

INTRODUCTION TO HUMAN RIGHTS

SIS-322-002

Fall 2011

American University
School of International Service
Fall 2011
Mon: 11:45-2:25 PM
Room: SIS 102

Professor Shadi Mokhtari
Office: 100 EQB (Old SIS Building)
Phone: (202) 885-6570
E-mail: mokhtari@american.edu
Office Hours: Thurs. 11:00pm-2:00PM
& Fri. 11:00PM-2:00PM

COURSE DESCRIPTION:

This course is designed to give students a broad introduction to international human rights. It begins by presenting the human rights framework's philosophical foundations, historical development and primary challenges. Next, students are introduced to several key categories of substantive rights recognized in international human rights instruments. From there the course considers the primary avenues for human rights enforcement used by leading international, regional and non-governmental forces in promoting (and "enforcing") human rights. Finally the course concludes with a contemporary case study. Through the course students are exposed to some of the human rights field's most critical debates and a variety of Western and non-Western perspectives. The course challenges students to think critically and question the assumptions about international human rights dynamics they bring to the class. It also asks them to take on the numerous challenges faced by human rights advocates. To promote active learning, we will use a series of films and in-class exercises.

LEARNING OBJECTIVES:

- Gain familiarity with the origins and various asserted philosophical foundations for the notion of human rights.
- Understand the opposing arguments made in the major debates surrounding international human rights.
- Gain substantive knowledge of the key human rights documents and institutions.
- Facilitate students' familiarity with the role of state and non-state actors in human rights promotion and protection.

- Enhance analytic skills to assess the human rights policies and practices of intergovernmental bodies and national governments.
- Develop an understanding of the politics of human rights and the interaction of state and non-state actors, including the human rights movement.

LEARNING OUTCOMES:

At the end of this course, students should be able to:

- Critically assess alternative conceptualizations of human rights.
- Identify the important elements of key human rights documents.
- Describe core intergovernmental and regional human rights mechanisms, including their structure, methods, and strengths and weaknesses.
- Describe the role of state and non-state actors in ensuring respect of human rights.
- Elaborate on the conceptual tensions within human rights over cultural relativism, state sovereignty, and social/economic vs. civil/political rights.
- Analyze states' human rights practices with a focus on specifying how competing political interests shape foreign policy.
- Critically examine the potential and limitations of human rights advocacy.
- Collaborate in a team and deliver a group presentation.

ACADEMIC INTEGRITY CODE:

Standards of academic conduct are set forth in the University's Academic Integrity Code. By registering, you have acknowledged your awareness of the Academic Integrity Code, and you are obliged to become familiar with your rights and responsibilities as defined by the Code. Violations of the Academic Integrity Code will not be treated lightly, and disciplinary actions will be taken should such violations occur. Please see me if you have any questions about the academic violations described in the Code in general or as they relate to particular requirements for this course.

EMERGENCY PREPAREDNESS FOR INTERRUPTION OF CLASSES:

In the event of an emergency, American University will implement a plan for meeting the needs of all members of the university community. Should the university be required to close for a period of time, we are committed to ensuring that all aspects of our educational programs will be delivered to our students. These may include altering and extending the duration of the traditional term schedule to complete essential instruction in the traditional format and/or use of distance instructional methods. Specific strategies will vary from class to class, depending on

the format of the course and the timing of the emergency. Faculty will communicate class-specific information to students via AU e-mail and Blackboard, while students must inform their faculty immediately of any absence. Students are responsible for checking their AU e-mail regularly and keeping themselves informed of emergencies. In the event of an emergency, students should refer to the AU Student Portal, the AU Web site ([www. prepared. american.edu](http://www.american.edu)) and the AU information line at (202) 885-1100 for general university-wide information, as well as contact their faculty and/or respective dean's office for course and school/ college-specific information.

EARLY WARNING NOTICES:

Undergraduate students may receive Early Warning Notices within the first month of classes. These notices are designed for you to contact your faculty, receive assistance, and develop strategies to improve your performance in the class. Please note that you should seek help throughout the semester when you have questions, fail to submit an assignment, fail to attend class, or receive an unsatisfactory grade.

COURSE POLICIES:

1. There are no laptops allowed in class, unless a student has a documented special need to use one. Bring pen and paper to take hand-written notes. Powerpoints used in class will be available on blackboard.
2. Students are expected to attend class regularly. There is no attendance taken, but a pattern of absences is noted and dealt with as needed. If you miss a class, you are responsible for getting notes and copies of supplemental materials (which are frequently provided during class) from other students.
3. Extensions are granted only in cases of documented illness or special need. Late papers are docked one letter graded for every day they are late.

