

Rights News

Newsletter of the Institute for the Study of Human Rights at Columbia University



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ISHR welcomes 2010 human rights advocates

By Dorothy Lovell

The Institute for the Study of Human Rights (ISHR) introduced its 2010 Human Rights Advocates to students, faculty and the wider Columbia University community at a Sept. 22 reception. The 10 advocates, chosen from 170 applicants, represent eight different countries and work on a wide range of issues from union rights in Belarus to LGBT rights in South Africa, women's rights in Honduras and the rights of migrants in Haiti.

The advocates expressed excitement regarding their acceptance into the program, recognizing that despite their different areas of expertise, they have a wealth of experience to share with each other.

Agnes Atim, Director of National Community of Women Living with HIV/AIDS in Uganda, noted that she values this opportunity and hopes to set the practical knowledge she has gained from her human rights work into a theoretical framework through coursework at Columbia.


Andrea María Nuila from the Center for Women's Rights in Honduras reflected on the complete overhaul in advocacy strategy her organization has been forced to undertake since the June 2009 military coup. She looks forward to connecting with Hondurans in New York City while taking advantage of cul-



SIPA Professor Thomas Lansner and Advocate Agnes Atim from Uganda at the 2010 Human Rights Advocate Program Reception. / Alan Orling

tural events and discussions held at Columbia.

Prof. Andrew Nathan, chair of the ISHR board, stated that he is impressed with the advocates' energy and sense of mission. He also noted that he is pleased to have five of the advocates speak to the undergraduate students in his Introduction to Human Rights course. "It will give the students a more concrete sense of human rights work at the grassroots — its diversity, its importance, and its challenges" he said.

ISHR associate director Yasmine Ergas stressed ISHR's interest in developing new research and encouraged those with research ideas to contact the Institute. 

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About ISHR

The Institute for the Study of Human Rights, established in 1978 at Columbia University, provides excellent human rights education to Columbia students, fosters innovative interdisciplinary academic research and offers its expertise in capacity building to human rights leaders, organizations and universities around the world.

RightsNews

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Students kick off year with weekend retreat

By Christine Heckman

Thirty-five students of human rights and humanitarian affairs from Columbia's School of International and Public Affairs (SIPA) and the School of Social Work embarked on SIPA's annual weekend retreat in the Catskill Mountains on Sept. 24.


While the retreat may sound much like a weekend at summer camp to some, (think: team-building activities, sleeping in bunk beds, eating in the mess hall and afternoon canoe rides) the two-day event consisted of a number of academic exercises and simulations as well.

Prof. Elazar Barkan, director of the Human Rights concentration at SIPA and ISHR Director, Yasmine Ergas, Adjunct Associate Professor of International Law and International Human Rights Law at SIPA and ISHR Associate Director, and Dirk Salomons, director of the Humanitarian Affairs Program at SIPA and head of the International Organizations specialization, joined the group for dinner and a Q&A session. They each shared their personal experiences working in human rights and humanitarian affairs, their views on the rewards and challenges of such careers, as well as the curricular and extra-curricular opportunities available through their respective SIPA programs.

Daniel Gerstle, SIPA alumnus and founder/editor of HELO Magazine, a publication for and about people working on the ground in humanitarian relief efforts and conflict zones, also joined the group. Gerstle led the attendees in a simulation exercise in which participants were presented with a humanitarian disaster scenario.

For the simulation, students split up into small groups and assumed various roles as actors in a typical humanitarian relief strategy session. While the "local NGOs" competed with one another for face time and funding from the "donor countries," the "security providers" argued with the "human rights advocates" over issues such as truth commissions and family reunification.

As the negotiations played out, dwindling funds coupled with unexpected incidents (such as an insurgent attack and a cholera outbreak) forced the group to dig deep into their diplomacy and problem-solving skill sets. The simulation proved invigorating for some participants and frustrating for others, but all agreed that taking part in a realistic negotiation scenario was a valuable experience.

The SIPA weekend retreat provided an introduction to the human rights and humanitarian affairs programs, and students were also able to network and develop ideas for future collaboration on events, working groups and other projects. The seeds have been planted, and it will be exciting to see how the results come to fruition. 

Write for RightsNews

ISHR is interested in publishing student writing on human rights issues and activities throughout Columbia University. Please contact Tim Shenk, RightsNews editor, at rightsnews@hrcolumbia.org for more information.

