

HUMANITARIANISM & HUMAN RIGHTS

48th Annual Symposium

Western Australia · 15–17 Nov 2017



SESSION

Violence and Persecution

THURSDAY 16 NOVEMBER, 11:30am-1:00pm

WA MARITIME MUSEUM, Fremantle

This session explores how discourses of human rights and humanitarianism are implicated in the ways that forms of violence and persecution are constituted, mitigated, ended, or ameliorated.

CHAIR

Professor Baden Offord

CURTIN UNIVERSITY AND SYMPOSIUM CONVENOR

Baden Offord holds the Dr Haruhisa Handa Chair of Human Rights; is Professor of Cultural Studies and Human Rights and Director of the [Centre for Human Rights Education](#) at Curtin University. An internationally recognised specialist in human rights, sexuality, culture and education, he is part of a scholarly and activist community that works collectively to decolonize and destabilise the study of sexuality in Southeast Asia. Baden's approach to research is through self-reflexive, interdisciplinary and empirical research into cultural, social and activist aspects of human rights. Under the rubric he conceived of 'activating human rights' he convened landmark international conferences in 2003 and 2008, endorsed by Desmond Tutu. His publications in the field include the co-edited books *Activating Human Rights* (with Elizabeth Porter, 2006), *Activating Human Rights Education: Innovation, Exploration, Transformation* (with Christopher Newell, 2008), and *Activating Human Rights and Peace: Theories, Practices, Contexts* (with Bee Chen Goh and Rob Garbutt, 2012). His most recent co-authored book, *Inside Australian Culture: Legacies of Enlightenment Values* (with Kerruish, Garbutt, Wessell and Pavlovic, 2015) is a collaboration with eminent Indian cultural theorist and analyst Ashis Nandy.

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SPEAKER

Professor Amanda Nettelbeck FAHA

UNIVERSITY OF ADELAIDE

Humanitarianism, violence and colonial legacies

Rights discourse has a particular kind of racialized history in nineteenth-century humanitarian campaigns, directed towards delivering 'justice' and 'rights' to indigenous peoples who were suffering the violence of dispossession and exploitation in the Anglo settler world. But in so far as calls for humanitarian intervention were implicated in the continuing needs of colonial governance, nineteenth-century humanitarian discourse was always ambivalently entangled in the business of colonialism, implicated in the justification of violence even as it sought to mitigate it.

This presentation explores the ambivalent nature of nineteenth-century humanitarian discourse as something that sought both to ameliorate colonial violence and to perpetuate the institutional conditions under which it took place. It considers some of the ways in which this ambivalence is still visible today, as former settler nations grapple with the problem of how to acknowledge and overcome the inequalities that are the enduring legacies of colonial histories. What role does the humanities have in bringing focus to this question, and in doing the work of what Paulette Regan calls 'unsettling the settler within'?

Amanda Nettelbeck is Professor in the Department of History at the University of Adelaide and a Fellow of the Australian Academy of the Humanities. She has published widely on the history and memory of colonial violence and the legal governance of indigenous people. Her most recent co-authored book (with Russell Smandych, Louis Knafila and Robert Foster) is *Fragile Settlements: Aboriginal peoples, law and resistance in southwest Australia and prairie Canada* (UBC Press, 2016).

The University of Western Australia is hosting Amanda's participation at this year's Symposium.

SPEAKER

Professor John Erni FHKAH

HONG KONG BAPTIST UNIVERSITY

Human Rights and the Politics of the "Included-outs"

There has been much discussion of new forms of world sovereignty postulated on interconnectivity. To what aspects of new sovereignty can human rights and humanitarian discourse still exert influence? If we start by acknowledging that the human rights regime has always been a mixed blessing for global politics, then how might we apprehend the balance point that tips human rights from being a global moral-juridical force aimed at human emancipation, to being a platform complicit with powerful states to launch their pursuit of war and capital exploitation, resulting in large-scale miseries of refugee displacements? To put it concisely, what is the relationship between human rights and the politics of Empire?

In this talk, I want to think some more on the figure of the "included-outs," which I proposed in an essay published in 2015. In this extension, I want to attempt to bridge the notion of the included-out with the notion of "refuge" as enshrined in human rights discourse. The term "included-out" refers a form of existence and even of modern identity per se as produced out of the vast condition of what might be called "im/mobility on the periphery." I want to suggest that because its very nature is that of indistinction (between inclusion and exclusion), this category of the "included-out" can be useful for reassessing the politics of negotiating "refuge." Theorizing refuge – when taken as an aspiration, as moral-juridical protection afforded by human rights, and as spatial politics and spatial rights in city edges where refugees and other displaced populations move around – can have implications for understanding new modes of identity that grow out of peripheral im/mobility.

John Nguyet Erni is Fung Hon Chu Endowed Chair Professor in Humanities and Head of the Department of Humanities & Creative Writing at Hong Kong Baptist University. He was elected President of the Hong Kong Academy of the Humanities (2017-18). A former recipient of the Rockefeller and Annenberg research fellowships, and many other awards and grants, John's wide-ranging work includes international and Asia-based cultural studies, human rights legal criticism, Chinese consumption of transnational culture, gender and sexuality in media culture, youth consumption culture in Hong Kong and Asia, and critical public health. He is the author or editor of 10 books, most recently *Visuality, Emotions, and Minority Culture: Feeling Ethnic* (2017, Springer); *(In)visible Colors: Images of Non-Chinese in Hong Kong Cinema – A Filmography, 1970s – 2010s* (with Louis Ho, Cinezin Press, 2016); *Understanding South Asian Minorities in Hong Kong* (with Lisa Leung, HKUP, 2014). Currently, he is completing a book project on the legal modernity of rights.

Curtin University is hosting John's participation at this year's Symposium

Dr Yirga Woldeyes

CURTIN UNIVERSITY

Protecting and Negating Lives: The Janus face of human rights and humanitarian discourse in Australia

The discourses of human rights and humanitarianism have contributed to the consideration of nation states as moral agents who would act to protect endangered lives within and beyond their territories. They have also contributed to the emergence of images of victimhood and dependence that enable groups and citizens to develop political attitudes towards humanitarian efforts within and outside their countries. While the positive contributions of human rights and humanitarianism are well known, little emphasis has been given to the various ways through which these discourses are used to negate the flourishing of lives they sought to protect. States use human rights discourses to cast some people as human and others as not, while simultaneously justifying their own human rights abuses.

This paper critically compares the positive and negative effects of human rights and humanitarian discourses on the lives of refugees before and after their resettlement in Australia. The creation of mechanisms through which human beings are subjected to verify their humanness, such as citizenship tests and value exams, is a typical case in point. For refugees who go through this system, the effect of having to prove one's right to human rights results in a lack of agency and a sense of alienation. The paper argues that although human rights and humanitarian discourses contribute to the protection of lives from physical violence, a critical and multidisciplinary approach should be strengthened to challenge the very mechanisms through which these discourses are used to deny the humanity of others.

Yirga Gelaw Woldeyes is a researcher and lecturer at the Centre for Human Rights Education, Curtin University, Australia. Yirga taught law and worked with grassroots organisations in Ethiopia before completing his Doctorate in Australia. Yirga's research focuses on the critical study of development, education and law, and the importance of lived experience and epistemic diversity for sustainable futures. His teaching practice is informed by his research on how to teach human rights from the perspective of diverse cultures and religions. He also researches African experiences and Ethiopian traditions, and writes creatively on belonging and diasporic lives.

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