



INSTITUT DE HAUTES
ÉTUDES INTERNATIONALES
ET DU DÉVELOPPEMENT
GRADUATE INSTITUTE
OF INTERNATIONAL AND
DEVELOPMENT STUDIES

Department of Anthropology and Sociology (ANSO)

Academic year 2021-2022

Human Rights and the Politics of Culture

ANSO118 - Autumn - 6 ECTS

[Schedule & Room](#)

Course Description

Human rights are one of the most profound legacies of the 20th century, an attempt by politicians, policy makers, scholars, and humanitarians to erect obstacles against future state violence and other crimes against humanity. Over time, human rights have become a global phenomenon with unexpected outcomes and effects. Though developed by nations and transnational in scope, human rights ideas have been adapted and reworked in local contexts worldwide, becoming the object of as well as a resource for popular struggle, state policymaking, and transnational movements. All of this makes human rights a perfect object of anthropological inquiry: human rights are at once a global force and a set of resources that find distinct expressions in a variety of local settings. Another striking feature within the contemporary efflorescence of rights discourses is the increasing deployment of a rhetoric of 'culture'. This course examines 'culture' as an object of rights discourses, as well as the local and global conditions which compel and constrain such claims and the contexts in which they are articulated. It also seeks to evaluate the extent to which the concept of 'culture' could be useful as an analytical tool to make sense of claims-making in the global context. After reviewing the historical origins and expansion of human rights thinking, we will reflect on the impacts human rights have had on national formations, local contexts and individual subjectivities. Students will become familiar with classic ethnographies of human rights struggles in local contexts as well as more recent ones focusing on the global institutions and transnational networks via which human rights are made real in the world.

> PROFESSOR

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> ASSISTANT

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Syllabus

Teaching Method

The course is taught using a diversity of teaching methods and resources. In addition to weekly readings, students are encouraged to watch **films** (all films selected for this course are available via this link: <https://vimeopro.com/graduateinstitutelibrary/the-anthropology-of-human-rights> Password: ANSO118), reflect on contemporary world affairs by liaising debates discussed in class with current news, and prepare questions/comments prior to seminars.

The class will be divided in **reading groups** who will meet once a week to prepare their interventions in the seminars. Seminars will be composed of short interactive lectures, followed by classroom discussions, debates and exercises as well as guest lectures by human rights experts and activists.

Students will attend the review of one country during the **39th session of the United Nations Universal Periodic Review** (1-12 November 2021), either in the public gallery of room XX in Palais des Nations or online, depending on COVID-19 restrictions. Obtaining the required accreditations to be authorized to attend the review from the public gallery or finding the link to the livestream of the event is part of the learning process in this course. Your experience with these procedures will inform discussions in class around issues of 'publicity' and 'transparency' in international governance processes. Timetables are available at:

<https://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRSessions.aspx>

Before watching the review, read the documents prepared by the OHCHR and the state under review here: <https://www.upr-info.org/en/session/Session-40---November-2021>

Students who attend the course online should liaise with their reading groups once a week, using available visio-conference technologies (webex, zoom) and participate in class discussions like others.

Learning Outcome

By the end of the module, it is intended that students will have the following learning outcomes:

1. Describe major trends in the historiography of human rights.
2. Summarize key debates in the anthropology of human rights (cultural relativism vs universalism, human rights as 'culture', vernacularization of human rights, the paradoxical effects of the bureaucratization and the quantification of human rights)
3. Compare and appraise diverse disciplinary perspectives on human rights (law; anthropology; international relations; history).
4. Identify and assess the contemporary international human rights regime (United Nations; regional institutions; national bodies; international and local advocates).
5. Apply human rights to broader concerns (humanitarianism; post-conflict transition).

Transferable, practical and generic skills

1. Refined ability to identify and access appropriate primary and secondary research resources.
2. Ability to collate and critically analyse those resources in relation to complex issues in the field
3. Ability to present concise and cogently structured arguments, both orally and in writing
4. Ability to work together with others as well as independently, including effective time management
5. Ability to deploy a range of communication and information technology skills.

Assessment

Students' performance will be evaluated on the basis of classroom participation and the quality of the written assignments. Participants have to show familiarity with the assigned readings that will be discussed in class.

More precisely students will be requested to:

- Study on a weekly basis the assigned readings, discuss them with their **reading group**, and participate actively in classroom discussions.
- Discuss some readings at least once during the semester; be capable of situating them in relation to readings for other weeks in order to highlight the general thrust of the course; pose a few questions to initiate the debate.
- Attend the review of one country during the 39th session of the Universal Periodic Review (**1-12 November**). Take notes, read the critical literature on the UPR available on Moodle and be prepared to participate in debriefing on this experience in class.
- Submit an essay outline of no more than 2000 words (title; personal motivation; questions; relevance of the topic; short bibliography), due by **10 November** to be discussed with the instructor. The essay should be posted on Moodle. The topic should be one related to the course, but it is not restricted to the lectures' titles and assigned readings. The essay should nevertheless discuss human rights issues from an anthropological perspective and engage with theoretical debates on culture and rights.
- Write a final paper of no more than 5000 words (excluding bibliography and annexes), due by **22 December**, building on the essay outline.

Grade will be determined as follows: 20% for general participation in class; 20% for the outline; 60% for the final essay.

The seminar provides 6 ECTS. Attendance is mandatory and represents 1 ECTS, the readings, presentation and discussion 2 ECTS, and the written papers 3 ECTS.

Course Policies

- Papers should be written in English or French, double-spaced, using standard 12-point font, with 1-inch margins. The student's name, the paper's title, the date, the course's title and page numbers must be mentioned.
- Quotations and bibliography must follow the Chicago Manual of Style or the Harvard Referencing System.
- Students must hand in papers on time electronically as a Word file (no need to provide a hard copy). Papers that are sent late without a valid reason or importantly exceed the word limit will not receive a grade higher than 4.0.
- Students who missed more than two classes without being excused by the instructor will not receive a grade higher than 4.0.
- Plagiarism constitutes a breach of academic integrity and will not be tolerated. Students who present the work of others as their own will receive a 0.
- Assigned readings will be made available as electronic reserve on the class' website.