After 62 years, Nuremberg documentary debuts

By Erica Mac Donald

Sixty-two years after the production of “Nuremberg: Its Lessons for Today,” the documentary made its U.S. premier at the New York City Film Festival on Sept. 28.

The film, originally directed by Stuart Schulberg and completed in 1948 under the auspices of the Office of Strategic Services within the United States Army, documents the eleven-month trial of 22 Nazi leaders.

A compilation of courtroom footage shot during the Nuremberg trial and wartime footage shot by both Nazi and allied forces, the film is an invaluable historical document that provides not only a powerful glimpse into the hell that was World War II, but also serves as a reminder of the importance of the prevention and eradication of war and genocide.

The premier was followed by a discussion including panelists Benjamin Ferencz, chief prosecutor at the Einsatzgruppen Trial, Emilio DiPalma, a courtroom guard at Nuremberg, Aryeh Neier, president of the Open Society Institute, and Sandra Schulberg, the restorer of the film and daughter of the director, Stuart Schulberg.

Panelists discussed why the film was not released in the United States 62 years ago (although it was shown in Germany). While it is not clear exactly who suppressed the film, the production of the English-language version of the project was clearly abandoned for a number of political reasons.

At the time of the completion of the film in late 1949, the international arena and policies of the United States were shifting. Perhaps most notably, the United States was launching the Marshall Plan to foster the rebuilding of post-WWII Europe. There was strong concern expressed by both the U.S. military and government that the screening of the film in the United States would be, as Sandra Schulberg noted, “just another nail in the Nazi coffin” that would encourage anti-German sentiment in America and ultimately undercut the U.S. government’s domestic support for German reunification efforts.

Additionally, with the launch of the Cold War, sparked by the Berlin Blockade in the spring of 1948, the Soviet Union quickly morphed from an ally of the United States into the country’s primary enemy. It was thus not politically smart to release a film depicting allied relations between the U.S.S.R. and the United States at a time when Soviet communism was the United States’ major oppositional force.

Though it has been more than a six-decade wait, the English-language premier of “Nuremberg: Its Lessons For Today” provides messages that are still socially and politically relevant. However, as Ferencz powerfully noted, “We seem to have forgotten (the lessons of) Nuremberg today.”

Despite major progress that has been made in the promotion of international peace and justice, including the creation of the International Criminal Court and other tribunals, Ferencz stressed that until aggression is listed as a convictable crime, we will be unable to stop war-making and thus unable to fully protect human rights.

It goes without saying that the footage of the Nazi extermination of the Jews is horrific: countless scenes depicting stockpiled naked bodies, toddlers filing into gas chambers, torturous medical experiments and other atrocities. No matter how many times you see such images, they never become easier to stomach.

Which is exactly why we need to keep seeing them, according to Sandra Schulberg.

“We are not seeing enough of the horrors of war,” Schulberg emotionally proclaimed during the panel discussion, citing the war in Iraq as an instance in which horrific images have been classified or suppressed.

“The American public and the world need to see them,” she said. “We need to stop glorifying war!”



Writer-director Stuart Schulberg (left) at Nuremberg’s 1948 premiere in Stuttgart, Germany. / Schulberg Family Archive

Measuring the impact of human rights

By *Tim Shenk*

The human rights movement is under increasing scrutiny as activists, donors and policymakers ask how human rights work can be measured and evaluated. Can human rights conditions be quantified and compared between different places and times? What can such measurements tell us, for example, about the practical effects of human rights treaties, advocacy campaigns or war crimes trials?

On May 11 and 12, 2010, The Institute for the Study of Human Rights hosted an academic symposium, “Human Rights Impact: General Issues and Sectoral Perspectives,” to discuss the measurement and impact of human rights. The symposium brought together nearly 50 activists, international policymakers and social scientists from fields including political science, anthropology, law and economics.

The goal was to foster a common conversation on these questions among diverse scholars and practitioners, according to ISHR Associate Director Yasmine Ergas.

“One contribution that an academic institution like ours can make is to highlight a divergence of perspectives which is not about determining who is right and wrong but how to have a particular conversation that can provide for different people’s knowledge needs,” she said.

The symposium included sessions on press freedom, international justice, women’s rights, measurement and indicators, development and ethical dilemmas. In each session, panelists discussed whether it is appropriate to quantify human rights and examined various attempts to do so.

