

## Introduction

Western legal texts often characterize law as an impartial discourse of reason that regulates but stands apart from the messy reality of our social lives. On this view, legal precepts operate in abstraction from the particular social and historical context within which they developed.<sup>1</sup> By contrast, socio-legal perspectives emphasize law's interaction with the world of which it is a part, recognizing that law is both influenced by and influences the social context within which it operates. Socio-legal perspectives also attend to the embodied operation of the law—how it defines, corrals, and disciplines human bodies. The embodied operation of the law is evident in many different arenas, going well beyond the obvious case of criminal incarceration. Law, for example, regulates access to abortion, shapes immigration, and polices public protests. In the sporting context, law regulates the designated gender of athletes' bodies.<sup>2</sup>

Using the lens of ritual, this dossier takes a socio-legal approach to examine the performances, repetitions, and acts that express power and evoke emotional responses amid the materially embodied and socially embedded operation of international human rights law.<sup>3</sup> Much intellectual energy has gone into discussing the history of the concept of human rights, the elaboration of standards, the structure of human rights institutions, and the difficulties of implementing and enforcing human rights commitments. In this special issue, four human rights scholars draw on distinct disciplinary traditions in literary studies, history, anthropology, and law to explore how international human rights law is enacted ritually. They demonstrate that rituals make an important contribution to how human rights are institutionally and socially embedded and experienced.

Anthropologists have long highlighted the significance of rituals, even characterizing them as “*the* master-keys to understanding cultures, including our own.”<sup>4</sup> Rituals transmit social meanings and express community aspirations at the same time as they embody and reify power relations. They are, in the words of S. J. Tambiah,

a culturally constructed system of symbolic communication. It is constituted of patterned and ordered sequences of words and acts, often expressed in multiple media, whose content and arrangement are characterized in varying degree by formality (conventionality), stereotypy (rigidity), condensation (fusion), and redundancy (repetition).<sup>5</sup>

Collective rituals are public, socially structuring events and modes of communication that follow recognizable and predictable patterns.<sup>6</sup> They operate in an affective register: whether this is highly charged or muted and barely discernible, rituals

communicate via symbols.<sup>7</sup> Law is replete with ritual and its authority rests not only on its putative legitimacy and ultimately on the fact that it can be coercively enforced but also on how it is ritually enacted. Anyone who has watched an opening of parliament, served on a jury, sat in a dock, or been called in court to rise for the entry of the judges—traditionally garbed in gowns resembling clerical robes—has a sense of this.<sup>8</sup>

If law generally is entrenched and authorized through rituals, human rights law—which invokes an ideal human community and in its achievements constantly falls short of its aspirations—relies particularly heavily on them. Adopted as universal standards and pronounced as such by all United Nations member states, human rights now occupy a privileged position internationally and in many domestic settings as the doctrinal expression of modernity’s secular religion.<sup>9</sup> Human rights are articles of faith that offer to the committed a just and harmonious world but never quite deliver on their promises. Perhaps to compensate for this, as well as for the fractures in the community whose normative aspirations they express, the textual articulation of human rights and their performance in the UN bodies responsible for overseeing their implementation is ceremonial and reiterative, conforming to scripts that are formulaic and widely recognizable. We can imagine the uninitiated hearing for the first time that “human beings are born free and equal in dignity and rights” or attending a meeting of the Human Rights Council in “The Human Rights and Alliance of Civilizations Room” in the Palais des Nations in Geneva: without being inducted in the intricacies of human rights or their oversight, they would know—or would feel—the presence of ritual.<sup>10</sup> Yet a ritual lens is rarely used in human rights scholarship.<sup>11</sup>

