



HISTORY 952 COMPARATIVE STUDIES IN HISTORY
ERRANT HISTORIES AND HISTORIOGRAPHIES OF INTERNATIONAL LAW
SPRING 2026

University of Wisconsin-Madison
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Office Hours: Thursdays 12:30-2:30pm or by appointment in 4120 Humanities



Left to Right: Façade from the United Nations Secretariat Building, New York City, 1950 (Installation view of the gallery "Architecture Systems," MoMA); Enrique Chagoya, *Codex Cosmovisionarius* (acrylic, water-based oil paint, pencil, solvent transfer, and gesso on ten 19th-century etchings), 2006; LaToya Ruby Frazier, *A Pilgrimage to Noah Purifoy's Desert Art Museum* (Photograph), 2016

COURSE DESCRIPTION

This graduate seminar considers histories and historiographies of international law. It approaches legal history in the broadest possible sense—thinking about the many ways that scholars across fields and disciplines have interpreted law as a field of power, a site of subject formation, a mode of mystification, a technology for structuring state violence, a node in constellations of strategies, a poison and remedy. Reading foundational and recent scholarship in the field, we will investigate how certain forms of knowledge have come to be considered juridical, examine recognition as a diplomatic and phenomenological concept, interrogate how international legal regimes have produced particular models of normativity as well as alternatives to these frameworks, and more. Tracing errant paths of legal internationalisms, the seminar asks how contests over the subjects of international law have reshaped the contours of the political.

LEARNING OUTCOMES

- Evaluate different theories, methods, approaches, and debates in histories of international law
- Explore a range of methods for historical and legal analysis
- Hone writing and oral presentation skills
- Refine frameworks for connecting the history of the past to our historical present

FORMAT

This course will meet in person on Wednesday afternoons from 1:20-3:15pm in 5255 Humanities.



REQUIRED READINGS

Each week, we will read the equivalent of a book and one to two articles. A few thoughts about approaching these texts: try to leave yourself enough time to think about the readings and how they are (or are not) in conversation. Where do they converge and diverge? What questions do they raise about histories of law and formations of internationalism? Which methods do they use and what kinds of sources do they analyze? What are the stakes of their questions, approaches, and arguments? All assigned books, articles, and chapters will be available in digital format through UW Libraries, on reserve at Memorial Library, or included on our course Canvas site. You are also welcome to borrow from my office a hard copy of any of the readings.

COURSE REQUIREMENTS AND ASSESSMENT

DISCUSSION PARTICIPATION (30%)

Discussion is at the heart of this seminar. We will be building knowledge collectively and growing together as thinkers; everyone's participation is crucial. Students are expected to attend all meetings and take part actively in discussion. If you have any emergency situations or sudden scheduling conflicts, please get in touch. If you have difficulty speaking up in class, please come talk to me. I have strategies!

I am committed to doing everything I can to ensure that every student, regardless of immigration status, is safe in our seminar, university, and community. If you need to miss class any reason, please let me know and we will find an accommodation to ensure that you are still able to learn from your peers, and that we are able to learn from you as we discuss the week's readings.

Resources for Talking in Seminars (shared by Prof. Brianna Nofil):

Clio & the Contemporary - [The Shy Guide to Speaking Up: Grad Seminar Edition](#)

Eve S. Lefkowitz - [Participating in graduate seminar discussions](#)

Brisa Marie - [Strategies To Speak Like a PhD Student](#)

CO-LEADING DISCUSSION (20%)

At two points in the semester, you will be responsible for co-leading discussion on the readings. We will sign up for weeks to co-lead during our first meeting on January 21. As discussion co-leader, you'll spend 10 minutes at the beginning of seminar introducing the week's readings (main ideas, arguments, and approaches, themes that run across the readings, quotes that stand out, and 5 questions for discussion. These questions should prompt us to consider the approaches, arguments, methods, interventions, and stakes of the readings. The weeks that you are co-leading discussion, please plan to meet with me sometime before our seminar convenes on Wednesday afternoon to talk about your ideas for leading our discussion of the readings.



