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## On the spirit of rights

by Dan Edelstein, Chicago, The University of Chicago Press, 2018, 336 pp.,  
£30 (hardcover), ISBN 9780226588988

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## BOOK REVIEWS

**On the spirit of rights**, by Dan Edelstein, Chicago, The University of Chicago Press, 2018, 336 pp., £30 (hardcover), ISBN 9780226588988

Dan Edelstein is professor of French and History at Stanford University, where he has spearheaded the introduction of digital humanities in the field of Enlightenment Studies, in particular, the digitization and visualization of letter exchanges. Over the last decade, Edelstein has produced two monographs on eighteenth-century intellectual history. The first, *The Terror of Natural Right* (2009), unearthed the philosophy of natural law underlying Jacobinism. The second, *Enlightenment: A Genealogy* (2010), argued that the Enlightenment, understood as a family of concepts and discourses, was developed in the strictly French academic context of the *querelle des Anciens et des Modernes*. Both books have in common their resolute theses formulated against the grain of current scholarly trends, their wide scope, and their relative brevity when considering their ambitious revisionist nature. These qualities again transpire in *On the Spirit of Rights*, which also picks up the topical focus of the first book, and the genealogical method of the second.

While *On the Spirit of Rights* can be read as a self-contained endeavour, it is written in open conversation with the work of Lynn Hunt and Samuel Moyn, who dissociate human rights from the centuries-long tradition of natural law. Against this view, Edelstein attempts to retrace human rights to their early modern origins. Edelstein argues that the fact of the matter is that early modern disputes about natural rights were not focused on their existence or character, but rather on their bestowal to political society. Hence, Edelstein does not attempt to analyse changes in the conception of natural law over time in line with the school of *Begriffsgeschichte*, but rather identifies different accounts of the conversion of natural rights into a positive legal system.

The reader is presented with a threefold model: the preservation regime, wherein natural rights are preserved in a positive system of law; the transfer regime, in which natural rights are passed on to a positive law system; and the abridgement regime, which, in contrast to the other two, holds that one's natural rights are given up by virtue of joining the body politic. A comprehensive line-up of philosophies of law, both canonical and obscure, is conjured up, classified and studied diachronically from the fifteenth century to the run-up to the Universal Declaration of Rights of 1789. Much in the same vein as *The Enlightenment: A Genealogy*, Edelstein calls for a reappraisal of the central role of eighteenth-century French thought. In the case of *Enlightenment*, this went against current trends arguing for the pluralization and geographical proliferation of distinct enlightened traditions; in the case of *On the Spirit of Rights*, the target is the American Revolution, which is seen as a mere corollary of English consuetudinary right, and not an original intellectual contribution.

Ultimately, Edelstein argues, the preservation regime put forward by eighteenth-century French authors would become preponderant during the Revolution, and would eventually be sanctioned in the twentieth-century conception of human rights. The breadth of Edelstein's reading and temporal scope is commendable, and his clear academic positioning is compelling. Yet, one might make the case that the stress lies excessively on his own expertise as a dix-huitièmiste, and thus that the book might leave the reader wanting more detail and elaboration when it classifies and deals summarily with dozens of legal theorists. A quirk of this book is the (somewhat apologetic) inclusion of Google Ngram line-graphs on the historical usage

frequency of terms. While this nod to Edelstein's digital humanities expertise is understandable, it is nonetheless perplexing that such a well-established scholar does not construct his own controlled corpus. All in all, *On the Spirit of Rights* is a bold monograph that will be informative to the newcomer to the history of natural rights, and refreshingly contrarian for the expert.

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**Licentious worlds: sex and exploitation in global empires**, by Julie Peakman,  
London, Reaktion Books, 2019, 368 pp., £17 (hardback), ISBN 978-1789141405

Sexual exploitation and perceptions of gender and sexuality seem ever present in empires and colonization: an uncomfortable spectre lurking in the shadows, which is seldom tackled head-on. Julie Peakman has with her book, *Licentious Worlds: Sex and Exploitation in Global Empires*, shone a bright light on this topic without shying away from its often unsettling and uncomfortable nature. She writes a well-balanced narrative, taking a 'licentious' subject without making it sensationalist.

The strength of the book is its geographic breadth. Peakman successfully creates a global narrative that is impressive in its geographic scope, as well as easy to navigate, as she aims to avoid a Eurocentric narrative. Her book is organized geographically, covering both the Americas, Oceania, the Ottoman Empire, India, China and Japan, thereby not only focusing on Western, but also on Asian empires. Each chapter charts early encounters with colonizers and indigenous gender and sexual attitudes and practices, as well as outlines how the development of imperial practices, law and religion exploited and impacted gender and sexuality. The organization of *Licentious Worlds* makes it easier to compare and contrast these 'worlds', both prior to colonizing influence and during the implementation of imperial practices.

Peakman focuses in particular on the role of Christianity and missionaries in enforcing change and control. She argues that religion is too often a forgotten component of Western colonialization and imperial practice. She describes religion as key to understanding sexual attitudes and family structure, and how it acts as a 'regulator of sex', defining what is 'good' and what is 'bad' sex. In doing so she draws on the journals and letters of missionaries, which interestingly show that while religion certainly impacted indigenous people, missionaries also often reflected on the sexual behaviour of their own people and felt the need to regulate and control the colonizers as well as the colonized.

In her narrative Peakman purposely diverts from a white male narrative of imperialism and colonialism, highlighting the marginalized voices of both indigenous peoples and women. In doing so she demonstrates how they were both exploited by as well as participated in the building of empires. When referring to journals and records written by men, Peakman often subverts their narrative, turning their own words against them to demonstrate their biased and sensationalized accounts. These accounts portray how Western Christian attitudes towards marriage, nudity and sexualization of the female body led male European settlers to