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Louis Henkin papers 8961281

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Rare Book and Manuscript Library

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Summary Information

Repository:	Rare Book and Manuscript Library
Creator:	Henkin, Louis
Title:	Louis Henkin papers
ID:	8961281
ID:	HR#0012
Date [inclusive]:	1940-2007
Date [bulk]:	1980-2005
Date [inclusive]:	1940-2007
Date [bulk]:	1980-2005
Physical Description:	22 linear feet 18 record cartons
Physical Description:	22 linear feet 18 record cartons
Language of the Material:	English , , Bulgarian , French , English , , Bulgarian , French , German , Spanish , Japanese , Hebrew .
Abstract:	Louis Henkin (1917-2010) was a prominent figure in international human rights law and taught at Columbia Law School for over sixty years. Henkin published more than twenty books on constitutionalism, foreign policy, human rights, and international law, and served as an expert member of the United Nations' Human Rights Committee. The collection consists of 22 linear feet of Henkin's professional record, primarily from the last twenty-five years of his career, and focuses on his teaching activity, writings, and work for the United Nations.

Preferred Citation

Identification of specific item; Date (if known); Louis Henkin Papers; Box and Folder; Rare Book and Manuscript Library, Columbia University Library.

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Biographical Note

Louis Henkin was born Eliezer Henkin on November 11, 1917. Born in what is today Belarus, Henkin emigrated with his family to New York City's Lower East Side in 1923. He graduated from Yeshiva College in 1937 with a degree in mathematics and, on a whim, applied to Harvard Law School. He served as an editor of the *Harvard Law Review*, graduated in 1940, and then clerked for Judge Learned Hand, of the United States Court of Appeals for the Second Circuit.

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Biographical Note

Although interrupted by his four years in the U.S. Army, his clerkship with Judge Hand led to a clerkship on the Supreme Court, for Justice Felix Frankfurter. While in the Army with the First Field Artillery Observation Battalion, Henkin was deployed to Europe, serving in France, Germany, Italy, and northern Africa. In 1944, Henkin used his native Yiddish to convince a German colonel to surrender his company, earning a Silver Star for gallantry in action. Henkin's wartime service inspired his interests in international affairs and foreign relations, and after his clerkship for Justice Frankfurter ended in 1947, Henkin spent eight years at the Department of State. There he worked for the United Nations Bureau and NATO, focusing on constitutional law and foreign affairs, and helping to draft the 1951 Refugee Convention.

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Biographical Note

Henkin began his long career at Columbia University in 1956 as the Associate Director of the Legislative Drafting Research Fund, leading to his first book, *Arms Control and Inspection in American Law*. In 1958, he began teaching at the University of Pennsylvania Law School, his first faculty position. He married Alice Hartman Henkin, another major figure in international human rights law, in 1960. In 1962 Henkin joined the faculty of Columbia Law School, where he remained until his death in 2010. Henkin's teaching interests were diverse and interdisciplinary, focusing on constitutional law, foreign relations, human rights, international law, and the law of the sea. He developed and fostered significant human rights curricula and scholarship at Columbia University, founding the University's Center for the Study of Human Rights in 1978 and Columbia Law School's Human Rights Institute in 1998. In 1999, the law school established the Louis Henkin Professorship in Constitutional and Human Rights.

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Biographical Note

Outside of Columbia, Henkin was active on a number of advisory committees, particularly in the field of human rights law. He served on the Permanent Court of Arbitration from 1963-1969, as an adviser on the Law of the Sea (1973-1980), and spent three terms on the Advisory Committee on International Law. Henkin founded the Lawyers Committee for Human Rights (now Human Rights First) in 1978 and served on its Board. He was also Chief Reporter for the American Law Institute's influential *Restatement (Third) of the Foreign Relations Law of the United States*, published in 1987. He was appointed to the United Nation's Human Rights Committee in 1999 and served through 2002. Henkin was also a prolific scholar. He was a fellow of the American Academy of Arts and Sciences and a member of the American Philosophical Society and the Institut de Droit International, and served as president and editor-in-chief of the American Society of International Law. He wrote over a dozen books, including *How Nations Behave* and *Foreign Affairs and the Constitution*, and edited another ten, including *Human Rights*, a central academic textbook. Henkin was active into his nineties, writing an amicus brief in *Hamdan v. Rumsfeld* (2006) that was quoted in the Supreme Court's decision, and continuing to lecture. He died at his home in New York City on October 14, 2010, at the age of 92.