READING RESPONSES (20%):

Each week, beginning in Week 2, you should submit a short, approximately 500-word, post on Canvas in response to the readings. The reading response posts are a chance for you to practice short-form academic writing. They should not be summaries of the texts (which given the number of readings many weeks would be impossible anyway) but analytic engagements where you consider a theme or question in relation to the texts, look for common arguments or disagreements, and reflect on relevant concepts and their implications. Strive to put these texts in dialogue with each other – what seems to be at stake for these scholars? How are they formulating “international” or approaching law and legality? How do such formulations in turn impact their argument/analysis? Broadly, they should help to set up our conversation in the seminar for that week. **Due by midnight on Tuesday evenings.**

FINAL ESSAY (30%)

The final essay for this seminar is ten or so page (double spaced) historiographic paper. This “state of the field” essay analyzes debates in a particular field around a topic, theme or methodology. You will identify a field that you engage in your scholarship, choose five recent books published in that field, and assess the “state of the field” around key questions, concepts, methods, and future directions. **This field does not need to relate directly (or even indirectly) to international law, nor do the books you choose to analyze. Please choose whichever field and monographs it would be most useful for you to engage as you complete coursework, prepare your prelims fields, and look forward to dissertation research.** You can approach this in a variety of ways: analyzing the politics of scholarship, the key interpretive fault lines, how themes and methods shift over time, how concerns in the field intersect with broader trends in history-writing, or comparing historical with other disciplinary approaches. You may choose these books on your own or in consultation with me, your advisor, your committee, and (importantly!) each other.

I am also happy to accept and provide feedback on another kind of project—such as a syllabus accompanied by a pedagogical statement, an article-length research paper, or a dissertation prospectus—instead of a historiographic essay.

Final projects are due by midnight on Friday, May 8 via Canvas.

GRADING:

A: 93-100 AB: 88-92 B: 83-87 BC: 78-82 C: 70-77 D: 60-69 F: Below 60



SCHEDULE OF CLASSES

WEEK 1: INTRODUCTIONS AND WELCOME

January 21

Readings:

Robert Knox, "Haiti at the League of Nations: Racialisation, Accumulation and Representation," *Melbourne Journal of International Law* 21: 2 (2020): 245-274

J. Kēhaulani Kauanui and Tonya Gonnella Frichner, "Tonya Gonnella Frichner on Developing the United Nations Declaration on the Rights of Indigenous Peoples" in J. Kēhaulani Kauanui, ed., *Speaking of Indigenous Politics: Conversations with Activists, Scholars, and Tribal Leaders* (2018): 123-131

E. Tendayi Achiume and Devon W. Carbado, "Critical Race Theory Meets Third World Approaches to International Law" in Devon W. Carbado, Kimberlé Williams Crenshaw, Justin Desautels-Stein, and Chantal Thomas, eds., *Race, Racism, and International Law* (Stanford University Press, 2025)

Damian A. Gonzalez-Salzburg, "Queering Reparations Under International Law: Damages, Suffering, and (Heteronormative) Kinship," and Dianne Otto, "Queerly Troubling International Law's Vision of 'Peace,'" *American Journal of International Law Unbound* Vol. 16 (2022): 5-9 and 22-26

Samera Esmeir, "On Becoming Less of the World," *History of the Present* Volume 8 Issue 1 (2018): 88-116

WEEK 2: COLONIAL ORIGINS AND ANTI-COLONIAL FORMATIONS

January 28

Readings:

Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press, 2005)

Nick Estes, *Our History Is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance* (Verso, 2019) Chapter 6 Internationalism



WEEK 3: INTERROGATING IMPERIAL ARCHIVES

February 4

Readings:

Elizabeth Ellis, *The Great Power of Small Nations: Indigenous Diplomacy in the Gulf South* (University of Pennsylvania Press, 2023)

Lisa Lowe, *The Intimacies of the Four Continents* (Duke University Press, 2015) Chapter 1

WEEK 4: RECKONING WITH SLAVERY

February 11

Readings:

Jennifer Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Duke University Press, 2021)

Darryl Li, “Genres of Universalism: Reading Race into International Law, With the Help of Sylvia Wynter,” 67 *UCLA Law Review* 1686 (2021)

Vanja Hamzić, “After Homo Narrans: Botany, International Law, and Senegambia in Early Racial Capitalist Worldmaking,” Chapter in Matilda Arvidsson and Emily Jones, eds., *International Law and Posthuman Theory* (Routledge, 2024)

Symposium on Reparations under International Law for Enslavement of African Persons in the Americas and the Caribbean, May 20-21, 2021

Watch the [recording](#) of the 2021 session from 1:23:50 to 2:53:24 OR

Read the [proceedings](#), pp. 31-58

WEEK 5: DEBT AND DIPLOMATIC RECOGNITION

February 18

Readings:

Emilie Connolly, *Vested Interests: Trusteeship and Native Dispossession in the United States* (Princeton University Press, 2025)

