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## SYMPOSIUM

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### **Anthropology and Human Rights Administrations: Expert Observation and Representation After the Fact**

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#### **Introducing Discipline: Anthropology and Human Rights Administrations**

*Anthropologists engage human rights administrations with an implicit promise that our discipline has something unique to offer. The articles in this special issue turn questions about relevance and care so often heard in the context of debates about human rights outside in. They focus not on how anthropology can contribute to human rights activities, but on what anthropological encounters with human rights contribute to the development of our discipline. They ask, how exactly do we render the subject relevant to anthropology? Reflecting on some ways anthropologists in this field have dispensed care for their subjects, the authors highlight two modalities of human rights anthropology, co-construction and denunciation. Two key problems with these modalities are identified—their duplicative and iterative qualities. With reference to the contributions to this special issue, the authors make a case for a more ethnographically engaged anthropology of human rights. They emphasize disciplined description and disciplined engagement with the politics of the field as an ethical position for anthropology and as a means of reclaiming disciplinary relevance.*

The subject of human rights has without a doubt become one of the fastest growing arenas of anthropological work. Judging from the number of doctoral dissertations, journal articles, edited volumes, books, and conferences on this subject, it is clear that anthropologists view human rights as an area in which our discipline has the potential to become particularly relevant to, and hence active in, the contemporary world.

After anthropology's own methodological and epistemological "crises" of the last several decades, perhaps there is something reassuring about turning from our

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own emergencies to those of others. Anthropologists engage human rights administrations with an implicit promise that our discipline has something unique to offer—special insights and methods. But behind this promise is also a hope that the challenging engagement with human rights may replenish those methods, refresh those insights, bring to the foreground new questions. This raises a crucial question: When and how does this disciplinary replenishment happen for anthropologists? Given how active the discipline has now become around the problem and subject of human rights, we think that human rights is a good place to assess how anthropology refreshes itself through engagement with new subjects. The question for us then becomes, how exactly do we render the subject relevant *to anthropology*? That is, how has human rights challenged anthropology? What theoretical, methodological, or ethical work has the subject performed for the discipline, and what should new subjects be doing (for us)?

The articles in this special issue seek to turn questions about relevance and care so often heard in the context of debates about human rights—about anthropologists' duty to care for their subjects, about their duty to make their knowledge and others' knowledge relevant to human rights administrations—outside in. They focus not on how anthropology can contribute to human rights activities, but on what anthropological encounters with human rights contribute to the development of our discipline. If human rights holds out the promise of rendering anthropology newly relevant, we would like this promise to encompass a concern with finding and bringing home new contexts, conceptual usages, and relational scenarios that have the potential to surprise, shock, or reassure us, and in this way to enable the continued growth of our academic discipline.

Sometimes it seems that anthropologists fear that to care about our discipline itself, in the course of engagement with situations of open and violent conflict or extreme injustice, constitutes a form of perversion—a kind of lapse of professional ethics. Moreover, our call for attention to discipline in ethnographic practice as a form of care for “our discipline” comes in the wake of the discipline's own antidisciplinary turn: anthropologists now understand the rise of their academic discipline as an artifact of a particular modernist moment in the social sciences and accompanying set of divisions of labor in the knowledge economy. Since the 1990s, the trend in anthropology has been rather to celebrate antidiscipline: In a sense loosely derivative of Foucauldian understandings, discipline now conjures up a conservative form of analytical domination that stamps out difference and creativity and that captures all that cultural anthropologists find troubling about more positivistic modes of social science. Creativity, in this understanding, is more easily seen in loose, open-ended, emergent forms of knowledge that combine or traverse existing disciplinary practices. This celebration of “inter,” “post,” and “trans” as always preferable to, ahead of, what they relate and traverse feeds into a specific set of concerns with methodological discipline within anthropology: Anthropologists' own celebration of interdisciplinarity and postdisciplinarity participates actively in the enthusiasm

within the university and the knowledge economy more broadly for synergies, combinations, and networks across “old” disciplinary boundaries.

Given all this talk of antidiscipline, a focus on disciplined practice may seem oddly out of step with contemporary trends. Nevertheless, we argue in this introduction that self-disciplined ethnographic engagement is a form of professional commitment to humanitarian ethics (cf. Englund 2000; Pels 2002). Ethnography, and the commitments it demands, is in fact the only form of engagement that our profession is uniquely qualified to administer. It is what sets anthropologists apart from other human rights actors. Far from analytical conservatism or the negation of difference, a commitment to discipline in fact requires taking real risks in ethnographic engagement and analytical care and following the claims and discoveries that result from such risks wherever they may lead. Such an engagement, we argue, is also necessarily a form of care for the discipline itself, albeit of a kind that postdates modernist notions of disciplinarily produced truth.

The denomination “human rights” glosses a range of diverse, shifting, and contradictory meanings and practices in the world. As others have pointed out, it is best understood as a “discursive formation” (Dembour 1996), that is, as an entity whose coherence can only be understood as an effect. In anthropological debate in particular, the concept now indexes many longer-standing interests previously referred to by terms such as political conflict and violence, nationalism, formal organization, or statecraft. Why the new term in anthropological debate? Disciplines surely have a tendency to be “loyal to the changing preoccupations of their times” (Englund 2000:61). Anthropology is hardly immune from “a kind of ‘atmospheric hegemony’ in which certain ideas manage insidiously to dominate the scholarly imagination” (Cunningham 1999).

One way in which anthropology’s entanglement with its disciplinary exterior displays itself is that the discipline borrows concepts from worldly occupations it might otherwise treat as subjects. Some would say this is anthropology’s strength (Strathern 1987, 1992a). We want to add that the degree of self-consciousness and *discipline* with which the borrowing is done makes all the difference. From this perspective, the principal challenge of human rights for anthropology consists not so much in finding ways to become more active in the world of human rights administrations as in knowing anthropology’s own disciplinary difference and uniqueness from other enterprises, both academic and political.