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Biographical Note

Sources:

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Biographical Note

Grimes, William. "Louis Henkin, Leader in Field of Human Rights Law, Dies at 92." *New York Times*, 16 October 2010.

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Biographical Note

Interview of Louis Henkin by Don Anton, 1996.

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Biographical Note

Von Gutfeld, Sonia. "A Tribute: Columbia Celebrates the Human Rights Legacy of Louis Henkin." 2006.

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Summary

The papers of Louis Henkin consist of 22 linear feet, documenting his professional and academic career as a Columbia Law School professor and father of human rights law. The bulk of the collection dates from his later years, and includes substantial teaching materials and records of his participation in professional organizations. There is also documentation of his time as Chief Reporter for the American Law Institute's Restatement (Third) of Foreign Relations Law and his tenure as an appointed expert on the United Nations' Human Rights Committee. The collection also includes Henkin's subject files, three boxes of correspondence, and drafts and offprints of many of his articles and speeches. There is a small selection of personal papers, including day planners and two interviews of Henkin which provide insight into his philosophical outlook and his perspective on his career.

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Summary

Collection materials include administrative files, agendas, articles, awards, bound volumes and journals, case reports, clippings, conference materials, correspondence, course materials, day planners, drafts, interviews, photographs, speeches, student records, and syllabi.

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Arrangement

This collection is arranged in seven series.

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Administrative Information

Publication Statement

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URL: <http://www.columbia.edu/cu/lweb/indiv/rbml/index.html>

Revision Description

xml document instance created by Caitlin Goodman EAD was imported spring 2019 as part of the ArchivesSpace Phase II migration. 2013-03-05 2019-05-20

Restrictions on Access

This collection is located off-site. You will need to request this material at least three business days in advance to use the collection in the Rare Book and Manuscript Library reading room.

Restrictions on Access

This collection has restrictions. Subseries II.1 and Subseries II.2 include folders containing student grades and transcripts which are restricted for 80 years from date of record. Restricted folders are noted in the series note and container list.

Terms Governing Use and Reproduction

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Immediate Source of Acquisition

2011-2012-M027: Source of acquisition--Alice Henkin. Method of acquisition--Gift; Date of acquisition--8/24/2011.

Processing Information

Papers processed by Caitlin Goodman, 2013.

Processing Information

Finding aid written by Caitlin Goodman in March 2013.

Accruals

Materials may have been added to the collection since this finding aid was prepared. Contact rbml@columbia.edu for more information.

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Related Materials

Selected Related Material at Columbia

[Center for the Study of Human Rights Records](#), 1981-2004 [Bulk dates: 1987-2001].

Selected Related Material at Columbia

Human Rights First (acquisitioned in 2008, please contact rbml@libraries.cul.columbia.edu for more information)

Selected Related Material at Columbia

[Reminiscences of Learned Hand: Oral History, 1957](#). Interviewed by Louis Henkin.

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Controlled Access Headings

- Constitutional law
- Human rights
- International law and human rights
- Appointment books
- Clippings (Information Artifacts)
- Correspondence
- Interviews
- Photographs
- Student records
- Cassese, Antonio
- Damrosch, Lori F (Lori Fisler)
- Ginsburg, Ruth Bader
- Hand, Learned, 1872-1961
- Henkin, Alice H.
- Henkin, Louis
- Schachter, Oscar, 1915-2003
- American Law Institute
- Aspen Institute
- Columbia University. Center for the Study of Human Rights
- Columbia University -- Faculty
- Columbia University. School of Law
- Human Rights First (Organization)
- Human Rights Institute (Columbia University. School of Law)
- Lawyers Committee for Human Rights (U.S.)
- United Nations. Human Rights Committee

Collection Inventory

Series I: Biographical Materials, 1940-2007

Scope and Contents

This series is arranged chronologically unless otherwise noted. Clippings include issues of the *Columbia Law School Observer* as well as newspaper articles and editorials. CVs and directory bios also include biographical notes for contributor lists and programs. The day planners date from 1966 through 2004 but are not comprehensive. Honors and Awards include certificates, correspondence, diplomas, programs, and speeches. Interviews include an edited transcript of a 1995 conversation with Antonio Cassese and a partial transcript of a 1996 interview with Don Anton. The small file of personal materials includes some business correspondence, a formal appraisal for a collection of Felix Frankfurter's letters that Henkin donated to Harvard Law School, Henkin's "Humor" file (including a 1940 parody issue of *Harvard Law Review*, which he edited), and correspondence relating to awards and festschrifts. The

file is arranged alphabetically by topic. Photographs include two sets of professional portraits and three undated snapshots.

