ANTH718

Culture and Human Rights

S1 Evening 2015

Dept of Anthropology

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General Information

Unit convenor and teaching staff
Convenor
Chris Vasantkumar
chris.vasantkumar@mq.edu.au
W6A, Room 600
Thursday 3-4 and by appointment

Credit points
4

Prerequisites
Admission to MRes

Corequisites

Co-badged status
ANTH 818

Unit description
This unit offers an overview of anthropology of human rights. Human rights, broadly understood, is a field that employs anthropology, especially as many difficult issues for the human rights movement today revolve specifically around cultural diversity, whether multiculturalism is successful, and how to bring about culture change to increase respect for human rights. Many long-term research projects in anthropology have to touch on key issues in human rights, including the rights of minority groups and indigenous populations. This unit examines the issues that arise when trying to apply human rights and humanitarian principles across cultures. Although we consider critical perspectives on human rights, we also focus on how anthropology might contribute to human rights practice around the globe.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://students.mq.edu.au/important-dates

Learning Outcomes
On successful completion of this unit, you will be able to:

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using
anthropologically informed holistic and relativistic descriptions of cultural practices.
Critically evaluate the validity of a number of prominent critiques of human rights using anthropologically informed approaches.
Apply a critical understanding of human rights and its critics to real world situations and phenomena.
Analyze how cultural difference affects the interpretation, institution, and enforcement of human rights in different societies.
Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

**Assessment Tasks**

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Due</th>
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<tbody>
<tr>
<td>Class Preparation: DPG</td>
<td>10%</td>
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<td>Participation in seminar</td>
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<tr>
<td>Leading Seminar Discussion</td>
<td>20%</td>
<td>Twice/semester</td>
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<tr>
<td>Short Essay</td>
<td>20%</td>
<td>27 March via turnitin</td>
</tr>
<tr>
<td>Research Essay</td>
<td>30%</td>
<td>8 June via turnitin</td>
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**Class Preparation: DPG**
Due: **Continuing**
Weighting: **10%**

Each week, you must fill out a Discussion Preparation Guide and bring it to class.

On successful completion you will be able to:

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

**Participation in seminar**
Due: **Continuing**
Weighting: **20%**

Each student is expected to participate actively and constructively in the seminar discussion.
On successful completion you will be able to:

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
- Apply a critical understanding of human rights and its critics to real world situations and phenomena.
- Analyze how cultural difference affects the interpretation, institution, and enforcement of human rights in different societies.

**Leading Seminar Discussion**

**Due:** **Twice/semester**  
**Weighting:** **20%**

Each student is responsible for leading the seminar discussion twice during the semester. (Dates for each person's turns leading discussion will be worked out during first class meeting.)

On successful completion you will be able to:

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
- Critically evaluate the validity of a number of prominent critiques of human rights using anthropologically informed approaches.
- Apply a critical understanding of human rights and its critics to real world situations and phenomena.

**Short Essay**

**Due:** **27 March via turnitin**  
**Weighting:** **20%**

Write a short paper (1250-1750 words, double-spaced) on one of the following topics:

**Human rights as a form of imperialism**
Many colonized and indigenous peoples see human rights as an imposition of Western ideals upon them, just as polygamy, communal ownership, different standards of dress, and other cultural practices were banned by colonial administrations in the nineteenth century. Based on the material we have covered so far, how might you make this criticism or defend against it?

**Universalism and Relativism**
Compare and contrast universalist and relativist positions on the debate surrounding FGM, and/
or Intersex sex assignment surgeries, Fetal Rights, or some other relevant controversy of your own choosing. Which position do you find most convincing and why? Conversely, what are the strongest points in the opposing case? How should they be integrated into a balanced assessment of the issue? Support your claims with evidence drawn from course materials.

Cultural Relativism in Focus
Critically assess the usefulness and limitations of the principle of cultural relativism as applied to the understanding and/or practice of human rights. Using examples derived from class readings and first define the concept and then describe one or two case studies that illustrate when and how it should or should not be employed.

You should reference at least three of the readings from class, and you should also find at least 2 outside sources. See the assessment rubric at the end of this unit outline for more information on how this assignment will be assessed.

