

# René Cassin and Human Rights

*From the Great War to the Universal Declaration*

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Jay Winter and Antoine Prost



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‘No set of legal institutions or prescriptions exists apart from the narratives that locate it and give it Meaning. For every constitution there is an epic.’

Robert Cover, ‘The Supreme Court, 1982 Term – Foreword: Nomos and Narrative’, *Harvard Law Review*, 117 (1983), p. 4.

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## Preface and acknowledgments

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Writing a biography poses particular problems for historians. First, it is impossible to approach this task without a certain sympathy for the person whose life you intend to explore. We are the first to admit that we share the admiration and the respect which René Cassin inspired in many of his contemporaries, as well as a kind of complicity as we traverse the century in his company. In this effort we have been blessed with abundant documentation preserved in archives, in particular the diaries he kept during the Second World War, and in a blessedly legible handwriting.

A historian, though, cannot accept without scrutiny what the subject said about his life and his actions. The meaning we give to our lives at a given moment may look very odd a few years thereafter. That is why we need to adopt a perspective which permits distance from the self-perception of our subject. Without this separation, history becomes hagiography. Biography suffers if it is based on affection or uncritical admiration. Our task is not to instruct the reader by magnifying the achievements of a hero, but in retracing his career and his action, in measuring the impact of his work and its meaning. Biography is a work of critical intelligence and elucidation, neither a panegyric nor an accusation. Our job is to explain what our subject did, why he did it, and to what effect. Moral judgment remains the province of the reader.

The second problem we face is of a different order. It arises out of the diversity of the work and experience of our subject. To attract our attention, such individuals must have passed a life to a degree out of the ordinary, and have passed through experiences in different settings, in particular if they lived a long life, as Cassin did. Here is one of the attractions of biography: in the effort to describe accurately the role of a public figure, we need to offer a somewhat panoramic view on the world through which he passed. From this perspective, Cassin lived an exceptionally varied life; indeed, it makes sense to say that in his eighty-eight years, he lived several lives, each one of which merits its own

biography. By surveying his multiple posts and responsibilities, his story becomes that of a century seen through the prism of an individual's life.

To tell the story of Cassin's work in different periods and settings, we have had to find and master very different and scattered archives, entering into the specialist literature of several fields, and into learned disputes in jurisprudence or administration over most of a century. What may appear to be a linear narrative of the life of a man inevitably becomes the study of multiple crossing relationships, like weaving a tapestry of substantial and uneven dimensions. Because it touches on so many subjects and themes, biography is necessarily a multi-disciplinary matter, and given the unknowns in every life, a full biography can never be written. We come as close to it as we can, knowing the difficulty and limits of the exercise.

Biographies present a third set of unavoidable problems. They reside in what Bourdieu termed 'the biographical illusion'. To study the life of a man, whoever he may be, naturally means to seek its coherence, its logic. To do so, we depend on the traces which the person left, and yet as real as they are, they remain only traces, and our reading of them, without being arbitrary, always remains personal. Working together, we were able to limit the risk of too subjective an approach, since our points of view, our native languages and our writing styles differ. We do not pretend to have portrayed with equal justice all the varied facets of Cassin's life. And we have been very well aware that, like everyone else, Cassin took with him to his grave mysteries which we must acknowledge and respect.

This biography is in no sense definitive. Every single life can be read in different ways, and his is no exception. Other biographers, closer to him, notably Marc Agi and Gérard Israël, have written studies to which we are indebted. Approaching this biography as historians who have spent considerable time exploring the history of the Great War and its imprint on those who waged it, we hope to show the extent to which Cassin expressed the hopes and anguish of an entire generation. That was our starting point, but we went well beyond it. We have tried to enrich our interpretation not only by using Cassin's extensive archive, but also in seeking out the traces he left both in organizations close to his heart and in other sites of his extraordinarily varied public life. This effort led us to emphasize the importance of his role in both national and trans-national history, while never losing sight of the universal element in his thinking.

This biography was only possible to complete as the work of a partnership. To give a preliminary idea of our principal sources, we drew heavily on the Cassin archive and other holdings of the Archives Nationales in Paris, including those of the Offices Nationaux des Mutilés and des Pupilles, the Conseil d'Etat and ENA. We have explored the archives