

Human Rights in Latin America
SIS-419-010/SIS 619-001
FALL 2010, Tuesdays 5:30-8 pm

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What explains the horrific human rights abuses that took place in Latin America during the Cold War? How have patterns of human rights abuse changed since then, including after 9/11? What is the role of the US, and of international and national NGOs in the region's observance of political, socio-economic, indigenous and women's rights?

This course explores these and other questions through theory and case studies. It examines what rights are, which ones are observed and focused upon by states and by international actors, and whose are privileged in practice. The course examines some of the issues confronting human rights in Latin America today: how to remember, redress and repair human rights abuses under past authoritarian regimes; how to document and address rights abuses linked to the globalized movements of labor and people, as well as of indigenous peoples; what the role of the United States has been and should be; what the role of international and national NGOs is and ought to be; how to address non-political violence through human rights frameworks; and how to secure human rights in the region's armed conflicts.

Although numerous cases are touched upon, the course will draw heavily on several cases: Colombia, El Salvador, Guatemala, Brazil, Uruguay, Ecuador & Haiti.

Course Objectives:

By the end of the course, you should be able to:

- (a) think theoretically and creatively about human rights, international humanitarian law, and violence in Latin America;
- (b) analyze texts critically;
- (c) produce written and oral reviews of academic works that are persuasive and incisive;
- (d) work in a team and to make oral presentations in connection with negotiations over issues of peace, justice and human rights;
- (e) appraise the key challenges confronting rights activists and scholars in Latin America, and of their antecedents.

Required Books Available at the Bookstore:

- Mark Danner, *The Massacre at El Mozote*, New York: Vintage (1994). (160 pp.)
- Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (New York: Pantheon Books, 1990)
- Virginia Bouvier, *Colombia: Building Peace in a Time of War* (USIP Press, 2009).
- Winifred Tate, *Counting the Dead* (Univ. of California Press, 2007)
- Suzana Sawyer, *Crude Chronicles: Indigenous Politics, Multinational Oil, and Neoliberalism in Ecuador* (Duke Univ Press, 2004).
ISBN: 13 978-0-8223-3272-5 (paperbook)
- Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca, NY: Cornell University Press, 2004).
- Paul Farmer, *Pathologies of Power: Health, Human Rights and the New War on the Poor* (Berkeley, CA: Univ. of California Press, 2004)

Course Requirements & Grading

Readings: Do all of the assigned readings. Otherwise, it will be difficult for you to participate, and you won't get as much out of the discussion. Through Blackboard, the articles and all readings should be available electronically, except for the required books. Please read the articles in the order presented, as I've arranged them with a certain logic in mind.

60%: Four reading reviews (5 double-spaced pages). The main writing assignment for this course consists of four 5-page reading reviews, due roughly every three weeks, BEFORE the reviewed readings are discussed. You will write a review of at least three of the readings (or an entire book, if one is assigned) for a given week from the syllabus. These will be the main vehicle for learning how to read and write critically and persuasively, and we will spend some time on them in class. If you wish to score well, you should go to my personal webpage and click on the appropriate links for "critical reviews"! Below is a quick summary of those more complete guidelines:

- (a) Provide an analysis of the readings / book, not a description. But provide enough information so that someone who has not read it is not lost. This is an art, and difficult.
- (b) Be critical – even if you end up agreeing with the author and liking the reading. Perhaps this means being critical of others...
- (c) Make an argument! The argument will be based on:
 - a. Statement of the author's purpose
 - b. Assessment of how well the purpose is achieved
 - c. Evidence supporting your assessment
- (d) Base your argument on what is there, not on what you wish were there.
- (e) Quote with care.
- (f) Structure your paper with a brief introductory and concluding paragraph.

Please submit your review (and all assignments) electronically as an attachment in Word (format: Firstname Lastname Review #2.doc) to me (call@american.edu). Make sure that your name is on the paper and that pages are numbered please! Except for the first review, the reviews are due at noon the day BEFORE the reviewed readings are discussed in class. This means that you may not review readings from prior weeks (but may go as far ahead on the syllabus as you like).

20%: Performance in Simulated Negotiations. In November we will conduct a simulated **“Colombian Congress for Justice”** role-play. In preparation for this simulation (a national Congress, convened by the Santos government at Swedish behest, with international actors invited too), each student will be assigned / select a role for the simulation well in advance, and conduct research on that role. The objective is to have a national dialogue, resulting in some collective position(s), to create the conditions for justice, with an foundation in the past but looking to the future, for Colombia. The likely roles include:

ANMUCIC (Indig, poor Women)	FARC	Col. Nat’l Police	ELN
Ex-Paramilitaries (2)	UNHCHR (HRts)	UNHCR (refugees/IDPs)	Col. Assoc of IDPs
Catholic Church	Peace Communities	HRts Watch	Ruta Pacifica de Mujeres
Indigenous Coord.	USAID	MOVICE (victims of paras)	US DEA
The EU	Afro-Col Assoc.	Col. HRts Coord.	Fiscalia
Col. Defence Ministry	Justice for Journalists	Victims of Guerrillas	

One-fifth of your course grade rests on your performance in the simulation (further details on the role-play will be provided later). The grade will reflect two things (equally, 10% each). First, your oral performance during the simulated negotiation – i.e., how well you articulate and defend your position, drawing on materials and documents as needed (i.e., based on doing your homework).

