

**Columbia University
Committee on Global Thought
&
The Department of History**

Law & Violence

CGTH W3961
HIST W3961

**Fall 2009
Mondays and Wednesdays, 1:10-2:25pm
411 Kent Hall**

Instructor: Dr. Thomas Hill
tjh2133@columbia.edu

Law & Violence introduces key theoretical and historical readings on the relationship between law and violence. Are they mutually exclusive forms of human action? Is it a contradiction that violence is often the means to establish or change the law? Such questions will be considered in historical contexts of the nation-state and the global legal order.

Requirements: Focus is on close reading and discussion of the texts. Requirements include weekly postings on CourseWorks responding to the assigned texts, due by 3 p.m. on Sundays; leading one or more class discussions with brief presentations and opening questions; and writing a final paper on a topic decided in consultation with the instructor.

Grading: Class participation, weekly postings, and the final paper will be given equal weight.

Books: On order at Columbia University Bookstore, on reserve at Butler Library; shorter readings available on CourseWorks.

Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*. Stanford Uni. Press. 1995.

Antony Anghie, *Imperialism, Sovereignty and the Making of International Law*. Cambridge University Press. 2005.

Hannah Arendt, *The Origins of Totalitarianism*. 1951.

Walter Benjamin, *Reflections*. Schocken Books. 2002 [1929].

Walter Benjamin, *Illuminations*. Schocken Books.

Mark Danner, "US Torture: Voices from the Black Sites", *New York Review of Books* 56:6, 9 April 2009

Jacques Derrida, “Force of Law: The ‘Mystical Foundations of Authority’” in Deconstruction and the Possibility of Justice. Drucilla Cornell, Michel Rosenfeld, David Gray Calson, eds. Routledge. 1992.

Caroline Elkins, Imperial Reckoning: The untold story of Britain’s Gulag in Kenya. Owl Books, 2005

Frantz Fanon, The Wretched of the Earth. Grove Press, 2005 [1961]

Frantz Fanon, A Dying Colonialism. Grove Press, 1994 [1965]

Michel Foucault, “Society Must Be Defended”. Picador. 2003 [1976].

Marnia Lazreg, Torture and the Twilight of Empire: From Algiers to Baghdad. Princeton University Press, 2008

Tomaz Mastnak, Crusading Peace. Christendom, the Muslim World and Western Political Order. University of California Press, 2001

Reviel Netz, Barbed Wire. An Ecology of Modernity. Wesleyan University Press, 2004

Carl Schmitt, Political Theology. The MIT Press. 1985 [1922].

Richard Tuck, The Rights of War and Peace: Political Thought and the International Order From Grotius to Kant. Oxford University Press. 1999.

Recommended:

Hannah Arendt, Eichmann in Jerusalem. Penguin Press. 1963.

Hannah Arendt, On Revolution. Penguin Classics. 2006 [1963].

Carl Schmitt, The Nomos of the Earth. Telos Press. 2003 [1950].

Reading Assignments:

Week One:

Introductions.

Part I: "Theory"

Week Two:

--- **Walter Benjamin**, "Critique of Violence" in Reflections (277-300).

--- **Jacques Derrida**, "Force of Law: The 'Mystical Foundations of Authority'" in Deconstruction and the Possibility of Justice (3-67).

Week Three:

--- **Tomaz Mastnak**, Crusading Peace. Christendom, the Muslim World and Western Political Order; especially 153-216.

Week Four:

--- **Carl Schmitt**, Political Theology.

Week Five:

--- **Giorgio Agamben**, Homo Sacer Part I: "The Logic of Sovereignty" (15-71), Part II: "Homo Sacer" (71-119).

Week Six:

--- **Giorgio Agamben**, Homo Sacer Part III: "The Camp as Biopolitical Paradigm of the Modern" (119-188).

--- **Hannah Arendt**, "The Decline of the Nation State and the End of the Rights of Man" in The Origins of Totalitarianism (267-302).

Week Seven:

--- **Richard Tuck**, The Rights of War and Peace: Political Thought and the International Order From Grotius to Kant. Oxford University Press. 1999.

--- **Consulta**: Autonomous face to face class evaluation and discussion (the instructor will not be present on Wednesday).

Part II: “Practice”

Week Eight:

--- **Reviel Netz**, Barbed Wire. An Ecology of Modernity.

Week Nine:

--- **Anthony Anghie**, Imperialism, Sovereignty and the Making of International Law.

Week Ten:

--- **Frantz Fanon**, “Concerning Violence” in The Wretched of the Earth (1-62)

--- **Frantz Fanon**, “This is the Voice of Algeria” and “Medecine and Colonialism” in A Dying Colonialism (70-97, 120-145).

Week Eleven:

--- **Caroline Elkins**, Imperial Reckoning: The untold story of Britain’s Gulag in Kenya; especially 121-232

Week Twelve:

--- **Marnia Lazreg**, Torture and the Twilight of Empire: From Algiers to Baghdad
Especially 173-190, 237-270

--- **Mark Danner**, “US Torture: Voices from the Black Sites”, New York Review of Books

Recommended:

--- **Mark Danner**, “The Red Cross Torture Report: What It Means”, New York Review of Books

Guest Lecture in class: TBC

Part III: Reconsiderations

Week Thirteen:

--- **Michel Foucault**, "Society Must Be Defended."
Especially "Lecture Eleven: 17 March 1976" (239-265).

Week Fourteen

--- **Walter Benjamin**, "Theses on the Philosophy of History" in Illuminations.
--- **Walter Benjamin**, "Critique of Violence" in Reflections (277-300). *Reread*.

Week Fifteen

Conclusions and Festivities. Submit Final Papers.

Information Sheet:

Please submit to the instructor upon your initial attendance. You can also email your responses to [TBC]

Name:

Email:

Standing (Ph.D., M.A, Undergraduate? What year? Non-academic? Student of another university?)

Department, Program, Major and/or Subjects of Interest:

Have you already read any of the texts assigned for this course? If yes, which ones?

What sparked your interest in this course?

What are your specific expectations from this course and its instructor?