Course outline

Part 1: History, Law, Anthropology

- Session 1: The Historical Emergence of Human Rights
- Session 2: The Anthropology of Law, Dispute Processes and Legal Pluralism
- Session 3: Anthropologists and Human Rights: From rejection to active engagement

Part 2: Culture and Rights

- Session 4: Beyond the 'Universalism vs Cultural Relativism' debate
- Session 5: The Politics of Culture (1): Indigeneity and anthropology
- Session 6: The Politics of Culture (2): Indigenous rights. Guest speaker: Maria Sapignoli (TBC)
- Session 7: The Politics of Culture (3): Islam and women's rights
- Session 8: The Politics of Culture (4): Multiculturalism

Part 3: The Transnational Culture of Human Rights

- *Observation of one session of the UN Universal Periodic Review (39th UPR session)*
- Session 9: Frictions: Local Receptions of Human Rights
- Session 10 The UN human rights system
- Session 11: Transparency, Bureaucracy, Documents, Indicators
- Session 12: Transitional Justice: the ICC, International Tribunals, Truth and Reconciliation Commissions, People's Tribunals

Part 4: From Theory to Practice

- Session 13: Whistle-blowers. Guest speaker: Caroline Hunt-Matthes
- Session 14: Conclusion – Cultures of Human Rights

Course Outline

PART 1: HISTORY, LAW, ANTHROPOLOGY

Session 1 – The Historical Emergence of Human Rights (22 sept)

Compulsory readings:

Samuel Moyn,
2012. "Substance, Scale, and Salience: The Recent Historiography of Human Rights." *Annual Review of Law and Social Science* 8: 123-40.

Wasserstrom, Jeffrey N., Greg Grandin, Lynn Hunt, and Marilyn B. Young.
2007. *Human Rights and Revolutions*. Rowman & Littlefield Publishers. (Read Lynn Hunt's chapter)

Slotte, Pamela, Miia Halme-Tuomisaari.
2015. *Revisiting the Origins of Human Rights*. Cambridge University Press. (Introduction)

Additional readings:

Hunt, Lynn.
2008. *Inventing Human Rights: A History*. W. W. Norton & Company.

Moyn, Samuel.
2010. *The Last Utopia: Human Rights in History*. Harvard University Press.

Ishay, Micheline R.
2008. *The History of Human Rights: From Ancient Times to the Globalization Era*. University of California Press.

Stammers, Neil.
2009. *Human Rights and Social Movements*. Pluto Press.

Rajagopal, Balakrishnan.
2003. *International law from below: development, social movements, and Third World resistance*. Cambridge University Press.

Session 2 – The Anthropology of Law, Dispute Processes and Legal Pluralism (29 sept)

Compulsory readings:

Nader, Laura.
1989. « The Crown, the Colonists and the Course of Zapotec Village Law ». In June Starr and Jane Collier (eds). *History and Power in the Study of Law: New Directions in Legal Anthropology*. Cornell University Press.

Randeria, Shalini
2003. Cunning states and unaccountable international institutions: legal plurality, social movements and rights of local communities to common property resources. *European Journal of Sociology/Archives Européennes de Sociologie*, 44(1), pp.27-60.

Beyer, Judith.
2015. "Customizations of Law: Courts of Elders (Aksakal Courts) in Rural and Urban Kyrgyzstan". *PoLAR: Political and Legal Anthropology Review*, 38(1), pp.53-71.

Further readings

Gluckman, Max,
2017. *Politics, Law and Ritual in Tribal Society*. Routledge. (chapter 5 : Dispute and settlement)

Nader, Laura.
2001. "The Underside of Conflict Management - in Africa and Elsewhere". *IDS Bulletin*. Vol 32(1)

Nader, Laura.
1990. *Harmony ideology: Justice and control in a Zapotec mountain village*. Stanford University Press (introduction)

Nader, Laura.
1996. "Coercive harmony: The political economy of legal models." *Kroeber Anthropological Society Papers*: 1-13.

Session 3 – Anthropologists and human rights: From rejection to active engagement (6 Oct)

Compulsory readings:

American Anthropological Association
1947 'Statement on Human Rights', *American Anthropologist*, Vol. 49, No. 4.
[Read: Washburn, W. (1987) 'Cultural Relativism, Human Rights and the AAA', *American Anthropologist*, Vol. 89, No. 4].

Goodale, Mark.
2006. « Introduction to "Anthropology and Human Rights in a New Key" ». *American Anthropologist* 108 (1): 1-8.

Goodale, Mark.
2006. 'Toward a Critical Anthropology of Human Rights'. *Current Anthropology* 47 (3): 485–511.

Further Readings:

Wilson, Richard Ashby.
2006. 'Afterword to "Anthropology and Human Rights in a New Key": The Social Life of Human Rights'. *American Anthropologist* 108 (1): 77–83.

Farmer, Paul.
2004. *Pathologies of Power: Health, Human Rights, and the New War on the Poor* (California Series in Public Anthropology).

- Sanford, Victoria.
2003. *Buried Secrets: Truth and Human Rights in Guatemala*. Palgrave Macmillan.
- Messer, E.
1993. 'Anthropology and Human Rights', *Annual Review of Anthropology*, Vol. 22.
- Sanford, Victoria.
2003. *Buried Secrets: Truth and Human Rights in Guatemala*. Palgrave Macmillan.
- Speed, Shannon.
2006. 'At the Crossroads of Human Rights and Anthropology: Toward a Critically Engaged Activist Research'. *American Anthropologist* 108 (1): 66–76.
- Wilson, Richard.
1997. *Human Rights, Culture and Context: Anthropological Perspectives*. Pluto Press.
- Tate, Winifred.
2007. *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia*. Berkeley, Los Angeles: University of California Press.

PART 2: CULTURE AND RIGHTS

Session 4 – Beyond the 'Universalism vs Cultural Relativism' debate (13 Oct)

Compulsory readings

- Cowan, Jane K.
2006. 'Culture and Rights after Culture and Rights'. *American Anthropologist* 108 (1): 9–24.
- Montgomery, Heather. 2001. 'Imposing rights? A case study of child prostitution in Thailand.' In Cowan and al. *Culture and rights: Anthropological perspectives*: 80-101.
- Merry, Sally Engle.
2003. 'Human Rights Law and the Demonization of Culture (And Anthropology Along the Way)'. *PoLAR: Political and Legal Anthropology Review* 26 (1): 55–76.

