

## Course title: Intellectual History of Human Rights

**Teacher: Dr. Thierry Leterre**  
**Semester: 1**  
**Hours : 18**  
**ECTS : 5**  
**Language : English**

### Course description

The history of human rights is a complex entanglement of political aspirations, juridical constraints, and ethical demands. Rooted in a rich past and in an even richer present, human rights are nonetheless challenged in many ways, which raises the question of their future.

The purpose of the course is to shed light on the diversity of contemporary understandings of human rights by revisiting different sources pertaining to the development of human rights ideas.

This will be achieved through the study of classical texts such as the Magna Carta, the Declaration of the rights of man and citizen, or the universal declaration of human rights. More original sources such as the “Declaration of independence” of the low countries, the Seneca Falls “declaration of sentiments”, or the current constitution of Ivory Coast will be also reviewed to show how diverse and rich human rights are.

The methodology for this course will be the one of “intellectual” or “conceptual” history of politics, a seminal methodology for exploring political ideas.

### Objectives

Students will:

1. Master the methodology of “intellectual history”.
2. Identify key moments in the history of human rights contributing to the multiplicity in contemporary understanding and practice.
3. Comprehend human rights as political tools in political struggles for domination, fight against oppression as well as defining ethical standards for life in society.

### Course outline

1. Presentation of the semester
  - a. Review of the syllabus
  - b. What is the intellectual history of politics?

2. Fundamental questions & Origins
  - a. Human rights, rights of man, universal rights, humanitarianism?
  - b. Three dimensions: a history of Parliamentarism, of Revolution, and of modern legal standards.
  - c. Magna Carta or 18<sup>th</sup> century Revolutions?
  - d. French or American Revolutions?
  - e. Universal or Western ideologies?
  
3. Human rights and the dawn of modern politics
  - a. How do medieval quarrels pertain to modernity?
  - b. The Act of Abjuration
  - c. The 1689 Bill of Rights
  
4. The US Case: from revolution to juridicization
  - a. The declaration of independence
  - b. The Bill of Rights
  - c. Marbury v. Madison
  
5. The French Revolution
  - a. 1789
  - b. 1793
  - c. 1795
  
6. The place of women in a masculine history
  - a. Mary Wollstonecraft's *Vindication of the Rights of Woman*
  - b. Olympe de Gouges' Declaration of the rights of women and female citizens
  - c. Seneca Falls
  - d. From vindicating rights to fighting discrimination
  
7. The social history of human rights
  - a. France, 1848: the right to employment
  - b. US. 1944: Roosevelt's Second Bill of Rights
  - c. World 1948
  
8. From Universality to Humanitarianism
  - a. The United Nations Declaration
  - b. The Biafra Crisis
  - c. From Human Rights to Humane Rights
  
9. Critique of Human Rights
  - a. The critique of individualism
  - b. The critique of universalism
  - c. The critique of entitlement
  - d. The critique of juridicization

## Assessment

Students will write a research paper.

- 6000 words (10% margin, word count must be included in the paper), not counting bibliography but including footnotes.
- Footnotes only, no endnotes.



- Bibliography.
  - Please use the following bibliography styles: Modern Humanities Association 3<sup>rd</sup> edition, note with bibliography or Chicago Manual of style 17<sup>th</sup> edition, note<sup>1</sup>.
  - A minimum of 15 titles is required, of which at least 5 must not be on the syllabus. These 5 titles (or more) are to be put in bold.
- Introduction, titles for parts, and conclusions must be present and clearly identified.
- A research question and a claim must be clearly identified in the introduction.
- Choose one of the following topics:
  1. The preamble of the Constitution of Cameroon in the intellectual history of Human Rights.
  2. Human rights, humane rights.

## Bibliography

This Bibliography is organized per slot. References noted with a “double dagger” (‡) are mandatory readings. An asterisk (\*) indicates that the reference is accessible in full text via Jstor (caveat: it may depend on institutional subscription).

For those who read French, the relatively recent book by Neri, Kiara, *Histoire des droits de l’homme de l’antiquité à l’époque moderne* (Bruxelles: Bruylant, 2015) is a stimulating source.

### Slot 1:

Nations, United, ‘Universal Declaration of Human Rights’, *United Nations* (United Nations)

<<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> ‡

Cranston, Maurice, ‘Are There Any Human Rights?’, *Daedalus*, 112.4 (1983), 1–17 \* ‡

Moyn, Samuel, ‘The First Historian of Human Rights’, *The American Historical Review*, 116.1 (2011), 58–79\*

Bartelson, Jens, *A Genealogy of Sovereignty*, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 1995), Cambridge Core.

