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COURSE DESCRIPTION

In this course we will describe and analyze the concept of human rights as they apply to situations in the contemporary world. A basic theme in our analysis of human rights will be the interplay between the abuse of human rights, power, and culturally constructed difference. An interdisciplinary approach, with an emphasis on anthropology but also incorporating concepts from other social sciences, history and philosophy will be used to examine the following central questions: 1) What are competing ideas and theories about what constitutes human rights? 2) What are the historical origins of contemporary ideas about human rights? 3) What are some of the world's major human rights situations? 4) What are the political, economic, and cultural contexts in which human rights abuses occur? 5) What, if any, practical solutions are there to human rights abuses?

Contemporary interpretations of the idea of human rights will be examined from several theoretical and political perspectives. Major issues include the dialogues, often framed as dichotomies, between 1) universal human rights and cultural relativity, 2) individual versus collective rights, and 3) political and civil rights versus social, cultural and economic rights. Thus, in addition to the political and civil rights of international treaties, we also examine the cultural, social and economic rights of people and peoples as well as indigenous rights, and environmental rights. Our goal will be to extend contemporary interpretations to existing social and political problems around the world and to seek ways in which anthropologists can have a positive role to play in finding solutions to those problems.

A note on professionalism: Human rights are a life and death matter for large numbers of people around the world. If you are not serious about this class and the work that we'll be doing, please do not waste my time, yours, or that of the rest of the class by giving less than full effort. This includes regular attendance, preparation for class, and participation in discussion. I have zero tolerance for plagiarism or other cheating of any kind (including purchased term projects or papers). I will give you an immediate F, drop you from the class, and report you to the administration. I do take attendance.

COURSE REQUIREMENTS

- 1) Classes will consist of a lecture and the collective analysis and discussion of assigned readings. It is essential that everyone thoughtfully read all assignments beforehand. The questions at the end of each chapter of the Claude and Weston book will guide some of the discussion, but other questions will emerge as well. I show several videos and often have guest speakers. I expect you to treat these as seriously as you do my own lectures.
- 2) In the 6th and 9th WEEK there will be mid-term exams. Each will be worth 25%. One will be in class; the second will be a take home.
- 3) Each student will also do a project/paper concerning a specific human right or the human rights situation of a specific country, part of the world, a nationality, or group of people. The paper must be action oriented. This will constitute 50% of your grade. More about it in the second week of class.

I WILL NOT ACCEPT LATE PAPERS UNLESS YOU HAVE A DOCUMENTED EMERGENCY (SUCH AS A DEATH IN THE FAMILY, OR GRAVE ILLNESS).

If you have special learning/testing needs, please contact me to make arrangements.

GRADING: Grades will be assigned on the basis of a modified standard in which, for example, if you all get 90% or better of the available points, you all get "As" and so forth. I find this method reduces competition and promotes cooperation. The curve comes in when I make adjustments in the standards if nobody should get a grade in the 90s or there are clusters of grades around a certain score. In that case, the A would be the highest "cluster," or I may dip to 88 for an A- and so forth. In general, however, grades between 100-90 = some kind of an "A" (A or A-). An "A" is clearly superior work; more than "exactly what I asked for." A grade between 89-80 = some kind of a B. A "B" is very good work, covers all the bases, is pretty much just what I asked for (but nothing more). There may be some small errors of fact or interpretation. A grade between 65-79 = some kind of a C. A "C" exam or paper is average. It is correct on many points but not all. There may be some serious omissions or confusion or errors on significant points. A grade between 55-65 is a kind of a "D." A "D" exam or paper means that there are many serious errors or misunderstandings or omissions. It is borderline pass and suggests that the student needs to do things rather differently. An "F" is an F - basically, wide of the mark in all areas

TEXTS

Books at UNM Bookstore

- 1) Claude, Richard & Burns Weston, *Human Rights in the World Community: Issues and Action*. Philadelphia: University of Pennsylvania Press.
- 2) Sluka, Jeff, (ed.) *Death Squads*, Philadelphia, University of Pennsylvania Press.
- 3) Julie Peters and Andrea Wolper, (eds) *Women's Rights, Human Rights*. New York: Routledge.
- 4) Barbara Rose Johnston (ed.) *Life and Death Matters: Human Rights and the Environment at the End of the Millennium*. Walnut Creek: Altamira Press.
- 5) Optional: Steiner, Henry J. *International Human Rights in Context: Law, Politics, Morals*. Oxford: Clarendon Press.
- 6) Additional Readings for Graduate Students- An-Na'Im, Abdullah, *Human Rights in Cross Cultural Perspectives*. Philadelphia, Univ. of Penn Press. 7)