Karin Deutsch Karlekar, a senior researcher at Freedom House, discussed her organization’s efforts to measure the level of journalistic freedom in countries around the world. Since 1980, Freedom House has produced an annual Freedom of the Press Index, assigning countries a numerical score based on their news media’s ability to operate freely and the public’s ability to access it.

While Karlekar acknowledged that these numbers can never perfectly reflect an abstract condition such

Measuring the impact of human rights is an unfair and unseemly question — and a necessary one.



Beth Simmons, professor of international affairs at Harvard University, at the 2010 Human Rights Impact Symposium / *Nicole Schilit*

as press freedom, she noted that the index has proven valuable in persuading governments to take the issue more seriously. For example, donors have denied aid to countries, such as The Gambia and Sri Lanka, because of low Freedom of the Press Index scores.

Sheila S. Coronel, director of the Stabile Center for Investigative Journalism, discussed the impact of press freedom on corruption. She noted that the impact of investigative journalism seems to vary according to a country’s political dynamics. According to one theory, investigative journalism can spur public engagement and political reform, but according to another, it leads to partisan scandal-mongering and a cynical electorate.

Coronel noted that efforts to protect journalists from violence has had mixed results. Human rights activists have succeeded in bringing more perpetrators to justice, but this has not reduced the number of journalists who are killed.

“In fact, I think the backlash to the free press is more violence against journalists,” Coronel said.

In the session on international justice, panelists discussed the extent to which putting human rights abusers on trial leads to greater respect for human rights throughout a society. Many noted the difficulty in

quantifying or even identifying these effects. Robert O. Varenik, director of the Open Society Justice Initiative, called this “an unfair and unseemly question” but “also a necessary one to keep asking.”

Varenik noted that it is easier to win a judgment in court for one client than to reform a society. However, seeking accountability can have surprising effects. For example, Spain’s attempt to extradite the former Chilean dictator Augusto Pinochet spurred Chile to prosecute more than 100 former officials for human rights abuses, Varenik said.

Elise Keppler, senior international justice counsel for Human Rights Watch, described how her organization works with courts, civil society groups and the media to bring human rights abusers to justice. The collaborative nature of the work makes evaluation difficult. “It’s almost always impossible to assess the impact of our work as distinct from those other actors,” she said.

Kathryn Sikkink, professor of political science at the University of Minnesota, presented research to show that human rights prosecutions lead to greater respect for human rights. She also questioned studies that show a global deterioration in human rights conditions in recent years, arguing that this may be due to an “information effect” — the idea that human rights abuses are documented more accurately now than in the past.

Jack Snyder, professor of international relations at Columbia University, presented research on amnesties as an alternative to human rights prosecutions. Amnesties are often preferable when a conflict is ongoing and it is necessary to make political deals with human rights abusers, Snyder argued.

“Seventy percent of peace settlements since 1990 involve some sort of amnesty,” he said.

During the session on women’s rights, Beth Simmons, professor of international affairs at Harvard University, examined the question of whether ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) made a discernible difference in a country’s level of women’s rights. She found that ratifying CEDAW had a significant

impact in states with a high level of rule of law, in semi-democratic, transitional states and in states with no official religion.

Simmons argued that CEDAW ratification led to changes by mobilizing women’s rights advocates to press for reforms. In some cases, CEDAW allowed activists to bring women’s rights cases to court. However, CEDAW ratification did not automatically improve women’s rights.

In the session on measurement and indicators, David Cingranelli presented the methodology of the CIRI Human Rights Data Project, which tracks human rights abuses using Amnesty International and State Department reports. Cingranelli noted broad trends

Studies show a decline in human rights conditions worldwide. But is this due to real changes or “information effects?”



Susannah Sirkin, Deputy Director, Physicians for Human Rights / Nicole Schilit

from 1981 to 2006: torture increased, political imprisonment decreased, freedom of speech decreased and freedom of association and electoral self-determination increased.

Megan Price, a statistician for the Benetech Human Rights program, described her organization’s work to monitor the number of people killed in violent conflicts.

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Confronting the ethical dilemmas of advocacy

By Anjali Dixit

OPINION

Western human rights advocates who speak on behalf of individuals in developing countries are often criticized for reinforcing existing East-West power dynamics. Critics argue that human rights advocates create and perpetuate an image of a homogenous “Third World” populated by oppressed people who have no variety, thought or agency. These critics contend that Western advocates’ international work is objectifying and even dangerous (though perhaps unthinkingly so), because it can be used as an excuse to impose unwanted change on other societies in ways reminiscent of imperialism. Arguments such as these have also been applied to human rights themselves. Some question if universal human rights are truly ethically derived, or if they are actually a newer, subtler form of Western hegemony.