It is imperative that your written expression is free of grammatical and spelling errors. If English is your second language or if you’re not sure about your writing skills, ask someone else to proofread your paper before you hand it in. Papers with significant spelling and grammatical errors will be returned ungraded for correction and late penalties will apply (1 percentage point deducted from the paper’s final mark for each day that the assignment is late). For advice on essay writing see 'Writing Anthropological Essays' on the Anthropology Web site http://www.anth.mq.edu.au/ug_essaywriting.html and the research paper assessment rubric at the end of this unit outline.

On successful completion you will be able to:

• Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
• Critically evaluate the validity of a number of prominent critiques of human rights using anthropologically informed approaches
• Analyze how cultural difference affects the interpretation, institution, and enforcement of human rights in different societies.
• Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

Research Essay
Due: 8 June via turnitin
Weighting: 30%

A research paper (3000-3500 words, double-spaced) analyzing a relevant aspect of contemporary Human Rights discourse and/practice in light of the material we have covered in the unit. You have wide latitude in terms of the focus that you select as long as you bring it into productive conversation with the unit’s themes, concerns and materials.
On successful completion you will be able to:

- Apply a critical understanding of human rights and its critics to real world situations and phenomena.
- Analyze how cultural difference affects the interpretation, institution, and enforcement of human rights in different societies.

**Delivery and Resources**

**REQUIRED READINGS**

All required readings are available electronically on iLearn and/or E-reserve. There is no book or reader available for purchase. If you would like a hardcopy of the readings, you are free to print these readings on your own.

**OUTLINE OF LECTURES & READINGS**

*Please note that minor modifications to the readings might occur during the semester. Adequate warning will always precede these adjustments*

**Week 1: 24 February Introduction to Culture and Human Rights**

After going over the unit outline, the second hour of seminar we will set out some of key the terms, themes, and problems we address over the course of the semester. We will pay particular attention to the significance of approaching questions of rights and culture from an anthropological point of view. The characteristic task of anthropology as a discipline, many have observed, is to make the strange familiar and the familiar strange. In the coming weeks we will attempt to apply these strategies to such foundational concepts as culture, the human, and rights via a focus on striking case studies that unsettle our usual perceptions of the world.

*Readings:*


**Week 2: 3 March The Making of the Universal Declaration of Human Rights in Historical and Intellectual Context.** The Universal Declaration of Human Rights, adopted in 1948 by the General Assembly of the United Nations, represents a moment of signal importance in the recent development of human rights discourse and practice in the West and on a broader global stage. Yet the intellectual and historical roots of the Declaration stretch deep into both Western and non-Western intellectual traditions. In seminar, we will delve into both the distant philosophical antecedents and the proximate geopolitical influences that shaped the making of this important document, looking in particular at the role of specifically “Western” forms in its creation and the impact of the legacies of World War II and the Holocaust on the making of the document.

*Readings:*

1. The Universal Declaration of Human Rights (1948) [freely available online] 2. A. Padgen (2003) Human Rights, Natural Rights and Europe’s Imperial Legacy,
**Week 3: 10 March Anthropology and Human Rights: What is Culture Anyway?** The concept of culture, anthropology’s most successful invention, is as ubiquitous as it is poorly understood. In order to understand how common misapprehensions surrounding the concept have impacted human rights in practice, this seminar will deal with the evolution of anthropology’s engagement with human rights from early relativist critiques such as that found in the American Anthropological Association (AAA)’s 1947 Statement on Human Rights to contemporary more activist approaches. We will also focus particularly on the anthropological concept of cultural relativism, looking both at its usefulness in breaking down ethnocentric formulations and its limitations. Here we will look at questions surrounding the human rights status of practices of Female Genital Modification/Cutting/ Ritual (FGM/FGC/FGR) as a case study.

**Readings:**

1. S. Merry (2003), Human Rights Law and the Demonization of Culture (And Anthropology Along the Way), *PoLaR*, 26(1): 55-76


**Recommended Readings (optional):**

Week 4: 17 March The Limits of the Human, Concepts and Case Studies

What kinds of beings do discourses of human rights presume as their holders? How have concepts of what it means to be human varied by time and place? How should such variation affect our understandings of apparently universal concepts? In this week’s meeting, we will explore two themes in parallel: those excluded from contemporary and historical ideas of rights and liberties and apparently paradoxical cases (that may include but are not limited to those conjoined twins, fetal rights and the globalization of childhood) that trouble easy common sense visions of shared humanity. By doing so the “human” in human rights itself comes to be seen as a kind of political project.

