The idea of universal, inalienable rights - once dismissed by the philosopher Jeremy Bentham as “nonsense upon stilts” - has become the dominant moral language of our time, the self-evident truth *par excellence* of our age. Human rights have become a source of inspiration to oppressed individuals and groups across the world, the rallying cry for a global civil society, and not least, a controversial source of legitimation for American foreign policy. This seminar asks: how did all this come to be? We will investigate human rights not only as theories embodied in texts, but as practices embedded in specific historical contexts. Are human rights the product of a peculiarly European heritage, of the Enlightenment and Protestantism? How did Americans reconcile inalienable rights with the reality of slavery? Did human rights serve as a “civilizing” mask for colonialism? Can universal rights be reconciled with genuine cultural diversity? Through case studies and close readings, the seminar will work toward a genealogy of human rights.

*Required Texts:*

The following books may be purchased at the Penn Book Center (34th and Sansom) and are also available at Rosengarten Reserve, on the ground floor of Van Pelt library:

- Lynn Hunt, *Inventing Human Rights*
- Michael Ignatieff, *Human Rights as Politics and Idolatry*
- Michael Ignatieff, ed., *American Exceptionalism and Human Rights* [available by October]
- Samantha Power, *A Problem from Hell: America and the Age of Genocide*
- Jack Rakove, ed., *Declaring Rights: A Brief History with Documents*
- Jeffrey Wasserstrom et al., eds., *Human Rights and Revolutions*
- Thomas Bender, ed., *The Antislavery Debate: Capitalism and Abolitionism As a Problem in Historical Interpretation*

*Written Assignments:*

For each week (beginning with Week 2), the syllabus provides questions designed to help students begin to think about and synthesize the readings. I will be supplementing the questions for certain
weeks via email. Over the course of the semester, each student will be responsible for composing two papers (up to 1000 words, double-spaced) analyzing a given week’s readings and for posting those papers on the course blackboard site no later than midnight on Tuesday. The posted papers are required reading for all members of the seminar prior to our meetings on Thursday. In addition, there will be a take-home final exam.

Grading:

Written work will count for one half of the final grade, participation in seminar discussion for the other.

Week 1. Sept. 10 Introduction

“Encyclopedia Brittanica”  
under “E-Resources” click “Encyclopedia Brittanica”  
in search box, type “human rights”  
click on third article (40 pages)
Ronald Dworkin, “What Are Human Rights?,” pp. 35-47 [coursepack]
Sophocles, Antigone, three short extracts [coursepack]
Friedrich Nietzsche, Preface to The Genealogy of Morality [coursepack]
Charles Taylor, Sources of the Self: The Making of the Modern Identity, pp.11-14 [coursepack]

Week 2. Sept. 17 Natural Law and Natural Rights

Leo Strauss, “Introduction,” in idem., Natural Right and History, pp.1-8 [coursepack]
The following excerpted documents from The Philosophy of Human Rights [coursepack]:
Aristotle, “Politics,” pp. 24-30
Thomas Hobbes, “Leviathan,” pp.57-70
Bartolomé de Las Casas, “In Defense of the Indians” [coursepack]
Brian Tierney, The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law, 1150-1625, pp. 1-9, 43-77, 272-87, 316-48 [coursepack]

QUESTIONS: What is natural law, and in what ways should it be seen as a precursor to the idea of human rights? In what ways is it radically different? What notions of human dignity and/or human nature inform the various primary source texts in this week’s readings? Why, according to Strauss, is there a tension between “natural right” and “history”?
Week 3. Sept. 24   Early Modern Crucibles: The Anglo-American Revolutions

Jack Rakove, ed., Declaring Rights: A Brief History with Documents, pp.1-54, 85-114, 132-83, 191-98; see also the helpful chronology on pp.199-202 and the questions on p.203

QUESTIONS: As we move from 17th-century England to 18th-century America, what changes in the way people talk about rights? What, according to Hunt, is “paradoxical” about the role of revolutionary upheavals in the history of rights?

Week 4. Oct. 1   Early Modern Crucibles: The French Revolution

Lynn Hunt, Inventing Human Rights, pp. 15-175

QUESTIONS: How do you explain the “cascading” of rights during the French Revolution?

Week 5. Oct. 8   Responses to Revolutionary Rights

Jeremy Waldron, ed., ‘Nonsense Upon Stilts’: Bentham, Burke, and Marx on the Rights of Man, pp. 29-150 [coursepack]. Give especially close attention to the three primary sources:
    Jeremy Bentham, “Anarchical Fallacies,” pp. 46-76
    Edmund Burke, “Reflections on the Revolution in France,” pp. 96-118

QUESTIONS: What were the main contemporary criticisms of the idea of rights as articulated in the Declaration of the Rights of Man and the Citizen?
Week 6.  Oct. 15  Slavery and Abolitionism

Thomas Bender, ed., The Antislavery Debate: Capitalism and Abolitionism As a Problem in Historical Interpretation, pp.1-237 (remaining pages optional)

QUESTIONS: What is it about capitalism, according to Haskell, that changes the way people think about moral relationships? What are the strengths and weaknesses of his argument?