Additional readings:

- Archambault, Caroline S. "Ethnographic empathy and the social context of rights: "Rescuing" Maasai girls from early marriage." *American Anthropologist* 113.4 (2011): 632-643
- Benhabib, Shaila
2002. *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton: Princeton University Press.
- Cheng, Sealing
2011. 'The Paradox of Vernacularization: Women's Human Rights and the Gendering of Nationhood', *Anthropological Quarterly*, Vol. 84, No. 2.
- Cowan, Jane K., Marie-Bénédicte Dembour, Richard Wilson.
2001. *Culture and rights: Anthropological Perspectives*. Cambridge University Press.

- Curtis, Jennifer.
2014. *Human Rights as War by Other Means: Peace Politics in Northern Ireland*. University of Pennsylvania Press. (Read Chapt 1 and 7)
- Dembour, Marie-Benedict
1996. 'Human rights talk and anthropological ambivalence: The particular context of universal claims' in Harris, O. (ed.) *Inside and Outside the Law : Anthropological Studies of Authority and Ambiguity* (London : Routledge).
2001. 'Following the Movement of a Pendulum: Between Universalism and Relativism' in Cowan, J., M. Dembour and R. Wilson (eds) *Culture and Rights: Anthropological Perspectives* (Cambridge: CUP).
- Donnelly, Jack
2007. 'The Relative Universality of Human Rights', *Human Rights Quarterly*, Vol. 29, No. 2. [See also responses in *Human Rights Quarterly* Vol. 30, No. 1].
- Engelke, M.
1999. 'We Wondered What Human Rights He was talking About: human rights, homosexuality and the Zimbabwean International Book Fair', *Critique of Anthropology*, Vol. 19, No. 3. Available electronically through the library website.
- Engle, Karen.
2001. « From Skepticism to Embrace: Human Rights and the American Anthropological Association from 1947-1999 ». *Human Rights Quarterly* 23 (3): 536-59.
- Englund, Harri.
2006. *Prisoners of Freedom: Human Rights and the African Poor*. Berkeley: University of California Press. (Read Intro and chapt 2)
- Englund, H.
2012. Human Rights and Village Headmen in Malawi: Translation beyond Vernacularization. In J.Eckert, B. Donahoe, C. Strümpell and Z. Özlem Biner (eds) *Law against the State: Ethnographic Forays into Law's Transformations*. (Cambridge: Cambridge University Press).
- Geertz, Clifford
1984. 'Anti Anti-relativism', *American Anthropologist*, Vol. 86, No. 2.
- Goldstein, D.
2007. 'Human Rights as Culprit, Human Rights as Victim: Rights and Security in the State of Exception', in M. Goodale and S. E. Merry (eds) *The Practice of Human Rights: Tracking Law Between the Global and the Local*. (Cambridge: Cambridge University Press).
- Goldstein, D.
2012. 'Whose Venacular? Translating Human Rights in Local Context', in Goodale M. (ed.) *Human Rights at the Crossroads* (Oxford: Oxford University Press).
- Goodale, M.
2007. 'Locating Rights, Envisioning Law Between the Global and the Local', in Goodale, M. and S. E. Merry (eds) *The Practice of Human Rights: Tracking Law Between the Global and the Local*. Cambridge, Cambridge University Press.

- Goodale, M. and S. E. Merry (eds)
2007. *The Practice of Human Rights: Tracking Law Between the Global and the Local*. (Cambridge: Cambridge University Press).
- Harris-Short, S.
2003. 'International Human Rights Law: Imperialist, Inept and Ineffective? Cultural Relativism and the UN Convention on the Rights of the Child', *Human Rights Quarterly*, Vol. 25 No.
- Howell, S.
2003. 'The Diffusion of Moral Values in a Global Perspective', in T. H. Eriksen (eds) *Globalisation: Studies in Anthropology*. (London: Pluto).
- Ibhawoh, B.
2000. 'Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the African State', *Human Rights Quarterly*, Vol. 22, No. 3.
- Levitt, P., and S. Merry
2009. 'Vernacularization on the ground: local uses of global women's rights in Peru, China, India and the United States', *Global Networks*, Vol. 9 No. 4.
- McCorquodale, R. and R. Fairbrother
1999. 'Globalization and Human Rights', *Human Rights Quarterly* Vol. 21, No. 3.
- McGrew, A. G.
1998. 'Human rights in a global age: Coming to terms with globalisation' in Evans, T. (ed.) *Human Rights Fifty Years On: A Reappraisal* (Manchester: MUP).
- Meernik, J. et al
2012. 'The Impact of Human Rights Organizations on Naming and Shaming Campaigns', *Journal of Conflict Resolution*, Vol. 56.
- Merry, Sally Engle.
2001. 'Changing Rights, Changing Culture'. In Cowan et al. (Eds) *Culture and rights: Anthropological perspectives*. Cambridge University Press.
- Merry, Sally Engle
1997. 'Legal Pluralism and Transnational Culture: The Ka Ho'okolokolonui Kanaka Maoli Tribunal, Hawai'i, 1993' in Wilson, R. (ed.) *Human Rights, Culture and Context* (London: Pluto).
- Merry, Sally Engle
2005. 'Anthropology and Activism', *Political and Legal Anthropology Review*, Vol. 28 No. 2.
- Merry, S. and R. Stern
2005. 'The Female Inheritance Movement in Hong Kong: Theorizing the Local/Global Interface', *Current Anthropology*, Vol. 46, No. 3.
- Murray, D. A. B.
2006. 'Who's right? Human rights, sexual rights and social change in Barbados', *Culture, Health & Sexuality*, Vol. 8 No. 3.
- Mutua, M.
2002. *Human Rights: A Political and Cultural Critique* (Philadelphia: University of

Pennsylvania).