Our aim here is to bring to the fore the presence of rituals in the international law of human rights. This engagement is open concerning whether or not rituals advance the principles of freedom, equality, and dignity that human rights claim to promote. Our starting point, and what motivates our interest, is that rituals transmit social meanings at the same time as they embody power relations. This starting point draws on a range of perspectives in the scholarship of ritual, including anthropologists’ insights into how ritual affirms or reaffirms participants’ sense of belonging to a community. Communal experiences and shared motifs are constituted as such and memorialized through rituals, forging social ties that are then ritually re-enacted. As Emile Durkheim noted at the end of the nineteenth century, ritual makes it possible for society to celebrate itself.<sup>12</sup> Related to the role of ritual in strengthening social ties is how rituals may be used to instigate new modes of communicating or indeed new communities. This can happen in the aftermath of war or in recognition of deep social divides, as transitional justice scholars have shown.<sup>13</sup> In an illuminating study of rituals of reconciliation in Sierra Leone, Tim Kelsall observes that “at its most effective, [ritual] has the power to transform perceptions and emotions and therefore situations.”<sup>14</sup> He notes that the reconciliation process in Sierra Leone “mask[ed] or obscure[d] certain truths in favour of others”<sup>15</sup> but suggests that this enabled the reconstruction of community, albeit a community within which “the unbearable truth of atrocities was partially eclipsed by the more palatable truth of remorse and desire for peace.”<sup>16</sup>

Ritual thus provides a way of dealing with the fractured and ambivalent nature of

social relations, lending coherence and structure to a world that might otherwise be encountered as unbearably arbitrary.<sup>17</sup> By enrolling participants in social performances, rituals not only canalize life and structure social relations but may also circumvent the emergence of more coercive or violent forms of governance.<sup>18</sup> Seligman and his coauthors observe that rituals operate in the subjunctive mode, creating an “as if” or “could be” world that itself constitutes a shared social reality.<sup>19</sup> In their contributions to this issue, Shane Chalmers and Tobias Kelly engage with the importance of this “as if” world within human rights rituals, and with the political significance of the claim made by these rituals that human rights indeed exist and matter. Here we can see a different and productive way of dealing with a staple anxiety in human rights circles—that is, the gap between rights norms and rights implementation. By creating an “as if” world, ritual brings that world into being. Once the ritual has come to a close, participants may continue to act in a manner consistent with its construction. The immediate impact of the creation of this “as if” world may be negligible, but its implications and reverberations deserve attention.

Another approach to ritual focuses on its disciplinary character, paying attention to ritual as a “script for regulating practice” and as “directed at the apt performance of what is prescribed,” as Talal Asad puts it.<sup>20</sup> This approach interests Zachary Manfredi in his contribution to this issue. Manfredi’s essay focuses on the tribunal established by Bertrand Russell and Jean-Paul Sartre in the 1960s in order to determine whether the United States’ involvement in Vietnam constituted genocide under international law. In Manfredi’s account, the Russell Tribunal inaugurated an alternative vision of the role of international legal justice. Unlike contemporary international criminal law—or Western law more generally—this vision does not rely on the abstract impartiality of the law or on its coercive capacity to bolster its authority, even as it nevertheless also makes use of ritual. The principle of legitimation that the Russell Tribunal proposed for international law was that it secure peace and advance human rights by acting in the service of the oppressed, “challeng[ing] the legitimacy of powerful states to use arbitrary and wanton violence in pursuit of such peoples’ subjugation.”<sup>21</sup>

In common with the conventional operation of law, however, the Russell Tribunal’s enactment of justice made extensive use of ritual. The Tribunal used standard legal devices in relation to the presentation of witness testimony and evidence, for example, and also in its express affirmation of the authority of its vision of international law.<sup>22</sup> Combined with its application of the label “genocide” to the actions of the United States in Vietnam, this enabled its ritual function and its capacity to elicit certain affective responses. Considering the affective and embodied impact of the Tribunal on those who participated in or were exposed to its work, Manfredi also analyzes the rituals of the Russell Tribunal, focusing on its operations and judgement “as a kind of *practice*” “geared toward producing political ‘virtue’ in its participants and onlookers.”<sup>23</sup> Instead of attributing culpability for the violence of the United States in Vietnam to specific individuals, the Tribunal, Manfredi argues, made a much more powerful ascription of responsibility—holding the U.S. government, and by implication its citizens, accountable “in terms of the historically and socially conditioned ritualization of violence.”