GRADE RANGE:

“A” : Excellent, Surpasses Expectations
“B” : Good, Meets Expectations
“C” : Meets Most, but not all Expectations
“D” : Poor Performance
“F” : Failed to Meet Any Minimum Expectations

COURSE REQUIREMENTS:

The grade for this course will comprise of the following:

<u>Category</u>	<u>Points</u>
Reading Reaction Papers	20%
Group Presentations	20%
Promoting/ Enforcing Human Rights Assessment	20%
Final Exam	40%

Total	100%

Reading Reaction Papers

Students are required to write eight two-page reading reaction papers in this course. These papers do not require that you consult any sources other than that week's assigned readings. You can choose any eight weeks during the semester to submit these papers. The papers should consist of no more than your reflections and engagement with the assigned readings. **THEY SHOULD NOT BE SUMMERIES OF THE READINGS.** Papers will not be graded, but simply assessed to determine if they meet expectations and are "B" or better quality. You reading reaction papers are to be uploaded onto blackboard by 10AM Monday on the eight dates of your choosing. This is to ensure, students do not come in late or miss class because they are finishing up their reaction papers. Late reaction papers will not be accepted except in cases of illness or emergencies.

Group Presentations

Students are required to make a 15-minute group presentations on an existing or emerging human rights category not specifically covered in class (e.g. children's rights, indigenous peoples' rights, sexual minority rights, the right to a healthy environment, etc.).

Students must either e-mail or meet with the instructor during office hours to discuss how they plan to proceed at least one week prior to the date of their presentation. Points will be deducted from students' grades if they fail to contact or meet with the instructor. You should conducted your research prior to contacting/ meeting with me.

The presentations will be graded primarily based on:

- The demonstrated quality of the research undertaken
- The quality of the presentation, namely how carefully planned and **engaging** it is
- The quality of students' own analysis and synthesis of the materials presented with course themes

Grades will also be based both on group and individual output.

Promoting/Enforcing Human Rights Assessment

Students are required to write an assessment of the strategies being employed by one or more NGO, IGO and/or governmental body working on either a thematic human rights issue or a specific country's human rights practices. In addition to traditional research methods, students are required to either attend a Washington DC area event (e.g. symposium, lecture, panel) on the issue area or arrange for an interview with an expert or advocate involved in promoting the human rights issue selected. In a five-page paper, students are to describe the human rights promotion/ enforcement strategy employed and offer their assessment of its effectiveness and potential for success.

Students are advised to choose their topics and start planning for the event they will attend or interview they will conduct EARLY in the semester. Students who wait until the week before the paper is due to find a topic, event or interview generally do not do well on this assignment.

Papers are to be uploaded to Blackboard by 10AM November 28, 2011.

Final Exam

The final exam will be in-class, closed-book and primarily essay-based.

REQUIRED BOOKS:

Murat Kurnaz, *Five Years of My Life* (Palgrave MacMillan, 2009)

Julie Mertus, *The United Nations and Human Rights: A Guide for a New Era* (Routledge, 2009).

Martha Minow, *Between Vengeance and Forgiveness* (Beacon Press, 1998)

COURSE READINGS:

I frequently change reading assignments based on student feedback and other considerations. Students should check blackboard announcements for changes regularly. If you find that the readings are too long, I encourage you to let me know. I frequently adjust reading assignments based on cumulative student feedback.

PLEASE NOTE: Links to all international human rights treaties covered in class can be found at <http://www1.umn.edu/humanrts/instree/ainstls1.htm>

Aug. 29 (Session 1)

Introduction to course and class introductions

Sept. 12 (Session 2)

Delving into the Subject on the 10th Anniversary of September 11th

Readings:

- Murat Kurnaz, *Five Years of My Life* (Palgrave MacMillan, 2009)

Reminder: Class meets at SIS Founders room to attend lecture on Faculty reflections on 9/11.

Sept 19 (Session 3)

The Human Rights Idea, Origins and Foundations

Readings:

- Paul Gordon Lauren, “My Brothers and Sister’s Keeper: Visions and the Birth of Human Rights” in *The Evolution of International Human Rights: Visions Seen* (2003) pp. 4-28.
- Global Snapshots from Steiner, Alston and Goodman Eds., *International Human Rights in Context, Law, Politics, Morals* (2007), pp 3-17.
- Marie Benedicte Dembour, “What are Human Rights: Four Schools of Thought” *Human Rights Quarterly* (2010) pp 1-8 only.
- Review the Universal Declaration of Human Rights and bring a copy to class.

Sept 26 (Session 4)

Contemporary Challenges to Human Rights (Cultural Relativism, Global Power Dynamics, Asian Values, and Duties as an alternative/ compliment to Human Rights).

Readings:

- Abdullahi An-Naim, "Introduction: "Area Expressions" and the Universality of Human Rights: Mediating a Contingent Relationship", in David P. Forsythe and Patrice C. MacMahon, editors *Human Rights and Diversity: Area Studies Revisited*, (2003), pp. 1-21, available at <http://www.law.emory.edu/aannaim/pdffiles/area.pdf>
- Excerpt on Human Rights and Power from Shadi Mokhtari, *After Abu Ghraib: Exploring Human Rights in America and the Middle East* (2009) pp. 10-13 and 201-210.
- Excerpt from Makau Mutua, "Savages, Victims, and Saviors: The Metaphor of Human Rights" *Harvard International Law Journal* (2001)
- Excerpt on Duty-based Social Orders from Steiner, Alston and Goodman Eds., *International Human Rights in Context, Law, Politics, Morals* (2007), pp. 496-503.

