Brandeis International Fellowships in Human Rights, Intervention, and International Law

The Center is soliciting applications for the Brandeis International Fellowships in Human Rights, Intervention, and International Law. The program convenes scholars, educators, activists, and judges from around the world to develop a framework for reflective practice in international courts on issues of human rights and intervention. Ten Fellows will be selected from a broad range of professional groups including: judges, former judges or legal professionals with international experience; practitioners and theorists working in reconciliation or conflict resolution; human rights activists; diplomats or military officers with experience in intervention; and scholars with expertise in the humanities or law. Fellows will attend three one-week institutes at Brandeis University in November 2001, June 2002, and April 2003 to develop a methodology for orienting new international judges to areas of human rights and intervention. Fellows will also produce projects, such as scholarly articles or teaching modules for judges.

During the first institute, Fellows will draw on one another’s expertise to establish a common basis of knowledge, formulate an overview of the international judicial arena, and identify leading questions in human rights law and activism. They will also engage in humanities-based reflection on ethics, values, and professional practice and will consider the current state of judicial education. These discussions will frame the issues and identify key lacunae in thought and practice in the field. Fellows will begin work on their projects following the first institute.

The second institute will focus on the discussion of the Fellows’ original work to strengthen projects and inform subsequent revisions, and will coincide with a weeklong judicial education pilot program for 12-16 international judges to examine key issues related to their role and status. Fellows will participate in aspects of this program and may lead selected sessions. Fellows will prepare their projects for publication after the second institute.

During the third institute, Fellows will create an implementation plan for the ideas generated during the institutes. The content and structure of the educational

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New Visiting Scholar from China

Dr. Wei Zonglei is a Visiting Scholar at Brandeis University on a fellowship supported by the Ford Foundation. He is a research scholar at the China Institute of Contemporary International Relations, a Beijing-based, fully government-funded Chinese governmental research institute directly under the State Council of China. The CICIR was established in 1982 as the first Chinese institute on international studies opening exchanges with foreign think tanks, universities, and governmental/non-governmental institutions on international affairs. Wei Zonglei’s topic of study is Western Humanitarian Intervention: Implications for Chinese Interests.

News

In February, Cynthia Cohen, director of the Brandeis Initiative in Intercommunal Coexistence, spoke to students at the Rhode Island School of Design on the role of the arts and aesthetic processes in educational work associated with reconciliation and coexistence. Mary Davis, academic director of Brandeis Seminars in Humanities and the Professions, delivered a keynote address at a three-day conference in January on Juvenile Delinquency and the Courts in San Diego. Mark Robison, senior program officer for the Center, participated in two conferences at Yale University and a conference at Oxford University during December and February. He presented three papers on the history of the British Empire in the 18th century with a particular focus on intercultural relations.
2001 Ethics and Coexistence Student Fellows

The 2001 Student Fellows will be completing their summer internships with the following organizations. These placements are tentative.

- Aliya Caler '02
  Gender Advocacy Programme: Cape Town, South Africa
- Maryanne Cullinan '02
  The Corrymeela Community: Ballycastle, Northern Ireland
- Anna Jaffe-Desnick '02
  Gender Advocacy Programme: Cape Town, South Africa
- Jennifer Lewey '02
  Sewa Lanka Foundation: Colombo, Sri Lanka
- Yaser Robles '03
  Ikamva Labantu: Cape Town, South Africa
- Daniel Weinstein '02
  (to be determined) Jerusalem, Israel

Fellows receive round-trip travel and accommodations for all three institutes and a $2,500 stipend to support their projects. Applications are due no later than June 1, 2001, will be accepted by mail, FAX, or email, and must include a personal statement, résumé, and two supporting letters of recommendation. Candidates will be notified by July 1, 2001. For more information visit the Center online at www.brandeis.edu/ethics or call 781-736-8577. The Brandeis International Fellowships are funded by the Rice Family Foundation.