- Mihr, A., and H. P. Schmitz
2007. 'Human Rights Education (HRE) and Transnational Activism', *Human Rights Quarterly*, Vol. 29 No. 4.
- Nelson, P. J., and E. Dorsey
2008. *New Rights Advocacy: Changing Strategies of Development and Human Rights NGOs*. (Washington, D.C.: Georgetown University Press).
- Orentlicher, D. F.
1990. 'Bearing Witness: the Art and Science of Human Rights Fact-Finding', *Harvard Human Rights Journal*, Vol. 83
- Pollis, A.
2000. 'A New Universalism' in Pollis, A. and P. Schwab (eds) *Human Rights: New Perspectives, New Realities* (Boulder, CO: Lynne Rienner).
- Preis, A.
1996. 'Human Rights as Cultural Practice: An Anthropological Critique', *Human Rights Quarterly*, Vol. 18, No. 2.
- Smith, J et al
1998. 'Globalizing Human Rights: The Work of Transnational Human Rights NGOs in the 1990s', *Human Rights Quarterly*, Vol. 20, No. 2.
- Tate, W.
2007. *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia*. Berkeley, Calif. ; London: University of California Press.
- Tagliarinaa, D.
2015. 'Power, privilege and rights: how the powerful and powerless create a vernacular of rights', *Third World Quarterly*, Vol. 36, No. 6.
- Thomas, F.
2007. 'Global Rights, Local Realities: Negotiating Gender Equality and Sexual Rights in the Caprivi Region, Namibia', *Culture, Health & Sexuality*, Vol. 9 No. 6.
- Tilly, J. T.
2000. 'Cultural Relativism', *Human Rights Quarterly* Vol. 22, No. 2.
- Waltz, S. E.
2004 'Universal Human Rights: The Contribution of Muslim States', *Human rights quarterly*, Vol. 26 No. 4.
- Welch, C. E.
2000. *NGOs and Human Rights: Promise and Performance*. (Philadelphia: University of Pennsylvania Press).
- Wilson, R.
1997. 'Representing Human Rights Violations: Social Contexts and Subjectivities' in Wilson, R. (ed.) *Human Rights, Culture and Context, Anthropological Perspectives* (London: Pluto Press).

- Wilson, Richard
1997. 'Human Rights, Culture and Context: An Introduction' Wilson, R.
(ed.) *Human Rights, Culture and Context, Anthropological Perspectives* (London: Pluto Press).
- Wright, Susan
1998. "The Politicization of 'Culture'." *Anthropology today*. Vol 14(1). Pp 7-15.
- Zwart, T.
2012. 'Using Local Culture to Further the Implementation of International Human Rights: The Receptor Approach', *Human Rights Quarterly*, Vol. 34, No. 2.

Session 5 – The Politics of Culture (1): Anthropology and indigeneity (20 Oct)

Guest speaker: Liselotte Viaene or Maria Sapignoli (TBC)

Compulsory readings

- Kuper, Adam.
2003. The Return of the Native. *Current Anthropology*. 44(3): 389- 402.
- Kenrick, J. and Lewis, J.
2004. Indigenous Peoples' Rights and the Politics of the Term 'Indigenous'. *Anthropology Today*. 20(2): 4-9.
- Quentin, G., Kenrick, J. and Gibb R.
2011. Indigeneity and Autochthony: A Couple of False Twins? *Social Anthropology*. 19(2): 135-142.

Further readings:

- Barnard, A
2006. Kalahari Revisionism, Vienna, and the 'Indigenous Peoples' Debate. *Social Anthropology*. 14(1):1-16.
- Clifford, J.
2013. *Returns: Becoming Indigenous in the Twenty-First Century*. Harvard University Press.
- De la Cadena, M and Orin Starn (eds).
2007. *Indigenous Experience Today*. Oxford and New York: Berg.
- Deloria, V.,
1969 (edition 1988). *Custer Died for Your Sins*. University of Oklahoma Press. Chapter 4.

Session 6 – The Politics of Culture (2): Indigenous Rights (27 oct)

Guest speaker: Liselotte Viaene or Maria Sapignoli (TBC)

In preparation of this session, watch the documentary film **WARRIOR WOMEN.**

Synopsis:

In the 1970s, with the swagger of unapologetic Indianness, organizers of the American Indian Movement (AIM) fought for Native liberation and survival as a community of extended families.

Warrior Women is the story of Madonna Thunder Hawk, one such AIM leader who shaped a kindred group of activists' children - including her daughter Marcy - into the "We Will Remember" Survival School as a Native alternative to government-run education. Together, Madonna and Marcy fought for Native rights in an environment that made them more comrades than mother-daughter.

<https://vimeopro.com/graduateinstitutelibrary/the-anthropology-of-human-rights/video/375368333>

Password: ANSO118

Compulsory readings

Li, Tanya Murray

2000. Articulating Indigenous Identity in Indonesia: Resource Politics and the Tribal Slot. *Comparative Studies in Societies and History*. 42(1), 149- 179.

Conklin, Beth

1997. 'Body paint, feathers, and VCRs: aesthetics and authenticity in Amazonian activism', *American Ethnologist*, 24, No. 4.

Speed, Shanon

2002. Global discourses on the local terrain: human rights and indigenous identity in Chiapas. *Cultural Dynamics*, 14(2), 205-228.

Further readings

Bowen J. R.

2000. 'Should we have a universal concept of "Indigenous People's" Rights?: Ethnicity and essentialism in the twenty-first century', *Anthropology Today*, Vol. 16, No. 4

Brulotte, R.

2009. "'Yo soy nativo de aquí": The Ambiguities of Race and Indigeneity in Oaxacan Craft Tourism', *The Journal of Latin American and Caribbean Anthropology* Vol. 14, No. 2.

Chernela J.

2006. 'Recent Advances and Retreats in Indigenous Rights in Brazil', *Journal of Latin American Anthropology*, Vol. 11, No. 1.

Clifford, J.

1988. 'Identity in Mashpee' in Clifford, J. *The Predicament of Culture: Twentieth Century Ethnography, Literature, and Art* (Cambridge: Harvard University Press).

Clifford, J.

2000. 'Taking Identity Politics Seriously' in, P. Gilroy, L. Grossberg, and A. McRobbie, eds. *Without Guarantees: In Honour of Stuart Hall*. London Verso.

Colchester M.

2002 'Indigenous Rights and the Collective Consciousness', *Anthropology Today* 18:1-3.

Conklin B A.