The ethnographic examples of human rights administrations presented in this special issue show human rights, both out in the world and inside our discipline, to be sometimes a state of emergency, of extreme up-to-the-minuteness (for example, Rosga). Open political conflicts and ongoing violations are monitored and simultaneously contested by human rights actors; situations of “still open wounds” during the aftermaths of conflicts concentrate efforts on rebuilding, rehabilitating, and healing. At other times, human rights administrators labor on

in a mundane, seemingly interminable chain of technocratic practices (Uchiyamada, Merry). Here, human rights actors (and anthropologists) perceive the potential for harm to be latent, currently “hidden.” In practical terms, academics and human rights administrators must work to identify and elicit forms of violence that they perceive to be embedded in “everyday” bureaucratic, technocratic, legal, market, or kinship practices (see Das 1990; Fermé 2001; Hastrup 2001a, 2003; Shalhoub-Kevorkian 2002; Wilson 2001, 2003b; among others). Sometimes yet again the subjects move back and forth between these two states (McLagan).

These two sides to the practice of human rights have in turn generally elicited different registers of anthropological engagement. One register focuses on diverse expressions of violence, victimization, and victimhood; the other focuses on bureaucracies and administrations that are constitutive of states (their governments, armies, legal systems), nongovernmental organizations (NGOs), and, most recently, of state-sponsored and extralegal Truth and Reconciliation Commissions (TRCs) set up in postconflict periods. In the first register, anthropologists tend to adopt a posture that we will call “co-construction” (see Jean-Klein 2001; after Swedenburgh 1992); in the second register, the discipline performs a posture of deconstruction (Handler 1985) or denunciation. In the modality of co-construction, anthropologists set out to express both moral and analytical empathy with subaltern subjects in the field of study. Analytical engagement becomes the medium through which moral and social or political support is administered. Denunciation, in contrast, entails condemning the proliferation of technocratic regimes and the injustices inherent in organized and official relief efforts. In practice, since every field of human rights administration involves both danger and mundanity, anthropological writing effectuates a double orientation: working on one hand with or on behalf of some subjects (usually the victims, or “the people,” or the “good” NGOs), but on the other hand turning our backs on, if not actively denouncing, other categories of actors in the field (states, “corrupt” or “useless” NGOs, truth and reconciliation commissions). Our aim in this special issue is to treat these two modalities of expressing care (co-construction and denunciation), and the discrete situations in which anthropologists administer their care, as mutually illuminating sides. We want to see what productive tensions they may create for one another.

The first part of our introduction consists of a reflection on some ways anthropologists working in this field have sought to dispense care for their subjects. Our intention is not to produce a complete overview of the field. Rather, we aim merely to highlight the two modalities of human rights anthropology alluded to above, co-construction and denunciation, from the perspective of the historical chronology of the discipline’s engagement with modern situations of collective violence, and via this route, with human rights. We identify two key problems with these modalities—what we term their duplicative and iterative qualities. In the second part of the introduction, we suggest how the contributions to this special issue point toward a more

ethnographically engaged anthropology of human rights. In particular, we emphasize disciplined description and disciplined engagement with the politics of the field as an ethical position for anthropology, as a means of reclaiming disciplinary relevance, and perhaps most importantly, as a means of acknowledging and giving voice to others' dignity by enacting our own.

### **Current Practices in the Anthropology of Human Rights: Instrumentalizing the Discipline**

#### *Co-Construction as "Giving Voice"*

Although anthropologists had long worked in situations of armed conflict (such as colonial occupation and anticolonial resistance), in the 1980s anthropologists began treating situations of armed conflict as ethnographic settings to be foregrounded in their own right, rather than ignored.<sup>1</sup> This foregrounding of armed conflict opened up a new area of anthropological research centered on the experiential dimensions of political conflict and terror, and specifically, on facilitating victims' narration of their subjective experiences of violence. In the context of debates in the same period about authorial voice in the ethnographic account, the "voice" of the anthropologists, and its relation to the voices of those whose predicaments they set out to represent, became of central importance. For some anthropologists, and for many outside of anthropology, giving voice curiously became a kind of postmodern solution to the critiques of positivism on the one hand, and to the vilification of theory on the other (as in the conceit that one could get away from representational authority and epistemological debates and simply "listen to people's voices"). Giving voice to anthropology's subjects during this period often became synonymous with describing individuals' subjective experience. For many anthropologists working in the specific arena of human rights, narratives of experience were not just a gap in anthropologists' own knowledge; they also represented a black hole in victims' own existential locatedness. The collection of "narratives" thus acquired connotations of humanistic action. Narration became its own form of relief.

The urgency, élan, and confidence with which anthropologists have performed the work of "listening and witnessing" rests on an unusually stable consensus among social scientific researchers, a conviction that the experiential dimensions in situations of political violence are characterized by "senses of chaos and ultimate powerlessness" (Löfving and Macek 2000:4; cf. Hastrup 2003; Nordstrom and Robben 1995; Daniel 1994, 1996). The assumption is that violence fundamentally disrupts social and cosmological orders, that it epistemologically dislocates the victims from sociality, and that it equally dislocates anthropology, whose meaning-centered approaches to the subject or understandings of the anthropological project become likewise misplaced or inappropriate. As Löfving and Macek sum up this perspective:

"The meaning of violence" is itself a contradiction in terms; the experience of war implies a loss of the conceptual and epistemological

framework that previously provided means to interpret the events of life and the death of others. [2000:5]