Brandeis Seminars in the Humanities and Professions

The State Justice Institute has just renewed its generous grant to the Brandeis Seminars in the amount of nearly $40,000, the same amount it had allocated for programs in juvenile justice in 1999-2000. The previously funded 18-month grant, “Juvenile Justice at Crossroads: Literature-Based Seminars for Judges, Court Personnel and Community Leaders” enabled us to create and implement seven day-long seminars under the aegis of the Center and in conjunction with the Massachusetts State Judicial Institute. This continuation grant for the period from July 2001 through June 2001 will allow Dr. Mary E. Davis, academic director of the Brandeis Seminars, and Marilyn J. Wellington, judicial educator of the Massachusetts State Judicial Institute, to extend and expand their important work with various constituencies in the field of juvenile justice.

Dr. Mary E. Davis

Through the Brandeis Seminars this new grant will explore vital issues including those of young female offenders, racial and socio-economic disparities among juveniles, and community involvement for crime prevention and offender reintegration. Our aspiration is to impel participants toward pragmatic solutions to problems confronting those who work in diverse areas of juvenile justice – courts, clinics, schools, agencies, police, and community groups.
Over the February break, eight Brandeis students and three recent alumni spent four days on retreat in western Massachusetts exploring the contemporary situation in the Middle East and planning on how they can act publicly to work towards peace and coexistence. The participants were principally Arab and Jewish students from Israel and Jordan, many of whom are at Brandeis on Slifka “coexistence” scholarships. The retreat, funded by Morton Meyerson of Texas and organized as part of the Brandeis Initiative on Intercommunal Coexistence, exemplifies the ways that Brandeis students are combining personal experience, intellectual engagement, and reflective dialogue to make a public impact on issues of international importance.

Participating students and alumni included: Judah Ariel ’04, Taher Baderkhan ’03, Michael Bavly ’00, Yoav Borowitz ’00, Forsan Hussein ’00, Maisa Khshaibon ’03, Daniel Langenthal (Heller/Hornstein), Zein Nasif ’03, Marina Pevzner ’04, Munther Samawi ’04, and Waseem Yahya ’03.

Retreat leaders were Center staff members Cynthia Cohen and Dan Terris, Gordie Fellman of Brandeis’ sociology department, and Palestinian-Israeli coexistence facilitator Farhat Agbaria.

Snapshots from the Middle East Retreat: (clockwise from upper right) Yoav Borowitz and Forsan Hussein; Marina Pevzner and Zein Nasif; Gordie Fellman and Farhat Agbaria; Munther Samawi, Judah Ariel, and Waseem Yahya; Maisa Khshaibon and Cindy Cohen.
The Center Welcomes New Staff Member

**Mark Power Robison** joins the Center as senior program officer, working on several projects including the Brandeis International Fellows program. Mark came to Brandeis in 1998 as executive assistant to the Provost and to the Dean of Arts and Sciences. His new position splits his time between the Center and the Office of the Provost, where he coordinates the Consilience Seminar, a program that engages faculty members in discussions on interdisciplinary teaching and research. Mark recently earned his Ph.D. in history from the University of Colorado and he continues to teach in the American Studies department at Brandeis. In addition to his work as a historian, Mark is involved in several international initiatives focused on globalization and higher education.

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For details on upcoming and recent events visit the Center online at [www.brandeis.edu/ethics](http://www.brandeis.edu/ethics)

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### Selected Highlights of Fall and Winter 2000-01 Events

