

Index

- Affirmative action, 106
Africa, 18, 23, 27, 89–116; decolonization/recolonization of, 92–103; human rights violations in, root causes of, 110–16
African Charter on Human and Peoples Rights, 103
Agency, 20, 36–37, 55–56, 58, 61
“Age of Capital” (Hobsbawm), 63
Agrarian Justice (Paine), 68
Alterity, notion of, 52
Althusser, Louis, 61
Amnesty International, 114
An-Na’im, Abdullahi, 18, 23, 89–116
Anthropology, 71–74
Appadurai, Arjun, 13n. 63, 15
Appiah, Kwame Anthony, 12
Arbitration, 109–10
Arendt, Hannah, 1, 56
Aristotle, 93
Australia, 29
Authoritarianism, 98
Authorization, strategy of, 56
Autonomy: Bhabha on, 53, 55, 56, 57; and cultural choice, 53, 55, 56, 57; feminist concepts of, 26, 34, 35; relational, 26, 34, 35–36, 44; and self-determination, 26, 32, 33–34, 36, 44; Young on, 26, 32, 33–34, 36, 44
Balibar, Etienne, 49–51
Bangkok Declaration, 3
Baubock, Rainer, 51
Benjamin, Walter, 50
Berlin Conference, 97
Bhabha, Homi K., 18, 20–21, 45–62
Binary differences, 21, 52
Bridewealth, 82
Burke, Edmund, 11
Butler, Judith, 54
Capital flight, 78
Capitalism, 16, 18, 21–23; An-Na’im on, 23; Collier on, 21–22, 63–71, 76, 81–82, 84–87; and human rights, in Africa, 23, 94; laissez-faire, 63, 66, 68
Catholic Church, 71–73
Chabal, Patrick, 98
Chamula, 75–76
Cheah, Pheng, 3n. 9, 6n. 2, 15n. 74, 24
Chiapas, 22, 71, 73, 75–76, 78–79, 81–82
Chile, 4n. 15
China, 1–3, 4n. 15, 24
Christopher, Warren, 1
Citationality, 53
Civil lawsuits, 30–31
Class, 47, 59, 63, 65, 84
Clinton, Bill, 1–3, 24
Cold War, 78, 106
Coleman, Doriane, 47
Collier, Jane F., 18, 21–23, 63–88
Colonialism: and Africa, 23, 90–91, 92–103; Collier on, 77; Peller on, 5; and self-determination, 26–27, 30; Young on, 26–27, 30
Communism, 4, 63, 68–69, 87
Communitarian subject, 48

- Conference on International Human Rights, 5n. 18
 Congress (United States), 30–31, 42
 Constitutionalism, 99, 101–2
 Contingency, 58
 Coombe, Rosemary, 16
 Culture, 14–20; and cultural choice, 20, 45–62; medium of, 49; new views of, 16–18

 Debtor states, 78, 79, 83
 Declaration of Human Rights (United Nations), 5, 18, 26, 73; and Africa, 103–10, 112–13; Collier on, 22, 64, 67–70, 87; Glendon on, 4–5
 Decolonization, 89–103
 Democracy, 4–6, 76–77
 Deportation cases, 51
Derechos humanos, 72
 Derrida, Jacques, 48
 Difference, and cultural choice, 49, 52, 55–56, 62
 Dignity, 8, 15, 22, 87, 116
 Discontinuity, 58
 Displacement, phenomenon of, 49, 52, 55, 56, 59
 Diversity, 52–53
 Double balance, effect of, 49
 Doubling, phenomenon of, 49, 55–57, 59–60
 Durkheim, Émile, 22, 63–71, 80, 86–88
 Dworkin, Ronald, 9, 9n. 43, 10n. 48

 Efficacy, of legal protection, 103–10
 Enlightenment, 22, 71, 74, 77
 Environmental issues, 41–44
 Environmental Protection Agency, 41
 Epistemology, 52
 Equality, of opportunity, 67
 Essentialism, 46
 Estrangement, 52
 Ethics: Bhabha on, 47–50, 52–53, 55, 61; transcultural/transhistorical basis of, 9–11. *See also* Morality
 Ethnography, 21, 46