It is puzzling, given the prevalence of arguments about the way language fails in the face of pain, that there are virtually no ethnographic investigations of local ideologies of the efficacy, or limitations, of “language” in relation to traumatic experience of the kind linguistic anthropologists have conducted concerning the efficacy of language in other contexts (e.g., Keane 1997). Likewise, given the importance the discipline attaches to description, and to “local specificity” (Cowan et al. 2001), there is a surprising absence in such accounts of the kind of description anthropologists would expect in other ethnographic contexts. Anthropologists typically engage in far less long-term sustained ethnographic observation in this field than in other anthropological fields (for exceptions, see Englund 2000; Finnström 2000; Good 2004). Although we do not doubt the practical problems associated with fieldwork in this arena (see Hoffman 2003; Keppley-Mahmood 2002, 2003; Löfving and Macek 2000), it remains ironic that the very violence and danger anthropologists write about often becomes the reason for not doing ethnography of that violence itself.<sup>2</sup>

The view that language fails tends to be supported rather with references to Western language philosophy, and specifically to phenomenological and feminist theorizing on the relationship between language and pain (e.g., Scheper-Hughes 1992; Daniel 1994, 1996; Zur 1996, 1998; Green 1998; Jackson 2002; Wilson 2003a; Hastrup 2003). In the main, anthropologists follow a line of argument epitomized by the work of Elaine Scarry (Scarry 1985) which holds that violence and the pain it inflicts is beyond language (see also Daniel 1994). Thus, anthropologists have agonized over where and how to find the necessary narrative resources and genres to express or narrate pain (Cohen 2001; Macek 2000:38–39; Taussig 1992:10). As one commentator has noted:

The methodological problem lies in the difficulty of capturing the voice of pain, because it is not observable—it cannot be quantified because it has no cultural form, and yet it exists in all forms. Anthropologists dealing with similar problems have noted this difficulty. (Macek 2000:29)

But despite the moral anguish surrounding practices of representing pain, the assumption that language capacities (speech and narrative capabilities) cannot easily grasp the experience of pain and accompanying “losses” (social meaning, human recognition) in turn creates a therapeutic role and moral space for anthropology, a way of contributing to the social and individual healing process. Anthropological tools—the ethnographic interview and text—are often reimagined as invaluable resources through which victimized populations can articulate their suffering, put it into spoken and narrative format.

In this way, anthropology claims a role in assisting victims to reenter language, sociality, and humanity. Anthropologists now position themselves as professional

listeners and even as proto-therapists (most explicitly in Zur 1996, 1998; but see also Borneman 1997, 2002a; Daniel 1994; Das 1990, 1996, 2000, 2003a; Green 1998; Macek 2000; Wilson 2003a). In an introduction to a special volume of *Anthropological Theory* on the theme "Political Violence and Language," for example, Wilson writes:

In all these articles, we get a clear sense of the distinctiveness of anthropological theorizations of political violence and language, *a distinctiveness which focuses on everyday life and the remaking of a social world through language*. They engage with narratives of suffering on their own terms *in order to bear witness, and not to reduce informants' narratives to wider political and social imperatives and meta-narratives* pursued by official political and legal actors. [Wilson 2003a:269, emphases added]

But what exactly constitutes "listening" remains curiously undefined. We wonder, for example, whether this dominant modality of listening could recognize, and seriously engage with, informants who would mark "silence" as a socially productive posture and hence who would refuse the anthropologist's invitation to speak (see Coxshall, this volume; see also Jean-Klein 2000). Likewise, we wonder whether this modality of listening as a means of recognizing victims as social beings would be able to encompass a recognition that conflict, and human violence, is its own form of sociality.

We are concerned, in other words, that this work unintentionally naturalizes a certain Western neoliberal model of individualism and accompanying understanding of sociality and politics (Nelson 1999; Mahmood 2001; cf. Englund 2000). Understanding is located in the tortured or abused individual body; it can only be known by the tortured person. As with early feminist anthropology, a field equally invested in the concept of "experience," these anthropological analyses have the effect of "ontologizing" theory and knowledge in the form of the individualized body (Strathern 1988:57).<sup>3</sup> When, for example, Rapport (1997, 1998) advocates simply "being with" individuals and hearing their stories as a sufficient and self-evident form of dispensing the humanistic ethics that distinguishes our discipline, he demonstrates a commitment to a particular conception of the person. Or again, although anthropology instrumentalizes itself to liberal human rights causes it can identify with, it too often refuses to identify with the possibility that individual subjects at the heart of liberal human rights regimes might (from our perspective) "reduce" themselves to focal points in a bureaucratic human rights network (Riles 2000). Instead, we want to remain open to the possibility that other forms of agency than our own might be at play, and that anthropologists can learn ways of responding to violence and expressing humanism from these subjects.

By the 1990s, however, the project of "giving voice" encountered an interesting snag: the human rights community itself seemed to have listened to anthropologists'

voice! The task of “drawing out” dispersed narratives of violence from subjects presumed to be incapable of expressing their experiences championed in the anthropological literature and in the psychotherapeutic disciplines (for recent iterations of this premise, see Hastrup 2001a, 2003) was taken up by other human rights actors and projects. The claim that listening and voicing was the first step toward healing became the premise for new genres of human rights institutions.

As Wendy Coxshall’s contribution to this volume shows, institutions like the Peruvian Truth and Reconciliation Commission now lay claim to the process of breaking victims’ silence and providing authoritative translations of their experience (see also Wilson 2001, on the South Africa Truth and Reconciliation Commission). The Peruvian TRC includes anthropologists, and its work explicitly involves “ethnography” (Coxshall 2005). In her work on Palestinian political committees during the first *intifada*, likewise, Iris Jean-Klein (2002) shows how the anthropologist’s work finds itself preempted by other practical forms of caring, including other foreign observers-cum-witnesses and Palestinian activists’ activities, which include social scientific data collection and analysis. We are therefore now at a moment when our professional claims to ethnographic expertise, as expert listeners, find themselves challenged by human rights institutions’ own forms of expertise.

### *Denunciation*

Alongside their work of collecting the subjective narratives of suffering, anthropologists often seek to expose the regimes from which violence emanates. Examples of this genre are abundant in conflict situations and are not limited to anthropology. For example, it is particularly common in academic engagements with the violence of the Israeli state against the Palestinian population (but see Hajjar 2005 for an example of work that explicitly refuses this denunciation project).