2002. 'Shamans versus pirates in the Amazonian treasure chest', *American anthropologist* Vol. 104, No. 4.

Cortassal, J.

2008. 'Towards Sustainable Self-Determination: Rethinking the Contemporary Indigenous

- Rights Discourse', *Alternatives: Global, Local, Political*, Vol. 33, No. 1.
- French, J. F.
2002. 'Dancing for Land: Law-Making and Cultural Performance in Northeastern Brazil', *PoLAR: Political and Legal Anthropology Review* Vol. 25, No. 1.
- Goggin, S.
2011. 'Human rights and 'primitive' culture: misrepresentations of indigenous life', *The International Journal of Human Rights*, Vol. 15, No. 6.
- Guenther M, Kenrick J, Kuper A, Plaice E, Thuen T, et al.
2006. 'Discussion: the concept of indigeneity', *Social Anthropology* Vol. 14, No. 1.
- Handler, R.
1986. 'Authenticity', *Anthropology Today*, Vol. 2 No. 1.
- Hodgson D.
2002. 'Precarious alliances: the cultural politics and structural predicaments of the indigenous rights movement in Tanzania', *American Anthropologist*, Vol. 104, No. 4.
- Hodgson, D.
2002. 'Comparative Perspectives on the Indigenous Rights Movement in Africa and the Americas', *American Anthropologist*, Vol. 104. No. 4.
- Holder, C. L. and J. J. Corntassel
2002. 'Indigenous Peoples and Multicultural Citizenship: Bridging Collective and Individual Rights', *Human Rights Quarterly*, Vol. 24, No. 1.
- Jackson, J. E.
2007. 'Rights to Indigenous Culture in Colombia', in Goodale, M. and S. E. Merry (eds) *The Practice of Human Rights: Tracking Law Between the Global and the Local*. Cambridge, Cambridge University Press.
- Jung C.
2004. 'The politics of indigenous identity: neoliberalism, cultural rights, and the Mexican Zapatistas', *Social Research*, Vol. 70, No. 2.
- Karlsson B G.
2003. 'Anthropology and the 'Indigenous Slot': Claims to and Debates about Indigenous Peoples' Status in India,' *Critique of Anthropology*, Vol. 23, No. 4.
- Kenrick, J. and J. Lewis
2004. "Indigenous peoples' rights and the politics of the term 'indigenous'.", in *Anthropology Today*, Vol. 20. No. 2.
- Kuper, A.
2005. *The Reinvention of Primitive Society: Transformations of a Myth*, 2nd ed. edition. (London: Routledge).
- Lee R. B.
2006. 'Twenty-first century indigenism', *Anthropological Theory*, Vol. 6, No. 4.
- McIntosh I, Colchester M, Bowen J, Rosngren D.
2002. 'Defining oneself and being defined as, indigenous', *Anthropology Today*, Vol. 18, No. 6.

- Muehlebach A.
2001. "Making place" at the United Nations: indigenous cultural politics at the U.N. working group on indigenous populations', *Cultural Anthropology*, Vol. 16, No. 3.
- Niezen, R.
2003. *The Origins of Indigenism: Human Rights and the Politics of Identity*. (Berkeley ; London: University of California Press)
- Oakdale S.
2004. 'The culture-conscious Brazilian Indian: representing and reworking Indianness in Kayabi political discourse', *American Ethnologist*, Vol. 31, No. 1.
- Parker E.
1992. 'Forest islands and Kayapo resource management in Amazonia - a reappraisal of the Apete', *American Anthropologist*, Vol. 94, No. 2.
- Povinelli, E. A.
2002. *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism*. (Durham: Duke University Press).
- Sapignoli, M.
2017. "Bushmen" in the Law: Evidence and Identity in Botswana's High Court. *PoLAR: Political and Legal Anthropology Review*, 40(2), pp.210-225.
- Samson, C.
2001 'Rights as the Reward for Simulated Cultural Sameness: the Innu in the Canadian Colonial Context' in Cowan, J., M. Dembour and R. Wilson *Culture and Rights: Anthropological Perspectives* (Cambridge: CUP).
- Short, D.
2007. 'The Social Construction of Indigenous 'Native Title' Land Rights in Australia', *Current Sociology*, Vol. 55 No. 6.
- Sissons, J.
1993. 'The Systematisation of Tradition: Maori Culture as a Strategic Resource', *Oceania*, Vol. 64.
- Speed, S.
2007. *Rights in Rebellion: Indigenous Struggle and Human Rights in Chiapas* (Stanford: Stanford University Press).
- Sylvain, R.
2015. 'Foragers and fictions in the Kalahari: Indigenous identities and the politics of deconstruction', *Anthropological Theory*, Vol. 15 No. 2.
- Turner, T.
1991. 'Representing, resisting, rethinking: Historical Transformations of Kayapo Culture and Anthropological Consciousness' in Stocking, G. (ed.) *Colonial Situations: History of Anthropology* (Madison: University of Wisconsin Press).

Session 7 – The Politics of Culture (3): Islam and women’s rights (3 Nov)

In preparation for this session, watch Ziba Mir Hosseini’s 1997 documentary film « Divorce Iranian Style ». The film chronicles the legal battles of three Iranian couples as they seek divorce in the Iranian court system.

<https://vimeopro.com/graduateinstitutelibrary/the-anthropology-of-human-rights>

Password: ANSO118

Compulsory readings

Ahsan-Tirmizi, Sonia

2021. *Pious Peripheries: Runaway Women in Post-Taliban Afghanistan*. Stanford University Press. (Introduction + chapter 6 “Subject of Honor”)

Osanloo, Arzoo

2012. When Blood Has Spilled: Gender, Honor, and Compensation in Iranian Criminal Sanctioning. *PoLAR: Political and Legal Anthropology Review*, 35(2), pp.308-326.

Mahmood, Saba.

2001. Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival. *Cultural anthropology*, 16(2), 202-236.

Additional readings:

Abu-Lughod, Lila.

2002. ‘Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others’. *American Anthropologist* 104 (3): 783–90.

Billaud, Julie.

2009. Visible under the Veil: Dissimulation, Performance and Agency in an Islamic Public Space. *Journal of International Women’s Studies* 11.1 (2009): 120-135.

Billaud, Julie.