The Russell Tribunal provides a model for subsequent efforts to institute alternative forms of accountability. Manfredi notes that there have been peoples' tribunals on human rights violations in Latin America, civil liberties in West Germany, the military coup in Chile, the invasion of Iraq, and the Israeli occupation of Palestine. He also identifies the founding of a "Permanent Peoples Tribunal on living wages" as an expansion of international peoples' tribunals into the arena of socioeconomic rights violations.<sup>24</sup> Other examples from 2015 that can be added to Manfredi's list include the Women's Court that conducted hearings in Sarajevo, Bosnia, with women, representing all sides in the conflicts that engulfed the former Yugoslavia, testifying to their experience and the harms they suffered; a tribunal conducted in Sydney, Australia, to assess the accountability of members of Indonesia's police and military for human rights abuses in West Papua; and an International People's Tribunal convened in the Hague to consider responsibility for the 1965 massacres in Indonesia.<sup>25</sup>

Manfredi's conclusion is that the Russell Tribunal and its progeny manifest a form of international criminal and human rights law that affectively enrolls participants, with the result that "those who participate in the tribunals' work come to embody a commitment to holding powerful states accountable to the collective values of an imagined humanity."<sup>26</sup> In addition to this, the role of such tribunals in publicizing atrocities and analyzing and explaining the social, economic, and political conditions that enable them operates—and here Manfredi invokes an expression used by Derrida—to "sharpen . . . the vigilance of the citizens of the world."<sup>27</sup> Thought of in this manner, what rituals achieve is to discipline participants and observers through a modality of acting that is formal, reiterated, and, for most participants in the ritual, externally dictated.<sup>28</sup> This view of ritual resonates with the possibility that participation in human rights rituals can engender responsiveness to human rights values. This could be their result, regardless of the commitment and sincerity of participants to the proclaimed values.<sup>29</sup>

Taking as his object of study proceedings before the UN Committee Against Torture, Tobias Kelly echoes this mediating role of rituals in his charting of the dissonance between country reviews and what participants believe the reviews should be capable of achieving. If the seemingly bland politesse of meetings of the Committee appears hypocritical to many bored participants, Kelly notes that the proceedings are nonetheless symbolic not only of an aspirational belief that more must be done to advance human rights but also of a world in which all states are equally accountable for human rights failures:

The fact that all states, whether the United States or Togo, have to fill in the same forms and answer the same questions in the same way, formally at least, is of great significance . . . This is human rights operating in the subjunctive, a world of "could be," potential and hope, where it is possible to imagine that human rights apply equally to the powerful and the powerless and speak a common language of the collective good.<sup>30</sup>

For Kelly, rituals of civility force even the most bitter opponents to engage with one another and thus to agree to differ without violence. Furthermore, in his account, widely expressed dissatisfaction with the operations of the Committee Against

Torture—the sense that it should be achieving more—demonstrates how rituals can stimulate contestation as much as deaden it.<sup>31</sup> Human rights not only provide a common language; for some they also “speak of a world of moral and political possibility that is greater than the mundane or brutal lived experience of the everyday.”<sup>32</sup> The fact that this vision seems so elusive in the hearings of the Committee reveals its latent power and the way that ritual always exceeds itself, gesturing to something beyond each ritual instantiation. It should not be forgotten, however, that rituals involve the performance of power relations, as Kelly emphasizes. For many scholars, the true essence of ritual lies elsewhere than in the overt ritual action, which they approach as a vessel that contains the “thing itself.”<sup>33</sup> This perspective is productive for looking behind the explicit commitments articulated in ritual performances in order to question the worldview they enshrine. It reminds us that ritual performances entrench certain practices and modes of thought, naturalizing and making them seem self-evident through each repeated performance, and encourages consideration of ways of thinking and being that are excluded or deprived of legitimacy by those rituals.

