Anthropology 1615

Anthropology and Human Rights
Contextualizing Universals

Instructor: Theodore Macdonald

Time: Tues-Thurs. 1-2:15
Room: William James 105

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(Or, preferably, by appointment)

Description

Anthropology and Human Rights combines an introduction to the formal, theoretical, and normative structures of human rights with detailed analyses of contemporary case studies. The course illustrates several critical prescriptive and prescriptive human rights issues, debates, and practices, which demonstrate the increasing significance of ethnographic field methods and related interpretive analysis. Accepting that agreement on and realization of human rights often require negotiation and compromise, the course illustrates why, and suggests how, realization of many broadly-defined human rights requires specific contextualization.

The course begins with a general historical, theoretical, and institutional review of human rights concepts, approaches, and debates. Then drawing from specific cases, the course contextualizes broad principles, and thus "puts faces" onto current interpretations of rights and corresponding obligations. The case studies – including Rwanda and Bosnia and others drawn from the instructor’s practitioner work in Latin America – focus on ethnic groups and national minorities (particularly indigenous peoples), intrastate conflict, and land/natural resource disputes. The final section of the course shifts away from analyses of violations to interpretation of current rights-based citizenship claims and related participatory processes (consultation, negotiation, non-violence, dialogue, and other forms of discursive/deliberative politics) in Latin America, where proactive processes now stand out in high relief. The course thus emphasizes the need to understand human rights within established formal structures of national and international law while recognizing the value of complementary, creative, social science research and methods as a means to realize rights.
Readings

The required books have been ordered at the Coop. The course pack is available electronically from Harvard Printing and Publications. The readings are also on reserve in the libraries (Tozzer and Lamont), with the exception of papers available from the web (marked W in the syllabus).

NOTE: A separate syllabus has been posted on the course website to provide you with easy access to all electronic resources [W].

Required Texts:

- Van Cott, Donna Lee *The Friendly Liquidation of the Past*. Pittsburgh: Univ. of Pittsburgh Press, 2000
- Gourevitch, Philip, *We wish to inform you that tomorrow we will be killed with our families*. New York: Picador 1998
- Course Pack
Course Requirements

- One mid-term exam
- One final exam
- One short (10-12 pages) research paper
- Response papers (2 page summaries of readings)

Grading

Mid-term exam --------- 20%
Final Exam ------------- 30%
Paper ------------------ 20%
Response Papers-------- 20%
Class Participation------ 10%
Syllabus

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Week 1.

Feb. 3 Introduction

- Course overview
- Considerations on anthropological insights and human rights
- An historical view of “rights.” -- Putting the “human” in rights: How did we get to a universal declaration of them?
  - “Duties” as reciprocity
  - Kin groups, subjects, and citizens
  - Universals: Considering the Needs of Strangers in the “Modern” World
  - From the Treaty of Westphalia (1648) to the Universal Declaration of Human Rights (1948)

Week 2.

Feb 8 General Human Rights Concepts: Liberal Interpretations and Negotiated Agreements

Readings:
- Donnelly: Part 1 (pp. 7-53)
- Ignatieff: Chapters 1 and 2 (pp. 3-98)
- Cowen, Dembour, and Wilson: Introduction (pp. 1-30)
- Course pack:
  - Shue: Basic Rights: 4-64

Feb 10 Case Study: Rwanda: Ethnicity, Colonialism, and History – (I)

- Anthropological perspectives on gross human rights violations

Readings:
- Gourevitch, Philip, We wish to inform you that tomorrow we will be killed with our families.

Course pack:
- Gardner, Anne-Marie, 2002 Diagnosing Conflict: What Do We Know.. In Hampson, Fen Osler and David M. Malone, From Reaction to Conflict Prevention: Opportunities for the UN System. Boulder: Rienner. (pp. 15-40)
Week III

Feb 15  Case Study: Rwanda: Ethnicity, Colonialism, and History – (II)

- Justice and Reconciliation: International Tribunals and Peoples Courts

  (Critical Review of Film: Gacaca—Community-based human rights Tribunals in Rwanda)

  o Readings;
    o Donnelly : Chapters 11 and 14
    o Hinton, Alexander Laban (ed.) Annihilating Difference, pp.1-53
    o Amnesty International Review of the Gacaca tribunals (W)

Feb 17  Institutional Structures and Limitations on Human Rights –Reporting, Monitoring, and Judging

Readings:
Donnelly: Chapters 8, 9, and 10 (pp.127-181)
Document Review:
  ▪ UN Structure
  ▪ Universal Declaration of Human Rights
  ▪ International Covenant of Civil and Political Rights (ICCPR)
  ▪ International Covenant on Economic, Social, and Cultural Rights (ICESCR)

International systems
  ▪ United Nations
  ▪ International Labor Organization
  ▪ European System
  ▪ Inter-American System
  ▪ African System

Limits of International Law: The Primacy of local courts

Week IV.

