History of Human Rights

- What is «History of»?

- Chronology of Events: from the oldest traces of a phenomenon to the present form of it (Cf Ishay)

- Archaeology of a Truth: understanding the 'causes' of an event or the 'growth' of a phenomen (Cf Hunt)
  - Discourse analysis: the 'truth' about a phenomenon, as shaped by a combination of power and knowledge (Foucault)

History of Human Rights

Cmiel's review of recent research:

- the rapid growth of HR: agendas & level of activism (political roles)
  - expansive and restrictive perspectives on following its spread
- "rights talk": a history of social justice or a history of human rights?
- its roots in moral philosophy (its intellectual history)
- clusters
  - of categories and chronologies (rights generations, linking civil and political)
  - of themes (individual—group, sovereignty—globalisation, universalism—relativism)
  - of events (phases of implementation)
- histories of particular rights; history of HR in different countries
- 3 sensibilities (perspectives)
  - "it's getting better"
  - "paradoxes"
  - "very slim results"

History of Human Rights

Cmiel (continued):

- History of human rights activism
    - 1800s: abolitionists, suffragettes, minorities
    - 1940s: birth of UN and UDHR
    - 1970s: democratic rights, entry into force of conventions, HR as 'last utopia', birth of NGOs,
    - 1990s: fusion with development, HR 'horizon' of the nation-state and basis of 'international community'

- Perspectives or 'sensibilities':
    - There has been a 'rights revolution'
    - HR a paradox: they are as unfulfilled as they are omnipresent
    - The history of HR is the history of human brutality: genocide

History of Human Rights

Ishay, ch 2: Human Rights and the Enlightenment:

The history of European Ascendancy

The history of Modern Europe

The Enlightenment: origins of a liberal worldview and a liberal order

- From revealed knowledge to science and reason: Freedom of religion and opinion
- From feudal authoritarianism to popular sovereignty: expansion of equality and voting rights (from subjects/vassals to citizens)
- From monopolistic (priviledge-based) economy to mercantilism and capitalism: property rights, free markets

History of Human Rights

Ishay, ch 2: Human Rights and the Enlightenment

History of Modern Europe: Westphalian order, result of the assault on King and Church and technological change (cf: Carpentier: the enlightenment as an explosion in the cathedral)
- European expansion: 'the great discoveries'
- English revolution: Constitutional Monarchy
- Religious wars, peace of Westphalia (1648): each state its own religion
- American revolution: Independent republic
- French revolution: Equality, popular sovereignty

Themes that drive the growth of the substance of human rights
- Abolition of torture and the death penalty
- Theories of just war and civilised warfare
- Expansion of voting rights/the right to property (not to be confiscated at will)
- Alertness to social conditions
- Non-discrimination and Women's rights
- Abolition of slavery

History of Human Rights

Hunt (overview)

- Investigating the intellectual and emotional roots of its present uses

- Definitions: (1) the natural, inalienable, sacred rights of human beings and (2) the foundation of all government

- Premises: (1) equality and (2) democracy (popular sovereignty)

- How did these axioms become self-evident in «an unlikely place»?

History of Human Rights

Hunt (overview)

- The anchoring (the naturalisation) of HR is a combination of emotional and moral-based conviction(she investigating the logic and the emotional roots of its present uses

- Premises
  - the individual self has capacity of moral judgement
  - bodily integrity and empathy: seeing others as exemplars of yourself
  - capacity to create an ordered community

- The community as a sovereign (a demos)

History of Human Rights

Hunt (ch 3: a great example)

- discussion of the significance of a statement about:
  - the nature of human beings (the Enlightenment)
  - transfer of sovereignty (the «Atlantic revolution», beheading the King)

- the tracing of the circulation and popularisation of these thoughts

- 2 versions of rights language:
  - universal, «natural», rights
  - rights of «us»; vs. the King, vs. the other

History of Human Rights

Hunt (ch 3: a great example)

- the inclusion of the other:

    – propertyless («men without property have no judgement of their own»)
    – protestants
    – negroes and jews
    – slaves
    – women («no end of it»)

History of Human Rights

(from Hunt)

- «… the rights of men follow only from the fact that they are feeling beings, capable of acquiring moral ideas and reasoning about these ideas.»

  (Marquis de Condorcet, «On the Admission of Women to the Rights of Citizenship», july 1790.)