

University of California at Berkeley

The Politics of Human Rights and Humanitarian Interventions

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School of Public Health/Graduate School of Journalism
Human Rights Center /International and Area Studies
Public Health 290, Section 9
Wed. 2:00-5:00, 3 units

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Twenty years ago, few people could have identified a human rights or humanitarian organization such as Amnesty International or the International Committee of the Red Cross respectively. Today, human rights and humanitarian organizations like Human Rights Watch, Physicians for Human Rights, the International Rescue Committee, and the Paris-based Doctors Without Borders have become household names to millions of peoples and have established a presence in war-torn countries around the world. Local nongovernmental organizations have also sprung up around the world at an increasing rate. In many countries they are advocating for political and social changes that transformed political identities and values and are delivering services--in urban and rural community development, education, and health care--that faltering governments can no longer provide.

In the past decade, human rights organizations have recognized that efforts to protect human rights should extend to armed conflicts, where the most massive abuses take place. As part of this advance, the UN Security Council has established two international war crimes tribunals--the first of their kind since the Nuremberg and Tokyo trials following World War II--to investigate crimes against humanity and genocide in Rwanda and the former Yugoslavia. There is also renewed efforts to create a permanent international criminal court. Yet the assumptions behind these interventions have yet to be critically examined.

This course will study specific topics related to the history and politics of human rights and humanitarian interventions over the past 50 years. We will examine the various approaches taken by human rights activists and lawyers, journalists, social scientists, and documentary film makers to document and disseminate information about human rights abuses and war crimes. We will study the current debate over the need for "truth telling" or the pursuit of justice for past abuses and the assumptions that such interventions promote reconciliation and individual and collective healing. We will analyze how delivering humanitarian aid has become a multimillion dollar "business" and how, at times, humanist values have directly clashed with the pursuit of justice, local values and human rights. We will examine how human rights interventions to end child labor can, in some cases, undermine the economic livelihood of poor families and discuss whether such interventions do more harm than good in specific contexts. These contrasts and contradictions are the stuff of conflict and cooperation worldwide. Similar challenges face current thinking about the role of development as a means of affecting social change and how the debates on the manner in which current international

financial and trading regimes can either reinforce or undermine social, cultural, and political rights. We will study the development of medical ethics as a response to the Nazi experiments on concentration camp inmates and how, in specific cases, the medical profession has ignored these ethical standards in studies involving human subjects. These dilemmas also permeate debates on such issues as the human genome project, the testing of AIDS vaccines, and immigration policies. These debates around medical ethics also reach to the conflicts over economic development and multinationals when pharmaceutical companies enter new markets or seek patents on indigenous medicines. Important questions need also be asked about these codes of ethics as universal constructs and their interactions with local moral worlds with their differences and similarities.

Syllabus

Week 2

Introduction

- Wilson, Richard, eds. (1997). *Anthropology and Human Rights: Culture and Context*. Pluto Press, London. (Selected Chapters: Wilson, Merry)
- Levi, Primo (1988). *Grey Areas. From The Drowned and the Saved*. Vintage Books, NY.
- Matthews, Jessica (1997). "Power Shift." *Foreign Affairs*, Jan.-Feb., :50.

Truth, Justice and Social Suffering.

Week 3

Historical and Cultural Perspectives on Human Rights and Accountability

- Orientlicher, Diane (1991). "Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime." *Yale Law Journal*, 100(June 1991):2544.
- Walsh, Brian (1996). "Resolving the Human Rights Violations of a Previous Regime." *World Affairs*, 158(3):111-121.
- Roht-Arriaza, Naomi (1995). "Punishment, Redress, and Pardon: Theoretical and Psychological Approaches." In Roht-Arriaza ed. *Impunity and Human Rights in International Law and Practice*. Oxford University Press, Oxford.
- Neier, Ayeh (article from NY Rev Books)
- Osiel, Mark (1995). *Ever Again: Legal Remembrance of Administrative Massacre*. University of Pennsylvania Law Review, 144:309.

Week 4

Truth Commissions, Trials and Popular Justice

- Ignatieff, Michael (1996). "Articles of Faith." *Index on Citizenship*, 5, 1996:10.
- Hayner, Priscilla (1994). "Fifteen Truth Commissions--1974-1994: A Comparative Study." *Human Rights Quarterly*, 16:597-655.
- Nina, Daniel (1993). "[Re]making Justice in South Africa: Popular Justice in Transition." *Beyond Law*, 3(7):13-38.

