

BRANDEIS UNIVERSITY
**HUMAN RIGHTS
PAPER TOPIC I**

FALL 2013

**Would You Intervene
in Amazonia?**

“Yes” or “No?”

If so, why? If not, why not?

On what grounds? For what good reason?

Drawing on the reading and your own considered opinion and good judgment, answer the question(s) on the following pages. In arguing for your position, think of the arguments that might be made against it, and respond to them. In defending your position, offer what you believe are the most principled arguments you can make.

In thinking of objections to your argument, think of the best possible objections that someone on the other side might be able to come up with, i. e., give yourself a hard time. If you can respond to the other side at its strongest rather than at its weakest point, that can only help to strengthen your own opinion and make it that much more persuasive.

Papers should be double-spaced and between 5 and 6 pages in length, but may be longer if you believe it is absolutely necessary and you have some good reason.

Please number pages.

We would like to have two copies of your paper, one marked COPY ONE, the other COPY TWO.

And papers should be stapled, not held together by paper clip, glue, gum, spit or Origami fold.

Papers are due, at the start of class, on TUESDAY, October the 22nd.

HUMAN RIGHTS PAPER TOPIC I

Imagine that you are on a visit to Washington, D. C. Imagine you decide to go to the Holocaust Museum. You need coffee, and you head for the Museum Cafe. Just as you enter you notice someone who looks a lot like President Obama. You inch a little closer and realize it is Obama and you say to yourself: "Wow, President Obama!"

Imagine, too, that he is sitting with three others, two men and a woman. You do not immediately recognize them but before you can figure out who the other three are, you notice President Obama is waving in your direction. You think to yourself, "surely he must be waving to someone else." You look over your shoulder. There is no one behind you.

You turn back, you notice that Obama is pointing directly at you as if to say "you, yes, you" and you find yourself pointing to yourself as if to say "me, you mean me?" and Obama waves again and gestures in a way that suggests he wants you to come over and join him at his table.

Again you say to yourself, "wow, Obama." And you think, "who is going to believe this?" and wish you had not left your camera back at the hotel.

You approach in a deferential manner and Obama says your name, pronounces it correctly, indeed he gets it exactly right, and says "I'd like to introduce you to Samantha Power, our Representative at the UN and John Kerry, my new Secretary of State and Chuck Hagel, whom you probably know, my new Secretary of Defense."

You look at Kerry and think: "wow, he's tall."

You think, perhaps, you should pinch yourself because you believe you must be dreaming. But you decide not to. Pinching oneself in the Museum Cafe next to Obama would look ridiculous, absolutely, totally, completely ridiculous. So you decide not to.

Instead, you extend your hand and shake hands with Samantha Power, John Kerry and Chuck Hagel, all of whom have stood up and think to yourself, looking up at Kerry, "he really *is* tall."

And you think: "my name, he knows my name. Obama knows my name."

You reach out to shake his hand, but Obama has sat down again and continues to talk without missing a beat: "the FBI tells us you are taking a course at Brandeis on Human Rights."

"Well, um, ah, yes," you say, but think to yourself, "the FBI? The FBI knows about the Human Rights class?"

Obama continues, "we believe you have been doing some reading in this Human Rights class about just and unjust wars. We're told you have given some thought to the justice of war and justice in war."

"We have a question for you. We think you might be able to help."

There is a brief silence.

Obama continues, "that's right, no? I have that right, no? You're taking a course on Human Rights?"

"Well, yes," you say, "well, yes, I suppose. I'm a little behind. But I can catch up."

"Well, we," Obama says, gesturing in the direction of his colleagues around the table, "we have a problem."

"Should we intervene in Amazonia?"

"Amazonia?" you think to yourself.

Obama looks at Kerry and then at Power and then at Hagel and then back at you and pulls the chair next to him closer to the table and pats it, pats the seat, as if to say "sit down." You have been standing.

