

GEORGE WASHINGTON UNIVERSITY
Department of Anthropology
Spring 2006

HUMAN RIGHTS AND ETHICS

Instructor: Robert Albro
Course: Anth 150 (10)
Office: 1957 E Street, 501P
Office Hours: Wed 11:00-12:00pm and
Fri 1:00-2:00pm
Class Time: W, F 9:35am – 10:50am
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Course Description:

This course considers the historical foundations and ethics of “universal human rights,” as well as the relative extent of an international “culture of rights.” It examines how differences across human communities complicate the straightforward application of human rights discourse and practice across specific topics, in different places, where questions of rights are hotly contested. Topics we look at include: crimes against humanity, rights activism, genocide, biotechnology, gender, ethnicity, religion, migration, nutrition, the environment, the context of war, identity politics and cultural pluralism. Places we visit include: cyberspace, India, post-WWII Europe, Australia, post-Apartheid South Africa, China, the contemporary United States, and elsewhere. In this course we are also interested in how and why cultural considerations have transformed, enriched, and at times thrown in doubt the idea of “human rights.” This includes a concern with the ethical basis for human rights, and the relationship between human rights discourse and practice, on the one hand, and definitions of moral community, on the other.

Our course goal is to explore the tensions between the *universal* defense of human rights, and the *diversity* of real world, culturally specific, conflicts, where “rights” are understood in a variety of often contradictory ways. The very notion of “rights” is subject to considerable examination in this course, including ethical justifications for human rights and debates over the limits of rights and different sorts of rights, such as: universal human rights, the state and citizenship rights, intellectual property rights, collective versus individual rights, the questions of relativism, and customary law. In so doing, we take up problems and questions embedded in our convictions about rights, as primarily about: equivalence, mutual respect, justice, the defense of the weak, an international community, the preservation of difference, or perhaps all of the above. Amidst global diversity and

inequality, and given the debate over the extent of application of “rights,” is there a role for “rights” in the development of global governance?

Required Texts:

Mary Ann Glendon’s *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. Random House (2001)

Francis Fukuyama’s *Our Posthuman Future: Consequences of the Biotechnology Revolution*. Picador USA. (2003)

Vandana Shiva’s *Protect or Plunder? Understanding Intellectual Property Rights*. Zed Books (2002)

Richard Wilson’s *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*. Cambridge University Press. (2001)

Joanne Bauer and Daniel Bell’s (eds.) *The East Asian Challenge for Human Rights*. Cambridge University Press (1999)

Margaret Keck and Kathryn Sikkink’s *Activists Beyond Borders: Advocacy Networks in International Politics*. Cornell University Press. (1998)

Ronald Niezen’s *The Origins of Indigenism: Human Rights and the Politics of Identity*. University of California Press. (2003)

Specific Goals and Objectives:

Discussing, Debating, and Understanding:

1. The International System of Human Rights
2. The Basic Needs Approach to Rights
3. The Idea of an International “Culture of Rights”
4. History of Human Rights as “Natural Rights”
5. The “Universality” of Human Rights Discourse
6. New Developments in Human Rights Debates
7. Biotechnology and the Rights Debate
8. Intellectual Property Rights
9. The Relationship Between Rights and Culture
10. Human Rights and the Asian Values Debate
11. Universality versus Relativism
12. Human Rights and the Problem of Justice
13. Legal Pluralism, Multiculturalism, and Rights
14. Human Rights, Truth Commissions, Truth-telling

15. Different Generations of Rights
16. Rights and Challenges of Customary Law
17. The Challenges of Cultural Rights
18. Gender and in the Project of “Human” Rights
19. Individual versus Collective Rights
20. The Work of Human Rights Advocacy
21. Human Rights and Cultural Identity Politics
22. The Project of an Indigenous Rights Movement
23. Human Rights and Professional Associations

Course Requirements and Grades:

1. Completion of all reading assignments in a timely fashion, oral presentations of readings, and regular participation in class discussions. Please note: class attendance is mandatory (20% of total grade).
2. Three short papers to be assigned. Due dates: Feb. 24, March 31, April 28.
3. Final examination. To be held at scheduled time during exam week.
4. Final grade calculated on the following basis: 10% total class participation, 60% total of three written assignments, 30% final exam.

Relevant Websites:

Amnesty International: www.amnesty.org
 Crimes of War: www.crimesofwar.org
 Human Rights Watch: www.hrw.org
 Office of the United Nations High Commissioner on Human Rights: www.unhchr.ch
 The Human Rights Web: www.hrweb.org
 Indigenous Peoples’ Human Rights Project: www.hrusa.org/indig/
 Inter-American Commission on Human Rights: www.cidh.org
 Human Rights Program at the University of Chicago: humanrights.uchicago.edu
 US State Department Country Reports on Human Rights Practices:
www.state.gov/www/global/human_rights/hrp_reports_mainhp.html
 American Anthropological Association Committee on Human Rights:
www.aanet.org/committees/cfhr/index.htm
 South African Human Rights Commission: www.sahrc.org.za
 Human Rights Institute at the University of Connecticut: www.humanrights.uconn.edu
 Inter-American Commission on Human Rights: www.cidh.oas.org/DefaultE.htm
 The Human Rights Internet: www.hri.ca/index.aspx
 Human Rights in China: www.hrichina.org
 Human Rights Resource Center at the University of Minnesota: www.hrusa.org
 South African Human Rights Commission: www.sahrc.org.za

WEEK 1 (Jan 18, 20): So What Are Human Rights Anyway...?

