

On the Origins of Human Rights

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Abstract: This article reviews Pamela Slotte's and Miia Halme-Tuomisaari's edited volume *Revisiting the Origins of Human Rights*, treating it as an opportunity to reconsider theories about the history and origins of human rights thought and practice. It argues that the re-origination of human rights thought and practice in the context of contemporary realities should be prioritised over attempts to historicise human rights discourse, drawing on the work of philosopher and cultural theorist Walter Benjamin to advance this argument.

Introduction

This article considers contemporary thinking about the origins of human rights, focussing on Pamela Slotte's and Miia Halme-Tuomisaari's 2015 edited volume *Revisiting the Origins of Human Rights* (references in this article are to the 2018 paperback edition).¹ Despite its title the book says relatively little about what origins are or how they might be theorised within human rights discourse. Across chapters covering topics ranging from human rights in antiquity,² the revolutionary potential of human rights,³ Italian nineteenth-century rights theorist Giuseppe Mazzini,⁴ and human rights and the peace movement,⁵ to the American approach to human rights during the Cold War,⁶ the book focuses more on particular moments in human rights' history than on how the origins of human rights are or might be conceptualised.

Taking the relative lack of focus on origins in a book that is ostensibly about the origins of human rights as its starting point, this article is a review of Slotte's and Halme-Tuomisaari's book and an attempt to go beyond that book's limited engagement with origins. It seeks to say something about what is at stake in thinking about the origins of human rights and to argue for a particular approach to the origins of human rights – an approach that has, I suggest, the potential to re-originate human rights thinking and practice.

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¹ P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]).

² J. Giltaij and K. Tuori, "Human Rights in Antiquity? Revisiting anachronism and Roman law", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 39.

³ L. Hunt, "Revolutionary rights", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 105.

⁴ S. Moyn, "Giuseppe Mazzini in (and beyond) the history of human rights", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 119.

⁵ M. Ceadel, "The peace movement and human rights", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 189.

⁶ O. Barsalou, "The Cold War and the rise of an American conception of human rights, 1945-8", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 362.

Origins / Structure

In this section I consider the book's indirect engagement with the origins of human rights, revealing the under-articulated concept of origins at its core. In the next section I trace this under-articulated concept across the book's chapters.

Conceptualising origins in terms of a point of origin, Slotte and Halme-Tuomisaari ask "[w]here ... the history of human rights begin[s]" and whether there is "such a distinguishable entity as 'the history of human rights'" in the introductory chapter.⁷ They present "th[eir] book [as] conceptualiz[ing] human rights as open-ended and ambiguous ... formed around an ideal of the universal human being as free and equal in particular,"⁸ glossing over the homogenizing effects of the idea that there is such a person as "the universal human being."

In the book's foreword Martti Koskenniemi suggests its "ambition" is to "attain a more realistic image of the role rights have as aspects of political speech" by "connecting rights-vocabularies with past efforts to gain, exercise or challenge power."⁹ Whilst there is, of course, a concern "to situate past events or utterances in their 'context' so as to avoid the accusation of anachronism,"¹⁰ Koskenniemi maintains that "[t]he past is a construction, informed by present concerns."¹¹ This focus on "present concerns" connects with Slotte's and Halme-Tuomisaari's question of "[w]here ... the history of human rights begin[s],"¹² and with their "view of history ... [as something with an] open-ended and polyvalent nature."¹³

There is a tension in this concern with origins and the simultaneous insistence on history's polyvalence. This tension says something important about human rights theory and scholarship, with a significance that extends beyond Slotte's and Halme-Tuomisaari's book. They approach human rights "as forming a language, a vocabulary ... a discourse."¹⁴ That approach translates into a view of human rights as "an endless semantic battlefield upon which participants argue over the meaning of key concepts,"¹⁵ in opposition to what Slotte and Halme-Tuomisaari label "the textbook narrative":¹⁶

[A] hagiographic tale ... of the past as unilinear progress and global improvement in which humanity is on a steady march away from superstition, cultural fanaticism and irrationality towards secularization, rationality and modernity ... [culminating in] the eventual dawn of the 'age of rights'.¹⁷

Opposing ideas of "unilinear progress," Slotte and Halme-Tuomisaari emphasise "the concept of the human as an autonomous individual,"¹⁸ outlining an understanding of human rights built around "entitlements," "relationships" between individuals and collectives, and "the notion of freedom and the

⁷ P. Slotte and M. Halme-Tuomisaari, "Revisiting the origins of human rights: Introduction", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 1.

⁸ Ibid.

⁹ M. Koskenniemi, "Foreword: history of human rights as political intervention in the present", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) ix, xv.

¹⁰ Ibid xv.

¹¹ Ibid.

¹² See text at n 7.

¹³ Slotte and Halme-Tuomisaari, "Introduction" (n 7) 23.

¹⁴ Ibid 22.

¹⁵ Ibid.

¹⁶ Ibid 2-5, 10-16.

¹⁷ Ibid 6.

¹⁸ Ibid 23.

equal worth of all.”¹⁹ The limited sense in which their perspective is “open-ended” and “polyvalent” becomes clear in their insistence that it is legitimate to “[include] in this volume only chapters discussing actors and events within the Euro/Anglo-American world” because “the Euro/Anglo-American world ... is the relevant context for the actors who have genuinely been influential as actors in themselves in [human rights’] history.”²⁰ Except for the further claim that “the contemporary human rights *phenomenon*[’s] ... conceptual, ideological and institutional background simply comes forth as being connected to this distinct geographic and cultural region,”²¹ no real justification for this Euro-American bias is offered.²²

Towards the end of their introductory chapter Slotte and Halme-Tuomisaari conclude that “distinct parts of what we have come to know as forming the ‘history of human rights’ from the textbook narrative are indeed a story, a myth.”²³ Appearing to suggest the formation of some new, alternative myth, they conclude that “these chapters do end up putting forwarding [sic] a view ... that there is ‘something out there’ too; moments of uncanny familiarity which later appear as receiving confirmation over their justified role as parties to this story.”²⁴ Rejecting any suggestion of “a starting year where we set the history of human rights to commence,”²⁵ they suggest that human rights discourse is held together by a “delicate unity” or “shared conceptual diversity.”²⁶ The reader might reasonably conclude that Slotte and Halme-Tuomisaari are not opposed to human rights myths *per se*, only to the particular myth of the “textbook narrative.”

