The Anthropology of Human Rights
Anthropology 3513.10
The George Washington University
Fall 2014

Tuesdays and Thursdays, 12.45 – 2.00 pm, Funger 223

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OFFICE HOURS: Mondays & Wednesdays, 1-3 pm

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OFFICE HOURS: Tuesdays 10am-12pm

What constitutes a human right? Do such rights exist in a universal sense? What is the relationship between universal rights claims and culturally particular value systems? To what extent are rights the domain of individuals and thus separate from or even hostile to cultural norms and values? Do cultural rights exist, and if so, how can these collective claims be reconciled to a rights system grounded in individual subjectivity?

This course addresses these and other questions by examining the underlying assumptions and values of the human rights movement from an anthropological perspective. To do so, we will reflective on how rights have been conceptualized, envisioned, imagined, promoted, and asserted by philosophers, political scientists, and other academic practitioners, and how anthropological perspectives differ from these. The purpose of this course is not to claim rights as the property of anthropology but to understand how this particular discipline examines this subject.

This is not a prescriptive course. In other words, our focus is not on deciding who lacks rights, or on methods, strategies, or programs to provide these. Rather than beginning with a rulebook of rights and then using this to evaluate the presence (or absence) of particular rights in various nation-states, this course will analyze the historical, cultural, and theoretical basis of human rights as a relatively recent political movement, value system and ideology. To paraphrase Jane Cowan and her colleagues, we will examine the tensions between (individual) rights and (collective) cultural values, the culture of rights, and rights claims to culture.
Learning Outcomes: At the end of this course you should be able to:

1. Discuss how anthropology approaches and analyzes the concept of human rights, and how this approach contrasts with the approaches of disciplines such as political science, law, and philosophy.
2. Evaluate and be conversant with key debates within the field of human rights, including debates about first, second and third generation rights.
3. Understand key rights concepts including property-based rights, political rights, cultural rights, negative & positive rights, and the relationship between rights and responsibilities.

Required Texts:


In addition, the following readings are available on Blackboard:


**Evaluation:**

You will write three essays in this course with the third essay counting as a final essay exam. For each you will have one week to complete this. Each essay will be approximately seven pages and will respond to specific questions arising from the course readings. The purpose of these papers is not to summarize what each author claims, repeat what I or Ms. Chandras have said, or opine, but to demonstrate your understanding of the theoretical and practical implications of competing perspectives (more on this later!)

Your final essay exam will be distributed on the final day of class and will be due on the official examination date.

**Paper due dates:** September 25th, November 13th, and the final exam date.

**Course grade:**

- 20% participation/attendance in discussion sections
- 5% attendance in the twice-weekly lectures
- 75% papers (25% each)

You are expected to attend all scheduled lectures and small group discussions, participate in these discussions, and demonstrate you have read assigned material before each class. Your attendance and participation grade in discussion sections will be based on this rubric.
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<thead>
<tr>
<th>Grade</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D/F</th>
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<tr>
<td>Attendance</td>
<td>Attends class regularly- 1 unexcused absence.</td>
<td>2-3 unexcused absences.</td>
<td>3 or more unexcused absences.</td>
<td>Attends half or less than half of total discussion sections.</td>
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<td>Participation</td>
<td>Regularly contributes to the discussion by raising thoughtful questions, analyzing relevant issues, building on others’ ideas, synthesizing across readings and discussions, expanding the class’ perspective, and appropriately challenging assumptions and perspectives.</td>
<td>Sometimes contributes to the discussion in the aforementioned ways.</td>
<td>Rarely contributes to the discussion in the aforementioned ways.</td>
<td>Never contributes to the discussion in the aforementioned ways.</td>
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<td>Leadership</td>
<td>Takes responsibility for maintaining the flow and quality of the discussion whenever needed. Helps to redirect or refocus discussion when it becomes sidetracked or unproductive. Makes efforts to engage</td>
<td>Will take on responsibility for maintaining flow and quality of discussion, and encouraging others to participate but either is not always effective or is effective but does not regularly take on the responsibility.</td>
<td>Rarely takes an active role in maintaining the flow or direction of the discussion. When put in a leadership role, often acts as a guard rather than a facilitator: constrains or biases the content and flow of the discussion.</td>
<td>Does not play an active role in maintaining the flow of discussion or undermines the efforts of others who are trying to facilitate discussion.</td>
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<td>Reasoning</td>
<td>Arguments or positions are reasonable and supported with evidence from the readings. Often deepens the conversation by going beyond the text, recognizing implications and extensions of the text. Provides analysis of complex ideas that help deepen the inquiry and further the conversation.</td>
<td>Arguments or positions are reasonable and mostly supported by evidence from the readings. In general, the comments and ideas contribute to the group’s understanding of the material and concepts.</td>
<td>Contributions to the discussion are more often based on opinion or unclear views than on reasoned arguments or positions based on the readings. Comments or questions suggest a difficulty in following complex lines of argument or student’s arguments are convoluted and difficult to follow.</td>
<td>Comments are frequently so illogical or without substantiation that others are unable to critique or even follow them. Rather than critique the text the student may resort to ad hominem attacks on the author instead.</td>
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<td>Listening</td>
<td>Always actively attends to what others say as evidenced by regularly building on, clarifying, or responding to their comments.</td>
<td>Usually listens well and takes steps to check comprehension by asking clarifying and probing questions, and making connections to earlier comments. Responds to ideas and</td>
<td>Does not regularly listen well as indicated by the repetition of comments or questions presented earlier, or frequent non sequiturs.</td>
<td>Behavior frequently reflects a failure to listen or attend to the discussion as indicated by repetition of comments and questions, non sequiturs, off-task activities.</td>
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CLASS POLICIES

