

INTRODUCTION TO HUMAN RIGHTS
SIS-322.003
FALL 2010, Tuesdays 11:20am-2pm.

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Course Description:

This course is a broad introduction to international human rights. It is designed to address the needs and interests of students of international studies, including those engaged in the study of peace and conflict resolution, international law, international politics and international development.

- This course seeks to answer a number of questions: What are the philosophical bases of human rights? Where are human rights actually codified? What is the history of human rights and the human rights movement? What does the human rights movement tell us about the role of non-state actors (even individuals) in international relations theory? How do rights figure into foreign policy, and how should they? What role is the global South playing now that a Western-inspired movement has grown and achieved acceptance? How should we think about torture and US policy?
- The course also explores the main debates in the human rights field: (a) the debate between individual rights versus collective rights; (b) the debate over universality and culture; and (c) the debate between civil/political rights and social/economic/cultural rights.
- The course introduces the main United Nations and regional systems for human rights protection and promotion and, in so doing, provides a tool for analyzing various forms of interventions attempting to promote peace and justice.
- Finally, the course challenges students to think as human rights advocates in considering foreign policy choices, corporate behavior and NGO strategies designed to advance human rights.

Despite the large size, the course will seek to encourage participation from students, and will encourage diversity of opinion and respect for differing views. To promote active learning, we will use a series of films and in-class exercises.

COURSE OBJECTIVES:

- Convey an understanding of the origins and philosophical bases of human rights
- Familiarize students with the major debates surrounding international human rights.
- Endow students with substantive knowledge of the key human rights documents and institutions at international and regional levels, as well as 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.
- Enhance team skills and critical skills of visual media

COURSE 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 potentials and limitations of civil society advocacy.
- Collaborate in a team and deliver a group presentation.

Assigned Readings:

Readings should all appear on Blackboard except for these books:

- Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: Harper Collins, 2003), paperback, ISBN: 0-06-054164-4.
- Philip Gourevitch, *We Wish to Inform You that Tomorrow We will be Killed with our Families* (New York: Farrar, Straus and Giroux; 1st edition, 1998).

Requirements and Grading:

- An **in-class mid-term exam** (20%) tests your understanding of the main philosophical, historical and legal bases of international human rights; the debate

over relativism; issues surrounding genocide, social and economic rights; health and rights and development; and the main elements of human rights systems and mechanisms.

- Write **analytical reflections of two documentary films from the AU Human Rights Film Series** (2 double-spaced pages for 10% -- 5% each). The films will all be shown in Katzen Arts Center, with films on each of Sept. 22, Oct. 6, Oct. 13, and Oct. 20. If you have a Thursday evening commitment, then you can watch the last film on PBS TV on Sept 21 at 10 pm and seek out another human rights film with Leah Gates' approval from our library. The essays should NOT summarize the film, but address ONE of these two questions:

- What questions does this film pose for activism and advocacy? What is your opinion about one of these questions?
- What are some conceptual or legal issues raised for international rights by the film?

In your essay, please include an assessment of how effectively the film addressed these issues. You have a week to complete each essay, and papers should be turned in via the Blackboard Assignments section no later than 5 pm the Thursday following the film showing.

- **Team Presentations** on a Specific Human Rights Institution (10%): see below.
- **Essay response to one discussion question** (4-5 double-spaced pages for 10%).
- **Reading Quizzes** (25%): You must take reading quizzes most weeks of the semester. The questions will be basic questions about the content of the readings. You must take these quizzes online at least one hour before the start of that week's lecture! These must be taken on Blackboard, and will be graded automatically by Blackboard.
- **Final exam:** (25%): You will answer a set of multiple-choice and short-answer questions based on the readings & lectures & videos in an in-class final exam.
- **Grades and Participation.** In addition to the above requirements, class attendance and consistent class preparation and participation is required. If your grade is borderline, grades will be raised one-third a letter grade for strong participation (defined by quality and not just quantity). On the other hand, overall grades will be lowered by one-third letter grade for students who miss two classes, and an additional one-third for further absences. Students who miss more than three classes must meet with me to explore whether they should receive credit for the course and, if so, what additional work will be required.

Grades are as follows: B+ = 3.3, B=3.0, B- = 2.7, with the same system for A=4, C=2, D=1 and F= 0.

Team Presentations on International and Regional HRts Mechanisms

Students will be divided into nine groups and asked to give a presentation in a (dynamic!) format of their choosing on the following UN charter and treaty-based HRts mechanisms and regional HRts systems:

Charter-based HRts Mechanisms – Presentation on Oct. 4.

