This course offers an overview of the human rights system, looking at its basic elements and studying how it works. It focuses on the tensions and translations between human rights and culture. Human rights campaigns frequently encounter resistance in the name of protecting cultural differences. This is particularly common with issues concerning women, children, and the family. This course explores several issues which raise questions of human rights and culture, such as female genital cutting, honor killing, trafficking of persons, and indigenous people’s rights to culture. Using these examples, we will consider how the human rights system deals with political and conceptual conflicts between global standards and local ways of life. It examines how human rights and culture are conceptualized in these debates and shows the implications of adopting an anthropological analysis of these situations. The goal of the course is developing an understanding of human rights in practice.

Students are expected to do the readings and come to class prepared to discuss them. There will be one or two in-class quizzes and two 2-page reaction papers as well as two 7-8-page papers based on the course material and a final 9-page take-home exam due Wednesday, December 17 by 5 PM in my mailbox in the Dept of Anthropology, 25 Waverly Place (The office closes at 5, so you need to turn the paper in before that.) Grades are based on the papers and final exam (30% each), the quizzes and reaction papers (5%), and class participation (5%). Books are available in the bookstore and articles are posted on NYU Classes or available online through the research tab of NYU Home. Journal articles can be located by typing the name of the journal in the box for journals on the research page, then locating the specific volume and issue for the journal. I am happy to help if this is difficult.
Required texts:


**September 3-8: Introduction: Human Rights Law and Social Movements**

*Human rights as law, as a social movement, and as a way of making abuses known*  
*Origins of human rights ideas*  
*Development in post WW II period, recent expansion post cold war*


Read the *Universal Declaration on Human Rights,* 1948.  


**September 10: Human Rights and Social Justice**

Paul Farmer, *Pathologies of Power,* chapters 2, 5, 6.  
Recommended: read the rest of the book.

**September 15: The First Human Rights Movement: Belgium and Campaign against Forced Labor in the Congo Free State, 1880s-1910**
**Additional Reading:** Joseph Conrad, *Heart of Darkness* and the rest of *King Leopold’s Ghost.*

### September 17: What are human rights and how do they work?

*Rights as modes of achieving social justice. Opposition to the state but focus on state action. Move to incorporate non-state actors as violators. Social construction of rights and changes in what rights do. Shift from civil and political to social, economic, and cultural rights. Concepts of culture in human rights*

Donnelley, Jack. *Universal Human Rights in Theory and Practice,* Part I “Toward a Universal Theory of Human Rights.” Pp. 7-70, chapters 1-4. (on NYU Classes, chs 1-5 are available in one file. Only read the first four; we will read ch 5 later).

### September 22: The Human Rights Conventions and Treaty Body System

Read the two core human rights conventions that, together with the UDHR, make up the International Bill of Human Rights. Then read three of the other major human rights conventions and come to class prepared to discuss the first two and at least one of the other ones in detail with your classmates. I will circulate a list September 15 and you will sign up for one of these other core treaties. After a short discussion with your group in class, each group will present the key features of the treaty it has discussed and what it considers its most important contributions.

All the treaties are available at: [http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx)

The two major treaties are the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social, and Cultural Rights (ICESCR).

Other core treaties:
- Convention on the Rights of the Child (CRC)
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- International Convention on the Elimination of Racial Discrimination (ICERD)
- Convention against Torture (CAT)
- Convention on the Rights of Persons with Disabilities (CPRD)
- International Convention on Protection of the Rights of All Migrant Workers (ICRMW)
- Convention on Enforced Disappearances (CED)
Reaction paper: 2 pages. Due in class September 22. What are the basic principles you see in the treaties you read? Which provisions do you think are most important and why?

September 24: Critiques of the International Human Rights System


September 29- October 1: Genocide and Humanitarian Intervention

September 29: Genocide: The Creation of an Idea


October 1: Genocide Intervention and the Responsibility to Protect


October 6 – 8: Universalism and Relativism

On October 6 there will be a brief quiz in which you should describe the two positions. On October 8, we will hold a debate about whether human rights are universal and whether it is possible to forge a middle ground between these positions. Students will be expected to develop a position to advocate in the class discussion.