Readings:

1. Declaration of the Rights of Woman and the Female Citizen (1791). Widely available online.

Recommended Readings (optional):


Further Primary Documents

American Declaration of Independence (1776) Declaration of the Rights of Man (1789)

Week 5: 24 March Rights, the Social Lives of a Concept

This week’s seminar explores rights as culture—treating them not as given in nature or independent from human meaning-making or politics but as specific historically, socially and geographically situated cultural forms. What are the consequences of such an unmooring. Does revealing rights as cultural constructions necessarily rob them of their power. Or can learning how rights come to function or indeed become legible in particular contexts provide us with useful information about how to organize future interventions?

Readings:


**Recommended Readings (optional):**


**Further Primary Documents**


**Week 6: 31 March Human Rights, some Influential Critiques**

Objections to human rights have been made on the grounds of Asian, African, Islamic and Socialist Values. To what extent might these and other critiques be pertinent and to what extent are they based on flawed concepts of culture? How has human rights incorporated the concerns of multiple sets of actors into various generations of (blue, red and green) rights? On what basis might human rights practice proceed in the absence of a universal language of rights? These and related questions will be the central focus of this week’s meeting.

**Readings:**


**Primary Documents**


*RECESS (3 April – 19 April)*
Week 7: 21 April “Universal” Rights, Local Practices

This week we look closely at efforts by human rights activists and others to translate would-be “universal” rights into particular local contexts. Here we are particularly concerned with the politics of translation and with identifying the particular contribution anthropological research can make to the implementation and understanding of human rights frameworks in non-Western contexts. Ethnographic research can play a crucial role in understanding how best to bring local, translocal and would-be universal knowledges and practices together. In all of this, we necessarily must examine the history and limits of the “universal” that we currently inhabit.

Readings:


Primary Documents

Vienna Declaration and Program of Action (1993)

Recommended Readings (optional):


Week 8: 28 April Human Rights and Security since 9/11: Progress or Retreat?

How have contemporary geo-political circumstances affected the progress of human rights? In this first of two weeks that address this question, we will explore the effects of the War on Terror on human rights since 2001. In a context of increasing global instability should rights or security be prioritized? To what degree should civil and political rights such as the freedom of speech and of assembly be protected and to what degree should they be sacrificed to ensure safety. To what degree can anti-terrorist rhetoric authorize racism or state oppression? How should human rights activists best approach such conundrums? These and related questions will lie at the center of this week’s discussion.

Readings:


*Primary Documents*

Racial Discrimination of Act of 1975 (especially section 18)

Foreign Fighters Bill

*Recommended Readings (optional):*


**Week 9: 5 May Are Global Capitalism and Human Rights Compatible?** In terms of economic integration, today’s world is, in some respects, radically different from that of 1948. Since the end of the Cold War in 1989 and the rise of China over the last two decades, economic and cultural globalization have increased dramatically in intensity. Yet this increasing intensification of global linkages has not (yet) resulted in a global expansion of uniform labor rights to the world’s workers. This week we will continue our examination of the effects of the contemporary scene on human rights practices and possibilities via a thoughtful examination of the cases for and against sweatshops. Is it possible to argue for their benefits without resorting to a naive cultural relativism? Is it possible to conceptualize alternatives to the histories of western states’ own troubled economic development? To what extent should a “Right to Development” trump civil or political rights? Issues of universalism and relativism will be central to our analysis of these debates.

*Readings:*


*Recommended Readings (optional):*


**Week 10: 12 May Global Indigeneity: Universalism, Relativism and the Right to Difference**

This week we will discuss what are often term third generation human rights, rights that are linked to a community rather than to an individual. In particular we explore recent articulations of
indigenousness as a cultural basis for rights claims. We do so in two ways, first considering the ways in which Indigenous Rights activists may put culture to use for their particular political purposes and, second, the ways in which the idea of indigeneity itself has emerged as a particular sort of cultural form over the last several decades. Particularly worthy of note here are two ironies—the degree to which the apparent universalism of contemporary Indigenism is susceptible to the same sort of relativist critiques as universal human rights and the extent to which idealized visions of a universal Indigene have in some instances crowded the complexities of everyday life out of the picture.