Something of this desire to disrupt orthodoxy whilst maintaining a loose or “delicate unity” in human rights discourse – to bust a particular myth without abandoning myth *per se* – comes through in Conor Gearty’s afterword. Because “the field of human rights today is finding its contrived absolutism unsustainable in the face of the challenges of everyday life,”²⁷ it “must [, apparently,] dive deep into [its] foundations, the idea’s relationship with law – and inevitably ... into [its] history” in order “[t]o survive.”²⁸ Gearty, like Slotte and Halme-Tuomisaari, is in favour of open-endedness and polyvalence, but only up to a point. Expressing agreement with Lynn Hunt’s insistence that “human rights can never be one fixed thing, whether by declaration, bill of rights or other itemization,”²⁹ he adds the caveat that “there is surely this irreducible minima of equality and of personal engagement with building a life

¹⁹ Ibid 23-24.

²⁰ Ibid 32 (emphasis in original).

²¹ Ibid (emphasis in original).

²² On this Euro-American or Western bias see B. Rajagopal, *International Law From Below: Development, Social Movements and Third World Resistance* (Cambridge: CUP, 2003), chapter 7 in particular (“Human rights and the Third World: constituting the discourse of resistance”). For a powerful corrective to Euro-American bias see M. Terretta, “From Below and to the Left?: Human Rights and Liberation Politics in Africa’s Postcolonial Age” (2013) 24 *Journal of World History* 389; M. Terretta, “‘We Had Been Fooled into Thinking that the UN Watches over the Entire World’: Human Rights, UN Trust Territories, and Africa’s Decolonization” (2012) 34 *Human Rights Quarterly* 329. For a broad perspective on issues of Eurocentrism see D. Otto, “Subalternity And International Law: The Problems of Global Community and the Incommensurability of Difference” (1996) 5 *Social and Legal Studies* 337.

²³ Slotte and Halme-Tuomisaari, “Introduction” (n 7) 35.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ C. Gearty, “Afterword”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 381, 382.

²⁸ Ibid.

²⁹ Hunt (n 3) 118, quoted by Gearty (n 27) at 384.

without which we are not really speaking of human rights – whatever the language we are using.”³⁰ There is, *we* seem to be told, “something out there.”³¹

Gearty’s concern with what “we” are speaking about echoes his existential anxieties about the sustainability of human rights given “the challenges of everyday life.”³² These anxieties underpin his insistence that “[i]ndeterminacy can only go so far . . . [because i]t is dangerous to lose not only our subject’s exact verbal descriptor but its core minima as well.”³³ Gearty seems concerned about the coherence or, in Slotte’s and Halme-Tuomisaari’s terms, the “delicate unity” of human rights; about the durability of “we” and “our,” about ownership. “We” should, apparently, manage these concerns by looking to present reality’s historic origins:

Human rights must challenge power or be subverted by it, rendered toothless by success or achieve a deeper kind of prosperity by standing outside realms of power holding society to account. To do this effectively, it must first look itself in the mirror, and in doing so gaze past today’s reflected image to the hinterland out of which that shape has emerged. That is what this book has endeavoured to do.³⁴

Whilst the book, as presented by Slotte and Halme-Tuomisaari, Koskeniemi and Gearty, engages only indirectly with origins, it advances a latent, sub-textual theory of origins that comes to the surface in Gearty’s notion of “hinterland.” The vagueness of this “hinterland” concept of origins is reflected in Slotte’s and Halme-Tuomisaari’s ambivalence between open-endedness and polyvalence, on the one hand, and the conviction that there is ““something out there””³⁵ – some basic core, involving individuality, freedom and equality, that defines human rights.³⁶

The book seems grounded in the conviction that a vague sense of origins is necessary to sustain a tolerable level of coherence in human rights discourse. The origins of human rights may be nothing more than a myth but that is good enough if the objective is to use a concept of origins as a mythical “hinterland” that sustains a “delicate unity” within the discourse.³⁷ Mythical, “hinterland”-type origins cannot be used to identify a specific point of origin for human rights but, if the goal is a tolerable level of discursive coherence, that is not – so the argument goes – necessary.

Notwithstanding its title (*Revisiting the Origins of Human Rights*), then, the book is concerned with origins only in a second-order sense. Maintaining relative coherence in human rights discourse, balancing open-endedness and polyvalence with some sense of the discourse’s boundaries,³⁸ is the book’s primary concern. For Slotte and Halme-Tuomisaari origins are a means to an end – that end being relative coherence in human rights discourse – rather than an end in themselves.

Consistent with this ‘means-ends’, ‘second order’ concern with origins, the book’s concept of origins as “hinterland” needs to be seen as structural in nature. This structural concept of origins as “hinterland” makes it possible to draw boundaries around the discourse:

³⁰ Gearty (n 27) 384.

³¹ See quotation from Slotte and Halme-Tuomisaari at n 24.

³² See Gearty quotation at n 27.

³³ Gearty (n 27) 385.

³⁴ Ibid 388.

³⁵ See quotation at n 24.

³⁶ See text (including quotations from Slotte and Halme-Tuomisaari) at n 18 and n 19.

³⁷ “delicate unity” – see quotation from Slotte and Halme-Tuomisaari at n 26.

³⁸ On open-endedness and polyvalence see quotations at n 8 and n 13.

