeks of the semester—and are encouraged to come to office hours throughout the semester to discuss paper topics.

**Grades:** Course grades will be determined on the basis of participation, response papers, and a 20-page research paper.

**Readings:** Books with an \* are available at the University Bookstore. All books are also on reserve at College Library. All (E) readings are available on-line through My UW. Please bring copies of the readings to class to facilitate a close discussion of the texts.

**Introduction**

**Week 1 (9/13): "Human Rights"—Definitions, Ideals, and Politics**

Samuel Moyn, "Human Rights in History," *The Nation*, August 11, 2010  
<http://www.thenation.com/article/153993/human-rights-history?page=full>

**Part I: The Search for Historical Precursors**

**Week 2 (9/20): Human Rights as Natural Rights?**

(E) Micheline R. Ishay, *The History of Human Rights* (2004), pp. 16-61, 64-116

(E) Kenneth Minogue, "The History of the Idea of Human Rights," in ed. Walter Laqueur and Barry Rubin, *The Human Rights Reader* (1979), pp. 1-17

(E) Brian Tierney, "Aristotle and the American Indians," chapter 11 of his *The Idea of Natural Rights* (1997), pp. 255-287

(E) Aristotle, *Politics* (c. 350 BCE)

- (E) Cicero, *On the Laws* (c. 52 BCE)
- (E) Saint Augustine, *The City of God* (c. 413-426)
- (E) Thomas Aquinas, *Summa Theologica* (c. 1265-1274)
- (E) Juan Gines de Sepulveda, *The Second Democrates* (1547)
- (E) Bartolome de La Casas, *Defense of the Indians* (1550)
- (E) John Locke, *The Second Treatise of Government* (1690)
- (E) Denis Diderot, *Natural Law* (1755)
- (E) Jean-Jacques Rousseau, *On the Geneva Manuscript* (1762)

### **Week 3 (9/27): The French "Revolution" in Human Rights?**

- \*Lynn Hunt, *Inventing Human Rights: A History* (2007)
- (E) Marquis de Condorcet, *Reflections on Negro Slavery* (1781)
- (E) Abbe Sieyes, *What is the Third Estate?* (1789)
- (E) *Declaration of the Rights of Man and Citizen* (1789)
- (E) Marquis de Condorcet, *On the Admission of Women to the Rights of Citizenship* (1790)
- (E) *Petition of the Jews of Paris, Alsace, and Lorraine to the National Assembly* (1790)
- (E) *Address to the National Assembly in Favor of the Abolition of the Slave Trade* (1790)
- (E) Olympe de Gouges, *The Declaration of the Rights of Women* (1791)
- (E) *Admission of Jews to the Rights of Citizenship* (1791)
- (E) *Degree of the National Convention Abolishing Slavery in All the Colonies* (1794)

### **Week 4 (10/4): Human Rights and International Laws of War**

- \*Paul Gordon Lauren, *The Evolution of International Human Rights* (2003), pp. 37-134
- (E) Geoffrey Best, "The Legislative Foundations, 1815-1914: Conscience, Codes, and Compromise," chapter 3 of his *Humanity in Warfare* (1980), pp. 128-215
- (E) Hugo Grotius, *The Rights of War and Peace* (1625)
- (E) *The Hague Congresses* (1899, 1907)
- (E) *The Fourteen Points Address* (1918)
- (E) *The Covenant of the League of Nations* (1919)
- (E) *The Kellogg-Briand Pact* (1928)

## **Part II: Nuremberg, the Universal Declaration, and "Modern" Human Rights**

### **Week 5 (10/11): Nuremberg and the "Rebirth" of International Law**

- (E) Elizabeth Borgwardt, *A New Deal For the World* (2005), pp. 218-247
- (E) Sheldon Gluck, *The Nuremberg Trial and Aggressive War* (1946), pp. 3-45
- (E) Montgomery Belgion, *Victor's Justice* (1949), pp. 1-42
- \*Michael Marrus, *The Nuremberg War Crimes Trial, 1945-46* (1997)

### **Week 6 (10/18): The Universal Declaration and Beyond**

- \*Lauren, *Evolution of International Human Rights*, pp. 135-270
- (E) Jack Donnelly, "Human Rights and Cultural Relativism," chapter 6 of his *Universal Human Rights in Theory and Practice* (2003), pp. 89-123
- (E) *United Nations Charter* (1945)
- (E) *United Nations Universal Declaration of Human Rights* (1948)
- (E) *European Convention for the Protection of Human Rights* (1950)

(E) *United Nations Convention on the Prevention and Punishment of the Crime of Genocide* (1951)

(E) *United Nations Convention on the Political Rights of Women* (1952)

(E) *European Social Charter* (1961)

(E) *United Nations International Covenant on Civil and Political Rights* (1966)

(E) *United Nations International Covenant on Economic, Social, and Cultural Rights* (1966)

### **Week 7 (10/25): Human Rights and Cold War Politics**

(E) Mary L. Dudziak, "Desegregation as a Cold War Imperative," *Stanford Law Review*, vol. 41, no. 61 (1988): 61-120

(E) Kenneth Cmiel, "Human Rights, Freedom of Information, and the Origins of Third-World Solidarity," in ed. Mark Philip Bradley and Patrice Petro, *Truth Claims: Representation and Human Rights* (2002), 107-130

(E) Joshua Rubenstein, *Soviet Dissidents: Their Struggle for Human Rights* (1980), pp. 31-96

(E) Andrei Sakharov, "How I Came to Dissent" (1974)

(E) Andrei Sakharov, *Progress, Coexistence and Intellectual Freedom* (1968), pp. 59-67, 71-85

(E) Aleksandr Solzhenitsyn, *Letter to Soviet Leaders* (1974), 7-13, 42-59

(E) Articles from *Time Magazine* (Feb. 25 and April 22, 1974)

(E) *The Helsinki Agreement* (1975)

### **Part III: Human Rights as a Means for Global Justice?**

#### **Week 8 (11/1): Human Rights and the Problem of Genocide**

\*Samantha Power, *A Problem from Hell* (2003)

#### **Week 9 (11/8): Human Rights and Medical Ethics**

\*Rebecca Skloot, *The Immortal Life of Henrietta Lacks* (2010)

#### **Week 10 (11/15): Courts, Truth Commissions, and Justice**

(E) Richard Falk, "Pursuing Global Justice," chapter 1 of his *Human Rights Horizons* (2000), pp.13-35

(E) Jose Zalaquett, "Balancing Ethical Imperatives and Political Constraints," *Hastings Law Journal*, vol. 43 (August 1992): 1425-1438

(E) Juan E. Mendez, "Accountability for Past Abuses," *Human Rights Quarterly*, vol. 19, no. 2 (1997): 255-282

(E) Neil J. Kritz, ed., *Transitional Justice: How Emerging Democracies Reckon with Former Regimes* (1995), vol. 2, pp. 453-494; vol. 3, pp. 101-143, 163-173

### **Part IV: Research Consultations and Presentations**

#### **Week 11 (11/22): Research Consultations**

#### **Week 12 (11/29): Research Consultations**

#### **Week 13 (12/6): Research Presentations**

#### **Week 14 (12/13): Research Presentations**