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<td>“Global Feminism” with Brandeis International Fellows Galia Golan ’60 from Israel and Cheryl de la Rey from South Africa</td>
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<td>Oct. 17</td>
<td>“Racial Knots and How to Untie Them,” with Dr. Beth Roy ’61, author</td>
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<td>Oct. 19</td>
<td>“Globalization and Militarization in Chiapas, Mexico” featuring Manuel Hernandez Aguilar, indigenous leader</td>
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<td>Oct. 23</td>
<td>“Thinking Globally and Acting Locally: What does Hawaiian Gardens, CA have in common with Jerusalem?” by Tamara Beliak ’00</td>
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<td>Oct. 25</td>
<td>“Justice Against All Odds,” a talk by Pedro Canil Gonzalez, community leader from Guatemala</td>
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<td>Dec. 3-15</td>
<td>“Reconstructing Kosovo,” a documentary photography/text exhibit on war, reconstruction and reconciliation in Kosovo, produced by Friends of Bosnia</td>
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<td>Jan. 29 – Feb. 2</td>
<td>“Faces of Work at Brandeis: An Exhibition of Images and Stories” honoring the often unseen workers at Brandeis</td>
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<td>Jan. 30</td>
<td>“Should We Design our Descendants?” with Art Caplan ’71, director of the Center for Bioethics at the University of Pennsylvania</td>
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<td>Feb. 7</td>
<td>“A Conversation with Ruth Messinger,” president of American Jewish World Service</td>
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<td>Feb. 16</td>
<td>“The Current Situation in the Middle East: Two Views” featuring Wendi Orange, Jewish American writer and therapist, and Farhat Agbaria, Palestinian Israeli coexistence facilitator</td>
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Pete Seeger and Jane Sapp in Residence at Brandeis University: Building Community through Songs of Social Justice

Sponsored by the Campus Coexistence Leadership Team, a project of the Brandeis Initiative in Intercommunal Coexistence.

“Building Community through Songs of Social Justice” Pete Seeger and Jane Sapp performed in concert to a sold-out crowd at Brandeis University’s Spingold Theatre on Monday, January 29th, 2001.

Students raised a host of questions during a lunchtime forum, allowing Jane and Pete to share their own stories as well as offer advice for this generation.

Student Conversation with Pete Seeger and Jane Sapp
During the concert, members of the Junior Class Forum joined Pete Seeger and Jane Sapp on stage. Together they performed a song written by the Junior Class Forum and Jane Sapp during a series of song writing workshops. The following student groups performed during the concert: Women of Faith, Songleaders of the Brandeis Reform Chavurah and Spur of the Moment.

Maureen Fessenden, Associate Vice President, Office of Human Resources and Employee Relations, and also a member of the Coexistence Leadership Team, spearheaded the event to celebrate the achievements of 15 staff members from throughout the university. Wendi Adelson, ’01, who interviewed participants, described the impact of knowing more about the people who work here at Brandeis: “Not all of the wisdom at this university is spoken by those who stand up in front of classrooms.”

The Brandeis Initiative in Intercommunal Coexistence is supported by the Alan B. Slifka Foundation.
Catholics, Jews, and the Prism of Conscience


The Brandeis symposium explored the troubling history of relations between Catholics and Jews and served as an opportunity to explore the issues facing any person who looks deeply and critically at abuses of power within his or her tradition. The event was divided into three sessions: Constantine’s Sword: The Historians’ Perspective, Between Catholics and Jews, and History as Refracted Conscience. The following are excerpts from an edited version of the proceedings, which will be available from the Center in spring 2001.

James Carroll

It is of ultimate importance to me as a practicing Catholic that my church has seriously undertaken the project of moral reckoning with this tragic past, beginning, especially, with the papacy of Pope John XXIII and more recently with the powerful personal witness of John Paul II. The current pope has done more to heal the breach between Christians and Jews, and in particular between Catholics and Jews, than any previous pope, and the work that I have done precisely as a Catholic is in response to the millennial call I heard from him.

The culmination of John Paul II’s witness was his historic act of repentance in 2000, coupled with his visit to Jerusalem and his reverencing of the Western Wall. This act symbolically reversed 2,000 years of Christian denigration of the Temple and Christian rejection of the right of Jews to be at home in Jerusalem and Israel.

Momentous as those acts were, however, it is necessary to see them as the beginning of something, not the end. This historic act of repentance is reflected in two Vatican statements: “We Remember” of 1998, and “Memory and Reconciliation” of 2000. That repentance was incomplete, in the first place because it was abstract. The Pope apologized, yes, but without saying what exactly he was apologizing for.

The historic act of repentance was incomplete, in the second place, because it omitted or even misrepresented key events in this history. In the Vatican’s memory of the Final Solution, for example, “many” Christians rescued Jews while “some others” participated in their destruction. In fact, as I once heard Eva Fleischner observe, the exact opposite is the case: some Christians were rescuers, but many were...
complicit in the Holocaust. Not content to defend the silence of Pius XII as the best his difficult situation would allow, “We Remember” turns the Pope into a hero of resistance on behalf of Jews, a dubious claim to say the least.

