

Columbia University

Cultural Difference and Values: Human Rights and the Challenge of Relativism

June 21-July 30, 1999

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NEH Summer Seminar for College Teachers

The seminar meets Tuesdays and Thursdays, 1-4, in Room 901, International Affairs Building. We will schedule additional meetings on Wednesdays and/or Fridays for discussion of individual projects and the possible book project.

Readings are on reserve in Lehman Library and books have been ordered at Labyrinth Books.

Schedule and Reading

June 22. Introductory and organizational session.

Introduction to the Asian Values Debate and to the larger debate over the universality of human rights and its relation to cultural difference. The political and intellectual contexts in which these issues have arisen and how the issues have been framed. Discussion of overall plans for the seminar, independent projects, possible book project.

June 24. The Asian Values Debate.

Guest: Hon. Kishore Mahbubani, Singapore Ambassador to the United Nations.

Reading

- o Kishore Mahbubani, *Can Asians Think?* (Singapore: Times Books International, 1998), esp. pp. 1-94. Available through www.mahbubani.net.

Also recommended:

- o "Bangkok NGO Declaration on Human Rights," March 1993, on reserve.
- o "Final Declaration of the Regional Meeting for Asia of the World Conference on Human Rights" (Bangkok Declaration), 1993, on reserve.
- o Larry Diamond and Marc F. Plattner, eds., *Democracy in East Asia*, pbk (Baltimore: Johns Hopkins University Press, 1998).
- o Yash Ghai, "Human Rights and Governance: The Asia Debate," Occasional Paper No. 4, The Asia Foundation's Center for Asian Pacific Affairs, November 1994.
- o Information Office of the State Council, "Human Rights in China," *Beijing Review* 44 (1991), and Information Office of the State Council, "The Progress of Human Rights in China," December 1995 (China's "human rights white papers").

- Bilahari Kausikan, "Asia's Different Standard," and Aryeh Neier, "Asia's Unacceptable Standard," *Foreign Policy* (Fall 1993), pp. 24-41 and 42-51.
- Bilahari Kausikan, "An East Asian Approach to Human Rights," *Buffalo Journal of International Law* 2:2 (Winter 1995-96), pp. 263-283.
- Bilahari Kausikan, "Governance That Works," *Journal of Democracy* 8:2 (April 1997), pp. 24-33.
- Fareed Zakaria, "Culture is Destiny: A Conversation with Lee Kuan Yew," *Foreign Affairs* (March/April 1994), pp. 109-126.

June 29 and July 1. Do Cultures Really Differ, How, and So What?

How conceptualizations of culture affect our ability to say how they differ. Are cultural differences in some sense real, or are they constructed, or both, and why does it matter? What is it that is conceived to differ when cultures differ: social scientific, humanistic, and ideological approaches. Does cultural difference matter, and for what?

Module 1. The approach via comparative philosophy. Discussion led by Chenyang Li..

Reading:

- Chenyang Li, *The Tao Encounters the West: Explorations in Comparative Philosophy*, pbk. (Albany: State University of New York Press, 1999), esp. Chs. 2, 4, 5, 7.

Module 2. The approach via survey research: the World Values Survey. Discussion led by Neil Englehart and Hong Xiao.

Reading

- Ronald Inglehart, *Modernization and Postmodernization: Cultural, Economic, and Political Change in 43 Societies* (Princeton: Princeton University Press, 1997), Introduction, Chs. 1-5, 9, 10.
- Additional handouts.

Module 3. The Douglas-Wildavsky approach. Discussion led by Charles Lockhart.

Reading:

- Charles Lockhart, "A Program for Comparative Political Analysis," unpublished paper, 1999.
- Michael Thompson, Richard Ellis, and Aaron Wildavsky, *Cultural Theory*, pbk. (Boulder: Westview, 1990), Introduction, Chs. 1-3, Introduction to Part III.

Module 4. Culture as nationalism and identity. Discussion led by Kavita Philip.