In some cases, attention focuses on perpetrators, or processes of perpetration of violence. Here, critique speaks in the external register of humanitarian outrage. In the second scenario, critique directs itself against human rights machineries and speaks in the internal register of expertise and advice. In both cases, however, anthropologists “act as if” (Wedeen 2003) the regimes of power they confront and expose were interested, and vulnerable to critique, on the same level as an academic discipline (e.g., Abu-Lughod 2002; Bowman 2001; Hirschkind and Mahmood 2002; Mamdani 2002; Wax 2002).

In this literature, formal rehabilitation initiatives orchestrated by states are viewed with some suspicion (Samson 2001; Warren 1993; Wilson 2001, 2003b).<sup>4</sup> As soon as emerging responses to violence become formalized and institutionalized, it seems, they become possible targets of anthropological critique.<sup>5</sup> Sometimes this is founded on charges of a lack of sensitivity to the ontology of victimhood on the part of states, civil organizations, and their retributive technologies. For example, critiques of TRCs focus on the assumptions implicit in bureaucratic practice that

painful experiences must be narrated, and on the ways narratives are reductively treated in legal discourse and evidentiary regimes. At other times, the critiques rest on attributions of more cynical motivations (e.g., Warren 1993).

Critiques of human rights administrations represent a particularly interesting direction in the anthropological literature on human rights because, since the discipline's disavowal of its own earlier relativist critiques of human rights doctrine, there has been little anthropological effort to engage in a debate with human rights actors about human rights as a system of values as such. Although genealogies of human rights as discursive formations are common (for example, Dembour 1996; Cowan et al. 2001), such genealogical accounts are generally undertaken not in a spirit of deconstruction, but in a spirit of attentiveness to the ambiguity, arbitrariness, hybridity, and contestation of "local" or prior values to the human rights regime.

*Expert Participation: Fusing Co-Construction and Denunciation*

A third modality of anthropological participation in human rights bureaucracies involves bureaucratic action-cum-activism. Many anthropologists have noted that, for better or worse, the subject of human rights demands engagement with lawyers, legal scholars, political philosophers, and politicians—with disciplines and actors anthropologists recognize as "powerful." In this modality of "acting up" (if not exactly "studying up"), the anthropologist self-consciously emulates the procedural practices of human rights organizations, bureaucracies, and administrations and tempers his or her militancy in favor of a more objective, bureaucratic tone. This can entail setting up networks, producing human rights documents, serving as an expert witness to legal and public tribunals (see, for example, Good 2004), working as an advisor to human rights bureaucracies (see Borneman 1997, 2002b; Ross 2003; Wilson 2001, 2003b; Hastrup 2003), and more. In this way, anthropologists perform what they so often describe: an age of decentralized politics where anyone—including the anthropologist—"can adopt the logic of protest and participate" (McLagan, this issue).

Entering the service of existing bureaucracies, then, is a way in which the anthropologist turns herself, and her knowledge, into an instrument for human rights practice and its dissemination. Anthropologists may advise on ethical listening practices (see Borneman 1997, 2002; Das 2000, 2003; Hastrup 2003; Wilson 2003:380); they may put themselves forward as particularly knowledgeable about "cultural issues" and even seek to correct other human rights actors' outdated understandings of the culture concept in light of updated understandings in the discipline (e.g., Dembour 1996; Wilson 1997a, 1997b; Cowan et al. 2001a; Abu-Lughod 2002; Eriksen 2001; Hastrup 2001a, 2001b, 2001c; Montgomery 2001). In sum, anthropologists act as epistemological technicians able to provide a "principled and theoretically informed empirical approach" to human rights projects (see Cowan et al. 2001).

But while anthropologists willingly lend themselves as instruments to other human rights bureaucracies, and participate fully in these at particular moments, their knowledge nevertheless often remains something of a Trojan horse. In some cases, the anthropologists' integration within human rights bureaucracies is from the start "halfhearted," undertaken with a dose of hermeneutic skepticism, just to get a glimpse of how things work on the inside and with a mind to offering critique as much as advice. In other cases, although anthropologists enter with a view to participate fully, there come moments and contexts in which they turn against the bureaucracy. Published work that comes back to the discipline, for example, usually takes the form of critically framed ethnographic accounts (see for example Mosse 2005; Ross 2003; Wilson 2001). Thus, the role of the expert fuses the modalities of co-construction and denunciation. This contradiction is surprisingly comfortably sustained, in the anthropologist's daily life, as an ethical and professional stance.

In presenting disciplinary expertise in this way, anthropologists necessarily translate their disciplinary tools to others. But there is a problem: In the translation, these tools become redescribed as if they were detachable from the unique purpose for which they were designed, that is to make *knowledge of a particular kind—ethnographic knowledge*. Although this arguably carves out a sphere for anthropological expertise, it does so at a price: a curious devaluation of the broad range of analytical practices and forms of human engagement that constitute anthropology's own project. The consequence is that the anthropologist's task, in this context, is too often merely to provide the "facts"—notably facts about "culture" or about the right way to understand and work with the culture concept for use by lawyers, bureaucrats, and activists in their own analyses and projects.

*The Turn to Description: "Context" and "Subjective Experience" Once More*

Most recently, perhaps because of anthropologists' newfound access to human rights actors and institutions in their capacities as experts, the discipline has discovered human rights cultures as ethnographic subjects in their own right. Wilson for example proposes to focus on tracing ethnographically the "social life" and "situational operation" of rights (Wilson 1997a:3; cf. Dembour 1996; Cowan et al. 2001; Hastrup 2001, 2003). Here, the anthropology of human rights aims to redescribe human rights practices in a way that provides the missing context for those practices (not detailed in human rights actors' own accounts such as funding proposals, position papers, and so on). This contextualization entails two essential operations: mapping how actors engage with the incoming form of human rights discourses and practices as they interpret, translate, appropriate for themselves, resist, or reject such discourses and practices; and supplementing objective human rights reportage with accounts of the subjective experiences and emotional dimensions of ordinary persons' narratives of human rights procedures (Wilson 1997a:21).