The rituals of the Committee Against Torture, then, facilitate a polite conversation about human rights, but they also ensure that dissenting voices are constrained and rendered less disruptive. Avenues are provided for civil society to contribute to the work of the Committee, as they are for all of the Human Rights Council’s monitoring mechanisms, but civil society’s engagement is formally mediated and requires facility in the rituals of the system, including the practicalities of when, where, how, and in what language to lodge “alternative” or “shadow” reports.<sup>34</sup> Many NGOs that work in close association with international human rights bodies offer training and assistance to less experienced groups or individuals and shepherd their involvement. This ensures greater access, but with the result that potentially unsettling interventions are informally as well as formally mediated. Even where informal mediation breaks down, the official modes of communicating and of policing what can be said generally prevail. Kelly notes, for example, that NGOs have occasionally brought survivors of torture to speak to the Committee Against Torture but that they have been received with “a gentle reminder that ‘this is not the right space for survivors to talk.’”<sup>35</sup>

The international law scholar B. S. Chimni observes that “the existence of official forums to protest the violation of human rights is supposed to negate the need for ‘unofficial’ resistance.”<sup>36</sup> The operation of the official United Nations human rights system may thus take the wind out of unofficial forms of resistance at the same time as it ensures that the expression of resistance conforms to the structural presuppositions on which the system is based. This means that attention is directed toward the agency of sovereign states and potentially away from other actors, such as transnational corporations, or from systemic influences, such as international trade and financial regimes. Similarly, the gaze of participants is trained on individuals and minority groups as the primary subjects of rights violations, and primarily on individuals as possible beneficiaries of justice claims. It is potentially diverted from injustices that have diffuse effects that are difficult to quantify, such as poverty and material inequality, or the intergenerational impacts of climate change.

Each of the contributions here is interested in the implicit understandings and political commitments that undergird rituals, ideas that can often be articulated

through the relationship between ritual and ritualism. Ritualism constitutes one of the five modes of individual adaptation to cultural values identified by the sociologist Robert Merton, in a series which includes conformity, innovation, ritualism, retreatism, and rebellion.<sup>37</sup> It involves the formulaic or perfunctory acceptance of norms or values in the absence of a more substantial commitment.<sup>38</sup> Braithwaite et al. understand the term as signifying an “acceptance of institutionalised means for securing regulatory goals while losing all focus on achieving the goals or outcomes themselves.”<sup>39</sup> Where the concept of ritualism is related to that of ritual, it has distinct and generally negative connotations. It involves rituals that are hollow or ineffective and that lack vitality or resonance. Ritualism may also reflect and respond to “tension between cultural values and goals . . . and a social structure that restricts access to the approved means of reaching these goals.”<sup>40</sup>

Ritualism is a common response where the implementation of international human rights standards is politically complex. While countries will engage with the symbols of human rights, signing treaties, speaking to their human rights accomplishments or challenges in international fora, they will do so in a manner that avoids substantive change. Ritualism might, then, include reporting in a perfunctory manner to international human rights bodies, or making minimal amendment of domestic laws to remedy human rights breaches, or invoking claims of culture to undermine international standards. To take one example, Cambodia accepted five human rights treaties in 1992 under UN pressure.<sup>41</sup> Yet it has managed to deflect the impact of these human rights obligations through nonimplementation of its treaty commitments into national law and its failure to report under the treaty system. The international community has tacitly endorsed this ritualism, perhaps as the path of least resistance in a political system that is inhospitable to human rights enforcement. The problem is not confined to developing countries; indeed Australia is a party to seven of the nine core UN human rights treaties and yet has been reluctant to fully implement their provisions.<sup>42</sup>

Roland Burke, Chalmers, and Kelly all note the self-referential quality of human rights—how each new textual iteration of rights repeats the pronouncements that have come before. These recitations of a tradition of rights recognition, which serve as a scaffold for any new rights, invariably also include the claim that the rights pronounced exist already—that they are the birthright of all human beings (or whatever subset of humanity is the focus of the instrument in question), and their legal articulation merely recognizes this fact. This claim serves, however, to deal with the reality that the rights, although they precede their announcement, are yet to be recognized in fact. This means, in Chalmers’s reading of Joseph Slaughter, and of the preamble to the Universal Declaration of Human Rights, that human rights oscillate “between the world that the law imagines, or images, in principle and the one that it address in fact—between the ideal and the real.”<sup>43</sup>