I have also placed a few readings on reserve in the Clark Field Archive (in the Anthro Bldg). Articles are referred to in the Course Outline as "Packets 1-3-On Reserve." It is your responsibility to get to the Clark Field Archive in a timely fashion. Materials can only be checked out for 2-hour blocks, or under some circumstances overnight. You may Xerox the material if you wish.

COURSE OUTLINE

WEEK 1 Jan 14-18

Class 1. **Introduction. Purpose and Goals of the Class.**

Class 2. **The Idea of Human Rights; Origins and Evolution.**

Readings: a) Claude and Weston (Hereafter C & W), pp. 1-30. b) C & W, pp. 413-447 (UN HR Documents, e.g., UN Charter and the UDHR, International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); Optional Protocol on ICCPR; Second Optional Protocol on Capital Punishment.

WEEK 2 Jan 21-25

Class 3. **Theoretical Foundations/ The Role of Anthropology**

Readings: In C & W: a) Falk, "Theoretical Foundations of Human Rights," pp. 31-40. b) In Sluka, "Introduction," pp. 1-36.

Class 4. **What are Human Rights? Basic Decencies.**

Readings In C&W: a) "Basic Decencies," pp. 58-69. b) Kuper, "The Sovereign Territorial State: The Right to Genocide," pp. 69-78. c) "Amnesty International, Torture as Policy," pp. 78-88; d) Lillich, "Civil Rights," pp. 90-100.

WEEK 3 Jan 28- 1 Feb.

Class 5. **Universality Vs Cultural Relativity.**

Readings: a) In C & W: Teson, "International Human Rights and Cultural Relativism, pp. 42-51; b) Greenberg, "Race, Sex, and Religious Discrimination in International Law, pp. 90-111; c) In Peters and Wolper (hereafter P&W): Rao, "The Politics of Gender in Human Rights Discourse, pp. 167-175 and c) Mayer, "Cultural Particularism as a Bar to Women's Rights: Reflections on the Middle Eastern Experience," pp.176-188.

Class 6. **Universality and Cultural Relativity (continued)**

Readings: a) Nagengast, "Women, "Minorities and Indigenous People," (on reserve, packet 1), b) In P & W: Toubia, "Women and Female Genital Mutilation, pp 224-237, c) In C&W: Bay, "Human Rights on the Periphery: No Room in the Ark for the Yanomami," pp. 124-132.

WEEK 4 Feb. 4-8

Class 7. **Refugees**

Readings: a) In C&W, Smyser, "Refugees: A Never Ending Story, pp. 114-122. b) In P & W: Copelon, "Gendered War Crimes: Reconceptualizing Rape in Time of War, pp. 197-214; c) Wali, "Human rights for Refugee and Displaced Women, 335-344.

Class 8. **Migrants and Workers**

Readings: a) Nagengast, Stavenhagen and Kearney, Human Rights and Indigenous Workers (On reserve-packet 2).b) In P&W: Pyne, "AIDS and Gender Violence: the Enslavement of Burmese Women in the Thai Sex Trade," pp. 215-223; c) Seif, "Contextualizing Gender and labor: Class, Ethnicity and Global Politics in the Yemeni Socio-Economy," pp. 289-300.

WEEK 5 Feb. 11-15

Class 9: **Terror and Death.**

Readings: In Sluka: a) Mahmood, "Trials by Fire: Dynamics of Terror in Punjab and Kashmir," pp. 70-90. b) Afflitto, "The Homogenizing Effects of State-Sponsored Terrorism: The Case of Guatemala," pp. 114-126. c) McKenna, "Murdered or Martyred? Popular Evaluations of Violent Death in the Muslim Separatist Movement in the Philippines," pp. 189-204.