Second, 10% of your course grade is based on a 1.5-page single-spaced public position paper due a week before the Simulation. That position paper will signal what your main concerns are to the other folks around the table, helping you achieve your negotiating goals. It should not include your private strategies nor tactics nor misgivings.

20%: Preparation of an analytic background paper for negotiations (6 double-spaced pages). Separate from the public position paper, you will prepare a private analytic background paper for my eyes only, due the day of the simulation. This paper should reflect research and be footnoted, as a mini-research paper. This background paper will answer specific questions.

Class Participation: Attendance is mandatory, and class participation in this graduate seminar is important. If you wish assistance in enhancing your participation, please let me know. More than one absence or lack of thoughtful participation in classroom discussions will lower your grade by one letter grade (possibly more for more absences). Conversely, clearly positive (in quality, not necessarily quantity) participation will boost your grade.

Late Assignment Penalties. I do not accept late papers without penalty except in case of genuine emergency (health, family death or health crisis). The due dates for each written assignment are listed in the syllabus. If you are more than five minutes late to class when submitting an assignment, then your review will be downgraded by 1/3 letter grade (eg, B to B-). Don’t wait until the last minute to complete the reviews! Late reviews arriving after 10 pm will be downgraded by 2/3 letter-grade, and a full letter grade if in by 10 am the following day.

Course Assignment Deadlines:

Thursday Sept. 9	<i>1st Reading Review Must be Completed</i>
Monday Sept 27	<i>2nd Reading Review Due at Noon</i>
Monday, Nov. 1	<i>3rd Reading Review Due at Noon</i>
Thursday, Nov. 11, Noon:	<i>1.5-Page (single-spaced) Public Position Paper Due</i>
Monday, Nov. 15, Noon:	<i>Background Paper on Colombian Justice Due</i>
Mon., Nov. 29	<i>4th & Final Reading Review Due at Noon</i>

Session #1 (Aug. 24): Course Intro & Video

Discussion of concepts, issues and expectations for the course.

Video: *Death and the Maiden* (1 hour 45 mins, based on Ariel Dorfman's play set in pseudo-Chile of the early 1990s). Half In-class, Half Out-of-class.

Session #2 (Aug. 30): A Cold War Massacre : El Salvador's El Mozote

Terry Karl, "El Salvador's Negotiated Revolution", *Foreign Affairs*, Spring 1992.

Mark Danner, *The Massacre at El Mozote*, New York: Vintage (1994). (160 pp.)

**** 1st Reading Review Due Thursday, Noon, (Sept. 2 on El Salvador OR Sept 9 on human rights)!!!**

Session #3 (Sept. 7): Human Rights: Which Rights, Whose Rights?

Foundation Texts:

- (a) *Universal Declaration of Human Rights* (1948)
- (b) *International Covenant on Civil and Political Rights* (1976)
- (c) *American Convention on Human Rights* (1969)
- (d) Common Article 3 of the Geneva Conventions (1949)

Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd edition (Ithaca, NY : Cornell Univ. Press, 2002). Introduction plus Chapters 1 & 2, pp. 1-37.

Alison Dundes Renteln, "The Unanswered Challenge of Relativism and the Consequences for Human Rights," *Human Rights Quarterly*, 7,4 pp. 514-40.

Kenneth Roth, "Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization," *Human Rights Quarterly* 26,1 (2004), pp. 63-73.

James L. Cavallaro and Stephanie Erin Brewer, "Reevaluating Regional HRts Litigation in the 21st Century: The Case of the Inter-American Court" *American Journal of International Law* 102 (2008), pp. 768-827.

Session #4 (Sept. 14): Secrecy and Amnesty (Brazil & Uruguay)

Lawrence Weschler, *A Miracle, A Universe : Settling Accounts with Torturers* (New York: Pantheon Books, 1990) (entire book)

**** 2nd Reading Review Due Monday (Sept 13 on Weschler; Sept 20 on Agency; Sept 27 on TJ) by Noon!!!**

Session #5 (Sept. 21): Globalization, Agency & Contemporary Rights Issues

Amalia Lucia Cabezas, "Tourism, Sex Work, and Women's Rights in the Dominican Republic," in Alison Brysk (ed), *Globalization and Human Rights* (Berkeley, CA: Univ. of California Press, 2002), pp. 44-58.

Raul C. Pangalangan, "Sweatshops and Labor Standards," in Alison Brysk (ed), *Globalization and Human Rights*, pp. 98-112.

Human Rights Watch, "You'll Learn Not to Cry: Child Combatants in Colombia," report, September 2003. Read ONLY "Summary" and "Recommendations" (pp. 3-18), and "5. Joining Up" (pp. 35-46).

