

Overview: Human Rights, Gender Politics, and Postmodern Discourses

Editors

THREE THEMES STAND OUT IN THIS ISSUE OF *SOCIAL JUSTICE*. THE FIRST IS HUMAN rights violations as they apply within the U.S., in NATO's war in Kosovo, in Tibet, and *vis à vis* girl children and young women worldwide. The second centers on the contest over gender issues in social policy: the Christian Right's use of bible devotionals to promote an agenda that opposes women's reproductive rights, women's entry into the work force, and women's alternative lifestyle arrangements; the criminalization of mothers (mostly African American) for drug use; and legislative approaches to controlling hate crimes and reducing the incidence of certain male sex crimes by chemical castration. The final contributions expand on postmodern and chaos-theory research as it applies to conflict resolution and the confinement of the mentally ill.

A *Social Justice* commentary examines the logic behind NATO's "humanitarian intervention" in Kosovo, which failed in terms of preventing a humanitarian disaster, but not in terms of reducing Yugoslavia's military and industrial capacities to rubble and reinvigorating the U.S. military-industrial complex. This war set troubling precedents by enlisting human rights organizations and traditionally pacifist or antimilitarist parties and organizations in support of a policy of military intervention, and by imperiling crucial arms control agreements through the nondefensive use of an expanded NATO. Rhetoric promoting the war effort asserted a "moral imperative" to defend human rights over sovereignty. Yet human rights abuses in the U.S. itself, revealed in an Amnesty International inquiry, deny to U.S. policymakers any claim to the moral high ground. In "International Human Rights in the U.S.: A Critique," Rita Maran examines Amnesty International's (AI) campaign on the United States, which takes aim at the deep-seated, widespread pattern of human rights violations in the U.S.: police brutality and the prison system's widespread pattern of physical and sexual violence, as well as the racially biased and arbitrary application of the death penalty. Maran, who served as Human Rights Analyst in Bosnia for the Organization for Security and Cooperation in Europe in 1997 and 1998, also outlines the salient human rights mechanisms and procedures of the United Nations system as they relate to AI and to the United States, as well as the pertinent U.S. human rights policies, practices, and formal obligations.

In "Tibetan Self-Determination and Human Rights," Aaron Dhir interviews Eva Herzer, the president of the International Committee for Lawyers for Tibet. Herzer frankly assesses why China is roundly condemned for human rights violations and yet

not a single government in the world recognizes Tibet as a country entitled to independence. She also discusses how population control policies implemented by the Chinese in Tibet fall within the Genocide Convention. Nevertheless, the interview stresses the importance of expanding trade and other relationships with China. In “United Nations and the Problem of Women and Children Abuse in Third World Nations,” Saliwe Kawewe and Robert Dibie argue that governments, the U.N., NGOs, parents, and human services professionals have failed to significantly curb the cruelty to children, especially the girl child and young women, practiced worldwide. Despite efforts by the United Nations, child neglect and abuse persist internationally under the rubric of cultural and religious freedom. The authors propose ways to strengthen nationally defined goals for eradicating such abuse.

In the “Gender and Social Policy” section, Hedy Red Dexter’s “Bible Devotionals Justify Traditional Gender Roles: A Political Agenda That Affects Social Policy” takes seriously efforts by conservative Christian groups like Focus on the Family, the Christian Coalition, and the Promise Keepers that use grass-roots politics to recruit families in support of traditional, “profamily” methods that sanction a traditional (male dominated) division of labor through their ministries, radio, publications, tapes, films, and bibles. Dexter takes to task the contention of such groups that they lack a political agenda and reveals the social policies embedded in their primary documents and lobbying efforts. In “The Wrong Race, Committing Crime, Doing Drugs, and Maladjusted for Motherhood: The Nation’s Fury over ‘Crack Babies’ — Putting Black Women on Trial,” Enid Logan discusses prenatal substance abuse, focusing on women addicted to crack and their children. She illustrates that the social, legal, and political trends that comprise the nation’s response to this problem were largely inspired by racial, gendered, and socioeconomic imperatives, rather than by the blind hand of justice. Stigmatizing and punishing poor drug-addicted black women, she argues, is useful not for preventing fetal harm, but for defending normative standards of gender and motherhood, the resuscitation of public innocence concerning the plight of the black poor, and the legitimization of a status quo characterized by continuing oppression and inequality. If the real imperatives driving the criminal prosecution of crack-addicted mothers were reflected upon, policymakers might begin to devise programs that empower pregnant addicts and allow them to be good mothers to their children.

Christopher Meisenkothen’s “Chemical Castration — Breaking the Cycle of Paraphiliac Recidivism” takes a look at recent legislation that mandates chemical castration as a condition of parole for repeat sex offenders and the discretionary chemical castration of paroled one-time sex offenders. This idea may shock and surprise some, yet the approach (which affects only males), when combined with psychological therapy, could offer a constitutionally novel alternative for treating and effectively rehabilitating paraphiliac offenders, while easing the burden on already over-taxed prison resources. In “Bias Crime as Gendered Behavior,” Jana L. Bufkin analyzes data on bias crimes committed against women, the homeless, those with

disabilities, gay men and lesbians or bisexuals, religious and racial and ethnic minorities, as well as advocates for members of those groups. She suggests that bias offending is undertaken for the purpose of accomplishing a specific form of hegemonic masculinity that can best be analyzed within the framework of structured action theory.

In the “Postmodern Discourses” section, Bruce Arrigo and Christopher R. Williams examine the vitality of Michel Foucault’s social control thesis in light of contemporary mental health and hospital law, with special emphasis on the psychiatric institution and the system of confinement for the mentally ill, in their “Chaos Theory and the Social Control Thesis: A Post-Foucauldian Analysis of Mental Illness and Involuntary Civil Confinement.” The authors investigate the criteria of mental illness and dangerousness in relation to involuntary civil commitment determinations and seek to demonstrate how chaos theory enhances our understanding of the social control thesis and its implications for medical justice. As their title, “Conflict Mediation and the Postmodern: Chaos, Catastrophe, and Psychoanalytic Semiotics,” indicates, Robert Carl Schehr and Dragan Milovanovic seek to integrate new scientific approaches into contemporary conflict intervention strategies. The authors critique the dominant conflict resolution models and propose the development of regional conflict management centers. They stress the need to accept the postmodern precept that conflict and instability are normative aspects of social systems and that we must cultivate ways of building complex understandings at the phenomenal, group, and national levels.

In “Reflections on Postmodernity: *Streetlife China*,” Arif Dirlik describes author Michael Dutton as the most gifted China analyst working today with poststructuralist methods and concepts. Dutton’s first book, *Policing and Punishment in China*, used Foucault’s framework to offer a historical analysis of community and surveillance in China. The current work contains a section on human rights abuses in China, with a focus less on heroic dissident voices being suppressed than on the desultory practices of the hooligans, pimps, prostitutes, and unemployed being extinguished. The final two contributions in this issue are also reviews. Anthony M. Platt looks at four new books on prisons, race, and crime; and Norma Stoltz Chincilla considers Edward McCaughan’s *Reinventing Revolution: The Renovation of Left Discourse in Cuba and Mexico* to be a masterful contribution to the study of Latin American social movements and political thought, as well as to contemporary intellectual history.

Taken together, these essays seek alternate approaches to unresolved social conflicts or unfulfilled human rights obligations. Although some ideas are admittedly speculative, we hope to encourage thinking that will genuinely promote social justice. Such efforts may help to restore mediation and diplomacy, not “humanitarian war” and defense build-ups, to their rightful place in addressing regional conflicts and human rights abuses, or correct the imbalance between education and prison construction locally.