

Spring 2007

**LALS 240
The Culture and Politics of Human Rights in the Américas**

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Office Hours: Weds. 4-6 & by appointment

This seminar examines the cultural, philosophical and political contestations over human rights, and provides students with critical grounding in the major theoretical debates over conceptualizations of human rights in the Américas. We begin by tracing modern human rights to an alternative chronological frontier, to the colonial legacies of the Spanish empire in the Américas, especially the debates over the Rights of People in sixteenth century Spain. The readings, seminar framings and discussions are aimed at developing a critical human rights framework, one that considers human rights as a contested terrain, as both an instrument of state power and a tool for social activism and political emancipation. We will also interrogate the neoliberal turn in human rights, the development of a human rights industry, and the role of the Inter-American system and international law in global governance. Although attentive to the limits of human rights as a structuring discourse and as a state ethics of power, we will explore the role of human rights in enabling claims to gender justice, social and cultural rights, as well as for mapping distinct poetic and cultural imaginaries.

Course Requirements:

1. Seminar participation. A successful graduate seminar requires the active participation and attendance of all members. I expect you to work collectively, keep abreast of the readings and come to each meeting with prepared questions on the readings for the week. Please read the assigned readings in advance of the seminar meeting.
2. Written Work and Performance. I will evaluate your performance based on your participation in the seminar and on your written work. Written work for the seminar includes a 12-15 page analytic essay on a topic suggested by the seminar readings or discussions. A prospectus for the final paper and an annotated bibliography is due on week 8. For this final term paper you may chose to do either a research paper or a review of the literature in the field.
3. Seminar presentation. OPTION A: Each student will be expected to give an oral presentation once during the course of the quarter. This presentation should consist of a close reading and analysis--not summary--of the readings assigned for the week. At least 24 hours prior to your presentation please circulate via email a handout of relevant questions and/or issues suggested by the readings. OPTION B: Postings on discussion

boards. Each week, you will be expected to post comments on the ERES discussion boards. For these postings I ask that you not summarize the authors' arguments but rather critically reflect on the main arguments of the text. You may want to characterize the intellectual and political stakes of the text; or raise provocations, interrogations, or polemics as these relate to other readings for the week; or point to the political and intellectual significance of the text's intervention. To insure that we all have the opportunity to read everyone's comments, please post your comments no later than 9 AM on the day of our seminar meeting.

Required texts are available at Literary Guillotine, 204 Locust St. 457-1195:

- Anne Cubilié, *Women Witnessing Terror: Testimony and the Cultural Politics of Human Rights*, Fordham University Press, 2005
- Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice*, Chicago University Press, 2005
- Upendra Baxi, *The Future of Human Rights*, Oxford University Press, 2006
- Naomi Roht-Arriaga, *The Pinochet Effect: Transnational Justice in the Age of Human Rights*, Pennsylvania University Press, 2006
- Richard Wilson, *Human Rights in the 'War on Terror'*, Cambridge University Press, 2005

Other readings are available on Electronic Reserve--ERES--password: "encanto" or via "Electronic Journals".

PART I: CRITICAL GROUNDING

Week 1: Introductions

- Logistics, seminar requirements and schedule

Week 2: Philosophical Foundations

- Mignolo, "On Gnosis and the Imaginary..." ERES
- Arendt, "The Decline of the Nation-State"(Arendt 1968) ERES
- Tierney, "Origins of Natural Rights Language" and "Aristotle and the American Indians" ERES
- Ishay, "Bartolomé de las Casas: In Defense of the Indians" ERES
- Carroza, "From Conquest to Constitutions"(Carozza 2003) ON-LINE

For those who read Spanish:

- Beuchot, "Bartolomé de las Casas y los derechos humanos" (Beuchot 1994) ERES

Week 3: The Human Rights System

- Universal Declaration of Human Rights {UDHR}
<http://www.un.org/Overview/rights.html>
- Glendon, “The Forgotten Crucible: The Latin American Influence”(Glendon 2003) ONLINE
- Baxi, *The Future of Human Rights*: preface and chapters 1-6

PART II: TRANSCULTURAL APPROACHES

Week 4: Collective/Communitarian Notions

- Barker, “For Whom Sovereignty Matters” (Barker 2005) ERES
- Hale, “Does Multiculturalism Menace?” (Hale 2002) ONLINE
- Speed & Collier, “Limiting Indigenous Autonomy in Chiapas” (Speed and Collier 2000) ONLINE
- Aziz, “The Human Rights Debate in the Era of Globalization” (Aziz 1998) ONLINE
- Asad, “Redeeming the ‘Human’ Through Human Rights”(Asad 2003) ERES
- Cowan, “Culture and Rights” (Cowan 2006) ONLINE
- Anaya & Williams, “The Protection of Indigenous Peoples’ Rights over Lands” (Anaya and Williams 2001)
- Recommended: Hale, “Activist Research v. Cultural Critique” (Hale 2006) ONLINE

Week 5: Gender Justice and Human Rights

- Merry, *Human Rights and Gender Violence*
- Brems, “Protecting the Human Rights of Women” (Brems 2003) ERES
- Convention on the Elimination of All Forms of Discrimination Against Women {CEDAW} <http://www.un.org/womenwatch/daw/cedaw/>
- Oosterveld, “The Definition of ‘Gender’ in the Rome Statute” (Oosterveld 2005) ONLINE

Week 6: Gender Justice con’t

- Elson, “Gender Justice, Human Rights, and Neoliberal Economic Policies” (Elson 2002) ERES
- Hamilton, “The Status of Women in Chile” (Hamilton 2004) ONLINE
- Powell, “Lifting our Veil of Ignorance” (Powell 2005) ONLINE
- Lawson, “Sending Countries and the Rights of Women Migrant Workers” (Lawson 2005) ONLINE
- Schimdt-Camacho, “Ciudadana X” (Schmidt-Camacho 2005) ONLINE

For those who read Spanish:

- Torres Falcón, “Violencia las mujeres y derechos humanos” (Torres Falcón 2004) ERES
- “Feminicidio en América Latina” ERES
- Monárrez Fragoso, “Las víctimas del feminicidio Juarenses” ONLINE:
http://www.saber.ula.ve/db/ssaber/Edocs/pubelectronicas/fermentum/numero_46/articulo8.pdf

Week 7: Public Feelings and Witnessing Publics

- Cubilié, *Women Witnessing Terror*
- Franklin and Lyons, “Bodies of Evidence” (Franklin and Lyons 2004) ONLINE
- Hesford, “Documenting Violations: Rhetorical Witnessing” (Hesford 2004) ONLINE
- Recommended: Sadiya Hartman, “The Time of Slavery” (Hartman 2002) ONLINE

PART III: THE NEOLIBERAL TURN & GLOBAL GOVERNANCE

Week 8: Human Rights Industry

- Baxi, *The Future of Human Rights*, chapters 7-9
- Wilson, *Human Rights in the ‘War on Terror’*, chapters 4 {Wallach}; 5 {Neir}; 13 {Gallison and Minow}; and 15 {Robinson}

Week 9: International Law & the InterAmerican system

- Roht-Arriaga, *The Pinochet Effect*
- Meyer, “Negotiating International Norms” (Meyer 1999) ERES
- Lutz & Sikkink, “International Human Rights Law & Practice” (Lutz and Sikkink 2000) ONLINE
- Mendez & Mariezcurrena, “Accountability for Past Human Rights Violations” (Mendez and Mariezcurrena 1999) ONLINE

Week 10: Human Rights and a “State Ethics of Power”

- Wilson, *Human Rights in the ‘War on Terror’*

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