### Slot 2:

The National Archives, ‘Magna Carta, 1215’, *The National Archives* (The National Archives)

<<https://www.nationalarchives.gov.uk/education/resources/magna-carta/british-library-magna-carta-1215-runnymede/>> ‡

‘Clauses and Content’, *The British Library* (The British Library) <<https://www.bl.uk/magna-carta/themes/clauses-and-content>>

### Slot 3:

‘Act of Abjuration 1581 Dutch Declaration Independence’ <[https://www.age-of-the-sage.org/history/dutch\\_independence\\_1581.html](https://www.age-of-the-sage.org/history/dutch_independence_1581.html)> ‡

English Parliament, ‘Bill of Rights [1688]’ (Statute Law Database)

<<https://www.legislation.gov.uk/aep/WillandMarSess2/1/2/introduction#commentary-c2144673>> ‡

### Slot 4:

‘Declaration of Independence: A Transcription’, *National Archives*, 2015 <<https://www.archives.gov/founding-docs/declaration-transcript>> ‡

‘1791: US Bill of Rights (1st 10 Amendments) - with Commentary | Online Library of Liberty’

<<https://oll.libertyfund.org/page/1791-us-bill-of-rights-1st-10-amendments-with-commentary>> ‡

<sup>1</sup> If you do not use a paying reference software (endnote, refworks etc.), you should consider Zotero, which is free with limited space. Please see: [www.zotero.org](http://www.zotero.org) and: Center for History and New Media, “Zotero Quick Start Guide.”



Rose, Winfield H., 'Further Thoughts on "Marbury v. Madison"', *PS: Political Science and Politics*, 37.3 (2004), 391–95\*

Pollak, Louis H., 'Marbury v. Madison: What Did John Marshall Decide and Why?', *Proceedings of the American Philosophical Society*, 148.1 (2004), 1–13<sup>‡</sup>\*

**Slot 5:**

'The Declaration of the Rights of Man and of the Citizen', *Elysee.Fr* <<https://www.elysee.fr/en/french-presidency/the-declaration-of-the-rights-of-man-and-of-the-citizen>><sup>‡</sup>

'Declaration Rights of Man 1793' <<http://www.columbia.edu/~iw6/docs/dec1793.html>><sup>‡</sup>

'Declaration of Rights and Duties of Man and Citizen, Constitution of the Year III (1795)' · <<https://revolution.chnm.org/d/298>><sup>‡</sup>

**Slot 6:**

Cady Stanton, Elisabeth, 'Declaration of Sentiments and Resolutions: Seneca Falls, New York, 1848' (San José State University) <<https://www.sjsu.edu/people/cynthia.rostankowski/courses/HUM2BS14/s0/Womens-Rights.pdf>><sup>‡</sup>

Warman, Caroline, ed., 'Olympe de Gouges (1748-1793), Declaration of the Rights of Woman and the Female Citizen, 1791', in *Tolerance, The Beacon of the Enlightenment*, 1st edn (Open Book Publishers, 2016), III, 49–51<sup>‡</sup>

Wollstonecraft, Mary, *A Vindication of the Rights of Woman With Strictures on Political and Moral Subjects*, 2002 <<https://www.gutenberg.org/ebooks/3420>><sup>‡</sup>

**Slot 7:**

Assembly, French National, 'Constitution of the French Republic', Wikisource<sup>‡</sup>

Roosevelt, Franklin Delano, 'State of the Union Message to Congress January 11, 1944' (FDR Library) <[http://www.fdrlibrary.marist.edu/archives/address\\_text.html](http://www.fdrlibrary.marist.edu/archives/address_text.html)><sup>‡</sup>

**Slot 8:**

Blau, Judith, Alberto Moncada, and Albert Moncada, 'It Ought to Be a Crime: Criminalizing Human Rights Violations', *Sociological Forum*, 22.3 (2007), 364–71\*

Leebaw, Bronwyn, 'The Politics of Impartial Activism: Humanitarianism and Human Rights', *Perspectives on Politics*, 5.2 (2007), 223–39<sup>‡</sup>\*

Terretta, Meredith, 'From Below and to the Left? Human Rights and Liberation Politics in Africa's Postcolonial Age', *Journal of World History*, 24.2 (2013), 389–416\*

**Slot 9:**

'African Commission on Human and Peoples' Rights Legal instruments'

<<https://www.achpr.org/legalinstruments/detail?id=49>> <sup>‡</sup>

Alexander, A. S., 'The Ivory Coast Constitution: An Accelerator, Not a Brake', *The Journal of Modern African Studies*, 1.3 (1963), 293–311

constitutionnet, tran., 'Constitution of Ivory Coast' (Constitutionnet) <<https://constitutionnet.org/>><sup>‡</sup>