The historic act of repentance was incomplete, third, because the acknowledged defenses were attributed far too narrowly as private acts and exceptions. The result is that the real horror of Christian antisemitism, so public and so constant, has yet to be fully confronted.

Arthur Green
I agree with James Carroll that the Roman Catholic Church has to fully admit its responsibility. In theological language, that means confessing its sin. And it is the sin of the Church, the body of Christendom, with all the attraction to worldly power that carried it to greatness — it is the Church that needs to attest to its sin, not just the errant ways of some Christians who “distorted” or “failed to understand” the Church’s message of love.

At the same time, we Jews for too long reveled in the moral righteousness granted us by our victimhood. Any hint of talk about Jewish complicity in the nightmare of our history, any sense that Christian exclusivism, for example, had been inherited from our claims of unique chosenness as God’s only people, was dismissed as a cruel way of “blaming the victim.” But our collective re-entry into the world of power politics and our often powerful voice as citizens in democratic countries no longer allow us the luxury of this dismissal.

As we ask that Christians go farther than is comfortable in examining their history and attitudes in relation to us, we have some serious questions to ask of ourselves as well. The limiting of noble Biblical ethical proclamations to one’s fellow-Jew rather than extending them to all humanity, as found in not a few rabbinic commentaries, is unacceptable. The relative tolerance of halakhic authorities in the past for taking economic advantage of non-Jews, including governments, has to be re-examined and repudiated. The daily blessing that thanks God “for not having made me a gentile” is fully as worthy of rejection as the one in which we men are to thank God “for not having made me a woman,” all apologetics notwithstanding. The rabbis’ demonization of Esau, the supposed ancestor of Christendom, and of Balaam, the prophet of the non-Jews, speak ill of our tradition.

Dare we ask others to change and ourselves continue to speak, as we do in the weekly Havdalah service at the conclusion of the Sabbath, of a God who distinguishes “light from darkness, the holy from the profane, Israel from the nations?” When we ask ourselves the really hard question of the Holocaust — “Had we not been the victims, how many of us would have risked our lives and our children’s lives to save gypsies, or gays, or Catholics, for that matter?” — we do not have the nerve to even try to answer. The next question — “Would our Judaism have demanded of us that we do so?” — is also one that we cannot ignore.
Intervention and Prevention: The Lessons of Kosovo

On December 12, 2000, Brandeis hosted “Intervention and Prevention: The Lessons of Kosovo,” a roundtable discussion on the 1999 conflict in Kosovo and its implications for the future. The occasion for this forum was the release of the report by The Independent International Commission on Kosovo. The event was divided into three seminars: Military Intervention: Politics, Ethics, Law, and Public Opinion; The Status of Kosovo: Challenges to the Ideal of the Multi-Ethnic State; and Prevention and Intervention: Lessons for the Future. A publication of the proceedings will be forthcoming in 2001.

The following excerpts are from the session Military Intervention: Politics, Ethics, Law, and Public Opinion. Panelists discussed the conclusion, outlined in the report, that although NATO’s actions were illegal, they were politically and ethically justifiable.

Richard Goldstone
The Commission had no difficulty determining the legality of the intervention. It was absolutely illegal. It was contrary to international law and violated the United Nations Charter. However, we determined that the intervention was justified from a political and ethical point of view. The Commission used the term legitimate; however, I now believe justified is a more appropriate term. By legitimate we meant it was justified because of the ethical and political considerations regarding the occurrence of ethnic cleansing and the threats of ethnic cleansing of ethnic Albanians in Kosovo by the Milosevic regime.

The Commission carefully considered the wide gap between legality and ethical and political justification. The UN Charter makes the intervention illegal. Therefore, a gap exists between the law and morality, which is a dangerous situation for the international community or any national state. A similar gap existed during the apartheid years in South Africa. Although apartheid laws were immoral, they were enforced. When laws are regarded as immoral, credibility is lost, resulting in a complete breakdown of the criminal justice system. In South Africa, there was a deterioration of the whole moral fiber. The same thing will happen in the international community if this gap is not closed.