Title/Description	Instances
Attorney Certifications, 1989-2004 <u>Physical Description</u> : 1 folders	box 17
Clippings, 1974-2003 <u>Physical Description</u> : 4 folders	box 17
CVs and Directory Bios, 1965-2005 <u>Physical Description</u> : 6 folders	box 17
Day Planners, 1966-2004 <u>Physical Description</u> : (17 volumes)	box 18
Honors and Awards, 1978-2007 <u>Physical Description</u> : 26 folders	box 17
Interviews, 1995-1996 <u>Physical Description</u> : 2 folders	box 17
Personal, 1940-2004 <u>Physical Description</u> : 7 folders	box 17
Photographs, 1985-1995 <u>Physical Description</u> : 3 folders	box 17

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Series II: Columbia University, 1958-2007

Scope and Contents

This series covers Henkin's 40+ years as part of the Columbia Law School Faculty. The bulk of the series are course materials from Henkin's teaching activities. Records from Henkin's five years as a professor at the University of Pennsylvania Law School are included, to maintain consistency with Henkin's original arrangement. Records containing FERPA-protected student information are *restricted*. The series is divided into three subseries.

Subseries II.1: Administrative Files, 1972-2007

Scope and Contents

This subseries includes Henkin's participation on formal academic and administrative committees as well as routine announcement transmittals and personnel paperwork with his research and teaching assistants. A very small selection of related correspondence is present. Within each file, folders maintain Henkin's original titling and are arranged alphabetically. Six of the folders within the

file of Research and Teaching Assistants include student transcripts, and the relevant folders have been *restricted* for eighty years from date of record.

Title/Description	Instances
Announcements and University Business, 1979-2007 <u>Physical Description</u> : 11 folders	box 2
Appointments and Committees, 1972-2006 <u>Physical Description</u> : 10 folders	box 2
Appointments and Committees, 1972-2006 <u>Physical Description</u> : 10 folders	box 3
Research and Teaching Assistants, 1979-2006 <u>Physical Description</u> : 15 folders	box 3

Subseries II.2: Course Materials, 1958-2007

Scope and Contents

Records from Henkin's five years as a professor at the University of Pennsylvania Law School (1958-1962) are included, to maintain consistency with Henkin's original arrangement. Columbia University material dates from the mid-1990s to the mid-2000s and is arranged by course title. Materials include bound packets of course readings, drafts, lecture outlines, notes, and syllabi. Folders including FERPA-protected student information such as papers and grades are *restricted* for eighty years from date of record.

Title/Description	Instances
Comparative Human Rights, 2003	box 1
Student Papers, 2003 <u>Physical Description</u> : 1 folders	box 1
Syllabi, 2003 <u>Physical Description</u> : 1 folders	box 1
Constitutional Law, 1958-2005	
Class Notes, 1958-2005 <u>Physical Description</u> : 3 folders	box 1
Course Evaluations, 1999-2003 <u>Physical Description</u> : 2 folders	box 1
Exams, 1995-2005 <u>Physical Description</u> : 2 folders	box 1
Grades, 1996-1998 <u>Physical Description</u> : 1 folders	box 1
Syllabus, 2002	box 1