Juan Flores Zendejas and Felipe Ford Cole, “Sovereignty and Debt in Nineteenth-Century Latin America,” in *Sovereign Debt Diplomacies: Rethinking Sovereign Debt from Colonial Empires to Hegemony*, Pierre Pénét & Juan Flores Zendejas, eds. (Oxford University Press, 2021)



Ali Coşkun Tunçer, “Leveraging Foreign Control: Reform in the Ottoman Empire” in Nicolas Barreyre and Nicolas Delalande, eds., *A World of Public Debts: A Political History* (Palgrave Macmillan, 2020)

WEEK 6: MEDIATING STATE VIOLENCE

February 25

Readings:

Arnulf Becker Lorca, *Mestizo International Law: A Global Intellectual History 1842-1933* (Cambridge University Press, 2014) Chapter 5 Sovereignty Beyond the West: The End of Classical International Law

Beth Lew-Williams, *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America* (Harvard University Press, 2018) Part 3: Exclusion

Monica Muñoz Martinez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas* (Harvard University Press, 2018) Chapters 3 and 6

Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (University of North Carolina Press, 2017) Chapter 4: Scorpion’s Tale

WEEK 7: POLICING HUMANITY

March 4

Readings:

Monica Kim, *Interrogation Rooms of the Korean War: The Untold Story* (Princeton University Press, 2019)

Glen Coulthard, *Red Skin White Masks: Rejecting the Colonial Politics of Recognition* (University of Minnesota Press, 2014) Introduction and Chapter 2

WEEK 8: LITIGATING DECOLONIZATION

March 1

Readings:

Adom Getachew, *Worldmaking After Empire: The Rise and Fall of Self-Determination* (Princeton University Press, 2019)



Ntina Tzouvala, *Capitalism as Civilisation: A History of International Law* (Cambridge University Press, 2020) Chapter 4 Arguing with Borrowed Concepts ‘The Sacred Trust of Civilisation’ in the South West Africa Saga

Idriss Paul-Armand Fofana, “Afro-Asian Jurists and the Quest to Modernise the International Protection of Foreign-Owned Property, 1955–1975,” *Journal of the History of International Law* 23:1 (2021) pp.80-112

WEEK 9: FROM SEAS TO SKIES

March 18

Readings:

Haris Durrani, “A Satellite for All: Law, Technology, and Empire in the Global Cold War, 1959-1973,” PhD Diss., Princeton University, 2025 Chapter 3 “Orbital Squatting: The Origins of Space Object Registration and Chapter 4 “‘A Free Space Concept’: U.S. Patent Law in the Global Cold War, 1967”

Sonya Schoenberger, “Radiological Risk Imposition as Environmental Violence: A Case Study of Nuclear Harms and the Limits of Legal Redress in French Polynesia/Mā’ohi Nui” in Richard A. Marcantonio, John Paul Lederach, Agustín Fuentes, eds., *Exploring Environmental Violence: Perspectives, Experience, Expression, and Engagement* (Cambridge University Press, 2024)

Surabhi Ranganathan, “Ocean Floor Grab: International Law and the Making of an Extractive Imaginary,” *European Journal of International Law* 30: 2 (2019): 573-600

David Uahikeaikalei’ohu Maile, “Threats of Violence: Refusing the Thirty Meter Telescope and Dakota Access Pipeline” in Nick Estes and Jaskiran Dhillon, eds., *Standing with Standing Rock: Voices from the #NoDAPL Movement* (University of Minnesota Press, 2019)

WEEK 10: CRIMINALIZING MOBILITY

March 25

Readings:

Brianna Nofil, *The Migrant’s Jail: An American History of Mass Incarceration* (Princeton University Press, 2024)

Ana Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Harvard University Press, 2020) Introduction and Chapter 1



Leti Volpp, “Crossing Borders, Criminality, and Indigenous Sovereignty,” *Critical Times* 7:2 (2024): 332–336

WEEK II: SPRING BREAK—NO SEMINAR MEETING

April 1

WEEK I2: CARCERAL HUMANITARIANISMS

April 8

Readings:

Frédéric Mégret, “From ‘Savages’ to ‘Unlawful Combatants’: a Postcolonial Look at International Humanitarian Law’s ‘Other’” Chapter 11 in Anne Orford, ed., *International Law and its Others* (Cambridge University Press, 2006) pp. 265–269 and 298–303

Eyal Weizman, *The Least of All Possible Evils: A Short History of Humanitarian Violence* (Verso, 2017) Chapter 1 “The Humanitarian Present” and Chapter 3 “The Best of All Possible Walls”