Paper extensions: in order to accommodate your needs, I make sure you have a full week to write these essays. Short of a documented medical emergency, no paper extensions are possible. Papers turned in a day after the deadline lose ½ grade; papers turned in two days late lose one full grade; papers turned in three days late lose two full grades. No paper will be accepted beyond three days late.

Computer Use: You are welcomed to use a laptop during class for note taking. Please do not surf the Net, check your email, or electronically multi-task during this class. If you spend time on-line during class, I will publicly ask you to turn off your machine.

Religious Holidays: University policies recognize the observance of religious holidays. Please notify me during the first week of class of your intention to be absent on specific religious holidays.

ACADEMIC INTEGRITY: The GW Code of Academic Integrity states: “Academic dishonesty is defined as cheating of any kind, including misrepresenting one’s own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.” For the remainder of the code, see: http://www.gwu.edu/~ntegrity/code.html

SUPPORT FOR STUDENTS OUTSIDE THE CLASSROOM: Any student who may need an accommodation based on the potential impact of a disability should contact the Disability Support Services office at 202-994-8250 in the Marvin Center, Suite 242, to establish eligibility and to coordinate reasonable accommodations. For additional information please refer to: http://gwired.gwu.edu/dss/

UNIVERSITY COUNSELING CENTER (UCC) 202-994-5300: The University Counseling Center (UCC) offers 24/7 assistance for personal, social, career, and study skills problems. Services for students include crisis and emergency mental health consultations, confidential assessment, counseling services (individual and small group), and referrals:

http://gwired.gwu.edu/counsel/CounselingServices/AcademicSupportServices
SECURITY: In case of an emergency, if at all possible, remain in our classroom. If our building is in eminent danger follow the evacuation procedures posted on the wall.

Class Schedule

PART I: THEORETICAL FOUNDATIONS

Week I: What Counts as a ‘Right’?

8/26: Course Introduction; United Nations Universal Declaration on Human Rights [Blackboard].

Week II: Anthropological Perspectives on Rights

(No discussion sections this week)

9/2: *Culture and Rights*, Introduction, pp. 1-26

Week III: The Universal and the Particular

9/9: Goodale, *Surrendering to Utopia*, Chapters 3 & 4
9/11: Goodale, *Surrendering to Utopia*, Chapters 5 & 6

Week IV: The Rise of NGOs and the Return of Culture

9/18: No class

Week V: Transnationalism vs. Culture

(No discussion sections this week)

9/23: No class
9/25: Sally Merry, “Human Rights Law and the Demonization of Culture [And Anthropology along the Way]” [Blackboard].

Week VI: Values vs. Rights: The Asian Values Debate


**PART II: RIGHTS IN CONTEXT**

**Week VII: Human Rights or ‘Special’ Rights? Women’s Rights and Children’s Rights**


**Week VIII: Indigenous Rights**


**Week IX: Heritage, Culture and Rights**


**PART III: POLICY IMPLICATIONS**

**Week X: Justice Now? Human Rights in Post-Conflict Societies**


**Week XI: The Political and the Social: Abstract Freedoms vs. Material Deprivation**
Week XII: The Cultural Politics of Human Rights

11/11: Kate Nash, 1-29 & 71-104
11/13: No class; PAPER II DUE

Week XIII: Human Rights in the World We Inhabit

11/18: Kate Nash, pp. 105-165
11/20: *Human Rights at the Crossroads*, Chapters 1, 2 & 3 (pp. 1-60)

Week XIV: Politics and Rights in Practice

11/27: THANKSGIVING

Week XV: Culture and Rights, Redux

12/2: *Human Rights at the Crossroads*, Chapters 8-10 (pp. 111-152)
12/4: Kate Nash, 168-188; Jane Cowan, “Culture and Rights after *Culture and Rights*” [Blackboard].