For example, some Westerners may feel that a woman who undergoes genital cutting is a victim of a human rights abuse, because the idea of “mutilating” a woman’s body in this particular way is a shocking concept in many Western cultures. However, in cultures that practice genital cutting, this custom may be the gateway for a woman to be accepted as worthy of marriage, childbearing, independence from her parents, or respect from others in her community. How can outsiders decide which right is more important: freedom from exposure to disease or pain, or participation in essential cultural

and social institutions? Broad international guidelines on what is a right abandon the intricacies of individuals’ realities. On the other hand, it is clear that international agencies that focus on eliminating human rights abuses must exist to some extent in order to combat and avoid blatant acts of violence and dehumanization. Yet deciding what is a “blatant act of violence and dehumanization” is itself an ethical gray area, one inherently based on a certain set of values and judgments.

Western human rights organizations are acutely aware of the problematic nature of their work. At an ethics panel at the May 2010 Human Rights Impact Symposium at Columbia University, panelists from various international human rights organizations discussed one way that they avoid imposing their values on others: by “giving voice,” or asking victims of human rights abuses to recount their stories in their own words. The idea of giving voice is a thorny one, as it implies the supposed beneficence of a more privileged person willing to grant something to a less privileged one. Despite this, giving voice is important because it stems from a desire to provide individuals a platform to speak directly to the rest of the world.

Although human rights advocates have supported and implemented the idea of giving voice with the best of intentions, panelists brought up one of its unintended consequences: they wondered whether giving voice to those who had experienced human rights abuse would also re-traumatize them. In other words, in asking someone to meticulously describe personal experience with rape, murder, and terror, there is a risk of forcing him or her to mentally engage with that situation again. While it is impossible to determine the depth of re-traumatization, communicating about such horror could be at best unpleasant and at worst quite damaging to one’s mental health. Panelists did not settle on one particular way to address the idea of re-traumatization. This danger should be evaluated on an individual basis, in order to avoid the host of problems that comes along with creating broad, international standards.

Human rights have provided the world with general guidelines, which are a starting point (albeit a problematic one) to addressing a collection of basic freedoms and entitlements. It is now up to advocates to fine-tune and tailor those principles to specific situations and ethical



Dirk Salomons, director of the Program for Humanitarian Affairs at the School of International Public Affairs / Nicole Schillit

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A victory for domestic workers

By Dorothy Lovell

Joycelyn Gill-Campbell, organizing director for Domestic Workers United (DWU), experienced trials and triumphs along the road to the passage of New York's Bill of Rights for Domestic Workers.

The bill, which was signed into New York state law on Aug. 31, 2010, grants labor rights to domestic workers (workers in private homes), including paid vacation, sick pay, and overtime pay.

While not granting union rights, the bill requires the Department of Labor to present a feasibility report on domestic workers and their right to freedom of association by Dec 1. Gill-Campbell says, "It is a time to reexamine the labor laws, because for over seven decades domestic workers have been excluded basically from the labor laws of this country."

The bill is not as comprehensive as initial drafts proposed by members at a conference in 2003. Optimistic early inclusions were severance pay and a minimum wage of \$14 an hour. Gill-Campbell chuckles as she recounts, "People wanted to know why we thought we were so special that we get more than minimum wage."


However, she is proudest of the inclusion of overtime provisions. "It's a great stepping stone: this is an industry where we have people working 50 to 60 hours a week and they're not being paid overtime. Now after 40 hours they are entitled to time and a half at their regular rate, and that is very important because if they are paying the nanny



Organizing Director Joycelyn Gill-Campbell in Domestic Workers United's downtown Manhattan office. / Dorothy Lovell

\$15 an hour, overtime will be \$22.50. It means a lot."

Her organization, Domestic Workers United, works chiefly on legal redress and education. Linking exploited workers to pro-bono lawyers, the organization has won over a million dollars for workers in the decade since its establishment, and has never lost a case. Together with Cornell University, DWU also runs an immensely popular nanny-training course which includes modules on labor rights. Commenting on the organization's ongoing work, Gill-Campbell said, "Right now we have 4000 members... This industry is an industry that is made up of over 200,000 domestic workers so we still have to try to reach out to as many as possible."