Week 7.  Oct. 22  Social Rights: Toward Socialism?

Review: Marx, “On the Jewish Question” [see Week 5]
Friedrich Engels, excerpt from “Anti-Dühring” [coursepack]
Gaston Rimlinger, “Capitalism and Human Rights,” Daedalus 112 (Fall 1983), pp. 51-79 [coursepack]
Leon Trotsky, excerpt from “Their Morals and Ours” [coursepack]
Excerpts from the Soviet constitutions of 1918 and 1936 [coursepack]

QUESTIONS: In what ways does Rimlinger’s analysis of capitalism and human rights differ from Haskell’s? Does the Soviet Union’s vision of rights represent the logical extension of the rights articulated in the 18th-century revolutions?


Hunt, Inventing Human Rights, pp. 176-214, 223-29 (text of UDHR)
Malcolm X, excerpt from “The Ballot or the Bullet,” in Malcolm X Speaks, pp.34-35 [coursepack]
QUESTIONS: Did the 1948 UDHR fulfill the 18th-century rights tradition, or does it represent a revolutionary break with that tradition, a “rights revolution”? What are the key similarities and differences between the text of the UDHR and the rights-documents from the American and French Revolutions?

Week 9. Nov. 5  “Crimes against Humanity” and the Problem of Enforcement

Samantha Power, *A Problem from Hell: America and the Age of Genocide*, preface, pp.1-327, 475-516
United States Declaration of War on Spain (1898), in Laqueur and Rubin, eds., *The Human Rights Reader*, p.146 [coursepack]
David Rieff, “A New Age of Liberal Imperialism?,” in *Human Rights and Revolutions*, pp. 177-90 [1st edition only; see coursepack]

QUESTIONS: Why has it proved so difficult to enforce the most basic human right of all, the right to life? Should states make it their business to intervene against other states in matters of human rights?

Week 10. Nov. 12  Globalization and Human Rights, Part 1: China


QUESTIONS: One scholar of human rights has written, “Human rights has gone global by going local, imbedding itself in the soil of cultures and worldviews independent of the West, in order to sustain ordinary people’s struggles against unjust states and oppressive social practices.” In what ways does Svensson’s book support or cast doubt on this claim? How persuasive are the various attempts to “indigenize” the idea of human rights in China? With respect to human rights, is globalization just a euphemism for Westernization?

Week 11. Nov. 19  Globalization and Human Rights, Part 2: The United States

Michael Ignatieff, ed., *American Exceptionalism and Human Rights* (selections TBA)
QUESTIONS: TBA

Week 12. Nov. 26  
THANKSGIVING BREAK

Week 13. Dec. 3  
Looking Back

Samuel Moyn, *The Last Utopia: A Recent History of Human Rights* [forthcoming; available as pdf file]

QUESTIONS: Why does Moyn insist that human rights are a very recent phenomenon? Why does this claim matter? How does his book change the way you think about the material we have covered in this course? How does Haskell account for the ubiquity of “rights talk” in an era of moral relativism?

Week 14. Dec. 10  
Looking Forward

Michael Ignatieff, *Human Rights as Politics and Idolatry*, pp. 3-95

QUESTIONS: What, according to Ignatieff, is “political” and “idolatrous” about human rights? What does it mean to cast (as Ignatieff does) the idea of universal, timeless rights as a form of “idolatry”? Why, in their various ways, do Ignatieff and Rorty call for a non-absolutist, non-transcendent version of human rights, grounded not in human nature but in human history? What factors contributed to this approach? What are its advantages and disadvantages for the practical fulfillment of human rights norms? Can Rorty’s call for a non-universal, non-foundational notion of human rights ever achieve moral authority? Does Singer’s argument for extending rights to animals weaken or strengthen rights for human beings?

*** Take-home final exam handed out in class - due by noon on Thursday Dec. 17 ***
The following human rights webpages may be of interest:

University of Minnesota Human Rights Library:  http://www1.umn.edu/humanrts  Has many links to human rights organizations


Amnesty International: http://www.amnesty.org/

Human Rights Watch: http://www.hrw.org/

Human Rights First (formerly the Lawyers Committee on Human Rights): http://www.humanrightsfirst.org/

United States Department of State, Bureau of Democracy, Human Rights, and Labor, including access to State Department Country Reports: http://www.state.gov/g/drl/hr/

Foreign Policy magazine's list of internet links on international affairs, including human rights: http://www.foreignpolicy.com/resources/links.php

Human Rights Internet:  http://www.hri.ca/index.aspx

Center for the Study of Ethics and Public Policy at the Graduate Theological Union, resources on Religion and Human Rights: http://www.geocities.com/r_traer/index.htm