Feb 22  Ethnicity, Nationalism, and Culture

Readings:
  ▪ Anderson, Benedict Imagined Communities, pp.xi-82
  ▪ Course pack:
    o Geertz, Clifford, Thick Description: Toward an Interpretive Theory of Culture.
    o Barth, Fredrick “Introduction,” Ethnic Groups and Boundaries
Optional
- Kaplan “The Coming Anarchy” (e-resources)
- Huntington, Samuel “The Clash of Civilizations” (e-resources)

**Feb 24** Case Study: Bosnia: Nationalist Re-imaginations (I).
Readings:
- Bringa, Tone, Averted Gaze: Genocide in Bosnia-Herzegovina
- *Annihilating Difference* pp.194-225
- Additional e-resources to be added

**Week V**

**March 1** Case Study: Bosnia: Class review of Film: Bosnia “We are all Neighbors” (II)

- Additional e-resources to be added

**Mar 3** Anthropological Considerations on Universalism and Cultural Relativism, a somewhat tired debate.

Readings:
- Donnelly pp: 57-119
- Course Pack:
Week VI

Mar 8  Contemporary Political Debates on Universalism and Cultural Relativism, genuine response to “Imperialism” or a exercise in self-essentialization?

Readings:
- Donnelly pp: 57-119
- Bauer, J and Daniel Bell *The East Asian Challenge for Human Rights* (selected chapters from Course Pack)
  - Tatsuo, Inoue, ‘Liberal Democracy and Asian Orientalism.’ pp. 27-59 (Course pack)

Mar 10  Hour Exam

Week VII

March 15 NGOs: The delicate line between “rights” and “partisan politics.”

(Guest lecture: Ray Offenheiser, Executive Director, OXFAM-America)

Readings:
- Donnelly Part III  pp. 127-181
- Course pack:

Mar 17  Case Study: Colombia: The State, Civil Society, NGOs, and Indigenous Rights: The U’wa/Samore Case (I)

Reading:
- Van Cott, Donna Lee *The Friendly Liquidation of the Past*. pp.1-122

**Week VIII**  
**Mar 22** Case Study: Colombia: The State, Civil Society, NGOs, and Indigenous Rights: The U’wa/Samore Case (II)  
Colombian Guest Panel—  
Luis Fernando de Angulo (2003-2005 Visiting Scholar, Weatherhead Center for International Affairs) and Maria Clemencia Ramirez (RFK Visiting Scholar, David Rockefeller Center for Latin American Studies)

**Mar 24** Indigenous Rights, the exception of the bellwether?

Readings:  
- Anaya pp. 1-96  
- International Labor Organization (ILO) Convention LO # 169 (w)  
- *Guide to: International Labor Organization Convention # 169*[W]Additional e-resources to be added

**Week IX. Mar 29 and 31 No class -- Spring Break**

**Week X**

**April 5** Land and Resources: Rights to and from development

Readings:  
Donnelly, Chapter 11 (pp.185-203)  
*Guide to: International Labor Organization Convention # 169*[W]  
Hamm “A Human Rights Approach to Development” [W]  
Sen: (handout from *Development as Freedom*)  
Oxfam: Rights-based Approach to Development Report (W)

**April 7** Case Study: Nicaragua: Claims to Land and Resources-- Awas Tingni (I)

Readings:  
- Anaya S. James and Scott Criddle, “Indigenous Peoples, The Environment, and Commercial Forestry in Developing Countries: The Case of Awas Tingni, Nicaragua”. *Human Rights Quarterly* [W]  
- Anaya pp. 97-291 (NOTE: These chapters have copious legal footnotes. You are responsible only for the text)
Week XI

April 12 Case Study: Nicaragua: Claims to Land and Resources -- Awas Tingni (II)
Reading:
- Anaya, S. James, *Indigenous Peoples in International Law* (entire)
- *Guide to: International Labor Organization Convention # 169* (e-resource) [W]
- Macdonald, Theodore,. Inter-American Court of Human Rights Rules in Favor of Nicaraguan Indians [W]
- Macdonald, Theodore Awas Tingni: An Ethnography of a Community
- *Compliance Updates* [W]

April 14 *Multicultural Citizenship and Group Differentiated Rights*
Reading:
- Donnelly, Jack, pp 204-224
- Kymlicka, Will, *Multicultural Citizenship* (Chapters 1-5, pp. 1-106)
- International Labor Organization (ILO) Convention No. 169 (w)

Week XII

April 19 Reconfiguring Citizationships
Readings:
- Kymlicka, Will, *Multicultural Citizenship* (Chapters 6-10 pp. 107-195)
- Buhler on Enrique Dussel [w]
Optional:

Week XIII

April 26 Experimenting with Compliance: Rights and/in Constitutions
Case Study--The Ecuadorian Indian Movement: Ethnic Nations and Civic Nationalism


**April 28 Discourse Dilemmas**

Readings:
• Scott, James *Domination and the Arts of Resistance* (entire)

Course pack:

**Week XIV Prospects and Problems**

**May 3 Thinking About Human Rights in the 21st Century: Opposing theoretical views, reconsidered**

Readings:
Course pack:
• Camus, Albert, *The Myth of Sisyphus* (W)
• Dostoyevsky, Fyodor, *The Grand Inquisitor* (W)

**May 5 Summary and Prospects: Rethinking Civil Society, Human Rights, and Law**

Readings:
• Additional handouts/e-resources, to be determined by the turn of current events.