The bill is not only pioneering in the U.S. (a group in California is pressing for a similar bill, with DWU's full support), but has garnered attention at the international level as well. The International Labor Organization, which is preparing a convention on domestic workers, mentioned DWU in a recent report. On the human rights community's reaction to the bill she says thoughtfully, "They told us we wouldn't be able to do it, and now they're ringing us up, asking how we did it. The whole world's looking at us right now." 

One for the books

By Eve Warburton

Columbia University's Center for Human Rights Documentation and Research (CHRDR) is home to a critical mass of human rights documents. Much of the collection consists of archives dating back to the 1970s from leading international organizations, including Amnesty International-USA, Human Rights Watch and, most recently, the Committee to Protect Journalists. At 7,000 linear feet, this is among the largest human rights archives in the country.

Over the past two years Dr. Pamela Graham, Director of Area Studies and CHRDR, and her team have managed the processing of over 1,000 linear feet of documents and created new finding aids for interested researchers. The result is that a unique collection, once hidden away in warehouses, has now become a heavily utilized archive in Columbia's Rare Book and Manuscript Library. Usage rates are on the rise, which Dr. Graham attributes to online finding aids that enable researchers to grasp the nature and density of the data stored within the collection.

According to Dr. Graham, "research in the human rights field has become increasingly focused on studying human rights organizations and the efficacy of advocacy, rather than looking at particular events or abuses." This interest in how human rights organizations function has also meant a larger focus on their tools of communication and the Internet as a key space for advocacy. "As the Internet ages, librarians and researchers are more and more aware of the need to preserve web material and websites

as objects of research, both in this field and beyond," she said.


Under the leadership of Dr. Graham and Robert Wolven, Associate University Librarian for Bibliographic Services and Collection Development, CHRDR is currently undertaking a unique project to archive human rights websites from around the world, with a particular emphasis on sites considered "at risk" of disappearing. With support from the Mellon Foundation, the Human Rights Web Archive project is being launched and developed in partnership with the Internet Archive, an organization that works to preserve Internet sources and sites. In order to "capture" relevant websites, the project draws upon the expertise and language skills of librarians from across a range of disciplines at Columbia. However, Dr. Graham also emphasizes the important role of researchers, scholars, students and advocates in identifying useful and relevant websites for the archive. "The project uses a combination of Columbia and external expertise" says Dr. Graham, "and we welcome nominations of websites from the public."

To date, the project has harvested the content from 285 web sites, with contributions from over 150



Dr. Pamela Graham directs Columbia's Center for Human Rights Documentation and Research, one of the largest in the country. / Eve Wharburton

organizations. The information collected thus far is accessible through Internet Archive at <http://www.archive-it.org/public/collection.html?id=1068>. The project is still in the early stages of what will be an ongoing process, and Columbia Library is currently exploring an alternative interface with more powerful search options.

This archive will complement Columbia's expertise in the field of human rights, but the need to preserve web materials is important across many disciplines, and according to Dr. Graham, "This initiative is the beginning of a broader plan for Columbia Libraries." 

From conflict zones to summer school

By Eleanor Rousseau Oxholm

Many American students spend their last weeks of summer dreading the beginning of another grueling semester of research papers and final exams—but when fall rolls around, at least we know what to expect. For newly arrived refugee youths in New York City, many of whom have spent years in refugee camps without any formal schooling, the start of a new school year in the United States presents an entirely new set of worries.

Fortunately, the International Rescue Committee (IRC) is there to help ease the transition. As part of its annual refugee youth summer academy, approximately 120 refugee students, ages 5-18, spent six weeks this past summer preparing to enter the New York City public school system.

The student body, representing 20 different countries and speaking 16 different languages, is anything but a typical American public school class. However, the day-to-day operation of the summer school, complete with organized class periods, school assemblies, field trips, and even a student government election, is consistent with the structure of a public school to help better acclimate the students to the U.S. education system.

“These students are from conflict zones, and even if they had a school, it is often closed, so that sense of routine is taken away,” says Academy principal, Elizabeth Demchak, speaking with the *New York Times*.

Helen Samuels, a 17-year old refugee from Thailand, attended the school two years ago and then worked as a peer counselor this past summer. After having spent two years in refugee camps along the Burma-Thailand border before coming to the U.S. in 2008, she was nervous about starting school in a new country, but the summer academy eased her fears. “We had to learn all the basics of how to be a student, starting from you had to come to class on time,” Samuels told *USA Today*. “It helped me, to prepare me to see school is not something scary.”