Reading: “An Introduction to Human Rights” and “A Short History of the Human Rights Movement” <http://www.hrweb.org>

WEEK 2 (Jan 25, 27): Writing the Universal Declaration of Human Rights

Reading: Mary Ann Glendon’s *A World Made New*. Entire book.

WEEK 3 (Feb 1, 3): Basic Needs Approach and Nutritional Rights

Reading: Marchione and Vanderslice’s “The Right to Food” (1998). <http://www.worldhunger.org/articles/global/foodashumrgt/special.htm>

Kracht’s “Food is a Human Rights” (1998). <http://www.worldhunger.org/articles/global/foodashumrgt/special.htm>

Knudsen’s “Adequate Food: A Human Right.” (2002).
http://www.ulandslaere.au.dk/Opgavestof/2002/EndeligeOpgaver_2002/AdequateFood_byIngvildPKnudsen.htm

Eide’s “Nutrition and Human Rights.” In *Nutrition: A Foundation for Development*. Geneva: ACC/SCN (2002). www.ifpri.org/pubs/books/intnut/intnut_10.pdf

WEEK 4 (Feb 8, 10): Biotechnology and Rights *after* the Human Genome Project?

Reading: Fukuyama’s *Our Posthuman Future*. Chapters to be specified.

WEEK 5 (Feb 15, 17) Gender Trouble and “Human” Rights?

Reading: “The French Declaration of the Rights of Man and Citizen” (1789).
http://www.wsu.edu:8080/~wldciv/world_civ_reader/world_civ_reader_2/rights_of_man.html

Lucinda Joy Peach’s “Are Women Human?” In *Negotiating Culture and Human Rights*. L. S. Bell et al., eds. Columbia. (2001)

Gayle Binion's "Human Rights: A Feminist Perspective." In *Human Rights Quarterly* 17: 509-526. (1995)

Martha Minow's "About Culture: About Them, About Us." In *Daedalus* (Fall 2000)

WEEK 6 (Feb 22, 24): Rights Conflicts? Environmental versus Other Rights

Reading: Keck and Sikkink's *Activists Beyond Borders*. Ch. 4 (pp. 121-164).

Hari Osofsky and Joanne Bauer (eds.) "Environmental Rights." *Human Rights Dialogue* 2 (11) (Spring 2004).

<http://www.carnegiecouncil.org/viewMedia.php/prmID/4437>

Read all the articles in Section 2 "The Conflict between Rights and Environmentalism": Veit and Benson, Alley and Meadows, Renteln, and Bauer respectively.

First short paper due in class on the 24th!

WEEK 7 (March 1, 3): Future Rights? New Intellectual Property Debates

Reading: Shiva's *Protect or Plunder?* Entire book.

WEEK 8 (March 8, 10): The Call for Global Justice and Challenges of Cultural Rights

Reading: Robert Albro and Joanne Bauer's (eds.) Special issue on "Cultural Rights: What They Are, Why They Matter, How They Can Be Realized." *Human Rights Dialogue* 2 (12) (Spring 2005).

<http://www.cceia.org/viewMedia.php/prmID/5131>

Read the following two sets in this order: "Introduction," "The Case for Cultural Rights," and the articles by Nersessian, Thuku, Celermajer; "Institutionalization and Standardization," and the articles by Eisenberg, Kymlicka, and Shelton respectively.

Spring Break, March 13-17

WEEK 9 (March 22, 24): Universalism/Relativism: Human Rights and Asian Values?

Reading: Bauer and Bell's *The East Asian Challenges for Human Rights*. Chapters to be specified.

WEEK 10 (March 29, 31): The Ethics of "Culture" with "Rights" in the Real World

Reading: Sally Merry's "Changing Rights, Changing Culture." In *Culture and Rights*. Pp. 31-55. (2001)

Thomas Hylland Eriksen's "Between Universalism and Relativism: A critique of UNESCO's Concept of Culture." In *Culture and Rights: Anthropological Perspectives*. J. Cowan et al., eds. Pp. 127-148. (2001).
<http://folk.uio.no/geirthe/UNESCO.html>

Robert Albro's "Making Cultural Policy and Confounding Cultural Diversity"
<http://www.culturalcommons.org/comment-print.cfm?ID=26>

Second short paper due in class on the 31st!

WEEK 11 (April 5, 7): Crimes and Commissions: Pluralism, Justice, Truth-Telling

Reading: Wilson's *The Politics of Truth and Reconciliation in South Africa*. Chapters to be specified.

WEEK 12 (April 12, 14): Getting it Done: The Work of Human Rights Advocacy

Reading: Keck and Sikkink's *Activists Beyond Borders*. Chs. 1, 3 (pp. 1-38 and 79-120).

WEEK 13 (April 19, 21): Global Politics and the Indigenous Rights Movement

Reading: Niezen's *The Origins of Indigenism*. Entire book.

WEEK 14 (April 26, 28): The UN/AAA and Institutionalization of Indigenous Rights

Reading: UN's "Draft Declaration on the Rights of Indigenous Peoples." (1993). www.iwgia.org/sw248.asp

American Anthropological Association's "Declaration on Anthropology and Human Rights." (1999). www.aaanet.org/stmts/humanrts.htm

Lara Carlsen's "Self-Determination and Autonomy in Latin America: One Step Forward, Two Steps Back" (2002). <http://selfdetermine.irc-online.org/regions/indigrights.html>

Final short paper due in class on the 28th!

WEEK 15 (May 3): Conclusion and Wrap-up

Reading: No new reading. Review for final exam.

Exam period, May 8-16