In the case of the human rights bureaucracies, the ethnographic problem takes a slightly different form: anthropologists who encounter such bureaucracies often feel that there is “nothing to observe” there—nothing “interesting” or unusual, just mundane practices that too closely resemble their own (Riles 2000). And, in a parallel way to the study of violence, the very assumption of the global nature of these human rights practices<sup>6</sup> becomes an excuse for the anthropologist to travel globally him or herself, and hence to conduct interviews in short-term visits and with selected individuals.

One question posed by several of the articles in this special issue is, does description always produce the same kind of artifact—context? And does context always look the same? Rosga in her article for example demonstrates that her informants’ conception of context, including of the context they would like her to produce, as team social scientist, is very much at odds with her own representative practices. Likewise, Meg McLagan describes a unique type of artifact, the human rights issue, as it is produced by and circulated within global circuits of activism. This production anticipates that, like anthropological concepts and tools, the artifact must find, or generate its own specific kinds of contexts. What these examples suggest is that adding in context is not the equivalent of ethnographic description, just as narratives of subjective experiences of violence are not the equivalent of the ethnography of violence.

*Two Problems with the Self-Instrumentalization of Anthropology vis-à-vis Human Rights Administrations: Duplication and Iteration*

In considering how, since the 1980s, anthropology has met its self-described commitment to “speaking truth to power” (see Conklin 2003; cf. Keppley-Mahmood 2002, 2003; Starn 1991), as a form of humanitarian ethics (Pels 2002), we have argued that anthropology’s engagement with human rights takes a dual or binary form. On the one hand, anthropologists dedicate themselves to giving voice to victims and to providing expert assistance to bureaucratic and activist projects. On the other hand, this work is supplemented with the deconstruction or critique of power by crafting structural and historical/genealogical accounts of regimes of power and violence.

We are sympathetic to these projects. However, we think that they reach their limit precisely in the way they resemble their subject, universalizing human rights administrations. To begin with, the articles in this issue show that the human rights world anthropologists would describe and act upon is already infused with proto-anthropological gestures and proto-anthropologists. Although anthropologists often claim observation and representation as their domains of expertise, for example, much human rights work consists also of fact-finding, reporting, analysis, and poetic evocation—even “contextualization” (see Rosga, McLagan, and Merry). Likewise, where anthropologists aspire to the role of expert critic of human rights

administrations, communities of “critical legal scholars” now invoke the same bodies of critical theory to produce highly nuanced, sophisticated analyses of the type anthropologists ideally hope to produce (Riles in press). So do Palestinian activists of mass- and later civil society organizations (see Jean-Klein 2002, and N.d.a; for illustrations, see Hiltermann 1991). Increasingly, the ethnographer must confront the fact that the ethnographic, documentary, expressive, therapeutic, analytical, and critical tasks are duplicated in the field.

Human rights bodies become active in similar ways as our discipline—by demonstrating their commitment to a humanitarian ethics and a neoliberal ideology; by conducting research (Mosse 2005); by craving “ethnographic” data, or at least narratives and stories (Good 2004; Hastrup 2003; Ross 2003); and even by performing “critical views” of themselves (see Elyachar 2002, 2003; Riles in press). Where human rights is concerned, then, anthropology is from the outset entangled with its subject (cf. Englund 2000:61; Cunningham 1999; Gledhill 2000), whether the specific points of onset are circuits of grassroots activism, bureaucracies of legal and extralegal retributive justice, NGOs, or relief administration. Cowan et al. (2001) could not be more right when they observe that anthropology is “ambiguously” positioned.

What is striking about the ethnography in the articles in this special issue, moreover, is that in them we encounter others (activists, bureaucrats, victims, perpetrators) actually anticipating the anthropologist’s descriptive, analytical, and critical practices—creating a gap for the anthropologist to fill, inviting the anthropologist to slot him or herself into their practices (cf. Riles 2000). Activists invite anthropologists and other observers to “study” them (for example, in the scenario presented in Jean-Klein 2002). Merry describes how NGO workers invited her to serve on their board of directors in order to claim her assistance in securing funding. They know where to place her. Is it a kind of ironic play, on our informants’ part, on the anthropologist’s conceit that the anthropologist simply does what others in the field ask of him or her and learns from them? It is also a kind of inside-out version of the old indigenously produced “invented traditions” (Miyazaki 2000). In any case, here we have a prefabricated space, or slot for the anthropologist’s analyses to fill.

Often duplication, or at least the approximation of activist genres of knowledge, is in fact the explicit goal of the anthropology of human rights. But perhaps then it is no wonder that the ways anthropologists fill the spaces the human rights regime creates for them is in turn quite formulaic. In our view, the dual strategy of co-construction and denunciation that pervades the anthropology of human rights also defines the limits of anthropology’s own possibilities. Stuck with this simple set of alternatives, anthropology has too often become automatic and unimaginative in its engagement with human rights. It seems that the distance between anthropology and its subjects—the bureaucracies—depends on anthropologists locking themselves into a fixed theoretical perspective, a worn set of analytical commitments, such as

a view of language, which in another context they would treat as far more open to contestation and debate (e.g., Silverstein 1976).

For instance, the professed *contingency* of anthropological denunciations is often in practice far more predictable than it claims. The work of crafting structural and genealogical accounts of violence as “process” or “discursive formation” is often a formulaic genre of description. The modalities are limited and the insights are interchangeable, even repetitive.<sup>7</sup>

The problem, then, is that the anthropology of human rights becomes *iterative*. That is, it asserts, makes real by stating—for example, that there *exists* a human rights violation; that life in conflict *is not* guided by laws of history and society; that violence creates epistemological chaos; that the victim inhabits a “nervous system”; that the state appropriates victims’ testimonies. Research devoted to critiquing human rights institutions names ever more diverse iterations of violence: The economic violence of development policy (Elyachar 2002, 2003), the violence of bureaucratic politics (see Uchiyamada, this issue), the violence of official definitions of kinship (Borneman 2002b, Das 1996, 2000; Fermé 2001; Shalhoub-Koverikan 2002), and everyday forms of familial “care” (Das 1996, 2000, 2003) become metaphorically related to the violence of torture and armed conflict, and hence are subject to “critical analysis” rather than empathetic narration. Violence becomes “the net” (Wagner 2001:3–17) from which anthropologists cannot seem to escape in their observation and thinking.

