

The Anthropology of Human Rights
Anthropology 3513.10
The George Washington University
Spring 2016

Mondays & Wednesdays, 3.45-5.00 pm
Corcoran Hall, Room 106

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Office Hours: Mondays 1-3 pm, Tuesdays, 2-4 pm.

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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? Finally, what is the relationship between rights and law? And how might the law be used to not provide rights but to restrict these?

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 reflect 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: These are available for purchase in the university bookstore. Please note that #4 (*Surrendering to Utopia: An Anthropology of Human Rights*) is available as a (free) e-book from Gelman library.

You are required to have full access to all of these texts, and to have copies with you in class on relevant class days. *Viewing a limited number of pages of a text through Google does not meet this requirement.* If you do not read these texts and take careful notes, I am fairly confident you will not achieve a robust grade in this course.

REQUIRED BOOKS:

1. Abu-Lughod, Lila. *Do Muslim Women Need Saving?* Harvard University Press, 2015 (ISBN: 978-0674088269).
2. Cowan, Jane, Marie-Bénédicte Dembour and Richard A. Wilson (eds). *Culture and Rights: Anthropological Perspectives.* New York: Cambridge University Press, 2001.
3. Englund, Harry. *Prisoners of Freedom: Human Rights and the African Poor.* Berkeley: University of California Press, 2006.
4. Goodale, Mark. *Surrendering to Utopia: An Anthropology of Human Rights.* Stanford University Press, 2009.
5. Nash, Kate. *The Cultural Politics of Human Rights.* Cambridge University Press, 2009.

In addition, the following readings are available on Blackboard:

- Cowan, Jane. "Culture and Rights after *Culture & Rights*." *American Anthropologist* 108:1 (March 2006), 9-24.
- Brown, Michael F. "Can Culture Be Copyrighted?" *Current Anthropology* 39:2 (April 1998), 193-222.
- Dallmayr, Fred. "Asian Values and Global Human Rights." *Philosophy East and West* 52:2 (April 2002), pp 173-189.
- Englehart, Neil. "Rights and Culture in the Asian Values Argument: The Rise and Fall of Confucian Ethics in Singapore." *Human Rights Quarterly* 22:2 (May 2000), pp 548-568.

- Hood, Stephen. "Rights Hunting in Non-Western Traditions" in Lynda Schaefer Bell et.al. *Negotiating Culture and Human Rights*. Columbia University Press 2001, 96-122.
- Hafstein, Vladimir. "Protection as Dispossession: Government in the Vernacular" in Deborah Kapchan (ed.), *Cultural Heritage in Transit: Intangible Rights as Human Rights*. Philadelphia: University of Pennsylvania Press, 2014, 25-57.
- Isser, Deborah, Stephen Lubkemann & Saah N'Tow, with Adeo Addison, Johnny Ndebe, George Saye, Tim Luccaro. *Looking for Justice: Liberian Experiences with and Perceptions of Local Justice Options*. United States Institute for Peace, November 2009.
- Kausikan, Bilahari, "Asia's Different Standard" *Foreign Policy* 92 (1993), 24-41.
- Merry, Sally. "Human Rights Law and the Demonization of Culture (And Anthropology along the Way)". *Polar: Political and Legal Anthropology Review* 26:1 (2003), 55-77.
- Morris, Kenneth. "Western Defensiveness and the Defense of Rights" in Lynda Schaefer Bell et.al. *Negotiating Culture and Human Rights*. Columbia University Press 2001, 68-95.
- Peach, Lucinda. "Are Women Human? The Perils and Promises of Women's Rights as Human Rights" in Lynda Schaefer Bell et.al. *Negotiating Culture and Human Rights*. Columbia University Press 2001, 153-194.
- Shepherd, RJ. "Heritage as a Development Resource in China: A Case Study in Heritage Preservation and Human Rights" in Bryan Garrod and Allan Fyall (eds.), *Contemporary Cases in Heritage*, Volume I. Oxford: Goodfellow Publishers 2013, 175-201.
- *Universal Declaration on Human Rights*, 1948.

Evaluation:

You will complete three assignments for this course. You are required to submit these papers through Safe-Assign.

1. Assignment I: On February 8th, I will distribute a short essay question that you will complete outside of class. This is due by 5 pm on Monday, February 15th pm (GRADE WEIGHT: 20%).
2. Assignment II: A guiding question will be distributed on Monday, February 29th. This is due on Wednesday, March 9th, by 5.00 pm (GRADE WEIGHT: 25%).
3. Assignment III: You will receive this assignment on Wednesday, April 27th. This paper will be due on the official exam date. GRADE WEIGHT: 30%
4. Your attendance at and participation in weekly discussion sections counts 25% towards your course grade. ***Your attendance and participation grade in discussion sections will be evaluated with this rubric:***

Grade	A	B	C	D/F
Attendance	Attends class regularly- 1 unexcused absence.	2-3 unexcused absences.	3 or more unexcused absences	Attends half or less than half of total discussion sections.
Participation	<i>Regularly contributes</i> 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.	<i>Sometimes contributes</i> to the discussion in the aforementioned ways.	<i>Rarely contributes</i> to the discussion in the aforementioned ways.	<i>Never contributes</i> to the discussion in the aforementioned ways.
Reasoning	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.	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.	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.	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.
Listening	Always actively attends to what others say as evidenced by regularly building on, clarifying, or responding to their comments.	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 questions offered by other participants.	Does not regularly listen well as indicated by the repetition of comments or questions presented earlier, or frequent non sequiturs.	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.