Often how rights are discussed in the US illustrates what Dembour, Merry and Cowan believe tends to happen when ‘rights’ are discussed vis-à-vis ‘culture’; the former is taken as already known and valued, and the latter as stuff in people’s heads – old thoughts, habits, customs, and ideas, to paraphrase Mao Zedong. But keep in mind that what Mao called ‘the four olds’ were the main objects of attack during the Great Proletarian Cultural Revolution (that period of chaos and destruction led by youthful Red Guards during the China version of the Sixties). This is not to say that human rights advocates are Red Guards in the making (although Goodale and Merry do suggest that the socio-economic class basis of rights activism does appear to mirror the basic principles of Leninism). However, this perspective assumes that ‘culture’ is simply a mental thing and that ‘rights’ are the universal blueprint for a future utopia in which human values become one.

These authors do have a shared suggestion. Now, this is not a solution, because hopefully you see (not that you might agree with us) that anthropologists who study rights issues reject the assumption that ‘culture’ is a problem. Their suggestion is a method. Here, to summarize, is what they suggest:

1. Human rights are widely debated throughout the world and hence not the property of particular people such as ‘westerners’. 
2. ‘Culture’ is not a set of ideas, or symbols, but practices. This is not to say that in practicing life, people in a community or society do not use symbols, myths, quasi-historical narratives, and a shared vernacular.

3. Social relations have a critical material basis.

4. Marxists focus on material inequalities found in most every society; communitarians focus on the social hierarchy present in most societies; anthropologists note the importance of both in shaping human action.

5. Neoliberals (such as found in our Democratic and Republican Parties) emphasize equality of opportunity and suggest this trumps material and social inequalities (and we know the Hollywood film industry churns out movies on a regular basis to remind us of this).

6. The specific claims and assumptions of a transnational rights regime are a set of practices that arguably constitute a culture, one largely based on neoliberal values.

7. So the actual debate is NOT between (good) rights and (bad) culture but between social practices (which differ in the world at large) and a set of rules (based largely on a set of neoliberal principles) that seek to codify all social practices (to be applied in the world at large).

8. This campaign to lead all people everywhere to practice life in a similar way has been complicated by the emergence of collective rights claims, which are based on a claim to be able to NOT necessarily follow a global set of practices.

9. Will Kymlicka’s response to this paradox, as Cowan and Goodale explain, is the exit caveat: a group can be different as long as each member either can leave whenever she wants or can selectively reject certain group practices. Cowan demonstrates the fallacy of this opt out clause.

10. The American response to this individual versus group tension is multiculturalism. According to Cowan, this ideology essentializes ‘culture’ and guts social practices. The net result is that we all get to be different, and celebrate our differences, as long as these differences are not in fact based on any actual differences other than aesthetics and consumption choices. Happily for dissidents within this country, most people seem to be busy shopping to notice the continuation of alternative.

11. What then to do? These authors suggest a practical choice: good old fashion fieldwork. This means before I can decide what is wrong with what someone or some group does I can learn about the ‘why’ of what is done. I can observe, talk, hang out, question, read, and seek to understand what leads someone or some group to engage in a practice I might personally find horrible. And chances are what
I will find will likely be a logical social reason behind such a practice, or a material-economic reason, or both. Understanding does not mean accepting.

12. The above is the very basis of how science of any type is done, and is the key difference between philosophical debates about human rights as a set of timeless principles that apply to abstract humans in general and a more difficult but authentic actual engagement with the world-as-it-is.

13. This also requires an effort to decenter oneself, and hence ‘The West’, that forever-slippery place so hard to actually define, yet taken as the arbitrator of human conduct.

Our Last Three Weeks of Class

Week XIII: Human Rights in the World We Inhabit

11/20: Kate Nash, Chapter 5 (pp. 139-165)

Week XIV: Politics and Rights in Practice

11/25: Human Rights at the Crossroads, Chapters 1, 2 & 3 (pp. 1-60)
11/27: THANKSGIVING

Week XV: Culture and Rights, Redux

12/2: Human Rights at the Crossroads, Chapters 7, 8, & 12 (pp. 98-121 163-171)
12/4: Kate Nash, 168-188; Jane Cowan, “Culture and Rights after Culture and Rights” [Blackboard].

FINAL PAPER DUE DATE: Please submit a printed copy of your final paper by 4 pm on December 16th, at 2110 G Street OR Suite 601, 1957 E Street.