Too often, we think, the anthropology of human rights forgoes ethnographic engagement and description for prefigured analyses and slogan-making. Anthropologists’ appeal to certain reified answers to the challenges posed by bureaucracy—to the idea that specificity is needed to produce “context” and hence “difference,” that specificity produces difference automatically, and to the need to make room for “personal experience”—often generates the very rhetorical smoke screen that allows the discourse of human rights to coagulate. As a result, anthropology becomes instrumentalized by other human rights actors but also marginalized in ways that anthropologists surely do not intend, as, for example, when asylum tribunals invite anthropologists in to give expert opinions only to demand forms of reporting and levels of argumentation that are close to absurdity from an academic anthropological point of view. Given that the discipline routinely claims that its “relevance” lies in its faculties of description, perhaps one route to relevance would be for anthropologists to harness their own considerable faculties of description, to do what we do best.

### **An Alternative: Discipline in Description**

One way of summarizing all of this is to say that anthropologists too often abandon their own commitment to ethnographic engagement in order to make themselves relevant to human rights movements and administrations. What concerns us is the implicit understanding of “relevance” at work here. Relevance,

in this conception, is simply a fact. One is or is not relevant. But what ethnographers know from the experience of making themselves relevant to their subjects is that relevance is an effect that must be elicited through disciplined practice. In fieldwork, it takes discipline to become relevant. Often, on arrival in the field, for example, anthropologists discover that certain acts are expected. They find certain alliances, certain relationships immediately forced upon them. It takes discipline and care to distance oneself in some settings and forgo certain opportunities to get involved, or to persist at working to develop relations in others, that is, to stop and hold still when people ask the ethnographer to join, construct, or critique. Ultimately it is often this discipline that garners respect and that also defines one's social relevance. Indeed, this disciplined practice is one defining characteristic of ethnography, and of its relevance.

This is important because one of the insights of the ethnographies in this issue is that one can only counter one form of discipline with another. One anthropological response to the detrimental effects of bureaucratic and legal forms of discipline that pervade human rights practices has been to seek to counter it with the opposite—unaccountable and undisciplined creativity. Uchiyamada's article for this issue, which details the author's predicament as a bureaucrat caught in a Japanese development bureaucracy who seeks, without success, an escape route from its discipline, is a case in point. Uchiyamada begins his contribution to this special issue from the standpoint of his own loathing of disciplinary form. He wishes to counter that discipline with other forms drawn from art, architecture, and fiction, forms he takes to be the exact opposite of such discipline. But ironically, in that process he surrenders his own discipline. One senses the frustration in Uchiyamada's article, as he finds that the materials he gathers together from diverse sources, that he would want to hurl at this machinery of discipline by way of unsettling it, are anticipated by it and readily accommodated. The Japanese state and its bureaucracy are not of an order that is unsettled by messiness and critique. In fact, this messiness serves as more fodder for further disciplinary projects; it gives the bureaucrat something to discipline (Riles 2004)! The same observation can be made with respect to the incorporation of "polyphonic" voice into the narrative practices of truth commissions, the UN bureaucrat's appropriation of ethnography, and even the lawyer's embrace of self-critique as a modality of human rights law practice (Riles in press).

Ethnographic discipline—the skill and art of ethnographic practice—is practiced by carefully observing and following, being guided by, recognizing, replicating. It is a condition of readiness—readiness to be responsive.<sup>8</sup> It entails an abeyance of the ethnographer's agency as much as a projection of that agency (Miyazaki 2004). But what is important in the context of the anthropology of human rights in particular is that this self-discipline is the very opposite of the routinized instrumentalism of human rights administrations or the "due diligence" practices of international institutions that on the surface are all about attention and care (Maurer 2005): If the ethnographer willingly serves as a kind of tool, she is a tool for the "echolocation"

of knowledge (Wagner 2000), for allowing others to practice their knowledge on and through her. In other words, the appropriate form of dispensing humanism in these harrowing situations is something that must be forever freshly learned and appreciated intersubjectively, in collaborative engagement with our subjects (see also Finnström 2000). In these respects, self-instrumentalization can be a practice of self-discipline (Mahmood 2001; Hirschkind 2001). Perhaps the crux of “discipline” is ongoing labor: a commitment to ongoing responsiveness, and a parallel aversion to the routinization of our own forms of engagement.

Many anthropological critics of human rights administrations have quite rightly complained that legal and bureaucratic practices instrumentalize victims’ testimonies, turn these into tools for their own purposes (e.g., Wilson 2003:268). They might add that these practices instrumentalize anthropological knowledge as well (Riles in press). We think that disciplined practice ironically offers a response to this problem from within the form of the instrument itself: When anthropologists self-consciously make themselves available as a “tool” for echolocation, they take charge of this instrumentalization. That is, the “end” the tool serves is now owned by them, even though, by definition, and in contrast to the given ends of human rights administrations such as vocalizing victims’ testimonies, this anthropological end cannot yet be entirely known.

For example, in her article for this issue, Sally Merry (see also 2003) suggests that on the terrain of human rights, anthropologists find themselves in dialogue and in conflict with legal scholars and activists. Merry argues that anthropologists increasingly find their concepts and analytical tools—culture, for example—usurped or at least anticipated by human rights actors. Others have similarly lamented the fact that “other” human rights actors tend to (mis)use anthropological concepts (for example, Cowan et al. 2001).