Laleh Khalili, “Humanitarianism and Racial Capitalism in the Age of Global Shipping,” *European Journal of International Relations* 29:2 (2023): 374–397

Debarati Sanyal, “Humanitarian Detention and Figures of Persistence at the Border,” *Critical Times* 2:3 (2019): 435–465

WEEK I3: ZONES

April 15

Readings:

Quinn Slobodian, *Crack-Up Capitalism: Market Radicals and the Dream of a World Without Democracy* (Metropolitan, 2023)

Lorenzo Cotula and Nicolás Perrone, “Seeing Santurbán through ISDS: A Sociolegal Case Study of *Eco Oro v. Colombia*,” *Leiden Journal of International Law*, 2024-06, Vol.37 (2), p.440–461

Ntina Tzouvala, “Invested in Whiteness: Zimbabwe, the von Pezold Arbitration, and the Question of Race in International Law,” *Journal of Law and Political Economy* 2:2 (2022)



WEEK 14: LEGAL PERSONALITY AND PERSONHOOD

April 22

Readings:

Thea Riofrancos, *Resource Radicals: From Petro-Nationalism to Post-Extractivism in Ecuador* (Duke University Press, 2020) Introduction and Chapter 3 Consulta Previa: The Political Life of a Constitutional Right

César Rodríguez-Garavito, ed., *Litigating the Climate Emergency: How Human Rights, Courts, and Legal Mobilization can Bolster Climate Action* (Cambridge University Press, 2023) Part I: The Rights Turn in Climate Litigation

James DK Morris and Jacinta Ruru, "Giving Voice to Rivers: Legal Personality as a Vehicle for Recognizing Indigenous Peoples' Relationships to Water?" *Australian Indigenous Law Review*, Vol. 14, No. 2 (2010), pp. 49-62

WEEK 15: POISON AND REMEDY?

April 29

Readings:

Achille Mbembe, *Necropolitics* (Duke University Press, 2019) Introduction

Jeff Corntassel, "Life Beyond the State: Regenerating Indigenous International Relations and Everyday Challenges to Settler Colonialism," *Anarchist Developments in Cultural Studies* (2021)

Naomi Paik, *Bans, Walls, Raids, Sanctuary: Understanding U.S. Immigration for the Twenty-First Century* (University of California Press, 2020) Chapter 4 Sanctuary

Further readings TBD—seminar participants will select readings to be discussed this week

Concluding Discussions and Ongoing Questions



MENTAL AND PHYSICAL WELLBEING

Being a graduate student is extremely mentally and emotionally taxing; all the more so in 2026. It is so important that you take care of yourself. There are many resources available at UW Madison to help students navigate emotional/psychological, physical/medical, material/accessibility concerns, including:

Mental Health and Well-Being Statement:

Students often experience stressors that can impact both their academic experience and personal well-being. These may include mental health concerns, substance misuse, sexual or relationship violence, family circumstances, campus climate, financial matters, among others. Students are encouraged to learn about and utilize UW-Madison's mental health services and/or other resources as needed. Visit uhs.wisc.edu or call University Health Services at (608) 265-5600 to learn more.

The Open Seat Food Pantry:

Founded in the spring of 2016, The Open Seat is a food pantry run by students, for students. They strive to provide healthy and accessible sources of food, personal-care goods, and household products to any enrolled student in need. Each year, the number of students visiting The Open Seat Food Pantry has increased and often doubled as the number of students affected by food and resource insecurity grows

Violence Prevention Statement:

All students deserve to be safe and respected at UW-Madison. Unfortunately, we know that sexual and relationship violence do happen here. Free, confidential resources are available on and off campus for students impacted by sexual assault, sexual harassment, dating violence, and stalking (regardless of when the violence occurred). You don't have to label your experience to seek help. Friends of survivors can reach out for support too. A list of resources can be found at <https://www.uhs.wisc.edu/survivor-resources/>.

Collegiate Recovery Statement:

Badger Recovery is a university affiliated recovery community for UW-Madison students in recovery from substance use disorders and their allies. Students in recovery from something other than alcohol and/or drugs may also find our community of support and services helpful and are welcome. To learn more about Badger Recovery, our peer to peer all recovery meetings, or our non-clinical staff support go to uhs.wisc.edu/recovery or email us at recovery@uhs.wisc.edu.