 Eurocentrism, 46–47
 Exile, 50–51
 Exit, moral right of, 48

 Family, dissolution of, 69
 Feminism, 19, 26, 32–34, 45–46
 Foreignness, notion of, 52
 Foucault, Michel, 61–62
 Foundationalism, human rights, 10n. 47
 Fragmentation, 13–14, 18, 20–21, 24
 Freedom: Bhabha on, 20–21, 45–62; Collier on, 67, 75, 79–80; and cultural choice, 20–21, 45–62; as non-interference, 31–36; as project, 60; religious, 67, 75, 79–80; and self-determination, 26–27, 31–36; of speech, 64; and Universal Declaration of Human Rights, 104; Young on, 26–27, 31–36

 Geertz, Clifford, 52–53, 56
 Gender: and cultural choice, 47, 48; and human rights, in Africa, 102, 104–5
 Genealogy, of law, 7
 General Assembly (United Nations), 26, 104
General Report on Enclosures (1808), 68
 Genocide, 97
 Gewirth, Alan, 8
 Ghana, 108
 Giddens, Anthony, 13
 Glendon, Mary Ann, 4–5
 Globalization, 13–15, 17–18, 20–21, 24; Collier on, 87–88; and human rights, in Africa, 95, 97, 100–102
 God, 63, 74
 Gomez, Magdalena, 77n. 34
 Gorton, Slade, 30
 Goshutes, 41–44
 Greece, 93

 Hegel, G. W. F., 33
 Hegemony, 4, 24

- Helsinki Conference on Security and Cooperation in Europe, 18, 27
- Helsinki Final Act, 18, 27
- Henkin, Louis, 5n. 20
- Hermeneutics, 7
- Hmong, 45–46
- Hobsbawm, Eric, 63
- Homines ex machina*, 60
- Human rights: and agency, 20, 36–37, 55–56, 58, 61; and autonomy, 26, 32–36, 44, 53–57; and capitalism, 16, 18, 21–23, 63–71, 76, 81–82, 84–87, 94; and class, 47, 59, 63, 65, 84; and colonialism, 5, 23, 26–27, 30, 77, 90–103; and communism, 4, 63, 68–69, 87; and decolonization, 89–103; and democracy, 4–6, 76–77; and displacement, phenomenon of, 49, 52, 55, 56, 59; and doubling, phenomenon of, 49, 55–57, 59–60; and feminism, 19, 26, 32–34, 45–46; and fragmentation, 13–14, 18, 20–21, 24; and gender, 47, 48, 102, 104–5; and globalization, 13–15, 17–18, 20–21, 24, 87–88, 95, 97, 100–102; and ideology, 14, 61, 111; and immigration, 47, 50–51; and imperialism, 5, 115; and in-betweenness, concept of, 21, 48–49, 56, 59; and liberalism, 46–47, 50, 57; and migration, 16, 20, 50–51; and multiculturalism, 45–55; and neoliberalism, 14, 22, 78; and neo-republican theory, 19, 32, 34–35; paradigm, 91, 97, 101, 105–6, 113, 115–16; and pluralism, 13–15, 18, 20, 48–49, 53–56; and poverty, 48, 68–69, 78–79; and privatization, 67–68; and race, 47, 59, 102; and relativism, 15, 64, 71, 75–78, 80; and religion, 65–66, 71–73, 102; and respect, rhetoric of, 55, 56, 60, 62; and self-determination, 15, 18–21, 25–44, 76, 91, 97, 107, 113–14; and self-regulation, 97–98, 101; and sovereignty, 27–28, 30–35, 37–43, 97, 98, 101, 113–14; and strangeness, notion of, 52, 53; and universalism, 22, 64, 71, 75–76, 80, 93–94, 95, 102–3
- “Human Rights, Rationality, and Sentimentality” (Rorty), 1
- Human Rights Watch, 114
- Hurlye, Susan, 6n. 21
- Icarus, 60
- Ideology, 14, 61, 111
- Illiteracy, 48
- IMF (International Monetary Fund), 78, 97
- Immigration, 47, 50–51
- Imperialism, 5, 115
- Implementation, use of term, 90
- In-betweenness, concept of, 21, 48–49, 56, 59
- Indian Gaming Act, 30
- Indian Termination Act, 30
- Indigenous peoples, 19, 22; Collier on, 67, 69, 71–72, 75–77; and self-determination, 25–44; Young on, 25–44
- Individual: cult of, 65, 69; and cultural choice, 21, 47, 49, 50, 52, 57, 61. *See also* Individualism
- Individualism: Bhabha on, 47, 49, 50, 52, 57, 61; Collier on, 21–22, 65, 69, 80, 86; liberal, 33; rights-based, Kateb on, 9; and self-determination, 25, 33, 38, 44; Young on, 25, 33, 38, 44
- International Covenant on Civil and Political Rights, 18, 27, 74, 80, 87, 107
- International Covenant on Economic, Social and Cultural Rights, 18, 27, 107
- International Economic Order, 113–14
- International Migration Review*, 50–51
- International Monetary Fund. *See* IMF