One striking element of the ritualistic quality of international human rights law is that certain phrases are now inextricably associated with rights. The major human rights treaties refer to rights as “fundamental” and “inalienable,” and of the importance of rights as recognition of humans’ “innate dignity,” “freedom,” and “equality.” The Universal Declaration of Human Rights refers as well to “the human family”

constituted by human rights. Chalmers's reading plays with the idea of the preamble as a ritual passage, a "portal" to the Declaration's provisions. The ritual form is signaled not only by the text's repetitive nature but also by its repeated positioning as a transition between the human rights-violating past and a human rights-protecting future. The resulting ritual movement constitutes the preamble as sitting at the threshold of law, not completely a part of it nor quite beyond it, and yet integral to the Declaration's legal character. It operates, in Chalmers's account, as "a rite of passage"—one that must be gone through again and again in order "to make what we should know also what we do know . . . in the spirited process of realizing human rights."<sup>44</sup> This is a more sanguine reading of the way that international human rights instruments endlessly recall the instruments that have come before without, however, necessarily bearing any relation to the vision of human rights held by the drafters of the Universal Declaration in 1948. In Roland Burke's account this can reduce the language of human rights to "shopworn prose," incapable of communicating meaning or holding power.<sup>45</sup>

Yet Chalmers makes clear that he is not engaging in a "redemptive turn" of the sort that Ben Golder finds in much human rights critique, involving "a rethinking of human rights in order to draw out a latent (radical) possibility or to formulate a different kind of human rights."<sup>46</sup> In Chalmers's account, ritual and ritualism coexist in the assertion of human rights, whose purported universalism has "both constructive and unconstructive" qualities.<sup>47</sup> Through the constructive rituals of human rights, an international dialogue becomes possible and also opens the way for diverse communities to "make human rights their own reality."<sup>48</sup> But because the normative claims of human rights will always exceed the possibility of their universal enjoyment, their ritual reiteration tends invariably toward ritualism. As Chalmers puts it, "Their realization depends on a constant performance that makes the process ever-vulnerable to ritualism."<sup>49</sup>

In his examination of the Universal Declaration from a historical perspective, Burke points out that, while use of the Declaration was initially minimal, this changed in the 1970s as human rights language was deployed with increasing enthusiasm. As Burke notes, however, this language was not articulated in service of a shared meaning but rather marshaled to support various battles, including for national self-determination, economic development, cultural particularism, and against apartheid. Each of these battles claimed to be emancipatory and as such shared an affinity—however minimal—with the vision of 1948, making it possible for those who entered the fray to draw on the latent power of human rights language. In Burke's account, the result was paradoxical, "elevating [its] profile" "while compromising [its] legitimacy."<sup>50</sup> Burke claims that autocratic regimes were responsible for shaping an inflationary human rights agenda within the UN, tied to struggles for national liberation and economic development, as well as for legitimization of their systems of government. Human rights came to serve as rather labored rhetorical flourishes in myriad General Assembly resolutions, each talismanic recitation reiterated in subsequent resolutions, which would end eventually with a pithy statement of whatever happened to be "the cause at hand."<sup>51</sup> The result of "the rites" of human rights, argues Burke, was to dilute dramatically the potency of human rights.

With its endless recitations of stock human rights phrases allied to disparate causes, Burke concludes that “by the mid-1980s, the UN forum was almost a closed loop system for the rearrangement of symbols,” “more hospitable to the skilful semiotician than the overpassionate activist.”<sup>52</sup> It was not until the 1990s, he argues, that “the external reservoir of transnational mobilization on human rights, which flew slowly and haphazardly into the UN, would replenish the language.”<sup>53</sup> Even this activism, however, would succumb—in Burke’s account—to “the seductions of ritual,” with increasingly bureaucratic NGOs transitioning from “intense campaigning to permanent advocacy.”<sup>54</sup> Drawn through the mechanism of “the shadow report” into the UN human rights system’s inner sanctum, civil society’s activism has been moderated by its rituals, and as such their affective power and disruptive potential constrained, as Kelly also noted. For Burke, most of the energy has been now been drained out of the language of human rights, at least as it is employed at the UN: “Rituals can keep the concept alive, and marginal. They almost certainly cannot make it live.”<sup>55</sup>