- 1. UN Security Council*
- 2. Office of the High Commissioner for Human Rights (OHCHR)*
- 3. Human Rights Council (HRC) (its predecessor, HRts Commission)*
- 4. Universal Periodic Review Process (under the HRC), with examples of NGO submissions (please use Canada, Cuba and Saudi Arabia for examples).*

Treaty-based HRts mechanisms – Presentation on Oct. 4:

- 5. Human Rights Committee (ICCPR)*
- 6. Committee on Economic Social and Cultural Rights (ICESCR)*

Regional HRts systems – Presentation on Oct. 11:

- 7. European System*
- 8. Inter-American System*
- 9. African System*

The presentations can be no longer than 10 minutes – I will hold you to this time! – followed by a brief Q and A. I will provide more details in class, but the presentations should describe the structure and activities of the mechanism, detail the means through which it seeks to promote and protect human rights and ensure their enforcement, and assess its effectiveness – its strengths and weaknesses. You should provide one recent example of an action that body has taken in regards to a pressing human rights issue and the response that action elicited from the targeted audience.

Please send me your PowerPoint file ahead of time, if you choose to use it. No matter what the format of your presentation, please email to the class (via Blackboard) a summary of the key information you plan to share with your classmates. The following sources may be useful for you as you prepare your presentations and will be available on library reserves (feel free to seek other sources):

Henry Steiner, Philip Alston, and Ryan Goodman. 2008. International Human Rights in Context: Law, Politics, Morals. Oxford University Press. Chaps. 9, 10, 11.

Julie Mertus. 2009. 2nd Ed. The United Nations and Human Rights: A Guide for a New Era. London: Routledge.

ALL STUDENTS MUST READ the summary sections on each of the following institutions in Steiner, Alston & Goodman:

On UN & Treaty-based systems:

UN Charter-based institutions (pp. 735-742); Thematic 'Special Procedures' (765-769); Communications (782-4); UN HRts Council (791-812), UN High Commissioner for HRts (824-26); Responsibility to Protect, 'R2P' (835-38). These excerpted pages appear on Blackboard as a conjoined set (~40 pp) under Week 7.

On regional systems:

European regional system (933-942); Americas regional system (1020-29); African regional system (1962-70). These excerpted pages appear on Blackboard as a second conjoined set (~27 pp) under Week 7.

COURSE POLICIES:

- Please come to class having read and reflected on the required readings and be prepared to discuss them. During classroom discussions, your active participation is crucial to the success of the course.
- **No laptops** are permitted in the classroom. The lectures are available via Blackboard as tapes, with slides available as well. Please make arrangements to take notes by hand.
- Please bring paper and pen to class each week, in case of a table exercise
- Human rights rest on values, and discussions of values may give rise to intense emotion and disagreement, which are welcome. However, disrespect is not permitted in the classroom. Please help create a space where all opinions can be expressed freely, and listen carefully to your colleagues.
- Cellphones and other electronic devices should be turned off.



Session #1: INTRODUCING HUMAN RIGHTS: WHAT ARE THEY? WHAT CHALLENGES DOES THE FIELD FACE TODAY?

(Tuesday, August 30, 2011)

Group exercise: Break into Teams and derive your own “Universal” list of human rights.

Mini-Lecture on the accomplishments and some challenges confronting human rights today.

Readings before the next class:

J. Harrelson-Stephens and R. Callaway. 2007. “What are Human Rights?” pp. 4-10. In: R. Callaway and J. Harrelson-Stephens. Eds. *Exploring International Human Rights*. Boulder: Lynne Rienner Publishers.

Jack Donnelly. 2003. 2nd Ed. *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press. Part I (Chap. 1, pp. 7-21).

In-class film: *Balancing Acts*, 28 minutes.

Session #2: PHILOSOPHY, HISTORY and HUMAN RIGHTS LAWS

(September 6, Quiz #1)

Part I: The Philosophy and History of Human Rights

- *Where does the concept of human rights come from? The UDHR?*
- *What are the different possible foundations or underlying bases for human rights?*
- *Who benefits from human rights? Who doesn't?*

Part II: What are Human Rights? Where are They Found? Are They Law?

- *Where are human rights codified? Who determines if a right is a right?*
- *Can countries opt out of rights?*
- *Do certain rights have precedence? Who decides? Does the historical context of rights shape their content?*
- *What is international humanitarian law (the laws of war)?*

READINGS:

H. Steiner et al. 2008. *International Human Rights in Context*. Oxford: Oxford University Press. “Birth of the Movement: The UN Charter the UDHR,” pp. 133-139.