Without a litmus test for distinguishing between ‘authentic’ from merely supposed rights . . . there is no limit to the kinds of policy that may be translated into the language of rights. What gets included or excluded in this way reflects the dependency of the process of narration on a choice of a relevant conceptual and ideological frame, a choice informed by no (‘ultimate’) structure beyond the narrator’s inherited aesthetic-political bias. This is why narrations of human rights often illuminate the present at least as much as they inform us about the past.³⁹

The aim, here, is to distinguish the inside from the outside, as opposed to specifying the content of human rights discourse – hence Koskenniemi’s disavowal of any “(‘ultimate’) structure,” and Slotte and Halme-Tuomisaari’s rejection of “a starting year where we set the history of human rights to commence.”⁴⁰ Gearty captures the looseness of the book’s approach to structure, noting that “[t]he power of the language of human rights has been its ability . . . to provide a formula around which both the givers and the takers can coalesce.”⁴¹ This sense of human rights as a relatively contentless “formula” reflects Martti Koskenniemi’s account of international law’s ontology:

In the absence of agreement over, or knowledge of, the ‘true’ objectives of political community – that is to say, in an agnostic world – the pure form of international law provides the shared surface – the *only* such surface – on which political adversaries recognize each other as such and pursue their adversity in terms of something shared, instead of seeking to attain full exclusion – ‘outlawry’ – of the other. In this sense, international law’s value and its misery lie in its being the fragile surface of political community among social agents – States, other communities, individuals – who disagree about their preferences but do this within a structure that invites them to argue in terms of an assumed universality.⁴²

Koskenniemi recognises the complexity and challenges of contemporary world affairs (“an agnostic world”) but expresses faith in international law as a moderating, pacifying influence (“the shared surface”). Consistent with that faith, in his landmark book, *The Gentle Civilizer of Nations*, Koskenniemi calls for a “culture of formalism” on the basis of an historical account stretching from 1870 to 1960.⁴³ This “culture” is founded on a commitment to legal texts and norms,⁴⁴ insists on the value of “a practice that builds on formal arguments that are available to all under conditions of equality,”⁴⁵ and maintains that “absent the possibility of building social life on unmediated love or universal reason, persuading people to bracket their own sensibilities and learn openness for others, is not worthless.”⁴⁶ This sense of international law as a “pure form” connects with Slotte and Halme-Tuomisaari’s suggestion that there is “something out there” – some minimal yet necessary core in human rights discourse, an essential if loosely defined form – and with Gearty’s notion of origins as

³⁹ Koskenniemi, “Foreword” (n 9) xviii. First sentence of quotation (from “Without a litmus test” to “the language of rights”) quoted with approval by Gearty (n 27) at 387-388.

⁴⁰ Slotte and Halme-Tuomisaari, “Introduction” (n 7) 35 (also quoted at n 25).

⁴¹ Gearty (n 27) 387.

⁴² M. Koskenniemi, “What is International Law For?”, in M. D. Evans (ed.), *International Law* (Oxford: OUP, 2018, 5th edn.) 28, 46-47 (emphasis in original).

⁴³ M. Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* (Cambridge: CUP, 2001), 494-509.

⁴⁴ See *ibid* 497-501, concerning a May 1966 debate between Professors A.J. Thomas, Adolf Berle and Wolfgang Friedmann which Koskenniemi uses to illustrate the value of the “culture of formalism.” For analysis of the “culture of formalism” and this May 1966 debate see M. Nicholson, “Psychoanalyzing International Law(yers)” (2017) 18(3) *German Law Journal* 441, at 470-475.

⁴⁵ *Ibid* 501.

⁴⁶ *Ibid* 502.

“hinterland.”⁴⁷ These positions are structural *and* anti-substantive, focussing not on the necessary content of the law but on the necessity of a form or structure that offers a degree of stability and durability.

Samuel Moyn – a contributor to Slotte’s and Halme-Tuomisaari’s book – critiques this formalism, arguing that *Gentle Civilizer*’s “internalism” – that is, its study of international law through the work of past international lawyers such as Hersch Lauterpacht and Hans Kelsen – “made difficult the evaluation of the political uses of – and especially the political alternatives to – international law, especially for progressive causes.”⁴⁸ For Moyn Koskeniemi’s “neo-formalism proved historiographically, as well as politically misleading . . . because his version of historiography failed to situate international law within a larger set of actual and possible modes of politics.”⁴⁹ Focussing on post-9/11 realities and the USA’s willingness to reject international legal constraint in its “war on terror,” Moyn notes that Koskeniemi “had set out before 9/11 occurred to revive formalism for the left rather than a version of the critical legal studies more sceptical about form and more open to its political uses.”⁵⁰ For Moyn, in the post-9/11 world “international law is our most attractive option for thinking about a better world” only because “superior and more transformative alternatives [are] unavailable for the time being.”⁵¹

Moyn suggests that Koskeniemi has a relatively superficial interest in international law’s origins, observing that “if one concludes that the turn to history is properly motivated by the desire to put the present in perspective and achieve critical purchase on it, the ‘origins’ debate simply doesn’t get very far.”⁵² My argument is that Slotte and Halme-Tuomisaari are as dis-interested in the origins of human rights as Koskeniemi is, on Moyn’s analysis, in the origins of international law. Maintaining or stabilising the structure of present-day discourse is the real concern for both.

This leads to an idea of history as a means of – as Moyn puts it – “put[ting] the present in perspective,” and the notion of origins as “hinterland.” Such structuralist thinking aims to stabilise the historic discourse, and it is vital if the aim is to maintain a discourse or practice in its existing, inherited form. But if the goal is to connect a discourse or practice with contemporary realities such thinking is essentially useless, precisely because it rests on the assumption that forms and cultures inherited from the past are *the* means to engage with contemporary reality.⁵³ Equally, such thinking lacks the capacity to contest the nature or form of that inheritance, hence the ease with which Slotte and Halme-Tuomisaari assert the Euro-American nature of human rights,⁵⁴ seemingly untroubled by the fact that their book not only focusses on “actors and events within the Euro/Anglo-American world,”⁵⁵ but is written by academics working at institutions located in that world (Canada, USA, UK, Finland, France).⁵⁶ An emphasis on past forms and inherited cultures ignores the possibility that the contemporary realities of,

⁴⁷ “pure form” – see Koskeniemi quotation at n 42; “something out there” – see Slotte and Halme-Tuomisaari quotation at n 24; “hinterland” – see Gearty quotation at n 34.