Burke’s essay demonstrates how the same ritual—in this case, the invocation of the language of the Universal Declaration of Human Rights—can be used by different actors for different purposes, with political implications. And these ritualistic uses of the language and symbols of rights were part of a procedural system that had itself been deeply ritualistic. Burke points out that the individual complaints system for rights violations established in 1947 consisted of the meticulous receipt and filing of individual petitions, a procedure that invariably included an explanatory note that there was no capacity to study the complaint’s substance. Complaints were thus quarantined from the purview of the Commission on Human Rights, a ritualism that detached the system from meaningful consequences. Human rights rituals are not in themselves inherently conservative; indeed they have may have transformative potential. However the tendency toward ritualism is also an intrinsic part of their character.

The concepts of ritual and ritualism emerge from different scholarly traditions, but the four essays here suggest intellectually fruitful connections between them. Drawing on Seligman et al.’s work that regards rituals as creating “as if” or “could be” worlds, we can understand human rights rituals as requiring states to act as if they take their human rights commitments seriously.<sup>56</sup> Accepting a human rights treaty requires a performance of implementation. While this may often be a ritualized performance, there is some power inherent in the performative moment itself, as we see in Kelly’s study of the UN Committee Against Torture. The power of performance is also apparent in the processes of the UN Human Rights Council’s Universal Periodic Review, where, despite political posturing by representatives of states presenting accounts of their country’s human rights performance, and by delegates from other states who assess and respond to these accounts, there are possibilities for reflection and pressure.<sup>57</sup>

Attention to human rights rituals also presents opportunities for productive disruption. Rituals can be subverted or appropriated for alternative ends, as Manfredi’s account of the Russell-Sartre Tribunal and subsequent “peoples’ tribunals” demonstrates. Rituals of human rights review can generate the belief that struggles for human

rights are more than a series of localized conflicts.<sup>58</sup> Because of the universalism of rights language, and the participation of all states in international human rights institutions of one form or another, the role of these institutions cannot simply be dismissed by authoritarian governments as illegitimate pressure.<sup>59</sup> Civil society plays a vital role in ensuring that the pressure of human rights review is more than merely symbolic. While they are not immune to the dangers of ritualism, human rights organizations can help construct and maintain the “as if” world of commitments to human rights standards, holding states to account for their commitments and drawing attention to gaps between commitment and reality. This means that civil society can be empowered by a country’s treaty ratification even in instances in which the government fails to implement it.<sup>60</sup>

Rituals and ritualism coexist in human rights law, and rituals themselves can serve multiple functions at the same time: they can be conservative, masking unequal power relations, and yet also strengthen the protection of human rights. Attention to the existence of ritual illuminates the ambivalent contributions of the international human rights system.

#### NOTES

1. Eve Darian-Smith, *Religion, Race, Rights: Landmarks in the History of Modern Anglo-American Law* (Oxford: Hart Publishing, 2010), 2.

2. See, for example, Kate Henne, “The ‘Science’ of Fair Play in Sport: Gender and the Politics of Testing,” *Signs: Journal of Women in Culture and Society* 39, no. 3 (Spring 2014): 787–812.

3. This dossier is the product of an interdisciplinary workshop that was held at the Australian National University in Canberra in June 2014. The workshop was funded by an Australian Research Council Laureate Fellowship (project number FL100100176).

4. Jens Kreinath, Jan Snoek, and Michael Stausberg, “Ritual Studies, Ritual Theory, Theorizing Ritual: An Introductory Essay,” in *Theorizing Rituals*, ed. Jens Kreinath et al. (Leiden: Brill, 2006), xv (emphasis original).

5. S.J. Tambiah, “A Performative Approach to Ritual,” *Proceedings of the British Academy* 65 (1979): 119.

6. Kreinath et al., “Introductory Essay,” xv. Our definition is more expansive in assuming that all modes of communication, including written texts, can operate as rituals. David Kertzer also suggests that rituals are commonly “enacted at . . . times and places that are themselves endowed with special symbolic meaning.” See Kertzer, *Ritual, Politics, and Power* (New Haven, Conn.: Yale University Press, 1988), 9.