Physical Description: 1 folders

Constitutionalism in Comparative Perspectives, 1992-2005	
Student Papers, 2003-2004	box 1
<u>Physical Description</u> : 3 folders	
Syllabi, 1995-2001	box 1
<u>Physical Description</u> : 1 folders	
Weekly Outlines and Readings, 1992-2005	box 1
<u>Physical Description</u> : 21 folders	
Contracts, 1959-1962	box 2
Scope and Contents	
(Henkin taught Contracts at the University of Pennsylvania in the late 1950s and early 1960s before coming to Columbia University)	
Class Notes, 1959-1962	box 2
<u>Physical Description</u> : 4 folders	
Syllabi, 1959	box 2
<u>Physical Description</u> : 1 folders	
Human Rights, 1990-2004	
Bibliographies, 1992	box 2
<u>Physical Description</u> : 1 folders	
Course Evaluations, 2002	box 2
<u>Physical Description</u> : 1 folders	
Exams, 1994-2004	box 2
<u>Physical Description</u> : 3 folders	
Syllabi, 1990-2003	box 2
<u>Physical Description</u> : 1 folders	
Weekly Lecture Notes, 1990-2001	box 2
<u>Physical Description</u> : 9 folders	
Human Rights, Constitutional Rights, 2004-2007	
Bibliographies, 2004	box 2
<u>Physical Description</u> : 1 folders	
Grades, 2004-2007	box 2
<u>Physical Description</u> : 1 folders	
Student Papers, 2004-2007	box 2

Physical Description: 3 folders

Syllabi, 2006-2007 box 2

Physical Description: 1 folders

Weekly Outlines and Readings, 2005 box 2

Physical Description: 4 folders

Subseries II.3: Human Rights at Columbia, 1978-2005

Scope and Contents

Henkin was active in creating a space for human rights scholarship at Columbia University. The University-wide Center for the Study of Human Rights, founded by Henkin in 1978, was expanded into the Institute for the Study of Human Rights in 2010. Materials include conference announcements, a small selection of correspondence, organizational history, minutes, proposals, and reports. Henkin co-founded the Columbia Law School's Human Rights Institute in 1998. Human Rights Institute materials include some minimal correspondence, meeting minutes, and applications for fellowships and Institute positions.

Title/Description	Instances
Center for the Study of Human Rights, 1978-2005 <u>Physical Description</u> : 6 folders	box 3
Human Rights Institute, 1998-2004 <u>Physical Description</u> : 6 folders	box 3

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Series III: Correspondence, 1942-2007

Scope and Contents

Henkin filed his correspondence by topic, organization, or correspondent name. That arrangement has been preserved, and within each folder, letters are arranged chronologically. Some of the larger topical files include Faculty, Human Rights, and Recommendations. Although transcripts of Henkin's 1942 correspondence with Learned Hand are included, the rest of the material dates from 1966-2007, with the majority dating from the 1990s and 2000s.

Scope and Contents

Some correspondence was left by Henkin in folders labeled "to be filed" or "miscellaneous" and these letters have not been integrated into the alphabetical series. They have been arranged roughly chronologically. The bulk of this correspondence dates from 1996-2001.

Title/Description	Instances
Alphabetical, 1942-2007 <u>Physical Description</u> : 132 folders	box 3
Alphabetical, 1942-2007	box 4

Physical Description: 132 folders

Alphabetical, 1942-2007	box 5
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Physical Description: 132 folders

Chronological, 1984-2005	box 5
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Physical Description: 34 folders

Chronological, 1984-2005	box 6
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Physical Description: 34 folders

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Series IV: Professional Activity, 1957-2007

Scope and Contents

Henkin was involved with a number of non-profits and professional organizations related to his research interests. He founded Lawyers Committee for Human Rights in 1978 (now Human Rights First) and was active in the Aspen Institute, particularly the Justice and Society program directed by his wife. He was also an elected member of the American Philosophical Society and the American Academy of Arts and Sciences. Major organizational activity is filed, alphabetically, under Organizations. Briefer activities, including his work with the Council of Europe and the Advisory Committee on International Law, are filed under Other Memberships. Materials include agendas, announcements, clippings, conference programs, correspondence, meeting minutes, reading lists and excerpts, and reports.

Title/Description	Instances
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Conferences and Symposia, 1987-2007	box 6
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Physical Description: 12 folders

Organizations, 1957-2006	
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American Journal for International Law, 1989-2006	box 6
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Physical Description: 2 folders

American Law Institute Restatement of Foreign Relations Law of the United States,, 1957-1984	box 7
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Physical Description: (8 folders, 35 volumes)

Scope and Contents

(Henkin served as the Chief Reporter for the *Restatement (Third) of Foreign Relations Law* published in 1987. As reference material, this file also includes drafts and reports from the first Restatement from the 1950s and 1960s. For the third Restatement, there are three sets of bound drafts: a "Preliminary Draft" submitted to the Advisers of the Restatement, a "Council Draft" submitted by the Advisers to the full ALI Council, and a "Tentative

Draft" submitted by the Council to the general ALI membership.)

