Beyond absence and contributions: Latin America and the new historiography of human rights

The “historical turn” in international law comprises not only a growth in historical publications, but also a number of transformations in international legal scholarship. These include a (re-)engagement with imperialism, a shift in focus from normativity to empirical and epistemic questions about the relationship between international law and injustice, a renewed commitment to interdisciplinarity, and an attack on Eurocentrism. Seen in this light, it becomes clear why the historical turn enabled some scholars to influentially revise the rich history of international law in Latin America.

This article contrasts the attention that Latin America has received in the “historical turn” with the neglect of the region by a related field that emerged in parallel: “the new historiography of human rights”, and analyses how to deal with this neglect. Section I compares the key features of the “historical turn” and “the new historiography”, and considers why Latin America might have been displaced from the latter. Section II identifies and criticises a prominent response to this neglect: the reclamation of Latin American contributions as significant determinants of contemporary international human rights law. Section III presents three alternative avenues to introduce Latin American developments into the field and open up space for regional emancipatory strategies.