- Justice, ideal of, 67–68
- Kateb, George, 8–9
- Kearns, Thomas R., 1–24
- Kinship, 34
- Kovic, Christine, 71–72
- Kuwait, 4n. 15
- Kymlicka, Will, 43n. 16, 48, 50, 53, 57, 61
- Labor, division of, 65–66, 69
- Lacan, Jacques, 61
- Language of human rights, universality of, 2–3, 6, 9–10. *See also* Universalism
- Legal protection, scope of, 103–10
- Liberalism, 46–47, 50, 57
- Malinowski, Bronislaw, 70, 81
- Mamdani, Mahmood, 92–93
- Margalit, Avishai, 57–58, 60–61
- Marriage, system of, 82, 85
- Marx, Karl, 11, 69, 81, 84. *See also* Marxism
- Marxism, 4. *See also* Marx, Karl
- Maya communities, 71–72, 82. *See also* Tzotzil community
- Mediation, 109
- Merry, Sally, 17
- Mexican National Commission on Human Rights, 73
- Mexico, 22–23, 82–83; Chiapas, 22, 71, 73, 75–76, 78–79, 81–82; debt crisis in, 79, 83
- Migration, 16, 20, 50–51
- Milner, Neal, 11
- Minoritization, 47
- Minow, Martha, 6n. 26
- Morality, 13, 22–23; Bhabha on, 48–51, 53, 55; Collier on, 63–88; and cultural choice, 48–51, 53, 55; and self-determination, 38; and Universal Declaration of Human Rights, 22, 64. *See also* Ethics
- Mozambique, 109
- Multicultural Citizenship* (Kymlicka), 48
- Multiculturalism, 45–55
- Namibia, 108
- National Endowment for the Arts (NEA), 30
- National identity, 50
- Nationalism, 100
- Nation-states, 28, 40, 73
- Native Americans, 19, 30–31, 41–44
- Neocolonialism, 5
- Neoliberalism, 14, 22, 78
- Neorepublican theory, 19, 32, 34–35
- New International Economic Order, 113
- New York Times*, 41
- New Zealand, 29, 42
- NGOs (nongovernmental organizations), 71–72, 79
- Nietzsche, Friedrich, 9n. 46
- Nigeria, 4n. 15, 109
- Nondiscrimination rights, 53
- Noninterference, 31–40, 44
- Nuclear waste storage, 41–44
- Oil industry, 69–70, 74, 83
- Okin, Susan, 45–47
- OPEC oil crisis, 69–70, 74
- Open-Ended Inter-Sessional Working Group on Indigenous People's Rights, 25
- Organization of African Unity, 98
- Origins of Totalitarianism* (Arendt), 1
- Paine, Thomas, 68
- Paradigm, human rights, 91, 97, 101, 115–16; and human rights violations, root causes of, 113; and Universal Declaration of Human Rights, 105–6
- Parekh, Bhiku, 51–52
- Patishtan, Enrique Gomez, 75
- Patriarchalism, 48
- Peasant farmers, 79, 82–84, 86