Susan Waltz. 2002. Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights. *Third World Quarterly*. 23, 3: 437-448.

The following documents:

- **Universal Declaration of Human Rights.**
 - **International Covenant on Civil and Political Rights**
 - **International Covenant on Social, Economic and Cultural Rights**
 - **Declaration of the Rights of Man**
 - **UN Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (read first 12 articles)**
 - **Common Article 3 of the four Geneva Conventions**
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Session #3. GENOCIDE AND ITS ROLE IN THE EMERGENCE OF HUMAN RIGHTS

(Sept. 13th, Quiz #2)

READINGS:

Genocide Convention.

Samantha Power book *A Problem from Hell*, ONLY Chapters 1-6 (History plus Cambodia case), 10 (Rwanda), 14 (Conclusion).

Session #4. CASE STUDY: GENOCIDE IN RWANDA

(Sept. 20)

READINGS:

Philip Gourevitch, *We Wish to Inform You that Tomorrow We will be Killed with our Families* (New York: Farrar, Straus and Giroux, 1998), whole book.

FILM: *The Notebooks of Memory*, 53 mins, in class.

AU Human Rights Film Series at Katzen Arts Center, Thursday, Sept. 22, 5:30-8 pm.

#1. "[If a Tree Falls: The Story of the Earth Liberation Front.](#)" If A Tree Falls follows the controversial story of Daniel McGowan who was arrested in 2005 on charges of domestic terrorism as a member of the Earth Liberation Front. The film details Daniel's wait for sentencing while under house arrest, intertwined with the dramatic history of the ELF who operated through anonymous cells and caused millions of dollars in damage to businesses believed to be destroying the environment. Daniel's story calls into question not only how we understand environmental activism but also terrorism and the justice system.

**Session #5. ECONOMIC AND SOCIAL RIGHTS;
DEVELOPMENT AND HEALTH AS HUMAN RIGHTS**
(Sept. 27, Quiz #3)

READINGS:

Henry Shue, "Basic Rights," chapter 1.4 in Callaway & Harrelson-Stephens, *Exploring International Human Rights*, pp. 16-20.

Roth, Kenneth, "Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization," *Human Rights Quarterly*

Three excerpted texts from H. Steiner, P. Alston, and R. Goodman, 2008, *International Human Rights in Context*. Oxford: Oxford University Press:

- **Editors' "Human Rights, Development and Climate Change," (pp. 1433-4)**
- **Amartya Sen's "Development as Freedom," (1434-37)**
- **UN Development Group "The Human Rights-Based Approach to Development," (1438-40)**
- **Editors' "The Right to Development" (1442-45)**

Paul Farmer, *Pathologies of Power*, pp. 1-23, (Introduction), pp. 24-50 (Chap. 1, Bearing Witness) and pp. 213-246 (Conclusion).

Session #6. HUMAN RIGHTS MECHANISMS AND INSTITUTIONS, Part 1
(Oct. 4)

Presentations of Groups 1-3, first half of class.
(Followed by mini-lecture)

Presentations of Groups 4-6, 2nd half of class.
(Followed by mini-lecture)

READINGS: See Mechanisms & Institutions Assignment earlier!

PLUS: Michael Ignatieff, "No Exceptions: The US Pick-and-Choose Approach to Human Rights," In Claude & Weston, pp. 383-389.

Human Rights Film Series at Katzen Arts Center, Thursday, Oct. 6, 5:30-8 pm.
#2. "How to Die in Oregon." Since 1994, Oregonians have had the right to physician-assisted suicide. Filmmaker Peter Richardson, known for his ability to make deep emotional connections on camera, reveals the highly complex and intimate decision to end one's own life through the stories of the terminally ill in Oregon. Examining both sides of this controversial issue, Richardson poignantly leads audiences to explore what it means to die with dignity.

**Session #7. HUMAN RIGHTS NGOs & ADVOCACY, and
MECHANISMS & INSTITUTIONS, Part 2**

(Oct. 11, Quiz #4)

**Presentations of Groups 7-9, 1st half of class.
(Followed by mini-lecture)**

READINGS:

Margaret Keck and Kathryn Sikkink. 1998. "Transnational Advocacy Networks in International Politics: Introduction." In *Activists Beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY: Cornell University Press, pp. 1-29.

Clifford Bob. 2002. "Merchants of Morality". *Foreign Policy*

Peruse Amnesty International's website www.aiusa.org

AU Human Rights Film Series at Katzen Arts Center, Thursday, Oct. 13, 5:30-8 pm.