Once you're seated, Obama leans forward, looks quickly left, then right and asks - in a voice just above a whisper - "we'd like your advice; we'd like to know what you think, if you think we should go in, if we," gesturing to himself, Kerry, Power and Hagel, "if we should intervene, in Amazonia."

Your mind racing, you cannot think of anything to say.

Obama: "What do you think?"

"Well," you say.

"Yes," Obama says, pulling his chair even closer.

"Well," you say. Suddenly you wish you had not come to Washington for the weekend.

There is a brief silence.

"We would like to know." Obama continues, "if we should intervene with or without UN approval, unilaterally or with a coalition of states. And if we did, would we be justified in doing so?"

You wish you had had a cup of coffee before you saw Obama. Then you might be a little more awake for this.

You take a deep breath and say, pointing to yourself, "me, you're asking me? You want to know, you want to know, you, the President of the United States, you and Samantha Power, the US Ambassador to the UN, and Secretary of State John Kerry and Chuck Hagel, the Secretary of Defense, you, all of you, want to know what *I* think? You want my advice?"

You take another deep breath.

"Yes," Obama says, leaning back in his chair and folding his arms, "yes, we'd like to know. If we intervene, would we be justified?"

"Yes," Samantha Power says, "would we?"

"Yes," Hagel says.

"We'd like to know," Kerry says.

You do your best to collect your thoughts.

"Might I have a little background?" you ask. "Do you or does anyone happen to have a White Paper or something on Amazonia?"

You have not been following the news.

"Amazonia?" you think to yourself. "is that even a country? What's going on there?"

"O.k., a little background, we can give you a little background. but we don't have all day," Obama says. He then turns to Samantha Power and asks "is Susan here?"

"Where's Susan? She said she'd be right back." And then spotting someone who has just come into the cafe, he calls out "Susan" and gestures for her to come over to the table.

"This is Susan Rice, my National Security Advisor."

He introduces you to her and her to you.

"Susan," the President says, "_____ [your name] (fill in the blank) needs some background.."

He then signals to the others to get up and they go to another table across the room.

"Five minutes," Obama says, as they depart, "five minutes, tops."

Susan Rice sits down with you at the table and takes out a sheaf of papers from her briefcase.

"Wow," you say to yourself, not feeling very articulate, "wow, Susan Rice."

Rice begins immediately: "As you know, an anthropological expedition, operating in remote and seldom visited regions in South America inside Amazonia, has

discovered that immense coffee plantations in the North-Western area are being worked by tens of thousands of Indians held in what amounts to a state of slavery.

We have information that these practices are apparently well known to the Amazonian Government, several of whose key officials own plantations in the region themselves.

Amazonia, as you know, is neither a member of the United Nations nor a party to any international human rights treaties, protocols or conventions.

France, Denmark and Britain introduced a resolution in the U. N. General Assembly requesting that the appropriate U. N. organs immediately establish a committee to conduct an on-the-spot investigation in Amazonia to see whether these practices are (indeed) taking place. As you may know from press reports, Amazonia sent a communication to the United Nations indicating that it had no intention of permitting such a fact-finding commission from entering its territory, and that it regarded the U. N. consideration of this question to be an interference in its own internal affairs.

A variety of independent reports have now been published - you may be aware of them - in newspapers and on the internet - making it evident that slavery is indeed present in Amazonia and practiced on a large scale.

It has also been discovered that those taken into slavery all come from three groups of indigenous peoples living in the region. Evidence reveals that after the adult members from these three tribes are taken into custody, their houses are destroyed and lands scorched, The adults are separated from their children who are then transported to and put up for adoption in areas far outside their home communities, We have also learned that all articles of cultural significance, artwork and artifacts, that belonging to the indigenous peoples of the these three tribes in Amazonia are taken, dumped into large sand pits and covered over with stones and earth.

Britain, Denmark, and France have withdrawn their resolution calling for an investigation and have now substituted it for a stronger one "condemning the state of Amazonia for its disregard of human rights of its people by permitting the universally condemned practices of slavery and ethnic cleansing to persist within its territory" recommending that all states "take appropriate action through suspension of diplomatic relations and through economic sanctions to persuade the Government of Amazonia to stop this reprehensible practice."