Reading:

- Benedict Anderson, *Imagined Communities*, revised and expanded ed., pbk. (London: Verso, 1991), Chs. 2, 3, 6, 10, 11.
- Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?*, pbk. (Minneapolis: University of Minnesota Press, 1998), Chs. 1-2.
- Samuel P. Huntington, "The Clash of Civilizations?" *Foreign Affairs* 72:3 (Summer 1993), pp. 2-26.

Also recommended:

- Gabriel Almond and Sidney Verba, *The Civic Culture* (Boston: Little, Brown, 1966; reprint ed., Sage).
- Alex Inkeles, *National Character: A Psycho-Social Perspective* (New Brunswick: Transaction Publishers, 1997), Chs. 1-4.

- Martin W. Lewis and Karen E. Wigen, *The Myth of Continents: A Critique of Metageography* (Berkeley: University of California Press, 1997), Introduction, Ch. 3.
- Andrew J. Nathan, "Is Chinese Culture Distinctive?" in Nathan, *China's Transition*, pbk. (New York: Columbia University Press, 1997), Ch. 10.
- Paul Rabinow and William M. Sullivan, eds., *Interpretive Social Science: A Second Look*, pbk (Berkeley: University of California Press, 1987), Ch. 6 (Geertz).
- Edward W. Said, *Orientalism*, pbk. (New York: Vintage, 1994), Chs. 1, 3, Afterword.

July 6. Human Rights in Contemporary International Law and Diplomatic Practice.

Is international law law and is international human rights law international law? How has the issue been treated as a matter of international diplomatic practice? How does the international law on this subject develop; who influences its development and how? How political and how tied to national interests is the development of international human rights law? Where do such radical documents as the CEDAW come from, politically? Where does the priority lie when international human rights law contradicts national interest or cultural values? What is portended by the recent trend to expand the uses of international law to deal with human rights issues, as in the examples of the ICC, Pinochet prosecution, and international tribunals for Yugoslavia and Rwanda? How have various countries used the UN mechanisms to promote their interests?

Guest: Louis Henkin, University Professor Emeritus, Columbia University

Reading:

- Center for the Study of Human Rights, Columbia University, *Twenty-five Human Rights Documents* (New York: Center for the Study of Human Rights, 1994), documents 1-4, 7, 9, 13, 14, 21.
- Jack Donnelly, *International Human Rights*, second edition pbk. (Boulder: Westview, 1998), Chs. 1, 4, 6, 8.
- Louis Henkin, *The Age of Rights*, pbk. (New York: Columbia University Press, 1990), pp. ix- xix and 1-29.

July 8 and 13. Human Rights in Relation to Culture: Universalistic and Relativistic Conceptions.

Reading from recent and forthcoming works that discuss the ways in which different cultures view human rights and the degree to which cultural differences in the conception of human rights affect the universality of those rights as philosophical values or legal obligations.

Discussion leaders:

- John Downey: Is there common ground among the religions?
- Suzanna Nuccetelli: Ethical implications of cultural differences.
- Caren Irr: What is the historical, cultural, and material location of the discourse represented by these three books?

Also: Discussion of possible book project.

Reading:

- Joanne R. Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights*, pbk. (Cambridge: Cambridge University Press, 1999), Introduction, Chs. 1-3, 5-9.
- Lynda Bell, Andrew J. Nathan, and Ilan Peleg, eds., *Cultural Difference and Values: Human Rights and the Challenge of Relativism*, manuscript, Part II.
- Neil A. Englehart, "Rights and Culture in the Asian Values Argument: The Rise and Fall of Confucian Ethics in Singapore," manuscript, forthcoming in *Human Rights Quarterly*.

- Peter Van Ness, ed., *Debating Human Rights: Critical Essays from the United States and Asia* (London: Routledge, 1999), Chs. 1, 2, 3, 5, 8, 9.