Diversity, Inclusion, Equity, and Belonging Statement

I aspire to create a classroom strengthened by students who feel safe, heard, valued, and supported. Diversity is a source of strength, creativity, and innovation for UW-Madison. We value the contributions of each person and respect the profound ways their identity, culture, background, experience, status, abilities, and opinion enrich the university community. We commit ourselves to the pursuit of excellence in teaching, research, outreach, and diversity as inextricably linked goals. The University of Wisconsin-



Madison fulfills its public mission by creating a welcoming and inclusive community for people from every background – people who as students, faculty, and staff serve Wisconsin and the world.

Accommodations for Students with Disabilities Statement

I am committed to providing any accommodations that will enable you to thrive in our course, including but not limited to those requested through the McBurney Disability Resource Center. The University of Wisconsin-Madison supports the right of all enrolled students to a full and equal educational opportunity. The Americans with Disabilities Act (ADA), Wisconsin State Statute (36.12), and UW-Madison policy (Faculty Document 1071) require that students with disabilities be reasonably accommodated in instruction and campus life. Reasonable accommodations for students with disabilities is a shared faculty and student responsibility. Students are expected to inform faculty [me] of their need for instructional accommodations by the end of the third week of the semester, or as soon as possible after a disability has been incurred or recognized. Faculty [I], will work either directly with the student [you] or in coordination with the McBurney Center to identify and provide reasonable instructional accommodations. Disability information, including instructional accommodations as part of a student's educational record, is confidential and protected under FERPA. (See: McBurney Disability Resource Center).

Academic Integrity Statement

By virtue of enrollment, each student agrees to uphold the high academic standards of the University of Wisconsin-Madison; academic misconduct is behavior that negatively impacts the integrity of the institution. Cheating, fabrication, plagiarism, unauthorized collaboration, and helping others commit these previously listed acts are examples of misconduct which may result in disciplinary action. Examples of disciplinary action include, but is not limited to, failure on the assignment/course, written reprimand, disciplinary probation, suspension, or expulsion.

AI: Your primary goal in this class is to think. Reading, speaking/listening, and writing are forms of thinking. Use of AI—a tool that outsources thinking—is both anathema to the goals of the course and a violation of academic integrity. All lectures, assignments, feedback, and grades will be made without AI, and none of your work will be fed to tools that train AI. Ideas are social, so let's make them together.

Academic Calendar & Religious Observances

Establishment of the academic calendar for the University of Wisconsin-Madison falls within the authority of the faculty as set forth in Faculty Policies and Procedures. Construction of the academic calendar is subject to various rules and laws prescribed by the Board of Regents, the Faculty Senate, State of Wisconsin and the federal government. For additional dates and deadlines for students, see the Office of the Registrar's pages. Students are responsible for notifying instructors within the first two weeks of classes about any need for flexibility due to religious observances.

Course Evaluations

You will be provided with several opportunities to evaluate this course and your learning experience. Your participation is an integral component of this course, and your confidential feedback is important



to me. You will receive an official email two weeks prior to the end of the semester, notifying you that your course evaluation is available. In receive an official will receive a link to log into the course evaluation with your NetID. I strongly encourage you to participate in this anonymous course evaluation and will provide you with time in seminar to complete the evaluation.

ADDITIONAL RESOURCES:

Privacy of Student Records & the Use of Audio Recorded Lectures Statement:

Lecture materials and recordings for this course are protected intellectual property at UW-Madison. Students in courses may use the materials and recordings for their personal use related to participation in class. Students may also take notes solely for their personal use. If a lecture is not already recorded, students are not authorized to record lectures without permission unless they are considered by the university to be a qualified student with a disability who has an approved accommodation that includes recording. [Regent Policy Document 4-1] Students may not copy or have lecture materials and recordings outside of class, including posting on internet sites or selling to commercial entities, with the exception of sharing copies of personal notes as a notetaker through the McBurney Disability Resource Center. Students are otherwise prohibited from providing or selling their personal notes to anyone else or being paid for taking notes by any person or commercial firm without the instructor's express written permission. Unauthorized use of these copyrighted lecture materials and recordings constitutes copyright infringement and may be addressed under the university's policies, UWS Chapters 14 and 17, governing student academic and non-academic misconduct.

Teaching & Learning Data Transparency Statement:

The privacy and security of faculty, staff and students' personal information is a top priority for UW-Madison. The university carefully reviews and vets all campus-supported digital tools used to support teaching and learning, to help support success through [learning analytics](#), and to enable proctoring capabilities. View the university's full teaching and learning [data transparency statement](#).