Susan Rice is reading fast, very fast.

The resolution further states that if the Amazonian Government fails to respond within a year by taking steps to dismantle their system of slavery and abandon their practice of ethnic cleansing, a system whose form and continuation, we have recently learned, depends upon legislation adopted by the Amazonian Assembly, military intervention to alleviate the plight of the victims of the Amazonian system of slavery and ethnic cleansing would not be foreclosed.

The resolution also states that such intervention, while not ruled out, would be a means of last resort. It calls such intervention "humanitarian intervention" and

explains that "it is characteristic of such intervention that it does not aim at conquest."

As clearly stated in the resolution Amazonia shall remain independent; and in order to guard against the temptation of self-serving action by any one state, it calls for a "united front" of several states to join together in the carrying out of this action.

The Government of Amazonia has sent a communication to the Secretary General of the United Nations stating, in no uncertain terms, that this whole subject is a matter of its own domestic jurisdiction, and that it considers the U. N. resolution to be a violation of its, Amazonia's, right to self-determination.

The communication further states that the U. N. resolution violates the United Nations' own principles, pointing out that in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (adopted by the General Assembly in 1970) the principle is put forward that "no State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State."

Consequently, "armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law" and this principle, this Principle of Non-Intervention exists among all States, whether they are members of the U. N. or not.

As you perhaps know, former President Jimmy Carter has held a press conference at his home in Georgia, urging the Obama administration not to back down, saying that the United States with its own past legacy of slavery has a special responsibility to bring about an end to the enslavement of peoples everywhere, reminding President Obama of his remarks on Human Rights Day several years ago when he said:

"The United States was founded on the idea that all people are endowed with inalienable rights, and that principle has allowed us to work to perfect our union at home while standing as a beacon of hope to the world. Today, that principle is embodied in agreements Americans helped forge -- the Universal Declaration of Human Rights, the Geneva Conventions, and treaties against torture and genocide -- and it unites us with people from every country and culture.

""When the United States stands up for human rights, by example at home and by effort abroad, we align ourselves with men and women around the world who struggle for the right to speak their minds, to choose their leaders, and to be treated with dignity and respect. We also strengthen our security and well being, because the abuse of human rights can feed many of the global dangers that we confront -- from armed conflict and humanitarian crises, to corruption and the spread of ideologies that promote hatred and violence.

""So on this Human Rights Day, let us rededicate ourselves to the advancement of human rights and freedoms for all, and pledge always to live by the ideals we promote to the world."

Carter also announced his plans to visit Amazonia soon, saying he had an invitation from a former U. S. Ambassador to Amazonia who now calls Amazonia his home having retired there some years ago.

An editorial appeared in the leading newspaper in the capital city of Amazonia, condemning Jimmy Carter's press conference as "meddlesome," saying he is not welcome in Amazonia and adding that "no country had to intervene to bring about an end to slavery in the United States and although the American Civil War was a bloody affair, the United States took care of its own business" and the United States should leave Amazonia alone and let it "take care of its business in its own way." The editorial concludes with a reminder to its readership that "Amazonia is not a member of the U. N."

A group of concerned American citizens took out a full page ad in *The New York Times* wherein they state, among other things, that "the U. N. resolution is an arrogant attempt by several Western European nations to impose their peculiar values and practices on another culture with different experiences and traditions." And in a direct reference to former President Jimmy Carter's remarks, the ad asks, somewhat rhetorically, "What right does the United States with its own experience of slavery have to set itself up as a model, to be so righteous?"

The ad further notes that the only reason that countries like Britain, Denmark and France introduced the U. N. resolution was because major corporations from these countries hope to expand into the markets that would be opened up by the dismantling of slavery in Amazonia. The ad ends with a reference to the "great American tradition of toleration, noting that "all Americans know the value of respecting differences and diversity," labeling the U. N. resolution "an all too thinly, disguised form of cultural expansion, indeed a form, of 'moral imperialism.'"