Class 10: **What Does it Take to Become a Torturer? An Abuser of Human Rights?**

Readings: a) Nagengast, "Terror and the Crisis of the State,"(Packet 2-on reserve); b) In Sluka: Pettigrew, "Parents and Their Children in Situations of Terror, pp. 204-225; c) Warren, "Death Squads and Wider Complicities: Dilemmas for the Anthropology of Violence," pp. 226-248.

WEEK 6 Feb. 18-22

Class 11: Catch up. Review Session.

Class 12: In Class Midterm

WEEK 7 Feb 25- 1 March

Class 13: **Basic Human Needs.**

Readings: In C&W: a) Intro to Basic Human Needs Section, pp 137-145. b) Pollis, "Human Rights in Liberal, Socialist, and Third World Perspective," pp. 145-156 c) Eide, "Realizations of Social and Economic Rights and the Minimum Threshold Approach," pp. 137-166.

Class 14. **Collective Rights**

Readings: a) In C&W. Espiell, "The Right of Development as a Human Right" pp. 167-174. b) In Johnston, a) Appendix (Draft Declaration on Human Rights and the Environment); b) Johnston, "Introduction," pp. 9-25; c) Aragon, "Distant Processes;" pp. 26-42; d) Swope et al, "Uncommon Property Rights in Southwest China," pp. 43-60.

WEEK 8 March 4-8

Class 15. **More on Collective Rights and Development**

Reading: In Johnston: a) Sponsel, "The Master Thief: Gold Mining," pp. 99-127; b) Gedicks, "War on Subsistence," pp. 128-148; c) Pi-Sunyer & Thomas, "Tourism, Environmentalism, and Cultural Survival," 187-212; pp. 97-184 d) Stea, et al. "Environment, Development, and Indigenous Revolution in Chiapas," pp. 213-238. e) In P&W Howard, "Women's Rights and the Right to Development," pp. 301-16.

Class 16. Film: Catch up and Review.

WEEK 9 March 11-15

Spring Break

WEEK 10 . March 18-22

Class 17. **Nutrition as a Right:**

Reading: In Johnston: a) Wheeler & Esainko, "Purity and Danger: Regulating Organic Farming," pp. 151-172; b) Phillips, "Resources Access, Environmental Struggles and Cultural Survival in Honduras," pp. 173-184.

Class 18. **Development and Conflict:**

Readings: In Johnston: a) Derman, "Nature, Development, and Culture in the Zambezi Valley," pp. 61-81; b) Hitchcock, "African Wildlife: Conservation and Conflict," pp. 81-96.

WEEK 11 March 25-29

Class 19. **Self-Determination and Peace**

Reading. In C&W: a) Hannum, "Self-Determination as a Human Right," pp. 175-184; b) Weiss, "Planetary Rights," pp. 187-197. c) Alston, "Peace as a Human

Right," pp. 198-207. In Johnston: d) McSpadden, "Life and Death in Etitrea: Repatriation," pp. 241-265. e) Wisner, "Environmental Justice, Health and Safety in Urban South Africa," pp. 265-286.

Class 20: **Indigenous People Fight Back.**

Readings: Get caught up!

WEEK 12 April 1-5

Class 21 **The Death Penalty as Human Rights Abuse**

Readings: All on reserve - Packet 3: Excerpts from *A Punishment in Search of a Crime*: a) "Introduction", b) "The High Cost of Death," c) "Eye of the Beholder," d) "The Quality of Mercy," e) "A Pilgrim's Progress;" f) "Who Killed Jimmy's Mama?" g) Purdum and Paredes, "Rituals of Death: Capital Punishment and Human Sacrifice."

Optional Extra Assignment: make this weekend's video the Academy Award winning film, *Dead Man Walking*, or *Green Mile*.

Class 22- **International Approaches to Action**

Readings: In C&W Entire Section, pp. 215-280

Hand out take home midterm

WEEK 13 April 8-12

Class 23. No reading: **Take home midterm due**

Class 24. **National Approaches to Implementation**

Readings: In C & W: a) Luard, "Human Rights and Foreign Policy," pp. 296-307, b) Donnelly, "Humanitarian Intervention and American Foreign Policy," pp. 307-20; c) Forsythe, David "Congress and Human Rights in US Foreign Policy," pp. 320-29.