2013. “A Simple Way of Getting to Paradise”: Ethics and Affects in British Sharia Councils. In Göle (Eds) *Islam and public controversy in Europe*, pp.159-172.

Mir-Hosseini, Ziba.

2006. Muslim Women’s Quest for Equality: Between Islamic Law and Feminism. *Critical inquiry*, 32(4), pp.629-645.

Osanloo, A.

2009. *The politics of women's rights in Iran*. Princeton University Press.

Osanloo, A.

2006. The measure of mercy: Islamic justice, sovereign power, and human rights in Iran. *Cultural Anthropology*, 21(4), pp.570-602.

Osanloo, A.

2006. Islamico-civil “rights talk”: Women, subjectivity, and law in Iranian family court. *American Ethnologist*, 33(2), pp.191-209.

Osanloo, A.
2015. Framing Rights: Women and Family Law in Pre-and Post-Revolutionary Iran. *New Middle Eastern Studies*, 5.

Session 8 – The politics of Culture (4): Multiculturalism (10 Nov)

Turner, Terence
1993. Anthropology and Multiculturalism: What Is Anthropology That Multiculturalists Should Be Mindful of It? *Cultural Anthropology*. 8(4):411–429.

Povinelli, Elizabeth
1998. The state of shame: Australian multiculturalism and the crisis of indigenous citizenship. *Critical Inquiry*, 24(2), pp.575-610.

Speed, Shannon
2005. Dangerous Discourses: Human Rights and Multiculturalism in Neoliberal Mexico. *PoLAR*. 28, p.29.

Further readings:

Hage, G.,
2012. *White nation: Fantasies of white supremacy in a multicultural society*. Routledge.

Hage, G.,
2002. Multiculturalism and white paranoia in Australia. *Journal of International Migration and Integration/Revue de l'integration et de la migration internationale*, 3(3-4), pp.417-437.

Speed, S.
2020. The Persistence of White Supremacy: Indigenous Women Migrants and the Structures of Settler Capitalism. *American Anthropologist*, 122(1), pp.76-85.

Kowal, E.
2008. The politics of the gap: Indigenous Australians, liberal multiculturalism, and the end of the self-determination era. *American anthropologist*, 110(3), pp.338-348.

PART 3: THE TRANSNATIONAL CULTURE OF HUMAN RIGHTS

Session 9 – Frictions: Local receptions of human rights (17 Nov)

Compulsory readings

Englund, Harri.
2006. *Prisoners of Freedom: Human Rights and the African Poor*. Berkeley: University of California Press. (Read Intro and chapt 2)

Allen, Lori.
2013. *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine*. Stanford University Press. (Read Intro and chapt 2)

Curtis, Jennifer.
2014. *Human Rights as War by Other Means: Peace Politics in Northern Ireland*. University of

Pennsylvania Press. (Read Chapt 1 and 7)

Additional readings:

Billaud, J.,
2015. *Kabul Carnival: Gender Politics in Postwar Afghanistan*. University of Pennsylvania Press.

Chua, L.J.
2020. *The Politics of Love in Myanmar*. Stanford University Press

Holcombe, S.E.
2020. *Remote Freedoms. Politics, Personhood and Human Rights in Aboriginal Central Australia*. Stanford University Press.

Faulk, K.A.
2012. *In the wake of neoliberalism: Citizenship and human rights in Argentina*. Stanford University Press.

Session 10 – The UN human rights system (24 Nov)

Compulsory readings

Cowan, Jane and Julie Billaud.
2015. 'Between Learning and Schooling: The Politics of Human Rights Monitoring at the Universal Periodic Review'. *Third World Quarterly* 36 (3).

Halme-Tuomisaari, Miia
2020. Guarding utopia: law, vulnerability and frustration at the UN Human Rights Committee. *Social Anthropology*, 28(1), pp.35-49.

Kelly, Tobias.
2009. 'The UN Committee Against Torture: Human Rights Monitoring and the Legal Recognition of Cruelty'. *Human Rights Quarterly* 31 (3): 777–800.

Additional readings

Billaud, Julie.
2015. 'Keepers of the Truth: Producing "transparent" Documents for the Universal Periodic Review'. In *Human Rights and the Universal Periodic Review: Rituals and Ritualism*, edited by Hilary Charlesworth and Emma Larking. Cambridge: Cambridge University Press.

Cowan, Jane.
2015. "The Universal Periodic Review as a Public Audit Ritual: An Anthropological Perspective on Emerging Practices in the Global Governance of Human Rights." In *Human Rights and the Universal Periodic Review: Rituals and Ritualism*, edited by Hilary Charlesworth and Emma Larking, Cambridge University Press. Cambridge.

Cowan, Jane.
2013. *Before Audit Culture: A Genealogy of International Oversight of Rights*. In *The Gloss of Harmony: The Politics of Policy-Making in Multilateral Organisations*, Pluto press. London.

- Cowan, Jane.
2015. "The Universal Periodic Review as a public audit ritual: An anthropological perspective on emerging practices in the global governance of human rights." (2015): 42-62.
- Cowan, Jane K., and Julie Billaud.
2017. "The 'public' character of the Universal Periodic Review: contested concept and methodological challenge." *Palaces of Hope. The Anthropology of Global Organizations* (2017): 106-126.
- Halme-Tuomisaari, Miia.
2018. "Methodologically blonde at the UN in a tactical quest for inclusion".
Social Anthropology. 26(4)
- Merry, Sally
2003. Constructing a Global Law-Violence against Women and the Human Rights System.
Law & Social Inquiry, 28(4), 941-977.
- Sapignoli, Maria.
2017. A Kaleidoscopic Institutional Form: Expertise and Transformation in the UN Permanent Forum on Indigenous Issues. In Niezen and Sapignoli (Ed.) *Palaces of Hope: The Anthropology of Global Organizations*, pp.87-105.

Session 11 – Transparency, Bureaucracy, Quantification, Indicators (1 Dec)

Watch the 39th session of the UN Universal Periodic Review

Compulsory readings

- Merry, Sally Engle.
2011. 'Measuring the World: Indicators, Human Rights, and Global Governance: With CA Comment by John M. Conley'. *Current Anthropology* 52 (S3): S83–95.
- Riles, Annelise.
1998. 'Infinity within the Brackets'. *American Ethnologist* 25 (3): 378–98.
- Ballesterro, Andrea
2015. The Ethics of a Formula: Calculating a Financial–Humanitarian Price for Water.
American Ethnologist, 42(2), 262-278.