The Commission concluded that to close the gap the international community and the General Assembly must identify political and moral conditions that justify military intervention on humanitarian grounds. We have set out 11 special conditions to begin the development of a non-binding declaration that provides a political and moral framework to guide the international community in deciding whether there should be military intervention.

Hurst Hannum
I believe that the intervention was not only illegal but it was illegitimate, unethical, politically counterproductive, and in every other respect a mistake. We have to address the facts when considering the legitimacy of intervention. The Commission had difficulty gathering statistics on violent acts against civilians. Precisely quantifying the abuse was difficult, if not impossible. Therefore, no one knew the extent of the violence and yet, a bombing campaign was unleashed. Between 1,000 and 2,000 Albanians and Serbs were killed during the internal war. At least 500 civilians were killed by NATO and between 5,000 and 10,000 people were killed during the 78 days of the bombing. In the months following the bombing, the number of killings roughly equaled those that occurred prior to the bombing, the difference being that Serbs became the victims instead of Albanians. Under those circumstances, it is difficult for me to conclude that the operation was justifiable or legitimate in any sense.

Legitimizing the intervention is disastrous for additional reasons. It encourages manipulative separatist violence in other regions. Non-humanitarian political interventions will also be encouraged because of the looseness with which the NATO intervention occurred and was determined to be justifiable by the Commission. It diminishes respect for the rule of law at an international level. Lastly, it undermines the development of criteria for humanitarian intervention, as suggested by the Commission. If their proposed criteria justify the Kosovo intervention, interventions can be justified in any region. Criteria for intervention must be reserved for the Somalias and Rwandas and cannot be misused for the Kosovos.
Henry Steiner

Before we intervene, how do we know how to solve violence if it suddenly erupts? Does the fact that we cannot come to a clear means and instrumental solution mean that we should not intervene? Should we not intervene because we are unclear about will happen once we stop whatever it is that we think must be stopped, be it killing or torture? When is it right to move in? It is unclear what would have happened to the Serbians and Kosovar Albanians had NATO not engaged in bombing. Yet, we talk so much of preventive intervention. There have to be serious violations of physical security and physical integrity to justify intervention. However, must there be massive killing? What kind of probabilities do we need? We must examine whether this is a realistic way of approaching intervention.

The situation in Kosovo was assessed against the background of what happened in Bosnia and Croatia. The record of Milosevic and the militant nationalist Serbs was known. Therefore, there was an awareness of the substantial probability of massive violence against the Kosovar Albanians. NATO came to an educated conclusion that there would be massive violence. There are many perplexing questions to which I don’t have answers. However, I am disturbed by the fact that the critiques of intervention, as they relate to Kosovo, might forestall future interventions in situations facing these same issues.
Global Education Partnerships at Brandeis University

With funding through a grant by the Coca-Cola Foundation, the Center is pleased to announce a new project focusing on the exploration of family, community, and the cultural, aesthetic, historical, and intellectual inheritances of youth as sources of learning. The purpose of “Global Education Partnerships at Brandeis University” is to strengthen communities, particularly disenfranchised communities, and to enhance the relationships among distinct cultural groups within and between communities.

Three partnership teams, each consisting of a Brandeis faculty member, two students, and a community partner, will be formed. The project will take place over the spring, summer, and fall of 2001. Partner organizations have been selected in Grenada, Haifa, and Alabama. April Powell-Willingham is the project director and faculty members Dessima Williams and Gordie Fellman of the sociology department and Susan Curnan, of the Heller School’s Center on Youth and Communities, will lead the Grenada, Haifa and Alabama teams respectively. Teams will participate in a ten-day institute, led by musician and educator Jane Sapp. Ms. Sapp will work with teams to develop the institute curriculum. Participants will collaborate to design and implement a culture and arts based educational project. They will also participate in workshops designed to empower members to explore new methods of education and community-building using artistic expression and the exploration of community heritage.

For more information:
check our website
www.brandeis.edu/ethics

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