⁴⁸ S. Moyn, “Martti Koskeniemi and the Historiography of International Law in the Age of the War on Terror”, in W. Werner, M. de Hoon and A. Galán (eds.), *The Law of International Lawyers: Reading Martti Koskeniemi* (Cambridge: CUP, 2017) 340, 341.

⁴⁹ Ibid 341.

⁵⁰ Ibid 352.

⁵¹ Ibid 355.

⁵² Ibid 348.

⁵³ See M. Nicholson, “Walter Benjamin and the Re-Imagination of International Law” (2016) 27 *Law and Critique* 103; Nicholson, “Psychoanalyzing International Law(yers)” (n 44).

⁵⁴ See text at n 19 to n 21.

⁵⁵ Slotte and Halme-Tuomisaari, “Introduction” (n 7) 32

⁵⁶ See the list of contributors at Slotte and Halme-Tuomisaari, *Revisiting* (n 1) vii-viii.

say, COVID-19, climate change, Black Lives Matter, Donald Trump, Xi Jinping, and Narendra Modi may need to be engaged on their own terms.⁵⁷

Boundaries, Templates

Slotte's and Halme-Tuomisaari's "hinterland," "something out there" concept of origins tends, I suggest, towards an exclusionary, elitist, Euro-American understanding of human rights discourse, grounded in ideas of tradition, inheritance and boundaries. It sees the "hinterland" of past creative efforts as the foundation for a human rights response to the contemporary situation, treating patterns established by past creativity as boundaries or templates for present-day thought and practice. Consistent with this idea of boundaries or templates, Jacob Giltaij and Kaius Tuori argue that "there is a point in the argument that Roman lawyers may have developed ideas comparable to a modern notion of human rights."⁵⁸ Working with a similar logic, Virpi Mäkinen traces the emergence of human rights out of "voluntarist philosophy," notions of self, and the thinking of medieval figures such as Scotus and William of Ockham who "placed at the centre of their psychological attention the individual with his or her pure will and active powers."⁵⁹

Annabel Brett draws a boundary around contemporary human rights discourse by contrasting it with "the Thomist tradition," emphasising the distinctiveness of human rights as "a programme, an outlook, embedded in our political and cultural imagination and sensibility."⁶⁰ She maintains that "[w]e have nothing to gain, and everything to lose, in translating the thought either of [Thomas] Aquinas, or of early modern Thomists, or of early modern natural rights theorists more generally, into the idiom of human rights,"⁶¹ focussing on the violence of the Thomist inheritance and noting that "[Domingo de] Soto ... views the hanging of thieves and the burning of heretics as entirely justified" whilst "[Francisco de] Vitoria's idea of what is permissible in war is horrific."⁶² Such views amount, in Brett's view, to "legitimations of actions that we would regard as in absolute violation of any notion of human rights,"⁶³ drawing lessons for "our own thinking" from such contrasts between Soto's and Vitoria's thinking and the human rights "programme."⁶⁴

Brett's relatively consoling message is counterbalanced by Lauren Benton's and Aaron Slater's emphasis on the continuity between British imperial practices and contemporary human rights. Benton and Slater highlight the ways in which "rights claims ... may prove to be unstable amalgams, forged by particular historical circumstances and devoted not to the vindication of human rights, but rather to the imposition of order within definable political communities."⁶⁵ Lynn Hunt offers an account of human rights as a critical, progressive tool, using the English Civil War, the French Revolution, and the

⁵⁷ On this theme see Nicholson, "Walter Benjamin" (n 53), and M. Nicholson, *Re-Situating Utopia* (Leiden: Brill, 2019).

⁵⁸ Giltaij and Tuori (n 2) 62.

⁵⁹ V. Mäkinen, "Medieval natural rights discourse", in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 64, 71.

⁶⁰ A. Brett, "Human rights and the Thomist tradition" in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 82, 101.

⁶¹ *Ibid.*

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ L. Benton and A. Slater, "Constituting the imperial community: rights, common good and authority in Britain's Atlantic empire, 1607-1815" in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 140, 162.

American Declaration of Independence to draw a boundary around human rights as a field of revolutionary practice.⁶⁶

Samuel Moyn directs attention away from the history of human rights and towards “a history of human duties more faithful to the realities of the past than its predecessor,”⁶⁷ employing Italian nineteenth-century rights theorist Giuseppe Mazzini as guide. Moving from Moyn’s macro level to the micro, Kathryn Kish Sklar considers the importance of mid-nineteenth century women’s rights conventions in the United States, tracing the connections between those events and women’s “central[ity] to the process by which ‘human rights’ returned to public discourse in the mid-twentieth century.”⁶⁸ She suggests that boundaries might be re-drawn by paying attention to “lived reality” in “‘small places’” and by focussing on “the ways that human rights discourse has been shaped and used by particular groups in particular temporal and geographic locations.”⁶⁹

Martin Ceadel’s chapter on “The peace movement and human rights” has no obvious connection with the theme of origins,⁷⁰ perhaps because it seems to have been written in response to the book’s now-abandoned working title of “‘Human Rights and Other Stories.’”⁷¹ Gregory Claeys returns to the book’s more general theme, situating a particular contemporary topic in its historical “hinterland.”⁷² Claeys contests the orthodoxy that economic rights are “less essential, pure, substantial, meaningful or defensible than other rights,”⁷³ advancing his argument through a review that touches on Thomas Paine, Robert Owen, Mary Wollstonecraft, and J.S. Mill, whilst devoting particular attention to revolutionary and post-revolutionary France.