An integral component to the academy is the availability of an experienced counseling staff that works with students in small groups and one-on-one guidance sessions to address their individual psychological and social development needs.

Many of the students are pleasantly surprised by the academy’s student-centric approach to education. For

Basserou Kaba, a 16-year old from the Ivory Coast, the encouragement he received from the IRC teaching staff was a welcome change from school in his home country. He told the *Associated Press*, “In my country, the teacher (teaches) what he wants. You don’t understand, it’s your problem.”


The students’ academic progress throughout the summer is impressive, but perhaps even more impor-



High school student Sing Pau assists Tsering, a student from Tibet, on a Summer Academy group project. / Courtesy of IRC

tant are the friends made and the confidence gained over the course of the program.

As Samuels told WNYC radio, “It has helped me to be myself, to know who I am, to know what I am doing and what I want to do.”

The IRC Refugee Youth Program continues throughout the school year with afterschool tutoring and a Saturday tutoring program. To get involved, contact: Khadijah Abdul-Nabi, Refugee Youth Program Manager, khadijah.abdul-nabi@theirc.org. 

Editorial policy

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Online Resources

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Measuring the impact of human rights, continued from page 5.

These casualty counts often vary from organization to organization because the data are incomplete and unreliable. According to Price, the best approach is to use statistical projections based on multiple casualty counts or to conduct a thorough census.

Sally Engle Merry, professor of anthropology at New York University, argued that using numerical indicators will make human rights more abstract. Over time, the idea of human rights could be replaced by a score or a number. Margaret L. Satherwaite, associate professor of clinical law at the New York University School of Law, noted that indicators could fundamentally change the way human rights treaties are monitored. Instead of providing a legal opinion on a state's compliance with human rights standards, treaty bodies will be asked to provide a technical measurement of their human rights performance.

In the session on human rights and development, Stefan Voigt, director of the Institute of Law and Economics at the University of Hamburg, presented research suggesting that better human rights conditions promote economic development. Like Simmons, Voigt found

that human rights treaties improve human rights practices in a particular category of countries. According to Voigt, these are countries with a moderate amount of foreign direct investment. By improving human rights practices, these countries may be trying to increase investor confidence, he said.

The conference closed with a session on ethical dilemmas (see article on page 6) and conclusions.

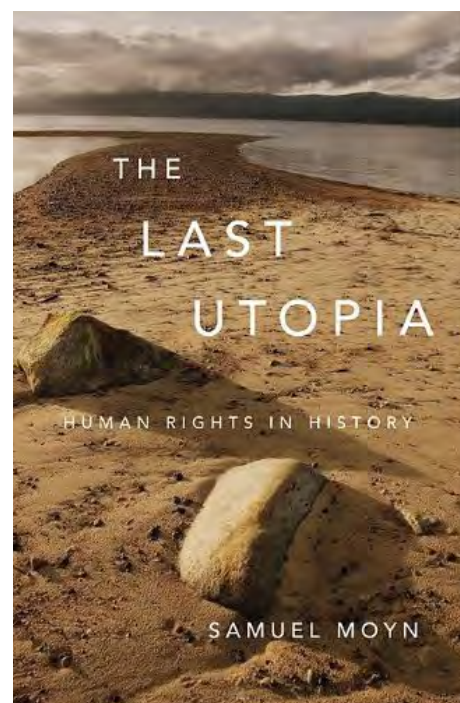
According to Prof. Ergas, ISHR will continue to promote research on the impact of human rights work. The symposium highlighted differences of opinion between advocates and political scientists and showed the need for research into the ethical dilemmas of activism, such as the potential for unintended consequences, she said.

Good research will ultimately help the human rights movement learn from its decades of work.

"You have people who have given their lives to the movement and they want to have a sense of what they have done," Ergas said. "The question is less, 'Did this project succeed or fail?' but rather, 'What can we learn from what happened?'"

Confronting the ethical dilemmas of advocacy, continued from page 6.

dilemmas. While this idea may seem contrary to the idea of human rights, which are meant to be universal standards, the panelists' discussion suggests that we are perhaps entering a new era of human rights, in which advocates more deeply ponder cultural appropriateness and the mosaic of human interactions. Maybe at some point, as advocates continue exploring the complexities of their work, the concept of universal rights will even become obsolete.



Samuel Moyn, professor of history at Columbia University, traces the rise of human rights ideology in a new book, *The Last Utopia: Human Rights in History*, from The Belknap Press/Harvard University Press.