Also recommended:

- Abdullahi Ahmed An-Na'im, "Toward A Cross-Cultural Approach to Defining International Standards of Human Rights," in An-Na'im, ed., *Human Rights in Cross Cultural Perspectives: A Quest for Consensus* (Philadelphia: University of Pennsylvania Press, 1992).
- Michael Davis, ed., *Human Rights and Chinese Values*, pbk. (New York: Oxford University Press, 1995), chapters by Du Gangjian and Song Gang, Yu Haocheng, and Zhu Feng.
- Jack Donnelly, *Universal Human Rights in Theory and Practice*, pbk (Ithaca: Cornell University Press, 1989), Parts II and III.
- Andrew J. Nathan and Tianjian Shi, "Cultural Requisites for Democracy in China: Findings From a Survey," in Nathan, *Transition*, Ch. 11.

July 15 and 20. Women's Rights and Religious Rights.

Women's rights and religious rights as "hard cases" for universalists, since they are sets of values on which cultures often disagree fundamentally and on which rights conceptions are least culturally neutral. (And the two are related; why is this?)

Discussion topics:

- Mahmood Monshipouri: Does/should religious freedom include the freedom to violate (or perhaps, interpret differently) some of the rights specified in the international HR documents? Does a full rights regime have to homogenize or undermine some religions?
- Andy Nathan: Why does the issue of cultural difference in regard to rights tend to focus so much on women's rights (or doesn't it)? Put otherwise, why should rights raise different issues in the private sphere from those they raise in the public sphere? Is the rationale for women's rights different from the rationale for human rights, and are there as well differences in the content or substance of such rights?

Reading:

- Relevant chapters in Bauer and Bell; Bell, Nathan, and Peleg; Van Ness.
- Rebecca J. Cook, ed., *Human Rights of Women: National and International Perspectives*, pbk. (Philadelphia: University of Pennsylvania Press, 1994), Chs. 3-9, 13, 22.
- Ann Elizabeth Mayer, *Islam and Human Rights: Tradition and Politics*, Third edition, pbk. (Boulder: Westview, 1999), entire.
- Mahmood Monshipouri, *Islamism, Secularism, and Human Rights in the Middle East* (Boulder: Lynne Rienner, 1998), Chs. 1, 3.
- Martha Nussbaum, "Human Capabilities, Female Human Beings," in Nussbaum and Jonathan Glover, eds., *Women, Culture and Development: A Study of Human Capabilities*, pbk. (Oxford: Clarendon Press, 1995), pp. 61-104.
- Julie Peters and Andrea Wolper, eds., *Women's Rights Human Rights: International Feminist Perspectives*, pbk. (N.Y.: Routledge, 1995), Chs. 2, 13-19, 21, 23.

Also look at (assigned for final week): Manuel Castells, *The Power of Identity*, pbk. (London: Basil Blackwell, 1997), Chs. 2, 4.

Also recommended:

- Irene Bloom, J. Paul Martin, and Wayne L. Proudfoot, eds., *Religious Diversity and Human Rights*, pbk. (New York: Columbia University Press, 1996).

July 21, 1-4.

Informal discussion of human rights, democracy, nationalism, political reform, etc., in China, with Chen Yizi, former director, Economic System Reform Institute of China, and president, Center for Contemporary China.

Suggested reading: "Will China Democratize?" symposium in *Journal of Democracy* 9:1 (January 1998), pp. 3-64, esp. contribution by Mr. Chen, pp. 6-10.

July 22. NGO Strategies in the Struggle for Human Rights: Law or Power?

How do human rights NGO's do their job? What are their strategies? Do they rely on law or power? To what extent are their concerns and activities influenced by local NGO's? When the concerns of the international NGO's are at odds with some of the values of some people in local cultures (as in the three cases below), who is right?

Guest: Joseph Saunders, Associate Counsel and Academic Freedom Researcher, Human Rights Watch. Meeting at the offices of Human Rights Watch, 350 Fifth Avenue (Empire State Building), 34th Floor.