A final set of chapters focus on “[i]nstitutional practices.”⁷⁴ Dzovinar Kévonian considers the work of André Mandelstam, author of the *Institut de Droit International*’s 1929 Declaration of the International Rights of Man.⁷⁵ Kévonian’s method is reminiscent of Koskenniemi’s approach in *Gentle Civilizer*:⁷⁶ “[A] study of the settings and networks for the production and reception of discourse, relating individual trajectories to social and academic affiliations, and the tension between commitment and formalism.”⁷⁷ The concept of law and discourse underpinning this inquiry is inherently structural. It finds the “hinterland” of contemporary human rights in the work of the “men of 1873,”⁷⁸ the founders and leaders of the *Institut de Droit International*, the men, like Mandelstam, who debated the 1929 Declaration. Taina Tuori studies the League of Nations’ mandates system as something that “can be seen as a more humane regime, in comparison to traditional colonial rule, warranting the discussion under the label of

⁶⁶ Hunt (n 3).

⁶⁷ Moyn, “Giuseppe Mazzini” (n 4) 139.

⁶⁸ K. Kish Sklar, “Human rights discourse in women’s rights conventions in the United States, 1848-70”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 163, 186.

⁶⁹ Ibid 187-188.

⁷⁰ Ceadel (n 5).

⁷¹ Ibid 205.

⁷² G. Claeys, “Socialism and the language of rights: the origins and implications of economic rights”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 206.

⁷³ Ibid 206.

⁷⁴ Slotte and Halme-Tuomisaari, *Revisiting* (n 1) 237.

⁷⁵ D. Kévonian, “André Mandelstam and the internationalization of human rights (1869-1949)”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 239 – see 259-265 on the 1929 Declaration.

⁷⁶ See Kévonian, *ibid*, at 244, on parallels with Koskenniemi’s work.

⁷⁷ Kévonian (n 75) 265.

⁷⁸ Koskenniemi, *Gentle Civilizer* (n 43) 502.

human rights,”⁷⁹ whilst Pamela Slotte considers “those years prior to the adoption of the Universal Declaration of Human Rights . . . in 1948, a time before the human rights vocabulary achieved the hegemonic status that many attribute to it today.”⁸⁰ The precise message that Slotte seeks to extract from this inquiry is, at least to me, not clear but, in looking towards the “hinterland” of contemporary human rights and the UDHR in particular, her approach fits with the book’s general methodology.

Halme-Tuomisaari’s penultimate chapter tells a “story” about “the elitism of the contemporary human rights phenomenon,”⁸¹ emphasising that “human rights action [is and has been] . . . characterized by personal relations, patterns of privilege and mechanisms of inclusion and exclusion.”⁸² She focuses, for example, on a 2nd May 1945 meeting at San Francisco’s Fairmont Hotel between US Secretary of State Edward Stettinius and human rights lobbyists James Shotwell and Clark Eichelberger,⁸³ recounting and contesting the standard narrative that human rights became a core part of the UN’s structure because of this meeting.⁸⁴ Considering similar themes of privilege and power, in the book’s concluding chapter Olivier Barsalou draws attention to US influence in human rights thinking in the early stages of the Cold War.⁸⁵

Opposing the search for an historic “hinterland” that permeates Slotte’s and Halme-Tuomisaari’s book, I argue that any response to the contemporary situation should not be grounded in ideas of tradition or culture, nor should contemporary thought and praxis remain within boundaries laid down by past creative efforts.⁸⁶ Writing a “history of human rights” certainly can be, as Martti Koskenniemi suggests in the title of his foreword, a “political intervention in the present,”⁸⁷ but the past is neither the priority nor the starting point. A creative response grounded in and emerging out of the realities of the contemporary present is required, in place of this book’s effort to define the “hinterland” of the past as the means of engaging with the present.⁸⁸ Drawing on the work of early twentieth-century philosopher and cultural theorist Walter Benjamin, I argue that the value of the concept of origin does not lie in something like Slotte’s and Halme-Tuomisaari’s search for origins in the past but in the possibility of re-origination in the here and now.⁸⁹ I base that argument on Benjamin’s *The Origin of German Tragic*

⁷⁹ T. Tuori, “From League of Nations Mandates to decolonization: a brief history of rights”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 267, 292.

⁸⁰ P. Slotte, “‘Blessed are the peacemakers’: Christian internationalism, ecumenical voices and the quest for human rights”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 293, 296.

⁸¹ M. Halme-Tuomisaari, “Lobbying for relevance: American internationalists, French civil libertarians and the UDHR”, in P. Slotte and M. Halme-Tuomisaari (eds.), *Revisiting the Origins of Human Rights* (Cambridge: CUP, 2018 [2015]) 330, 332 and 331.

⁸² Ibid 333.

⁸³ Ibid 335-336.

⁸⁴ Ibid 338-341.

⁸⁵ Barsalou (n 6).

⁸⁶ On this point see Nicholson, “Walter Benjamin” (n 53).

⁸⁷ Koskenniemi, “Foreword” (n 9).

⁸⁸ On the tendency of law and legal thinking to operate in this way see T. W. Adorno (E.B. Ashton trans.), *Negative Dialectics* (New York: Continuum, 2007 [1966]) 309: “The total legal realm is one of definitions. Its systematic forbids the admission of anything that eludes their closed circle, of anything *quod non est in actis*.” On this general point see Nicholson, “Walter Benjamin” (n 53), and Nicholson, *Re-Situating Utopia* (n 57).

⁸⁹ See W. Benjamin, “Theses on the Philosophy of History” in W. Benjamin (H. Arendt ed., H. Zorn trans.), *Illuminations* (London: Pimlico, 1999 [1950]) 245, 255: “Historicism contents itself with establishing a causal connection between various moments in history. But no fact that is a cause is for that very reason historical. It became historical posthumously, as it were, through events that may be separated from it by thousands of years. A historian who takes this as his [*sic*] point of departure stops telling the sequence of events like the beads of a rosary. Instead, he [*sic*] grasps the constellations which his [*sic*] own era has formed with a definite earlier one.