To date, observations that “they are using our concepts” or using “our methods,” have most commonly prompted calls for anthropologists to reclaim their concepts’ definitions and uses from other actors who are misusing them (see Dembour 1996; Cowan et al. 2001; and also Mamdani 2002). But in her contribution to this symposium, Merry treats the insight that others are using our tools as an ethnographic *finding*—an outcome of her ethnographic observation of lawyers and activists. This includes observation of the performance and application of anthropology’s tools in human rights contexts. Merry shows that the anthropologist figures as just another tool these professions or projects might want to engage (see also Rosga, this issue.) We think that the ethnographic posture displayed by Merry and Rosga, as they resist both overidentification with and resentment of anthropology’s newfound colleagues, and remain instead *curious* about a field to which most would want to add themselves on (or act as an alternative to), marks a significant replenishment of our own disciplinary capacities.

This need not rule out activism, or relevance defined in terms of other standards and other kinds of projects (see Scheper-Hughes 1992). Scheper-Hughes (1995)

and others (Fields 2003; Gledhill 2002; Rabinow 2002) have argued that anthropologists should attend separately to activism and to ethnography,<sup>9</sup> treating them as distinct enterprises that are perhaps equally important but are nevertheless not commensurate. For example, most scholars who responded publicly to the events in the Middle East of the past four years did so in venues or genres separate and different from their own ethnographic work.

But often, forms of direct involvement with human rights nevertheless spill over into scholarly projects: Anthropologists now often adopt the categories and analytical frames of lawyers, bureaucrats, and loosely organized circuits of activists (McLagan, this volume) as given analytical frames for scholarly anthropological work itself.<sup>10</sup> The numerous resolutions of the American Anthropological Association, and the procedures for producing them (see Engle 2001; Price 2002), for example, seem to emulate practices anthropologists have observed at the United Nations or in other human rights bureaucratic contexts (Muehlenbach 2001). What concerns us is that often the performance of these forms of expertise comes to substitute for scholarly work. We want to resist the conflation of different commitments and knowledge forms. And we want to query the way attending to some commitments such as activism infinitely defers attention from questions and debates within our own discipline—defers care for our own disciplinary needs.

Our larger point, then, is that if at times it seems that there is no difference between anthropological practice and human rights practice, then perhaps difference, like relevance, must be produced, as an effect, not simply found in the world. Ironically, one way to make a difference between anthropological work and human rights work is to pause when others ask one to join, to exercise discipline when one is incorporated into this network or that document-producing project, to take time to instrumentalize oneself in analogous but also entirely different ways. That is, this disciplined self-instrumentalization aims to serve as an analogue, an empathetic response in another register, not simply an extension of the subject. We want to suggest that it can also serve as a response to the instrumentalization of anthropology as a weapon of human rights activism and administrations.

Most of the articles in this issue reinterpret the dominant modalities of human rights anthropology we have described by exercising the kind of discipline we are advocating. Against the tradition of giving voice to victims, of speaking their narratives, or seeking ways to draw out the pain of torture, for example, Wendy Coxshall finds ways of holding back. In Coxshall's account, one sees clearly how giving voice to those who narrate also ignores those who choose to hold back—how giving voice recognizes agency only when others are willing to speak. Coxshall resists two obvious moves that characterize two phases in anthropological engagement with victims and silence, before and after the advent of TRCs: She might have insisted on drawing her subjects out and thereby proving anthropology's superior skills in doing so. Or conversely, she might have critiqued the

TRC for making victims speak. Instead the “unwillingness” of one subject to participate in efforts to narrativize and speak her violations is left standing to pose a question to us: why not speak? Could the subject have her own reasons, a genuine disinterest that we do not understand but could come to appreciate? Is silencing of the self perhaps an act, intentional, purposeful, instead of a “loss,” incapacitation, or a form of imposition?

Likewise, Rosga engages the tradition of co-construction by tracing in a highly focused way the difference between her own contextualizing work and that of her subjects/collaborators who expect co-construction (the joint production of a social scientific report). It would have been easy for Rosga to critique the practices of the NGOs she worked with or even to describe them ironically and humorously. This would have produced a comfortable satisfaction in the anthropological reader. But Rosga rejects this easy position, on both ethical and creative grounds. Instead, she works with the form of her argument to find a disciplined way of expressing the multiple turns of instrumentalization and reinstrumentalization that she encountered in the field. She cannot use context as an organizing aesthetic, for example, because contextualization is precisely the object she is observing. She therefore takes the artifact—the human rights report she has been asked to draft itself—as the organizing practice. Rosga’s article exemplifies how one might see the work of ethnography as finding and accepting a limit to one’s own analytical practice as both a means and an end of engagement with the subject, what Miyazaki terms a “problem and solution seen at once” (Miyazaki 2004).

One of the specific places of our collective intervention concerns the character of contextual analysis. The articles eschew any notion that there can be a formula for what counts as appropriate context—a certain dose of subjective experience of human rights participants combined with some analysis of the structural underpinnings of those experiences and infused with vignettes that show actors exercising agency in tension with the structures that define their experience, for example. Instead, the articles suggest how the project of contextualizing human rights discourses and practices might be rethought by asking, what constitutes context, and what different purposes does it serve, for the subject and for the anthropologist, in each anthropological engagement with different human rights subjects? Rather than treating contextualization as a mechanical move, something to be added to the material, and rather than doggedly applying a certain methodology drawn from outside the material to the “facts” (as in the old notion of methodological “rigor”), the authors in this issue instead carefully learn for themselves in each case what is relevant and why. Here lies the difference between being formulaic or iterative or rigorous and being disciplined.

### **Conclusion**

Almost two decades ago, in the context of anthropologists’ engagement with feminism, Strathern (1987) argued against surrendering anthropology’s own ground as we engage with other disciplines and ethical projects. She observed that while

anthropology continually needs different partners to remain in a perpetual state of self-reform, feminists also need different disciplines and fields in which to plant their critique. Ironically, for anthropology to be of any “use” to feminism, it had to maintain its distance, its difference. The same point can be made today, we think, of the engagement of anthropology and human rights.