Additional readings:

- Ballesterro S, Andrea.
2012. Transparency Short-Circuited: Laughter and Numbers in Costa Rican Water Politics.
PoLAR: Political and Legal Anthropology Review, 35(2), pp.223-241.
- Ballesterro S., Andrea.
2012. 'Transparency in Triads'. *PoLAR: Political and Legal Anthropology Review* 35 (2): 160–66.
- Bear, Laura, and Nayanika Mathur.
2015. 'Remaking the Public Good: A New Anthropology of Bureaucracy'. *The Cambridge Journal of Anthropology* 33 (1): 18–34.

- Billaud, Julie, and Jane K. Cowan.
2020. The Bureaucratisation of Utopia: Ethics, Affects and Subjectivities in International Governance Processes. *Social Anthropology* 28 (1): 6–16.
- Cabot, Heath.
2012. 'The Governance of Things: Documenting Limbo in the Greek Asylum Procedure'. *PoLAR: Political and Legal Anthropology Review* 35 (1): 11–29.
- Davis, Kevin E., Benedict Kingsbury, and Sally Engle Merry.
2012. 'Indicators as a Technology of Global Governance'. *Law & Society Review* 46 (1): 71–104.
- Eltringham, Nigel.
2013. 'Illuminating the broader context': anthropological and historical knowledge at the International Criminal Tribunal for Rwanda. *Journal of the Royal Anthropological Institute* 19 (2): 338-355.
- Garsten, Christina, and Magnus Boström.
2008. *Organizing Transnational Accountability*. Edward Elgar Publishing.
- Garsten, Christina, and Kerstin Jacobsson.
2011. 'Transparency and Legibility in International Institutions: The UN Global Compact and Post-Political Global Ethics'. *Social Anthropology* 19 (4): 378–93.
- Hetherington, Kregg.
2011. *Guerrilla Auditors: The Politics of Transparency in Neoliberal Paraguay*. Duke University Press.
- Hetherington, Kregg.
2012. 'Agency, Scale, and the Ethnography of Transparency'. *PoLAR: Political and Legal Anthropology Review* 35 (2): 242–47.
- Hull, Matthew S.
2012. 'Documents and Bureaucracy'. *Annual Review of Anthropology* 41 (1): 251–67.
- Hull, Matthew S.
2012. *Government of Paper: The Materiality of Bureaucracy in Urban Pakistan*. University of California Press.
- Kingsbury, Benedict.
1997. 'The Concept of Compliance as a Function of Competing Conceptions of International Law'. *Michigan Journal of International Law* 19: 345.
- Löwenheim, Oded.
2008. 'Examining the State: A Foucauldian Perspective on International "Governance Indicators"'. *Third World Quarterly* 29 (2): 255–74.
- Mathur, Nayanika.
2012. 'Transparent-Making Documents and the Crisis of Implementation: A Rural Employment Law and Development Bureaucracy in India'. *PoLAR: Political and Legal Anthropology Review* 35 (2): 167–85.
- . 2014. 'The Reign of Terror of the Big Cat: Bureaucracy and the Mediation of Social Times in

the Indian Himalaya'. *Journal of the Royal Anthropological Institute* 20: 148–65.

Navaro-Yashin, Yael.

2007. 'Make-Believe Papers, Legal Forms and the Counterfeit Affective Interactions between Documents and People in Britain and Cyprus'. *Anthropological Theory* 7 (1): 79–98.

Riles, Annelise.

1998. 'Infinity within the Brackets'. *American Ethnologist* 25 (3): 378–98.

———. 2006. 'Anthropology, Human Rights, and Legal Knowledge: Culture in the Iron Cage'. *American Anthropologist* 108 (1): 52–65.

———. 2006b. *Documents: Artefacts of Modern Knowledge*. University of Michigan press.

Sharma, Aradhana.

2013. 'State Transparency after the Neoliberal Turn: The Politics, Limits, and Paradoxes of India's Right to Information Law'. *PoLAR: Political and Legal Anthropology Review* 36 (2): 308–25.

Shore, Chris.

2008. 'Audit Culture and Illiberal Governance: Universities and the Politics of Accountability'. *Anthropological Theory* 8 (3): 278–98.

Shore, Chris, and Susan Wright.

2000. 'Coercive Accountability: The Rise of Audit Culture in Higher Education'. In *Audit Cultures: Anthropological Studies in Accountability, Ethics and the Academia*, Routledge.

Shore, Cris, and Susan Wright.

1997. *Anthropology of Policy: Critical Perspectives on Governance and Power*. Routledge.

———. 2015a. 'Audit Culture Revisited: Rankings, Ratings, and the Reassembling of Society'. *Current Anthropology* 56 (3): 421–44.

———. 2015b. 'Governing by Numbers: Audit Culture, Rankings and the New World Order'. *Social Anthropology* 23 (1): 22–28.

Strathern, Marilyn.

2000. 'The Tyranny of Transparency'. *British Educational Research Journal* 26 (3): 309–21.

Thomson, Marnie Jane.

2012. 'Black Boxes of Bureaucracy: Transparency and Opacity in the Resettlement Process of Congolese Refugees'. *PoLAR: Political and Legal Anthropology Review* 35 (2): 186–205.

Webb, Martin.

2012. 'Activating Citizens, Remaking Brokerage: Transparency Activism, Ethical Scenes, and the Urban Poor in Delhi'. *PoLAR: Political and Legal Anthropology Review* 35 (2): 206–22

Session 12 – Transitional Justice: The ICC, International Tribunals, Truth and Reconciliation Commissions, People’s Tribunals (8 Dec)

In preparation for this session, watch *The Trial of Radko Mladic* (2018). The film chronicles the trial of Ratko Mladić accused of genocide and war crimes during war in Bosnia, with exclusive access to the prosecution and defense teams.

Compulsory readings

Clarke, Kamari

2019. Affective Justice: The Racialized Imaginaries of International Justice. *PoLAR: Political and Legal Anthropology Review*, 42(2), pp.244-267.