Drama,⁹⁰ a landmark 1925 work that sets out a radical concept of origin, “seek[ing] to think through the very foundations of philosophy, while also aiming to dismantle the conceptual apparatus that upholds various misconceptions prevalent in the discipline of history.”⁹¹

History, on this view, is not a means of stabilising or maintaining orthodoxies about the nature of the present *via* the past, a means of establishing the “hinterland” of existing discourse, of determining who or what is on the inside and who or what is on the outside.⁹² History is, rather, a library,⁹³ a collection of “rags” or “refuse,”⁹⁴ of “fragments,”⁹⁵ to be constellated or arranged by every author, artist, or collector,⁹⁶ as they try to disturb and re-frame established models, creating new images of the present that open up myriad possible futures.⁹⁷ From this Benjaminian perspective Slotte’s and Halme-Tuomisaari’s understanding of origin as “hinterland” is everything origin is not.

On Origin(ation)

To be original, it might be thought, is to be first; to originate or create something that did not previously exist. ‘The original’ has primacy and authority over everything that comes after it purely because it came first. Every individual element in a class, genre, discipline, field, form, practice, sequence or tradition established by ‘the original’ must articulate, or at least be capable of articulating, a connection to ‘the original’. Any element that cannot articulate that connection faces potential exclusion from that chain that ‘the original’ started. Such exclusion prevents non-conformist elements establishing themselves as new points of origin, blocking any attempt they might make to disrupt or re-start the established sequence.

Exclusion from the established sequence does not, of course, prevent the excluded element establishing an entirely new sequence. But it does stop the excluded element inheriting the influence and lineage of ‘the original.’ Exclusion (whether actual or possible), then, has the effect of creating a binary choice for the outlier, the excluded element. It can submit to the established sequence, define its existence by reference to provenance in ‘the original,’ and retain / regain its place in the established sequence, or it can originate something new and entirely separate from the established sequence. The only thing the

Thus, he [*sic*] establishes a concept of the present as the ‘time of the now’ which is shot through with chips of Messianic time.” See also Nicholson, “Walter Benjamin” (n 53).

⁹⁰ W. Benjamin (J. Osborne trans.), *The Origin of German Tragic Drama* (London: Verso, 1998 [1963]).

⁹¹ B. Hanssen, “Philosophy at Its Origin: Walter Benjamin’s Prologue to the *Ursprung des deutschen Trauerspiels*” (1995) 110(4) *MLN* 809, 821.

⁹² See text (including quotation) at around n 39.

⁹³ W. Benjamin, “Unpacking My Library”, in W. Benjamin (H. Arendt ed., H. Zorn trans.), *Illuminations* (London: Pimlico, 1999 [1950]) 61.

⁹⁴ W. Benjamin (H. Eiland and K. McLaughlin trans.), *The Arcades Project* (Cambridge, Massachusetts: Belknap Press, 2002) 460 (N1a, 8): “Method of this project: literary montage. I needn’t say anything. Merely show. I shall purloin no valuables, appropriate no ingenious formulations. But the rags, the refuse – these I will not inventory but allow, in the only way possible, to come into their own: by making use of them.” See also *ibid* at 461 (N2, 6): “[A]ssemble large-scale constructions out of the smallest and most precisely cut components ... discover in the analysis of the small individual moment the crystal of the total event ... grasp the construction of history as such. In the structure of commentary. □ Refuse of History □”

⁹⁵ Benjamin, *The Origin* (n 90) 29: “The value of fragments of thought is all the greater the less direct their relationship to the underlying idea ... truth-content is only to be grasped through immersion in the most minute details of subject-matter.”

⁹⁶ Benjamin, “Unpacking” (n 93) 62: “[T]here is in the life of the collector a dialectical tension between the poles of disorder and order.” On constellation see Benjamin, *The Origin* (n 90) 34.

⁹⁷ See Nicholson (n 53), in particular at 118-123 (on ‘Allegorical- Representational Practice’).

excluded element cannot do – on pain of / as a consequence of exclusion – is re-originate the established sequence.

Philosopher and cultural theorist Walter Benjamin, writing about German tragic drama in 1925, sets himself against such commonplace thinking. He concedes that origin is “an entirely historical category” but “nevertheless [insists that it has] nothing to do with genesis.”⁹⁸ For Benjamin “[t]he term origin is not intended to describe the process by which the existent came into being, but rather to describe that which emerges from the process of becoming and disappearance.”⁹⁹ Rejecting attempts to “define ideas inductively ... on the basis of popular linguistic usage” as destined to “lead nowhere,”¹⁰⁰ he critiques those who would “make words into concepts embracing whole species in order to be more sure of them.”¹⁰¹ Benjamin is interested in the outlier, the non-conformist:

It is ... precisely the more significant works, inasmuch as they are not the original and, so to speak, ideal embodiments of the genre, which fall outside the limits of genre. A major work will either establish the genre or abolish it; and the perfect work will do both.¹⁰²

Rejecting “critics ... [with] the habit of measuring [works of art] against the genre or the particular art-form to which, in the critic’s opinion, they belong,”¹⁰³ Benjamin endorses the view that “individual works of art ... are infinite in number: all are original, and none can be translated into another.”¹⁰⁴ Whilst the individuality of each work translates into a rejection of genre itself, because of its limiting, classificatory tendencies,¹⁰⁵ Benjamin nevertheless insists on the importance of central, “fruitful ideas, such as [in the case of dramatic art] the tragic or the comic.”¹⁰⁶

In place of an emphasis on genre, Benjamin offers a theory of representation that builds up from the particular (the individual work of art) rather than down from the general (the art-form). Prioritising artistic representation over systematized knowledge,¹⁰⁷ he insists on the priority of the individual or particular: “The value of fragments of thought is all the greater the less direct their relationship to the underlying idea ... truth-content is only to be grasped through immersion in the most minute details of subject-matter.”¹⁰⁸ Individual phenomena have priority over the idea which seeks to group phenomena together.¹⁰⁹ As Susan Buck-Morss explains, Benjamin’s method involves “constructing the general from out of the disparate particulars themselves”.¹¹⁰

In his theory each ‘idea,’ each construction out of the particular, was self-contained. As a ‘monad,’ each contained the totality, a ‘picture of the world,’ yet each differed from every other idea. ... [I]n

⁹⁸ Benjamin, *The Origin* (n 90) 45.

⁹⁹ Ibid.