7. See Sally F. Moore and Barbara G. Myerhoff, “Introduction: Secular Ritual: Forms and Meanings,” in *Secular Ritual*, ed. Sally F. Moore and Barbara G. Myerhoff (Amsterdam: Van Gorcum, 1977), 3–24 at 7–8.

8. *Ibid.*, 4. See also Darian-Smith’s account of the links between “modern western law” and “the particularities of Christian morality” (*Religion, Race, Rights*, 2).

9. Marie-Bénédicte Dembour, *Who Believes in Human Rights? Reflections on the European Convention* (Cambridge: Cambridge University Press, 2006), 2; and see Tobias Kelly’s discussion of Stephen Hopgood’s *The Endtimes of Human Rights*: “For Hopgood, Human Rights are a form of secular post-Christian religion, Human Rights are a church, and Human Rights actors are its

high priests” (Tobias Kelly, “Two Cheers for Ritual: The UN Committee against Torture,” in this dossier).

10. See Walter Kälin’s account of “the explorer” unacquainted with the international human rights system who stumbles on a session of the Universal Periodic Review: “Ritual and Ritualism at the Universal Periodic Review (UPR): A Preliminary Appraisal,” in *Human Rights and the Universal Periodic Review: Rituals and Ritualism*, ed. Hilary Charlesworth and Emma Larking (Cambridge: Cambridge University Press, 2014), 25. For general discussion of the presence of ritual in the UPR: Hilary Charlesworth and Emma Larking, “Introduction: The Regulatory Power of the UPR,” in *Human Rights and the Universal Periodic Review*, 9–10.

11. Exceptions include the work of anthropologists such as Jane Cowan, Tobias Kelly, and Tim Kelsall, who have all provided rich accounts of the role played by rituals in the context of human rights. For general introductions to the subject of international human rights, see Daniel Moeckli et al., eds., *International Human Rights Law* (Oxford: Oxford University Press, 2013); and Dinah Shelton, ed., *The Oxford Handbook of International Human Rights Law* (Oxford: Oxford University Press, 2015).

12. Gerd Baumann, “Ritual Implicates ‘Others’: Rereading Durkheim in a Plural Society,” in *Understanding Rituals*, ed. Daniel de Coppet (London: Routledge, 1992).

13. Danielle Celermajer, “Mere Ritual? Displacing the Myth of Sincerity in Transitional Rituals,” *International Journal of Transitional Justice* 7, no. 2 (2013): 286–395; and see Charlesworth and Larking, “Introduction: The Regulatory Power of the UPR,” 9.

14. Tim Kelsall, *Culture under Cross-Examination: International Justice and the Special Court for Sierra Leone* (Cambridge: Cambridge University Press, 2009), 390.

15. Ibid.

16. Ibid.

17. Adam B. Seligman et al., *Ritual and its Consequences: An Essay on the Limits of Sincerity* (New York: Oxford University Press, 2008), 10.

18. Ibid., 12.

19. Ibid., 7–8.

20. Zachary Manfredi, “Sharpening the Vigilance of the World,” PAGES, in this dossier, quoting Talal Asad, “Towards a Genealogy of the Concept of Ritual,” in *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (Baltimore: Johns Hopkins University Press, 1993), 57, 62.

21. Manfredi, “Sharpening the Vigilance of the World,” PAGE.

22. See *ibid.*, PAGE.

23. *Ibid.*, PAGE.

24. *Ibid.*, PAGE.

25. Karima Bennouna, “The Women’s Court: A Feminist Approach to Justice,” Peace is Loud blog, accessed May 7, 2016, <http://www.peaceisloud.org/the-womens-court-a-feminist-approach-to-justice/>. See The Biak Massacre Citizens Tribunal, <http://www.biak-tribunal.org/>, accessed September 23, 2017. See “Final Report of the IPT 1965: Findings and Documents of the IPT 1965,” <http://www.tribunal1965.org/final-report-of-the-ipt-1965/>, accessed September 23, 2017.

26. Manfredi, “Sharpening the Vigilance of the World,” PAGE.

27. *Ibid.*, PAGE.