Susan Rice looks up from her notes:

My colleagues and I have established that all steps laid out in the U. N. Resolution short of intervention have now been exhausted.

You have been talking with them, no? Perhaps they explained all this to you. We are 100% certain that the U. N. itself will not intervene. We have polled the numbers. Indeed a new resolution has been introduced in the Security Council blocking intervention, declaring such intervention to be in violation of the U. N.'s own Charter, in particular Article 2(4) that declares in part:

All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State.

Nonetheless, Britain, France and Denmark have announced that they will forcefully intervene in Amazonia to put an end to "the widespread and grave violations of the fundamental human rights of individuals that are taken place within the borders of that country."

The announcement repeats that military action is now being taken as a "last resort" and that it does not "aim at conquest." The coalition of three states (Britain, France

and Denmark) further declares that the plan is to “go in, liberate those who are subjected to enslavement from slavery and get out.” For those individuals who fear for their lives, once liberated, the coalition has made arrangements with other states, among them, Canada and Norway, to provide a “safe haven” for those who to seek asylum outside the borders of Amazonia.”

Susan Rice grasps her sheath of papers, taps them against the table and deposits them back into her briefcase. As she does so, you notice, on the cover of the file in which the papers are kept the word “**CLASSIFIED**” in big bold block letters.

“So,” says Rice, “there you have it.”

She waves to President Obama, gets up and leaves the cafe. As she is leaving, President Obama, Samantha Power, John Kerry and Chuck Hagel come back to the table and sit down.

President Obama places his elbows on the table, clasps his hands together, in that characteristic way of his, looks you in the eye and says “well, well, what do you think?”

“Do we intervene or don't we? If so, why? On what grounds? For what reasons? Is humanitarian intervention in Amazonia justified? Yes or no? On what basis?”

You notice your palms are beginning to sweat.

“Now?” you say, “you want an answer now?”

You gulp.

“I may need a little time.”

“How about October, the 22nd?” Obama says, “what do you say we meet you back here on October the 22nd? Same time: 12:30 PM. Same place: The Holocaust Museum Cafe.”

“O.K.” you say, “o.k.,” suddenly feeling as if you might be coming down with something. You feel your glands. They appear to be a little swollen.

President Obama gets up from his chair. Power, Kerry and Hagel also get up. They look down at you. You notice they are looking at you. You look up at them.

“My,” you think to yourself, “Kerry is tall!”

You get up.

Chuck Hagel shakes your hand, then Kerry, then Power.

Obama pats you on the shoulder.

“The 22nd then,” Obama says, smiling and moving towards the door of the Cafe.

When he reaches the doorway, he stops, turns around and points his right forefinger at you. "Tuesday," he says pointing directly at you, "Tuesday, the 22nd, at 12:30 PM."

You wave.

You look at your feet and up again, and when you do, Obama, Kerry, Power and Hagel are gone.

You sit down.

"What a bunch," you say to yourself.

You realize you have work to do.

Some reading too.

"There's time," you say to yourself, trying to look on the bright side of things, "there's still time, no need to panic."

You look at your wrist, even though you do not wear a watch.

"It won't be all that difficult," you say yourself, "all I need to do is make an argument for intervening, for intervening in Amazonia and justify it. That shouldn't be too hard. All I need to do is make a case for or against intervening, think of several powerful objections, and respond to them, answer the question if the United States were to intervene, either unilaterally or as a member of a coalition of states, with or without UN approval, would such an intervention be justified?"

You remember Obama's having given you a pat on the shoulder and you think to yourself "that shows he has confidence in me" and you think, if Obama has confidence in you, why shouldn't you have, at least, a little confidence too? Still, to be on the safe side, you decide to wish yourself "good luck" as you are leaving the Museum and you say, a little too loudly perhaps . . .

"GOOD LUCK!"

and people look up.