- Peller, Gary, 5
 Perry, Michael, 12n. 57
 Pettit, Philip, 26, 34–35, 38
 Plato, 9n. 46
 Pluralism, 13–15, 18, 20, 48–49, 53–56
 Poverty, 48, 68–69, 78–79
 Privatization, 67–68
 Property, 33, 50, 68
 Protection, use of term, 90
 Protestants, 75
- Race, 47, 59, 102
 Raz, Joseph, 49, 53–57, 61
 Recognition, politics of, 51
 Recolonization, 23
 Relativism, 15, 64, 71, 75–78, 80
 Religion, 65–66, 71–73, 102
 Representation, and cultural choice, 61
 Republicanism, 34–35
 Respect, rhetoric of, 55, 56, 60, 62
 Rich, Adrienne, 58–61
 Rorty, Richard, 1, 9n. 46
 Rus, Jan, 72
- “Saltwater” test, for right to self-determination, 26
 Sanctions, 88
 Sarat, Austin, 1–24
 Sartre, Jean-Paul, 60
 Scott, Craig, 25–26, 29, 36
 Self: Bhabha on, 48, 53, 56–57; Collier on, 74; and cultural choice, 53, 56–57; and environmental issues, 41–44; images of, 20; and noninterference, 31–35. *See also* Individual; Individualism
 Self-determination, 15, 18–21, 25–44; Collier on, 76; and human rights, in Africa, 91, 97, 107, 113–14; and international politics, 26–28; relational interpretation of, 36–41; right to, “saltwater” test for, 26. *See also* Self-regulation
 Self-regulation, 97–98, 101
- Shute, Stephen, 6n. 21
 Signification, 47, 49
 Silbey, Susan, 14
 Singapore, 3, 4n. 15
 Skull Valley Band of Goshutes, 41–43
 Slavery, 97
 Social solidarity, 66, 70
 South Africa, 4n. 15
 Sovereignty, 97, 98, 101, 113–14; and noninterference, 31–35; and self-determination, 27, 28, 30–35, 37–43
 Soviet Union, 28
 Spain, 81
 Sri Lanka, 4n. 15
 Standard of living, 64
 Strangeness, notion of, 52, 53
 Subjectivity, 49, 54–62. *See also* Self
 Sullivan, Teresa, 50–51
- Taylor, Charles, 51
 Technology, impact of, 16, 69
 Temporality, 59–61
 Toleration, dialogical notion of, 51
 Torture, 64, 73, 97
 Transparency, desire for, 62
 Trobriand Islands, 81
 Trumps, rights as, 9
 Tzotzil community, 72–73, 82–85
- Uganda, 108
 United Nations, 28–31, 98, 113–14; Charter, 1–2, 18, 26, 96; Commission on Human Rights, 25; Conference on Trade and Development (UNCTAD), 113n. 29; Draft Declaration of the Rights of Indigenous Peoples, 29–30; General Assembly, 26, 104; Resolutions, 26, 113n. 29. *See also* United Nations Declaration of Human Rights
 United Nations Declaration of Human Rights, 18, 26; and Africa, 103–10, 112–13; Collier on, 22, 64, 67–70, 73, 87; Glendon on, 4–5. *See also* United Nations

- Universalism: An-Na'im on, 93–94,
95, 102–3; Collier on, 22, 64, 71,
75–76, 80
“Uses of Diversity” (Geertz), 52–53
Utah, 41–44
- Vienna Conference on Human
Rights, 3
- Waldron, Jeremy, 10
Weissbrodt, David, 2n. 4
Welfare state, 69–70
Wholeness, 52, 55
Williams, Patricia, 56–57
- Wilson, Richard, 4
World Bank, 78, 97
World Conference on Human Rights,
1
World War I, 32
World War II, 4, 26, 31–32, 69–70,
90–91
- Young, Iris Marion, 18–20, 25–
44
Yugoslavia, 28
- Zapatista uprising, 71, 76–80
Zinacatán, 72–75, 82–86