American Law Institute Restatement of Foreign Relations Law of the United States,, 1957-1984	box 8
<u>Physical Description:</u> (8 folders, 35 volumes)	
Scope and Contents	
(Henkin served as the Chief Reporter for the <i>Restatement (Third) of Foreign Relations Law</i> published in 1987. As reference material, this file also includes drafts and reports from the first Restatement from the 1950s and 1960s. For the third Restatement, there are three sets of bound drafts: a "Preliminary Draft" submitted to the Advisers of the Restatement, a "Council Draft" submitted by the Advisers to the full ALI Council, and a "Tentative Draft" submitted by the Council to the general ALI membership.)	
American Philosophical Society, 1990-2006	box 6
<u>Physical Description:</u> 9 folders	
American Society of International Law, 1982-2006	box 6
<u>Physical Description:</u> 4 folders	
Aspen Institute, 1988-2005	box 6
<u>Physical Description:</u> 12 folders	
Ford Foundation, 1991-1993	box 9
<u>Physical Description:</u> 3 folders	
Human Rights First, 1989-2006	box 9
<u>Physical Description:</u> 8 folders	
Institut de Droit International, 1992-2005	box 9
<u>Physical Description:</u> 6 folders	
Instituto Interamericano de Derechos Humanos, 1986-1993	box 9
<u>Physical Description:</u> 5 folders	
International Association of Constitutional Law, 1983-2004	box 9
<u>Physical Description:</u> 9 folders	
Other Memberships, 1980-2004	box 9
<u>Physical Description:</u> 17 folders	

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Series V: Subject Files, 1950-2007**Scope and Contents**

This series consists of topical materials that Henkin filed separately. There is some overlap with other series, particularly his course materials on Human Rights and International Law, but his original arrangement has been maintained. Records in this series include articles by Henkin and other scholars, citations searches from Westlaw, clippings, correspondence, government publications, journals, legal briefs and opinions, and symposia programs. Materials are arranged alphabetically by topic.

Title/Description	Instances
Amicus Briefs and Court Opinions, 1968-2005 <u>Physical Description:</u> 8 folders	box 10
China, 1979-1993 <u>Physical Description:</u> 5 folders	box 10
Constitutionalism, 1982-2005 <u>Physical Description:</u> 9 folders	box 10
Europe, 1990-1996 <u>Physical Description:</u> 2 folders	box 10
Extradition and the Alien Tort Claims Act, 1966-2004 <u>Physical Description:</u> 4 folders	box 11
France, 1984-2000 <u>Physical Description:</u> 6 folders	box 10
Free Speech, 1989-1992 <u>Physical Description:</u> 2 folders	box 10
Human Rights, 1977-2006 <u>Physical Description:</u> 15 folders	box 11
International Law, 1979-2006 <u>Physical Description:</u> 7 folders	box 10
Israel, 1988-2005 <u>Physical Description:</u> 2 folders	box 10
Japan, 1992-1993 <u>Physical Description:</u> 2 folders	box 11
Law Reviews, 1997-2007 <u>Physical Description:</u> 14 folders	box 11
Law Reviews, 1997-2007 <u>Physical Description:</u> 14 folders	box 12
Refugees, 1950-2005	box 12

Physical Description: 8 folders

South Africa, 1982-1986

box 12

Physical Description: 2 folders

Terrorism and War, 1984-2005

box 12

Physical Description: 10 folders

Torture, 2003-2007

box 12

Physical Description: 3 folders

Treaties, 1987-2004

box 12

Physical Description: 7 folders

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Series VI: United Nations, 1981-2005

Scope and Contents

This series is divided into two subseries. The Economic and Social Council (ECOSOC) is a major organ of the United Nations and includes the subsidiary Commission on Human Rights and various sub-commissions. The more substantive subseries is from the Human Rights Committee, a treaty body of the United Nations implemented under the International Covenant on Civil and Political Rights. Henkin was one of the 18 appointed experts from 1999-2002. The HRC provides recommendations on reports and individual complaints submitted by states and their citizens.