WEEK 14 April 15-19

Class 25. **NGO Action and Anthropological Action.**

Readings: In C & W: a) Wiseberg, "Human Rights, Nongovernmental organizations," pp. 372-83; c) Snow, Stover, & Hannibal, "Scientists as Detectives," pp. 384-91. d) Messer, "Hunger Vulnerability from an Anthropologist's Perspective: Food Systems Perspective," (On Reserve-packet 4)

Class 26. **Corporate, and Individual Action**

Readings: In C & W: a) Lippman, "Multinational Corporations and Human Rights," pp. 392-400; b) Nagan, "Looking and Thinking About Human Rights and Revolution," pp. 401-07. c) George, "What Can I Do?"-On reserve, packet 4.

WEEK 15 April 22-26

Class 27. Graduate Student Presentations

Class 28 Graduate Student Presentations

WEEK 16 April 29- 3 May

Class 29. Graduate Student Presentations

Class 30. Graduate Student Presentations

Final exam: There will be no final

NB Final Paper due on Friday of the last week of class (May 10 in my office by 5:00 PM. I will not under any circumstances accept any papers after that day and time.

HUMAN RIGHTS AND ANTHROPOLOGY CLASS PROJECT

Because it is impossible to effect meaningful progress in the human rights arena as individuals, because I value collegiality, and because there are many graduate students in this class as well as undergraduates, class projects/papers will be organized by small groups: one graduate and one or two, or three undergraduates. This will give graduate students the opportunity to coach and mentor undergraduates, thereby enhancing your professionalism. It will also fulfill the graduate requirement (540) part of this class.

The joint working group will depend upon topical interests. The human rights topic might be regional, it might be cases of prisoners of conscience, refugees or stateless people who seek to escape civil or ethnic strife, people who have disappeared, or people whose homelands or other means of livelihood are threatened by invasion or environmental degradation because of "development." It could be imprisonment without trial, land, water or other rights of indigenous people, the rights of political prisoners, the death penalty, apartheid-like situations, the rights of women, or ethnic rights. Other topics are also possible with my prior approval. We cannot address all of the human rights situations that exist in the world in this class. For example, we will say little about hate speech, the rights of children, rights to shelter, gay, lesbian and transgender/transsexual rights and much more, not because they are less important, but simply because there is not time to do it all. I encourage you to examine topics that **do not** appear on the syllabus. I have resources, books etc. in my office that may not be in the library and which you will want to examine.

The assignment of each working group is to analyze the background and the history of the issue in their chosen locale or across several localities, to outline the situation itself (who is affected by whom, why and how, etc.), assess the possibilities for anthropologists to take some kind of action, direct or indirect, that will in some way ameliorate the abuse/s in question or to have a positive impact on the people who are suffering. In some cases, these will entail providing information to policy makers, to human rights organizations, or to the general public. Or it might mean informing people themselves of their rights and how to realize them. There must be some provisos, of course. The action cannot endanger the people with whom one is working and it cannot threaten the safety of the anthropologist herself. Other problems will be taken on a case-by-case basis.

I expect the groups to meet regularly to discuss their project. This is part of the assignment and not optional.

The project will be presented in four parts.

1. First, the spokesperson will briefly outline the group project. This will include a brief problem statement and an indication of who is making which contribution to the group project. EACH student will also provide a written paper of between 2 and 3 **typewritten** pages in length, which will outline your part. It will also include a preliminary bibliography of at least 5 sources that each student has already or will soon consult (Ideally there will be a mix of *already* and *will*). This is due the **FIFTH WEEK** of class.

2. By the TENTH WEEK, I expect a rough draft of 6-8 typewritten pages from each student along with plans for completing the project.
3. On the principle that learning must be shared to become knowledge, the spokesperson for each group will give an oral presentation of the joint project during the last week of class. You may use visuals, music, slides, and/or read a paper. All members of the group are expected to be full participants in the formulation of the presentation, but only one student will present the project.
4. On the Friday of the last week of class, a written version of your part (10-15 pages for undergraduates, 20+ for graduates) is due in class or my office not later than 5 pm.

Papers will be graded for individual contributions in anthropological and human rights theory, coherence, completeness, originality, etc. as well as overall presentation. **I DO** take spelling and grammar into account.

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