CLASS POLICIES

Paper extensions: Short of a documented medical reason, 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. All papers are to be submitted through Safe Assign on Blackboard.

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.” This also covers distributing course material on sites such as Course Hero and purchasing or sharing course papers. For the full text of the GW Code on Academic Integrity, please 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.

COURSE OUTLINE

PART I: THEORETICAL FOUNDATIONS

Week I (1/11 & 1/13): What Constitutes a Human Right?

United Nations Universal Declaration on Human Rights; Steven J. Hood, "Rights Hunting in Non-Western Traditions" & Kenneth Morris, "Western Defensiveness and the Defense of Rights" [all on Blackboard]

Week II (1/20): Anthropological Perspectives on Rights

Culture and Rights, Introduction and Mark Goodale, Chapters 1 & 2

Week III (1/25 & 1/27): The Universal and the Particular

Sally Merry, "Changing Rights, Changing Culture" in *Culture & Rights*, pp 31-55; Marie-Bénédicte Dembour, "Following the Movement of a Pendulum: between Universalism and Relativism" in *Culture & Rights*, pp. 56-79; Mark Goodale, *Surrendering to Utopia*, Chapters 4, 6, and Conclusion.

Week IV (2/1 & 2/3): The Rise of NGOs and the Return of Culture

Mark Goodale, Chapter 5; Lucinda Peach, "Are Women Human? The Perils and Promises of Women's Rights as Human Rights" in Lynda Schaefer Bell et.al. *Negotiating Culture and Human Rights*, pp. 153-194; Sally Merry, "Human Rights Law and the Demonization of Culture [And Anthropology along the Way]" (Blackboard).

Week V (2/8 & 2/10): Values vs. Rights: The Asian Values Debate

Bilhari Kausikan, "Asia's Different Standard" *Foreign Policy* 92 (1993), pp. 24-41; Neil Englehart, "Rights and Culture in the Asian Values Argument: The Rise and Fall of Confucian Ethics in Singapore"; Fred Dallmayr, "Asian Values and Global Human Rights" [Blackboard].

Take-Home Exam distributed in class on February 8th; due by 5.00 pm on Monday, February 15th.

PART II: RIGHTS IN CONTEXT

Week VI (2/17): The Rights of Fourth World Peoples: Indigeneity, Heritage and Rights

Thomas Eriksen, "Between Universalism and Relativism: A Critique of the UNESCO Concept of Culture" in *Culture & Rights*, pp. 127-148.

Week VII (2/22 & 2/24): The Rights of Fourth World Peoples: Indigeneity, Heritage and Rights (continued)

Michael Brown, "Can Culture Be Copyrighted?" [Blackboard]; Colin Samson, "Rights as a Reward for Simulated Sameness: the Innu in the Canadian Colonial Context" in *Culture & Rights*, pp. 225-248; Rachel Sieder & Jessica Witchell, "Advancing Indigenous Claims through the Law: Reflections on the Guatemalan Peace Process" in *Culture & Rights*, 201-224.

Week VIII (2/29 & 3/2): The Intangibilities of Heritage as a Right

Vladimir Hafstein. "Protection as Dispossession: Government in the Vernacular"; RJ Shepherd, "Heritage as a Development Resource in China: A Case Study in Heritage Preservation and Human Rights" [Blackboard].

Take-Home Exam II distributed in class on February 29th; due by 5.00 pm on Wednesday, March 9th.

Week IX (3/7 & 3/9): Informal Justice Systems & Rights

Deborah Isser, et.al. *Looking for Justice: Liberian Experiences with and Perceptions of Local Justice Options* [Blackboard]; Anne Griffiths, "Gendering Culture" in *Culture & Rights*, pp. 102-126.

PART III: POLICY IMPLICATIONS

Week X (3/21 & 3/23): Abstract Freedoms vs. Material Deprivation

Harri Englund, *Prisoners of Freedom*, Chapters 1-4

Week XI (3/28 & 3/30): Which Rights have Priority?

Harri Englund, *Prisoners of Freedom*, Chapters 5 -8 and Conclusion

Week XII (4/4 & 4/6): The Moral Intentions of Rights Activism

Lila Abu-Lughod, *Do Muslim Women Really Need Saving?* Introduction & Chapters 1 & 2

Week XIII (4/11 & 4/13): The Rights of Others

Lila Abu-Lughod, *Do Muslim Women Really Need Saving?*, Chapters 3-6

Week XIV (4/20): Human Rights in *Our World*

Kate Nash, *The Cultural Politics of Human Rights*, pp. 1-29 & 71-104

Week XV (4/25 & 4/27): Conclusion: Whither Rights?

Kate Nash, pp. 105-188; Jane Cowan, "Culture and Rights after *Culture and Rights*" [Blackboard].

Final Take-Home Exam will be distributed on Wednesday, April 27th