Take for example the question of dignity. One recurring concern in debates in the anthropology of human rights has been the question of how to give people dignity, and how to promote dignity through anthropological work. Related to this are a series of questions about anthropological ethics: what does it mean to act ethically in the field, and what are the ethical rules governing ethnographic writing? We are concerned about the arguably patronizing and missionary dimensions of this project of giving others dignity and about the self-stabilizing dimensions of techniques for ensuring oneself that one has behaved ethically. We want to suggest rather that emulating our ethnographic subjects’ attention, care, or discipline for particular relations, issues, and practices in our own account, replicating that discipline, attention, or care on our own terrain (Miyazaki 2004), is one way anthropologists can engage our political and moral obligations to our subjects and ourselves. Discipline in description that in turn reveals the care in others’ practices is, in other words, a kind of ethics. It is in a real sense the ethnographic analog of promoting human rights.

Of course, this kind of engagement demands taking a risk: One must be willing to produce a description that is profoundly unsettling from the standpoint of the ethical, epistemological, and aesthetic rules of human rights work and anthropological analysis. But it is precisely this risk that recognizes our subject as just as human as ourselves. Responsive, risk-taking ethnography and analysis is a form of ethnographic activism, in other words, even though its instrumental uses are not so openly asserted or prefigured at the outset.

What the articles in this special issue demonstrate is that relevance to the world comes if anthropologists manage in a disciplined manner to make the world truly relevant to themselves, to their own objectives. What we hope to show is that exercising care toward subjects such as violence and rights by no means entails ceasing to care for anthropology as a discipline or exercising discipline in ethnographic practice. On the contrary.

### Notes

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1. Anthropological encounters with modern political conflicts in the 1950s had come to pass more by default than by design, but they nonetheless had the result of adding impetus to reconceptions of society as “process” as opposed to “structure,” as exemplified by Gluckman’s (1955) “custom-and-conflict” approach. Up until the reflexive turn of the 1980s, however, anthropology settled for a combination of structure and process (cf. Sluka 1992; Löfving and Macek 2000). Political violence was perceived as limited, bounded, or balanced by other moments of stasis. However, these developments prepared the ground for what came next: the instatement of conflict and of violence as immanent, present in all political life (one need only think of the enthusiasm with which anthropologists have embraced the Foucauldian truism that power is everywhere), and eventually, in all sectors of everyday life as well (Das 2003).
2. Nordstrom critiques political science forms of recounting war stories on grounds that these fail to take account of the presence of social activity in such situations (e.g., Nordstrom and Robben 1995; Nordstrom 2000; Löfving and Macek 2000). This is not our aim.
3. In mid-century feminist research, female anatomy was thought to be required to access privileged knowledge about being female because such knowledge was thought to be fixed within the body. Strathern argued that a premise in the anthropology of experience is the conceptualization of the person as individual, as a being that worries—first and foremost—about its boundaries and searches for a unitary (and settled, secure) identity (Strathern 1988: 56–57).
4. Tsing (2000) offers a compelling comparison with respect to former social scientific affiliations with “modernization,” “development,” and most recently, “globalization” projects. In these areas, too, anthropologists have moved away from earlier support of such projects and now position themselves rather as external critics. Cunningham (1999) makes the same observation about globalization, as does Spencer (1990) with respect to anthropological collusion with nation-building projects.
5. One can see this pattern in the recent turn toward a decidedly critical stance not only toward TRCs and NGOs, but also toward laws granting special status to indigenous peoples (Povinelli 2002), and even toward well-established indigenous movements (Hodgson 1999, 2002a, b).
6. Richard Wilson, for example, has argued that the power of “human rights” for anthropology resides in the fact that we are dealing with “one of the most

globalized political values of our time” (Wilson 1997a:1; see also Wilson 2003a; cf. Cowan et al. 2001, Dembour 1996, Hastrup 2001a and 2001c; Jackson 2002). Indeed, the “global” or “transnational” character of human rights features in many recent studies as both the starting position and also the ultimate research finding.

7. Jean-Klein (N.d. [b]) has argued that even journalistic accounts of Palestinian martyrdom during the Second Intifada have been a richer source of ethnographic information than social science accounts, which are too concerned to either condemn or defend (or at least to render explainable) the martyrs’ actions, which they do from positions that exclude the knowledge of the martyrs themselves and their close relations. One exception that we would like to single out is the work of Hasso (N.d.).
8. We are not concerned with whether interviews are adequate substitutes for long-term participant-observation, or whether “fieldwork” and “participant-observation” are practicable, or morally desirable, in open conflict situations, a question that has been a focus of continuous internal discussion in this field (see Nordstrom 2003, Nordstrom and Robben 1995, Hoffman 2003, Keppley-Mahmood 2002, 2003; Starn 1991; Scheper-Hughes 1995; Wakin 1993; Wax 2002). We do not equate “participant-observation” or “fieldwork” with knowledge, nor would we want to presume that anthropological insight unfolds *automatically* with “the work of time” (Das 2000).
9. For a counterview, see Das (2003). Ortner (2000), in an excellent review of three edited volumes about the future of anthropology in the light of concerns about its relevance to the world, argues that such debates have become locked into two voices: positivism versus activism (Ahmed and Shore 1995; Hubinger 1996; Moore 1996).
10. For an earlier example showing the infusion of scholarly analysis with analytical frames used by the subject, Palestinian political organizations, see Hiltermann (1991).

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Anthropology and Human Rights Administrations: Expert Observation and Representation After the Fact. Article. Iris Jean-Klein. After presenting the different chapters of this book, it proposes to reflect on three dimensions of the articulation between the economic and the political that these contributions highlight: label affixing as the situated display of product information, labelling as a qualification operation and as process of problematization.