October 6: Establishing Positions


October 8: Is a Compromise Possible? Concepts of Culture in Human Rights Discourse


Merry, Sally Engle. 2001. “Changing Rights, Changing Culture.” Chapter 2 in Cowan, Dembour, and Wilson


October 15: Making a Human Rights Issue: The Case of Violence against Women


October 20: Monitoring Violations of Women’s Human Rights: How does it work?
October 22: NGOs, Networks and the Vernacularization of Human Rights

How do NGOs and governments work together to promote human rights? Why do they form an uneasy symbiosis? How are human rights reinterpreted in the vernacular?

Merry, *Human Rights and Gender Violence* chs 5-7.

**Paper Due. Oct. 22 in class.** Seven or eight pages. Imagine that you are the head of an NGO and want to develop a new human right. Consider what you would choose and why and describe the steps that you would take to promote it. Be sure to use the course material, including an analysis of how you would deal with debates about universalism and relativism and how you would work to make your human right recognized by the UN system.

October 27-29: The Issue of Female Genital Cutting

**October 27: Defining FGC as a Violation**


**October 29: Anthropological Perspectives**


**November 3: Veiling as a Human Rights Violation?**

*Is wearing the veil a form of abuse? Should it be defined as a human rights violation? Did the Taliban’s insistence on wearing the Burqa help to justify the war in Afghanistan?*

Available from UN documents on the web by searching the site: documents.un.org/mother.asp or available at the following link: www.unhchr.ch/huridoca/huridoca.nsf/b617b62bcb39ea6ec1256610002eb7a6/42e7191fae543562c1256ba7004e963c/$FILE/G0210428.pdf


**November 5: Class discussion about FGC and Veiling.**

**Reaction paper, 2 pages, due in class.** What do you think the human rights system should do about practices such as FGC and veiling and why? Should these practices be seen as human rights violations and if so, what mode of intervention would you recommend? Students should bring their papers to class and be prepared to describe and explain their position to the rest of the class.

**November 10: Transitional Justice: Reconciliation and Punishment after Authoritarian Regimes**

*What are the debates between those who advocate restorative, conciliatory approaches and those advocating criminal models and punishment? There are currently several models of transitional justice that combine punishment, healing, and amnesty in various ways.*


**November 12-19: Trafficking as a Human Rights Violation**

**November 12: The Legal Regulation of Trafficking and the Fight over Sex Work/Prostitution**

*How has trafficking been defined as a human rights violation? What kinds of remedies are proposed?*


Read the principles of the US State Department approach, overview and rankings in *US State Department Trafficking in Persons Report, 2014.* http://www.state.gov/j/tip/rls/tiprpt/


**November 15: Sex Work and the Regulation of Trafficking: Issues of Consent, Feminism, and Human Rights**


Read three country narratives in the 2014 TIP Report as well as the front matter to see how the problem is framed. What does the report emphasize? How is this approach different from the human rights approach of the OHCHR?

November 19: Unpacking the Global Anti-trafficking Campaign: Anthropological Perspectives

Heather Montgomery, chapter 4 in Cowan, Dembour, and Wilson.


Additional Reading: There are several book-length ethnographic studies of trafficking that take an anthropological perspective:


Second Paper. Due November 19. Seven or eight pages. Consider one of the human rights violations we have discussed – genocide, trafficking, violence against women, female genital cutting, or veiling. How was it defined and what were the past and current disagreements over how to define it? How does the human rights definition differ from an anthropological one? How does the definition shape the way intervention is carried out?
November 24: Indigenous Rights

How are human rights used by indigenous communities? To what extent are they effective? What kinds of responses have indigenous communities received from the human rights system?


Cowan, Dembour, and Wilson, chapters 8-10.

Donnelly, *Universal Human Rights in Theory and Practice*, chapter 12. on NYU Classes

**November 26: Film: War Don Don. This will be available to be viewed at any time in the library.**

We will discuss the film December 1, so be sure to watch it before that class.

December 1-8: Bringing Human Rights to the USA (No class December 3: American Anthropological Association Meetings)


**December 10: Review. Take Home Final Due December 17 to my mailbox in the Anthropology Dept., 25 Waverly Place, by 5 PM. 8-10 pages.**