Merry, Sally

1996. Legal Vernacularization and Ka ho'okolokolonui Kanaka Maoli, the People's International Tribunal, Hawai'i. *PoLAR*. 19(1).

Wilson, Richard Ashby.

2003. Anthropological Studies of National Reconciliation Processes. *Anthropological Theory* 3(3): 367-387.

Additional readings:

Anders, Gerhard.

2014. Transitional justice, states of emergency and business as usual in Sierra Leone. *Development and Change*. 45(3): 524-542

Anders, Gerhard

2014. 'Contesting Expertise: Anthropologists at the Special Court for Sierra Leone', *Journal of the Royal Anthropological Institute*, Vol. 20, No. 3.

Arendt, H.

1994 [1963] *Eichmann in Jerusalem: A Report on the Banality of Evil*. (Harmondworth: Penguin).

Clark, Janine Natalya.

2016. "Are there 'greener' ways of doing transitional justice? Some reflections on Srebrenica, nature and memorialisation." *The International Journal of Human Rights*. 20(8): 1199-1218.

Contreras-Garduño, D. and Rombouts, S.

2011. Collective Reparations for Indigenous Communities Before the Inter-American Court of Human Rights. *Merkurious*, 27(72): 4–17.

Cultural Anthropology SERIES:

#BlackLivesMatter: Anti-Black Racism, Police Violence, and Resistance:

<https://culanth.org/fieldsights/series/blacklivesmatter-anti-black-racism-police-violence-and-resistance>

David, Lea.

2017. Holocaust and genocide memorialisation policies in the Western Balkans and Israel/Palestine. *Peacebuilding* 5(1): 51-66.

Domínguez-Redondo, Elvira.

2020. In Defense of Politicization of Human Rights: The UN Special Procedures. Oxford

University Press.

Eltringham, Nigel.

2013. 'Illuminating the broader context': anthropological and historical knowledge at the International Criminal Tribunal for Rwanda. *Journal of the Royal Anthropological Institute* 19(2): 338-355.

Eltringham, N.

2014. "When we walk out; what was it all about?": Views on "new beginnings" from within The International Criminal Tribunal for Rwanda", *Development and Change*, Vol. 45 No. 3.

Koga, Yukiko.

2016. *Between the Law: The Unmaking of Empire and Law's Imperial Amnesia*, *Law & Social Inquiry*, 41(2): 402-434.

Koga, Yukiko

2013. Accounting for Silence: Inheritance, Debt, and the Moral Economy of Legal Redress in China and Japan," *American Ethnologist*. 40(3): 494-507.

Kesselring, R

2020. *Bodies of Truth: Law, Memory, and Emancipation in Post-Apartheid South Africa*. Stanford University Press.

Mora, Agathe

2020. Black Hole State: Human Rights and the Work of Suspension in Post-War Kosovo. *Social Anthropology*, 28(1): 83-95.

Niezen, Ronald.

2016. Templates and Exclusions: Victim Centrim in Canada's Truth and Reconciliation Commission on Indian residential schools. *Journal of the Royal Anthropological Institute* 22(4): 920-938.

Perry, Keston K.

2020 (1 August). Climate Reparations: An Internationalist Approach for the Twenty-First Century. *PoLAR* (online). Emergent Conversations.

<https://polarjournal.org/2020/08/01/climate-reparations-an-internationalist-approach-for-the-twenty-first-century/>

Rechavia-Taylor, Howard

2020 (8 August). Liberal Common Sense and Reparations for Colonial Genocide. *PoLAR* (online). Emergent Conversations. <https://polarjournal.org/2020/08/08/liberal-common-sense-and-reparations-for-colonial-genocide/>

ROSA, J. and BONILLA, Y.

2017. Deprovincializing Trump, decolonizing diversity, and unsettling anthropology. *American Ethnologist*, 44: 201-208.

Sarkin, Jeremy.

2008. Colonial genocide and reparations claims in the 21st century: the socio-legal context of claims under international law by the Herero against Germany for genocide in Namibia, 1904-1908. *ABC-CLIO*.

- Schirrer, Anna Kirstine
2020 (31 July). On Reparation for Slavery and Colonialism. *PoLAR* (online). Emergent Conversations. <https://polarjournal.org/2020/07/31/reparations-for-slavery-and-colonialism/>
- Selimovic, J. M.
2010. Perpetrators and victims: Local responses to the International Criminal Tribunal for the former Yugoslavia. *Focaal*, Vol. 57
- Shafafi, P. Chowra Makaremi.
2019. Introduction to the symposium: "Desire for Justice, Desire for Law: An Ethnography of Peoples' Tribunal". *Political and Legal Anthropology Review*. Vol 42(2)
- Shaw, R., Waldorf, L. and Hazan, P. (eds.)
2010. Localizing transitional justice: Interventions and priorities after mass violence. Stanford University Press.
- UN Special Rapporteur, E. Tendayi Achiume,
2019 (August). Reparations for Racial Discrimination, Slavery, and Colonialism. A/74/321.
- Wilson, R. A.
2011. 'Through the Lens of International Criminal Law: Comprehending the African Context of Crimes at the International Criminal Court', *Studies in Ethnicity and Nationalism*, Vol. 11 No. 1.
- Zweig, Ronald W.
2014. *German Reparations and the Jewish World: A History of the Claims Conference*. Routledge.
- Other films to watch:
- Panh, Rithy.
2003. *S21: The Khmer Rouge Killing Machine*.
- Schroeder, Barbet.
2007. *Terror's advocate*. (Documentary film on the life and work of Jacques Vergès).
- Stevens, Barry.
2010. *Prosecutor*. (documentary film which follows the Chief Prosecutor Luis Moreno-Ocampo through the first trials of the newly formed International Criminal Court)

PART 4: FROM THEORY TO PRACTICE

Session 13 – Whistle-blowers (15 Dec)

Guest speaker: Caroline Hunt-Matthes

Readings to be announced closer to the date.

Session 14 – Cultures of human rights (22 Dec)

Watch the two films *The Act of Killing* (2014) and *Sonita* (2016).

Read Kate Nash's 2018 Public Culture article "Films that Bring Human Rights to Life". Vol 30 (3).

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