#3. "The Redemption of General Butt Naked." Joshua Milton Blahyi is an evangelical Christian preacher, he is also formerly one of the most feared and bloodthirsty warlords of the 14-year Liberian civil war. Known as "General Butt Naked," Joshua believed he was invincible when fighting naked with an AK-47, as did his troops. Today we find him spreading the good word, telling his story of redemption, and seeking the forgiveness of his victims, his soldiers, and the courts. Beautifully shot and surprisingly up close, the filmmakers present the chilling portrait of a man whose culpability and idea of reconciliation are inherently at odds.

**Session #8. MID-TERM EXAM and
GLOBALIZATION AND TRANSNATIONAL ACTIVISM**

(Oct. 18, No Quiz)

READING:

Shareen Hertel, "New Moves in Transnational Advocacy: Getting Labor and Economic Rights on the Agenda in Unexpected Ways," *Global Governance* 12 (2006), pp. 263-281.

Shareen Hertel, Chapter 3 "Child Labor, Child Rights, and Transnational Advocacy: The Case of Bangladesh," *Unexpected Power: Conflict and Change Among Transnational Activists* (Ithaca, NY: Cornell University Press, 2006), pp. 31-54.

HRts Film Series at Katzen Arts Center, Thursday, Oct. 20, 5:30-8 pm.

#4. "Not in Our Town: Light in the Darkness." In 2008, Ecuadorian immigrant Marcelo Lucero was murdered in Patchogue, New York. Marcelo's death was the tragic culmination of a wave of anti-immigrant violence in the community. Light in the Darkness chronicles the journey of

Marcelo's family and community members as they react to their loss, the crime and the root causes of violence. The latest in the Not in Our Town series, the film carries on the tradition of documenting how communities organize and act together to prevent and repair the problems of hate crime to create an environment of safety and respect.

Session #9. WOMEN'S RIGHTS

(Oct. 25, Quiz #5)

READINGS:

Karen Foerstel, "Women's Rights," Articles from *CQ Researcher* (May 2008), pp. 53-80.

Eva Brems. 2006. Protecting the Rights of Women, pp. 120-135. In: R. Claude and B. Weston, *Human Rights in the World Community*. Philadelphia: University of Pennsylvania Press.

Caroline Bettinger-Lopez, "Jessica Gonzales v. the United States: An Emerging Model for Domestic Violence & Human Rights Advocacy in the United States," *Harvard Human Rights Journal* Vol. 21, pp. 183-196.

SPEAKER: Theresa Harris, Executive Director, Human Rights USA

Session #10. UNIVERSALISM VS. RELATIVISM: CULTURE AND RIGHTS

(Nov. 1, Quiz #6)

READINGS:

Jack Donnelly. 2003. 2nd Ed. *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press. Chapter 6 (Cultural Relativism), 89-106.

Series of article excerpts, "Dress and Symbols, Immigration, and Multiculturalism," Steiner et al. 2008. *International Human Rights in Context*. pp. 616-634.

Makau Mutua. 2001. Savages, Victims, and Saviors: The Metaphor of Human Rights. *Harvard International Law Journal*. 42: 1, pp. 201-219.

In-class Film: *Young, Muslim, and French*, 57 minutes.

Session #11: INTERVENTION IN THE NAME OF HUMAN RIGHTS

(Nov. 8, Quiz #7)

READINGS:

Sabine Carey, Mark Gibney, and Steven Poe, "Intervening to Protect Human Rights," Chapter 6 in *The Politics of Human Rights*, (Cambridge, 2010), pp. 165-195.

Robert Skidelsky and Michael Ignatieff, "Debate: Is Military Intervention over Kosovo Justified?," *Prospect*, 1 June 1999 (6 pp).

Gareth Evans and Mohamed Sahnoun, "The Responsibility to Protect," *Foreign Affairs* (Nov/Dec 2002).

Michael W. Doyle, "The Folly of Protection," *Foreign Affairs*, March 20, 2011 (3 pp.).

Vijay Prashad, "Why Nothing Good Will Come of This: Intervening in Libya," *Counterpunch*, 23 March 2011 (4 pp).

Session #12: TRUTH AND TRANSITIONAL JUSTICE

(Nov. 15, Quiz #8)

READINGS:

Joanna R Quinn, "Transitional Justice," in Michael Goodhart, *Human Rights Politics and Practice* (Oxford, 2009), pp. 354-369.

Martha Minow, Chapters 1, 2 & 3, *Between Vengeance and Forgiveness* (Beacon Press, 1998), pp. 1-51 ONLY.

Rome Statute of the International Criminal Court (ICC), 1998, in force 2002 (read carefully the first 29 articles, scan the rest).