¹⁰⁰ Ibid 38-39.

¹⁰¹ Ibid 39.

¹⁰² Ibid 44.

¹⁰³ Ibid 43 (quoting Benedetto Croce).

¹⁰⁴ Ibid (quoting Croce).

¹⁰⁵ Ibid 43-44 (quoting Croce): “Considered philosophically, nothing is interposed between the universal and the individual, no sequence of genres or species, no *generalia*.”

¹⁰⁶ Ibid 44.

¹⁰⁷ Ibid 28: “If philosophy is to remain true to the law of its own form, as the representation of truth and not as a guide to the acquisition of knowledge, then the exercise of this form – rather than its anticipation in the system – must be accorded due importance.”

¹⁰⁸ Ibid 29. On the value of Benjaminian theories of this kind for international law see Nicholson, “Walter Benjamin” (n 53).

¹⁰⁹ See Benjamin, *The Origin* (n 90) 34-35 on phenomena and idea.

¹¹⁰ S. Buck-Morss, *The Origin of Negative Dialectics: Theodor W. Adorno, Walter Benjamin, and the Frankfurt Institute* (New York: Free Press, 1979) 94.

constructing ideas it was continuously necessary to return to the phenomena themselves, the more so as the ideas were not eternal but historically specific constellations.¹¹¹

Benjamin's insistence on origin as something that "describe[s] that which emerges from the process of becoming and disappearance,"¹¹² rather than a point of pure "genesis,"¹¹³ expresses the importance of "return[ing] to the phenomena themselves." Origin, as a *process* of representing and *re-presenting* phenomena in "historically specific constellations" – in arrangements or narratives specific to the time, context and circumstances in which they are created – is dialectically opposed to a concept of origin as "genesis" that requires each element to secure its place in the genre or tradition on the basis of its connection to 'the original.'

Benjamin's *re-presentational* concept of origin focuses on the possibility of *re-origination*, prioritising "becoming and disappearance" in the here and now over what already came,¹¹⁴ whilst a "genesis" oriented concept of origin maintains the authority of 'the original.' I noted, in the opening paragraph of this article, that Slotte's and Halme-Tuomisaari's book says relatively little about what origins are or how they might be theorised within human rights discourse. The reason for this, I suggest, is that the book adopts "genesis"-oriented thinking about origins, without reflecting on the possibility of other approaches, such as that developed in Benjamin's work. This is more than a criticism of this book; it reflects the limit of current thinking about the history and origins of international human rights law.

The introductory chapter of Akira Iriye's, Petra Goedde's and William I Hitchcock's edited volume *The Human Rights Revolution: An International History* outlines a view of human rights consistent with Slotte's and Halme-Tuomisaari's "genesis" oriented approach.¹¹⁵ Because "the language of human rights is fluid,"¹¹⁶ treating "'human rights' [as] an empty signifier ... seems to be a useful starting point."¹¹⁷ Whilst Iriye and Goedde invite a range of views, noting that "[i]f the history of human rights starts to get written from a variety of perspectives, we will be in a better position to develop a more realistic balance sheet of its successes and failures,"¹¹⁸ they cling to an idea of human rights as an "it" – an idea akin to Slotte and Halme-Tuomisaari's notion of "something out there"¹¹⁹ – with a traceable history or "hinterland."

A desire to identify the "hinterland" of contemporary human rights drives Jenny Martinez's *The Slave Trade and the Origins of International Human Rights Law*, an account of nineteenth century Mixed Commissions – an early form of international tribunal established by treaties between the UK and other seafaring states prohibiting the slave trade.¹²⁰ For Martinez "[t]he story of the abolition of the slave trade is a good one for international law, for human rights and for humanity,"¹²¹ and she reminds international lawyers of what she sees as its valuable lesson.¹²² Like Slotte and Halme-Tuomisaari,

¹¹¹ Ibid.

¹¹² See quotation from Benjamin at n 99.

¹¹³ See quotation from Benjamin at n 98.

¹¹⁴ On this see Nicholson, "Walter Benjamin" (n 53).

¹¹⁵ A. Iriye and P. Goedde, "Introduction: Human Rights as History", in A. Iriye, P. Goedde and W. I. Hitchcock, *The Human Rights Revolution: An International History* (Oxford: OUP, 2012) 27.

¹¹⁶ Ibid 35.

¹¹⁷ Ibid.

¹¹⁸ Ibid 44.

¹¹⁹ See quotation from Slotte and Halme-Tuomisaari at n 24.

¹²⁰ J. S. Martinez, *The Slave Trade and the Origins of International Human Rights Law* (Oxford: OUP, 2012).

¹²¹ Ibid 158.

¹²² Ibid 149: "Scholars are just beginning to fill in the missing pieces of the pre-World War II history of international law as a mechanism for the protection of human rights, and the anti-slave trade movement is a central part of that missing picture."

Martinez adopts a “genesis”-oriented perspective on human rights’ history and origins, maintaining and strengthening the existing discourse by reaching back into its “hinterland.”

Micheline R Ishay’s map of human rights’ “hinterland” – “A Chronology of Events and Writings Related to Human Rights” – is presented in a table that extends over eleven pages, stretching from the 1545 work of Bartolomé de las Casas to the 2002 World Economic Forum protests in Washington D.C.¹²³ She argues that “[h]uman rights are ... the result of a cumulative historical process that takes on a life of its own,”¹²⁴ insisting that whilst Walter Benjamin was right to observe that “[t]here is no document of civilization ... which is not at the same time a document of barbarism,”¹²⁵ it is also the case that “[a] human rights document may be marred by barbarism, [and] yet ... [be] a barometer of human rights progress.”¹²⁶ Here, Ishay ignores Benjamin’s related observation that “[t]he concept of progress must be grounded in the idea of catastrophe. That things are ‘status quo’ is the catastrophe.”¹²⁷