Readings:


Primary Documents


Recommended Readings (optional):


Week 11: 19 May Human Rights and Animal Rights What, if anything, makes human beings special? What separates us from other animals? We have seen over the course of the semester how the line between the human and the non-human has been crucial to concepts of rights and liberty. We have also seen how it has been redrawn both consciously and unconsciously at particular moments in time. This week we explore the potential ramifications for human rights of the further redrawings of this distinction that may be underway at present. In particular we ask what place non-human animals might have in future constellations of human rights. We look in particular at one area where rights to cultural heritage and the concerns of the global environmentalist movement come into conflict: “traditional” hunting, whaling and other “subsistence” practices of indigenous peoples. Focusing on the whale hunt of the Makah people in America’s Pacific Northwest, we will consider how best to allocate rights in situations that navigate in uncertain fashion the boundary between human and animal rights.

Readings:


and Ideology in the Canadian Arctic (Toronto: University of Toronto Press.)

Recommended Readings (optional):


Week 12 26 May No Class; work on your research essays!

Week 13: 2 June What Comes After Human Rights? In the final week of the semester, we explore possible futures for human rights as imagined by both critics and supporters. Depending on whom one believes, human rights are either thriving, doomed or some combination of the two. Presenting the cases for both sides in lecture, we ask you to make your own informed decision about whether Human Rights as a project should be commended, amended, or abandoned. In particular we will explore diverging answers to the question of whether relations between Human Rights regimes and state power have become too cozy and what (if anything) would be lost by shifting to a focus on human welfare, human needs or harm mitigation as possible alternative frameworks for intervention.

Readings:


Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:


In addition, a number of other policies can be found in the Learning and Teaching Category of Policy Central.

**Student Code of Conduct**

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student_conduct/](https://students.mq.edu.au/support/student_conduct/)

**Results**

Results shown in iLearn, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit [ask.mq.edu.au](http://ask.mq.edu.au).

**Student Support**

Macquarie University provides a range of support services for students. For details, visit [http://students.mq.edu.au/support/](http://students.mq.edu.au/support/)

**Learning Skills**

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

**Student Enquiry Service**

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au).

**Equity Support**

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

**IT Help**


When using the University's IT, you must adhere to the Acceptable Use Policy. The policy applies to all who connect to the MQ network including students.

**Graduate Capabilities**

**PG - Critical, Analytical and Integrative Thinking**

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience,
of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

**Learning outcomes**

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
- Critically evaluate the validity of a number of prominent critiques of human rights using anthropologically informed approaches.
- Apply a critical understanding of human rights and its critics to real world situations and phenomena.
- Analyze how cultural difference affects the interpretation, institution, and enforcement of human rights in different societies.

**Assessment tasks**

- Class Preparation: DPG
- Participation in seminar
- Leading Seminar Discussion
- Short Essay
- Research Essay

**PG - Effective Communication**

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

**Learning outcome**

- Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

**Assessment tasks**

- Class Preparation: DPG
- Short Essay
PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

**Learning outcomes**

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
- Critically evaluate the validity of a number of prominent critiques of human rights using anthropologically informed approaches.
- Apply a critical understanding of human rights and its critics to real world situations and phenomena.
- Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

**Assessment tasks**

- Class Preparation: DPG
- Participation in seminar
- Leading Seminar Discussion
- Short Essay
- Research Essay

PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

**Learning outcome**

- Improve writing skills, especially structuring of argument, organization, and use of supporting evidence and data.

**Assessment tasks**

- Class Preparation: DPG
PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues.

This graduate capability is supported by:

**Learning outcomes**

- Develop familiarity with the history and evolution of human rights in legal, philosophical, and institutional contexts.
- Develop the ability to assess received understandings of human rights discourses using anthropologically informed holistic and relativistic descriptions of cultural practices.
- Apply a critical understanding of human rights and its critics to real world situations and phenomena.
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**Assessment tasks**

- Class Preparation: DPG
- Participation in seminar
- Leading Seminar Discussion
- Short Essay
- Research Essay