Reading:

- Human Rights Watch, *A Modern Form of Slavery: Trafficking of Burmese Women and Girls into Brothels in Thailand* (New York: December 1993).
- Human Rights Watch, *The Small Hands of Slavery: Bonded Child Labor in India* (New York: September 1996).
- Human Rights Watch, *Broken People: Caste Violence Against India's "Untouchables"* (New York: March 1999).

July 27, 6:30 p.m.. Dinner. Apt. 10-S, 29 Claremont Avenue.

July 27 and 29. Implications of Globalization.

Is globalization real and what does it consist of? How it has affected our conceptions of culture, identity, and universalism and embedded these issues in new political and sociological realities. How issues of identity and nationalism affect our thinking about culture and human rights. Also, how does the interpenetration of cross-cultural studies and value issues affect our understanding of what we as students of foreign cultures do and how we do it? How do cultural studies, area studies, and the disciplines relate? How do the complexities of this issue affect our ethical commitments as scholars as well as our rights and obligations as political beings?

Module 1. Globalization's impact on human rights via political economy

Readings:

- Manuel Castells, *End of Millenium*, pbk. (London: Basil Blackwell, 1998), Chs. 2, 4.
- David Harvey, *The Condition of Postmodernity* (Cambridge, MA: Blackwell, 1990), Ch. 11.
- Fredric Jameson and Masao Miyoshi, eds., *The Cultures of Globalization*, pbk. (Durham: Duke University Press, 1998), chapter by Miyoshi.
- Rebecca R. Moore, "Globalization and the Future of U.S. Human Rights Policy," *Washington Quarterly* (Autumn 1998), pp. 193-212.

Module 2. Globalization's impact on human rights via culture and identity

Readings:

- Manuel Castells, *The Power of Identity*, pbk. (London: Basil Blackwell, 1997), Chs. 2, 4.
- Fredric Jameson and Masao Miyoshi, eds., *The Cultures of Globalization*, pbk. (Durham: Duke University Press, 1998), chapters by Dussel, Mignolo, Jameson, Liu.

Module 3. A final look at globalization, rights, and culture (led by Mahmood Monshipouri)

Reading:

- Tony Evans, "Universal Human Rights: Imposing Values," in Caroline Thomas and Peter Wilkin, eds., *Globalization and the South* (N.Y.: St. Martin's Press, 1997), pp. 90-105.
- James H. Mittelman, "The Dynamics of Globalization," in Mittelman, ed., *Globalization: Critical Reflections*, pbk (Boulder: Lynne Rienner Publishers, 1996), pp. 1-19.
- Ngaire Woods, "Order, Globalization, and Inequality in World Politics," in Andrew Hurrell and Ngaire Woods, eds., *Inequality, Globalization, and World Politics* (Oxford: Oxford University Press, 1999), pp. 8-35.

Module 4. Self-reflection: Implications for practical politics, for our teaching, and for our work as scholars.

Reading: look again at the Universal Declaration of Human Rights. Does it look any different at the end of the seminar?

Also recommended:

- Robert D'Amico, "Relativism and Conceptual Schemes," *Philosophy of the Social Sciences* 18:2 (June 1988), pp. 201-212.
- Alisdair MacIntyre, "Is a Science of Comparative Politics Possible?" in *Against the Self-Images of the Age: Essays on Ideology and Philosophy*, pbk. (Notre Dame: University of Notre Dame Press, 1978).
- Andrew J. Nathan, "The Place of Values in Cross-Cultural Studies: The Example of Democracy and China," in Nathan, *Transition*, Ch. 13.
- Rabinow and Sullivan, *Interpretive Social Science*, Introduction, Chs. 1 (Taylor), 5 (Hirschman), 8 (Rosaldo).
- Renato Rosaldo, *Culture and Truth: The Remaking of Social Analysis*, pbk. (Boston: Beacon Press, 1993), Chs. 1-3.