Ishay’s insistence that there is progress within barbarism reflects a wider point about structuralist approaches to human rights’ history. There is a desire to retain the essence of the structure, the sense of “something out there,” whilst recognising and exploring the injustices and exclusions that the structure has produced. For Ishay “Walter Benjamin’s *Angel of History* shows us, through the drama and struggles of the past, the steps leading toward a new paradise,”¹²⁸ yet Benjamin is clear that “a storm is blowing *from* Paradise.”¹²⁹ “[T]he pile of debris before [the Angel] ... grows skyward” as the angel is blown further and further away from Paradise;¹³⁰ “hell is not something that awaits us, but this life here and now.”¹³¹

Samuel Moyn’s work is an important recent example of structuralist thinking about the history of human rights, redefining human rights’ history by emphasising marginalised aspects or interpretations. Moyn maintains that the origins of the contemporary international human rights movement lie in the 1970s and not, as is more usually thought, in the 1940s,¹³² that the connection between Christianity and human rights thinking is key to an understanding of international human rights and not a mere aspect of human rights’ history.¹³³ Moyn’s most recent corrective to the orthodoxy argues that human rights must focus on socio-economic justice, pursuing genuine equality in place of mere sufficiency.¹³⁴ His chapter in Slotte’s and Halme-Tuomisaari’s book seeks to resurrect an overlooked human rights historian and his emphasis on duties rather than rights,¹³⁵ suggesting that “the vogue of the history of human rights may

¹²³ M. R. Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley: University of California Press, 2008) 357-367.

¹²⁴ Ibid 2.

¹²⁵ Ibid (quoting Benjamin).

¹²⁶ Ibid 3.

¹²⁷ Benjamin, *Arcades* (n 94) 473 (N9a,1).

¹²⁸ Ishay (n 123) 355.

¹²⁹ Benjamin, “Theses” (n 89) 249 (emphasis added).

¹³⁰ Ibid.

¹³¹ Benjamin, *Arcades* (n 94) 473 (N9a,1).

¹³² S. Moyn, *The Last Utopia: Human Rights in History* (Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2010).

¹³³ S. Moyn, *Christian Human Rights* (Philadelphia: University of Pennsylvania Press, 2015).

¹³⁴ S. Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2018). On correctives see Moyn “Giuseppe Mazzini” (n 4) 119, commenting, in relation to his own past work, that “[t]he point was never to deny continuity in language, mobilization or vision, but rather to dispute a retrospective emphasis on inexorable and triumphal continuity by featuring alternative meanings and emphasizing contingent outcomes ... whatever the value of correctives and the responses they elicit, I personally find no more interest in challenging the conventional wisdom or textbook narrative.” For a more comprehensive review and critique of Moyn’s work in general see Nicholson, *Re-Situating Utopia* (n 57).

¹³⁵ See text at around n 67.

soon give way to a history of human duties more faithful to the realities of the past than its predecessor.”¹³⁶ Moyn’s work suggests that the history, structure or point of origin needs to be seen or constructed differently, stopping short of the more radical proposal – which I am advancing here, drawing on Benjamin’s thought – that the very idea of a structured history with a point of origin needs to be contested.

Intervening in The Present

Core features of contemporary global reality – climate change, or a perceived rise in authoritarianism, for example¹³⁷ – are almost entirely absent from Slotte’s and Halme-Tuomisaari’s book, raising questions about the extent to which the book is, to borrow Koskenniemi’s phrase, a meaningful “political intervention in the present.”¹³⁸ If “the challenges of everyday life” threaten human rights discourse,¹³⁹ because human rights discourse does not speak to “everyday life”, then surely a re-imagination of human rights discourse is needed.¹⁴⁰ Slotte’s and Halme-Tuomisaari’s book pursues the opposite agenda, using historical inquiry into the “hinterland” of contemporary human rights discourse to maintain the “delicate unity,”¹⁴¹ the inherited structure, of human rights discourse. As argued above, this approaches origins instrumentally, as a means of maintaining the existing discourse through a process of historicization, for the benefit of those who identify with it. I am suggesting that the true power of origin resides, as Benjamin argues, in the possibility of present-day re-origination.

Rather than seeking to re-enforce the coherence or structure of human rights discourse through historicization, human rights practice should be approached as an exercise in creating momentary, “historically specific constellations.”¹⁴² Human rights thought and practice should not, I suggest, “dive deep into [its] foundations” in order “[t]o survive”¹⁴³ – that approach is premised on the conviction that the survival of the inherited structure is the priority. Engaging with contemporary reality is, I argue, a higher priority and, in pursuit of that priority, the past should be seen as a collection of “rags” or “fragments” to be constellated in arrangements that say something about the present and its future.¹⁴⁴ If, as Benjamin maintains, the fact “[t]hat things are ‘status quo’ is the catastrophe”¹⁴⁵ – as contemporary phenomena like climate change would seem to suggest – then projects like Slotte’s and Halme-Tuomisaari’s that seek merely to understand the present on the basis of past origins only perpetuate the catastrophe.¹⁴⁶

¹³⁶ Moyn, “Giuseppe Mazzini” (n 4) 139.

¹³⁷ See discussion at n 57 above.

¹³⁸ See quotation from Koskenniemi at n 87.

¹³⁹ “the challenges of everyday life” – see quotation from Gearty at n 27.

¹⁴⁰ See Nicholson, “Walter Benjamin” (n 53).

¹⁴¹ “hinterland” – see quotation from Gearty at n 34; “delicate unity” – see quotation from Slotte and Halme-Tuomisaari at n 26.

¹⁴² See quotation from Buck-Morss at n 111.

¹⁴³ See quotation from Gearty at n 28.

¹⁴⁴ “rags”, “fragments” and constellation – see n 94, n 95 and n 96.

¹⁴⁵ See quotation from Benjamin at n 127.

¹⁴⁶ See Slotte and Halme-Tuomisaari, ‘Introduction’ (n 7) 36: “[W]e hope that [this book] contributes to and inspire [sic] both renewed as well as more sustained collective ‘reengagement’ with the theme, thus slowly accompanying us further down the path of genuinely greater understanding over this fascinating amorphous phenomenon and idea ‘of our time’ – both in history and today.”