

HIST/HR 2702: Liberty, National, International Human Rights

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The history of 'human rights' can formally be said to have come into existence only with the U.N. Declaration of Human Rights in 1948 and the successor conventions that ultimately formed the International Bill of Human Rights. Both the declaration and its later instantiations were created in reaction to the problems of genocide and mass population transfers (and consequent loss of citizenship) during the Second World War. This course will begin by examining the fatal gaps in the previous system of nationally instantiated "universal" rights as they were initially developed in Europe and selectively applied to or adopted by its colonies. Beginning with the pursuit of liberties in peasant communes and early modern law, we will examine the creation of national rights from the treaty of Westphalia through the British, American, and French revolutions, and the relation of these rights to colonial administration. The post-war institutions of human rights provided a new justification for a universal and 'open' standard of laws and fealty (often compared to imperial Rome) and ultimately provided new legitimation for the selective intervention of stronger powers in the affairs of weaker political or legal entities. By focusing on case studies, particularly those from the contrasting cases of the European Union and United States, the relation of human rights to hegemonic power will be examined in detail. The course will also examine the relation of politics to the infrastructures that made both widespread human rights infractions and their curtailment possible. The role of media (telegraph, radio, etc.), systems of organization (passports, criminal archives) and police (secret police, international monitors) will be considered as modern transnational phenomenon that are intimately connected with the development and fate of enforcing human rights norms. The final section of the course will look at the role of international NGO's in both monitoring human rights and criticizing the state of existing human rights law, particularly in their criticism of human rights as a product of a particular north Atlantic perspective and set of biases. Class size: 22