Subseries VI.1: Economic and Social Council, 1981-2004

Scope and Contents

This subseries includes occasional reports and correspondence from the ECOSOC's human rights bodies. Most of the material was sent as courtesy copies to Henkin in response to his involvement in international human rights law. Materials are arranged chronologically.

Title/Description	Instances
Commission on Human Rights, 1989-2004 <u>Physical Description</u> : 2 folders	box 12
Sub-Commission on Prevention of Discrimination and Protection of Minorities,, 1981-1988 <u>Physical Description</u> : 5 folders	box 12

Subseries VI.2: Human Rights Committee, 1993-2005

Scope and Contents

Materials in this subseries include some correspondence between Human Rights Committee members, individual complaints, and records and decisions from the committee's plenary sessions. The bulk of the subseries are the country reports, which consist of states party reports to be discussed in plenary

sessions, as well as notes and supporting reports from organizations like Amnesty International and Human Rights Watch. Materials are arranged chronologically.

Title/Description	Instances
Correspondence, 1999-2005 <u>Physical Description</u> : 2 folders	box 13
Country Reports, 1993-2003	
Argentina, 1995-2000 <u>Physical Description</u> : 5 folders	box 13
Australia, 1994-2000 <u>Physical Description</u> : 6 folders	box 13
Croatia, 1996-2001 <u>Physical Description</u> : 4 folders	box 13
Czech Republic, 2000-2001 <u>Physical Description</u> : 4 folders	box 13
Democratic People's Republic of Korea, 1995-2003 <u>Physical Description</u> : 10 folders	box 13
Denmark, 1995-1999 <u>Physical Description</u> : 1 folders	box 13
Dominican Republic, 1993-2001 <u>Physical Description</u> : 5 folders	box 13
Gabon, 1999-2000 <u>Physical Description</u> : 1 folders	box 13
Guatemala, 1994-2001 <u>Physical Description</u> : 5 folders	box 13
Ireland, 1998-2000 <u>Physical Description</u> : 5 folders	box 14
Kuwait, 1998-2000 <u>Physical Description</u> : 3 folders	box 14
Kyrgyzstan, 1997-2000 <u>Physical Description</u> : 4 folders	box 14
Monaco, 1994-2001 <u>Physical Description</u> : 1 folders	box 14
Peru, 1996-2000 <u>Physical Description</u> : 6 folders	box 14
Syria, 1999-2001	box 14

<u>Physical Description</u> : 5 folders	
Trinidad and Tobago, 1999-2000	box 14
<u>Physical Description</u> : 2 folders	
Uzbekistan, 1999-2001	box 14
<u>Physical Description</u> : 6 folders	
Venezuela, 1999-2001	box 14
<u>Physical Description</u> : 4 folders	
Individual Complaints, 1997-2001	box 15
<u>Physical Description</u> : 7 folders	
Plenary Session Decisions, 2000-2002	box 15
<u>Physical Description</u> : 9 folders	

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Series VII: Writings, 1956-2005

Scope and Contents

Henkin was a prolific writer and speaker, and this series includes materials from throughout his career, although the majority dates from the early 1990s through 2002. Articles include related correspondence, drafts, and offprints, and are arranged by year and then alphabetically by title. The bulk of the Books file is publication agreements, royalty statements, reviews, and related correspondence. The file is arranged alphabetically by book title and includes materials from various revisions and reprintings. Conference Proceedings include some of Henkin's published speeches and reprints of his Congressional testimony, and is arranged by date. Unpublished Speeches and Typescripts include notes and typescripts, along with some related correspondence, filed chronologically. Henkin usually spoke extemporaneously from notes, but frequently formalized his notes after the event for potential later publication and those drafts are included here.

Title/Description	Instances
Articles, 1956-2005	box 15
<u>Physical Description</u> : 111 folders	
Articles, 1956-2005	box 16
<u>Physical Description</u> : 111 folders	
Books, 1973-2005	box 16
<u>Physical Description</u> : 31 folders	
Conference Proceedings, 1965-2002	box 16
<u>Physical Description</u> : 20 folders	
Unpublished Speeches and Typescripts, 1974-2004	box 17

Physical Description: 45 folders

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