FILM: "*Long Night's Journey into Day*" on the South African Truth Commission, 94 mins (Half in-class, Half outside class). VHS 6468, DVD 6885, or streaming from library electronic resources via: <http://catalog.wrlc.org/cgi-bin/Pwebrecon.cgi?BBID=9059523>

Session #13. TORTURE, U.S. POLICY & PRACTICE
(Nov. 29, Quiz #9)

READINGS:

William Schulz. 2009. Torture. Chp. 17, pp. 297-315. In: Michael Goodhart. *Human Rights: Politics & Practice*. Oxford: Oxford University Press.

Jane Mayer, Chapter 11, "Blowback," *The Dark Side: The Inside Story of How The War on Terror Turned into a War on American Ideals*. NY: Doubleday. 2008, pp. 261-295.

Darius Rejali, "Introduction," to his *Torture and Democracy* (Princeton, 2007), pp. 1-31.

For list of key documents in chronological order, go to
<http://www.torturingdemocracy.org/documents>

Guest Speaker: Tom Parker; Policy Director for Terrorism, Counterterrorism, and Human Rights; Amnesty International.

**** Tuesday, November 22: NO SESSION, THANKSGIVING WEEK**

Session #14. TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS
(Dec. 6, Quiz #10)

READINGS:

Sarah Joseph, "Pharmaceutical Corporations and Access to Drugs: The "Fourth Wave" of Corporate Human Rights Scrutiny," *Human Rights Quarterly*.

Morton Winston, "NGO Strategies for Promoting Corporate Social Responsibility," *Ethics and International Affairs* 16, 2 (2002), Carnegie Council on Ethics & International Affairs, pp. 71-87.

"The UN Sells Out," *The Progressive*, September 2000 (4 pages)

TEN PRINCIPLES OF THE UN GLOBAL COMPACT

Human Rights

Businesses should:

- Principle 1: Support and respect the protection of internationally proclaimed [human rights](#); and
- Principle 2: Make sure that they are not complicit in [human rights abuses](#).

Labour Standards

Businesses should uphold:

- Principle 3: the [freedom of association](#) and the effective recognition of the [right to collective bargaining](#);
- Principle 4: the elimination of all forms of forced and [compulsory labour](#);
- Principle 5: the effective abolition of [child labour](#); and
- Principle 6: the elimination of discrimination in employment and occupation.

Environment

Businesses should:

- Principle 7: support a [precautionary approach](#) to environmental challenges;
- Principle 8: undertake initiatives to promote environmental responsibility; and
- Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

- Principle 10: Businesses should work against [corruption](#) in all its forms, including [extortion](#) and [bribery](#).

TUESDAY, DECEMBER 13, 2011, 11:45 AM

FINAL EXAM

SOURCES OF SUPPORT

If you experience difficulty in this course for any reason, please don't hesitate to consult with me. In addition to the resources of the department, a wide range of services is available to support you in your efforts to meet the course requirements.

Academic Support Center (x3360, MGC 243) offers study skills workshops, individual instruction, tutor referrals, and services for students with learning disabilities. Writing support is available in the ASC Writing Lab or in the Writing Center, Battelle 228.

Counseling Center (x3500, MGC 214) offers counseling and consultations regarding personal concerns, self-help information, and connections to off-campus mental health resources.

Disability Support Services (x3315, MGC 206) offers technical and practical support and assistance with accommodations for students with physical, medical, or psychological disabilities. If you qualify for accommodations because of a disability, please notify me in a timely manner with a letter from the Academic Support Center or Disability Support Services so that we can make arrangements to address your needs.

ACADEMIC INTEGRITY CODE

All students must adhere to the Academic Integrity Code (<http://www.american.edu/provost/registrar/regulations/reg80.cfm>). As the code states, "By enrolling at American University and then each semester when registering for classes, students acknowledge their commitment to the Code. As members of the academic community, students must become familiar with their rights and their responsibilities. In each course, they are responsible for knowing the requirements and restrictions regarding research and writing, examinations of whatever kind, collaborative work, the use of study aids, the appropriateness of assistance, and other issues. Students are responsible for learning the conventions of documentation and acknowledgment of sources. American University expects students to complete all examinations, tests, papers, creative projects, and assignments of any kind according to the highest ethical standards, as set forth either explicitly or implicitly in this Code or by the direction of instructors."

EMERGENCY PREPAREDNESS

In the event of a declared pandemic (influenza or other communicable disease), 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 due to illness. Students are responsible for checking their AU e-mail regularly and keeping themselves informed of emergencies. In the event of a declared pandemic or other emergency, students should refer to the AU Web site (www.prepared.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.