Week 5

Social Suffering

- Daedalus (Winter 1996). *Social Suffering*. Selected Chapters: Kleinman, Das, Langer, Ramphela, Schwarcz, Farmer, Young

War and Humanitarian Intervention

Week 6

History and Politics of Humanitarianism

- Solferino article
- Fox, Renee (1995). Medical Humanitarianism and Human Rights: Reflections on Doctors without Borders and Doctors of the World. *Social Science and Medicine*, 41(12):1607-1616.
- Wood, William (1996). From humanitarian relief to humanitarian intervention: victims, interveners and pillars. *Political Geography*, 15(8):671.
- Rieff, David (1995/96). The Humanitarian Trap. *World Policy Journal*, Winter 1995/96.
- Duffield, Mark (1994). Complex Emergencies and the Crisis of Developmentalism. *IDS Bulletin*, 25(4):37.
- Parekh, Bhikhu (1997). Rethinking Humanitarian Intervention. *International Political Science Review*, 18(1):49.
- Maran, "The Road to Hell"

Week 7

Arms Trade and Privatization of Violence

- Louise, Christopher (1995). The Social Impacts of Light Weapons Availability and Proliferation. *Journal of Humanitarian Assistance*, <http://131.111.106.147/articles/A002.Htm>
- Keen, David (1996). Organized Chaos: Not the New World We Ordered. *The World Today*, January.
- Lovering, John (1994). The Production and Consumption of the 'Means of Violence': Implications of the Reconfiguration of the State, Economic Internationalization, and the End of the Cold War. *Geoforum*, 25(4):471-486.
- Barber, Ben (1997). Feeding Refugees, or War. The Dilemma of Humanitarian Aid. *Foreign Affairs*, July/August 1997.

Week 8

Civilizing War

Culture and Human Rights

Week 9

Cultural Relativism

- Preis, Ann Belinda (1996). Human Rights as Cultural Practice: An Anthropological Critique. *Human Rights Quarterly*, 18:286-315.
- Gasper, Des (1996). Culture and Development Ethics: Needs, Women's Rights, and Western Theories. *Development and Change*, 27:627.
- Messer, Anthropology of Transnational Legal Processes.
- Ong, Aihwa (1997). 'A Momentary Glow of Fraternity': Narratives of Chinese Nationalism and Capitalism. *Identities*, 3(3):331-366.
- Mayer, Ann Elizabeth (1994). Universal Versus Islamic Human Rights: A Clash of Cultures or a Clash with a Construct? *Michigan Journal of International Law*, 15:307.

Week 10

Competing Rights

- Sally Engle Merry on Legal Pluralism

Week 11

Transnationalism and Refugees

- Malkki, Liisa (1996). Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization. *Cultural Anthropology*, 11(3):377-404.

Development Trade and the Environment

Week 12

Development, Trade and Sanctions

- Bulletin of Atomic Scientists on Sanctions
- Chapter from *Global Dreams*.
- Redlining and Community Reinvestment
- Cahn, Jonathan (1993). Challenging the New Imperial Authority: The World Bank and the Democratization of Development. *Harvard Human Rights Journal*, 6:159.
- Shiviah, M. (1995). Human Rights and the Third World. Towards a Reassessment of Ideological Dynamics. *Economic and political Weekly (New Delhi)*, November 18:2937.
- Dent, John (1994). Economic Liberalization, the NAFTA, and Human Rights: Illustrations from Canada, Mexico, and Chile. *Beyond the Law*,

Week 13

Environmental Rights and Human Rights

- Johnston, Barbara Rose (1995). Human Rights and the Environment. *Human Ecology*, 23(2):111.

Medical Ethics and Human Experimentation

Week 14

Human Studies and Experimentation

- NEJM on AIDS /Africa
- Barondess, Jeremiah (1996). Medicine against society: lessons from the Third Reich. *JAMA*, 276, 20:1657
- Cockburn, Alexander (1994). Social cleansing. *New Statesman and Society*, 7(314):16.
- Barker, David (1989). The biology of stupidity: genetics, eugenics and mental deficiency in the inter-war years. *BJHS*, 22(74):347.
- Tuskegee articles
- Stein, George (1988). Biological science and the roots of Nazism. *American Scientist*, 76(1):50.

Week 15

Pharmaceuticals, Human Genome Project

- Nichter, Mark and Nancy Vuckovic (1994). Agenda for an anthropology of pharmaceutical practice. *Social Science and Medicine*, 39(11):1509-1525.