28. Seligman et al., *Ritual and its Consequences*, 9.

29. On the role of sincerity in the context of transitional justice, see Danielle Celermajer, “Mere Ritual?”
30. Kelly, “Two Cheers for Ritual,” PAGE.
31. See *Ibid.*, PAGE.
32. *Ibid.*, PAGE.
33. Seligman et al., *Ritual and its Consequences*.
34. See the “General Guidelines for Alternative reporting to the Committee against Torture” prepared by the Association for the Prevention of Torture, January 28, 2013, accessed May 26, 2016, <http://ilga.org/wp-content/uploads/2016/02/Alternative-reporting-to-the-Committee-against-Torture.pdf>; and Office of the High Commissioner for Human Rights, “Committee Against Torture: Information for Civil Society Organisations and National Human Rights Institutions (NHRIs),” accessed May 26, 2016, <http://www.ohchr.org/EN/HRBodies/CAT/Pages/NGOsNHRIs.aspx>.
35. Kelly, “Two Cheers for Ritual,” PAGE.
36. In a contribution to the workshop mentioned above in note 3: B. S. Chimni, “The Rituals of Human Rights Bodies: A View from the Global South,” unpublished paper, 3.
37. Robert Merton, *Social Theory and Social Structure* (New York: Free Press, 1968), 194.
38. Hilary Charlesworth, “Swimming to Cambodia: Justice and Ritual in Human Rights after Conflict,” *Australian Year Book of International Law* 29 (2011): 1–16; see also Charlesworth and Larking, “Introduction: The Regulatory Power of the Universal Periodic Review.”
39. John Braithwaite et al., *Regulating Aged Care: Ritualism and the New Pyramid* (Cheltenham: Edward Elgar, 2007), 7.
40. Ibolya Losoncz, “Goals without Means: A Mertonian Critique of Australia’s Resettlement Policy for South Sudanese Refugees,” *Journal of Refugee Studies* 30, no 1 (March 2017): 7.
41. Michael Doyle, *UN Peacekeeping in Cambodia: UNTAC’s Civil Mandate* (1995), 47. Compare Surya P. Subedi, “The UN Human Rights Special Rapporteurs and the Impact of their Work: Some Reflections of the UN Special Rapporteur for Cambodia,” *Asian Journal of International Law* 6, no. 1 (2016): 1–14.
42. Hilary Charlesworth et al., *No Country Is an Island: Australia and International Law* (Sydney: UNSW Press, 2006).
43. Joseph Slaughter, *Human Rights, Inc.* (New York: Fordham University Press, 2007), 2, cited in Shane Chalmers, “The Beginning of Human Rights: The Ritual of the Preamble to Law,” in this dossier, PAGE.
44. Chalmers, “The Beginning of Human Rights,” PAGE.
45. See Burke, “The Rites of Human Rights at the United Nations,” PAGE.
46. Chalmers, “The Beginning of Human Rights,” PAGE, quoting Ben Golder, “Beyond Redemption? Problematising the Critique of Human Rights in Contemporary International Legal Thought,” *London Review of International Law* 2, no. 1 (March 2014): 104.
47. Chalmers, “The Beginning of Human Rights,” PAGE.
48. *Ibid.*
49. *Ibid.*, PAGE.
50. Roland Burke, “The Rites of Human Rights at the United Nations,” PAGE.
51. *Ibid.*, PAGE.
52. *Ibid.*, PAGE.
53. *Ibid.*, PAGE.

54. Ibid., PAGE.
55. Ibid., PAGE.
56. See Roy A. Rappaport, *Ritual and Religion in the Making of Humanity* (Cambridge: Cambridge University Press, 1999), cited in Kelly, “Two Cheers for Ritual,” PAGE.
57. See Charlesworth and Larking, eds., *Human Rights and the Universal Periodic Review*.
58. Kelly, “Two Cheers for Ritual,” PAGE.
59. Laura K. Landolt, “Externalizing Human Rights: From Commission to Council, the Universal Periodic Review and Egypt,” *Human Rights Review* 14, no. 2 (June 2013): 125.
60. Beth A. Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics* (New York: Cambridge University Press, 2009).