Oct. 3 (Session 5)

Intro to Civil and Political Rights Regime & Women's Rights as Human Rights

Readings:

- Review the substantive rights provisions of the following international human rights treaties: ICCPR, CAT, CERD, and CEDAW
- Charlotte Bunch, "Women's Rights as Human Rights: Towards a Re-Vision of Human Rights" *Human Rights Quarterly* (1990) pp. 486-498.
- Eva Burns, "Protecting the Rights of Women" in *Human Rights in the World Community*, edited by Richard Pierre Claud and Burns Weston (2006) pp 120-133.
- Hope Lewis, "Embracing Complexity: Human Rights in Critical Race Feminist Perspective" *Columbia Journal of Gender and the Law* (2003).
- Visit the following websites
 - Human Rights Watch www.hrw.org
 - Amnesty International www.amnesty.org

- Office of the UN High Commissioner for Human Rights
<http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>
- State Department Human Rights Country Reports (look at the 2009 report on one or two countries) <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>

Consider Charlotte Bunch's charge of the marginalization of women's rights. What evidence of progress do you see in the last twenty years?

Oct. 10 (Session 6)

Social and Economic Rights/ Right to Development/ and Corporate Responsibility for Human Rights Violations

Readings:

- Excerpt on Social, Economic and Cultural Rights from Steiner, Alston and Goodman Eds., *International Human Rights in Context, Law, Politics, Morals* (2007), pp. 263-348.

Oct. 17 (Session 7)

UN Human Rights Mechanisms

Readings:

- Julie Mertus, *The United Nations and Human Rights: A Guide for a New Era* (Routledge, 2009).

Oct. 24 (Session 8)

Regional Human Rights Regimes

- Dinah Shelton, "The Promise of Regional Human Rights Systems," in *Human Rights in the World Community*, edited by Richard Pierre Claud and Burns Weston (2006)
- Select cases from the regional courts/ commissions: pp. 968-978, 1049-1057, and 1074-1081 from *International Human Rights in Context*. Steiner, Alston and Goodman eds. (2007)

Oct. 31 (Session 9)

Genocide, Humanitarian Intervention and R2P

Readings:

- Chapters 1-3 and 10 in Samantha Power, *A Problem from Hell: America and the Age of Genocide* (Basic Books, 2002).
- Kenneth Roth, “War in Iraq: Not A Humanitarian Intervention” Human Rights Watch (2004), available at <http://www.hrw.org/legacy/wr2k4/3.htm>
- Mahmood Mamdani, “The Politics of Naming Names, Genocide, Civil War, Insurgency” London Review of Books (2007), available at <http://www.lrb.co.uk/v29/n05/mahmood-mamdani/the-politics-of-naming-genocide-civil-war-insurgency>
- Genocide Convention

Nov. 7 (Session 10)

International Prosecutions and Transitional Justice

Readings:

- Chapters 1-4 in Martha Minow, *Between Vengeance and Forgiveness* (Beacon Press, 1998)
- Review Substantive provisions of the Rome Statute of the ICC

Nov. 14 (Session 11)

Human Rights Advocacy: Local and Transnational Non-Governmental Forces and their Strategies

Readings:

- Kathryn Sikkink and Thomas Risse, “Introduction” in *the Power of Human Rights* (Cambridge, 1999).
- Shareen Hartel, “Child Labor, Child Rights and Transnational Advocacy” in *Unexpected Power* (Cornell UP, 2006).

- BAOBOB for Women's Human Rights, Please Stop the Amina Lawal Protest Letter Campaign (2003) available at <http://www.wluml.org/node/1025>
- Please visit the website of Women Living Under Muslim Laws www.wluml.org
What strategies are used to promote women's rights in the Muslim world by this network and its member organizations?

Nov. 21 (Session 12)

American Treatment of Int'l Human Rights Norms/ Human Rights and US Foreign Policy

Readings:

- Chapter 1 in Mokhtari, *After Abu Ghraib: Exploring Human Rights in America and the Middle East* (Cambridge, 2009).
- Introduction in Michael Ignatief, *American Exceptionalism and Human Rights* (Princeton University Press, 2003).
- Visit the website of the ACLU Human Rights Program

Nov. 28 (Session 13)

Human Rights Amid Protest and Change in the Arab World

Readings: Compilation of news and analysis articles to be made available on blackboard prior to class.

*****Human Rights Enforcement/ Promotion Papers Due**

Dec. 5 (Session 14)

Course Wrap-up

Dec 12 (11:45-2:15)

*****Final Exam*****