Session #6 (Sept. 28): Transitional Justice

Priscilla Hayner, "In Pursuit of Justice and Reconciliation: Contributions of Truth-Telling," from Cynthia Arnson, *Comparative Peace Processes in Latin America* (Washington, DC: Woodrow Wilson Center Press, 1999), pp. 363-388.

Catalina Diaz, "Challenging Impunity from Below: The Contested Ownership of Transitional Justice in Colombia," from Kieran McEvoy and Lorna McGregor, *Transitional Justice from Below*, (Portland, OR: Hart) 2008, pp. 189-216.

Susan Harris Rimmer, "Sexing the Subject of Transitional Justice," *Australian Feminist Law Journal*, (2010), 32, pp. 123-147.

Guest Speaker: Dr. Juan Mendez, early Argentine political prisoner freed after Amnesty campaign; founding director of Americas Watch; President of Inter-American Court, inaugural Senior Adviser on Genocide to the UN Secretary-General (2004-07); President of the Int'l Center on Transitional Justice (ICTJ, 2004-08); and to cap it all off, alum of and Visiting Professor at our own School of Law.

**** 2nd Reading Review Due Monday (Sept 13 on Weschler; Sept 20 on Agency; Sept 27 on TJ) by Noon!!!**

Session #7 (Oct. 5): US Foreign Policy and Human Rights in Latin America

Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca, NY: Cornell University Press, 2004), entire book.

ALSO: Glance through Emilie M. Hafner-Burton and James Ron, "The Boomerang Market: Supply, Demand and the Geography of Human Rights Media Coverage," forthcoming in *International Organization*.

Guest Speaker: Dr. Geoff Thale, Program Director, Washington Office on Latin America (WOLA), longtime advocate who will reflect on how advocacy challenges have changed in recent years.

Session #8 (Oct. 12): War and Peace in Colombia

Virginia 'Ginny' Bouvier, *Colombia: Building Peace in a Time of War* (USIP Press, 2009), Chapters 1-7 (pp. 3-156).

Guest Speaker, Ginny Bouvier.

For the simulation, also consult the following websites:

FARC website (not maintained since 2003), <http://www.farcep.org/>

Colombia Defense Ministry, <http://www.mindefensa.gov.co/>

Comision Andina de Juristas (Bogota)

Human Rights Watch, www.hrw.org

International Crisis Group, www.crisisweb.org

Center on International Policy www.ciponline.org

Washington Office on Latin America, www.wola.org

Session #9 (Oct. 19): Corporations, Globalization, Resources & Rights (Ecuador)

Suzana Sawyer, *Crude Chronicles: Indigenous Politics, Multinational Oil, and Neoliberalism in Ecuador*, entire book.

Session #10 (Oct. 26): Social and Economic Justice: Haiti and a Critique of Conventional Rights Activism

Paul Farmer, *Pathologies of Power: Health, Human Rights and the New War on the Poor* (Berkeley, CA: Univ. of California Press, 2004), entire book.

**** 3rd Reading Review Due Monday at Noon (Oct. 4 for Sikkink; Oct. 11 for Bouvier; Oct. 18 for Sawyer; Oct. 25 for Farmer; Nov. 1 for Tate)**

Session #11 (Nov. 2): The Role of Human Rights NGOs and INGOs (Colombia)

Recall/Review Sikkink Book on the role of NGOs, INGOs

Winifred Tate, *Counting the Dead*, entire book.

Recommended: James Ron, Harold Ramos and Kathleen Rodgers, "Transnational Information Politics and Human Rights Reporting, 1986-2000," *International Studies Quarterly* 49 (2005), 557-587.

Thursday, Nov. 11, Noon: 1.5-Page (single-spaced) Public Position Paper Due

Monday, Nov. 15, Noon: Background 6-page Paper on Colombian Transitional Justice Due

Session #12 (Nov. 9): Human Rights, Hegemony & US Torture

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

Re-read Article 4 of the Geneva Convention relative to the Treatment of Prisoners of War, and Common Article 3 of the Geneva Conventions.

Jane Mayer, "Annals of the Pentagon: The Memo," *New Yorker* Feb. 27, 2006 (16 pages)

ABC News, "Sources: Bush Advisers Approved "Enhanced Interrogation" Techniques, April 2008.(5 pages)

Excerpts of CIA Inspector-General Report "Counterterrorism Detention and Interrogation Activities," 7 May 2004.

Recommended:

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

Yoo Memo, Jan. 11, 2002

William Howard Taft IV, Memo rebutting Yoo, Jan 11, 2002.

CIA Inspector-General Report "Counterterrorism Detention and Interrogation Activities," 7 May 2004. 160 pages.

Session #13 (Nov. 16): Simulation of 'Colombian Congress for Justice'!

KEY ARTICLE: Lisa J. Laplante & Kimberley Theidon, "Transitional Justice in Times of Conflict: Colombia's Ley de Justicia y Paz," *Michigan Journal of International Law*, 28:49, 2007.

Human Rights Watch, "Breaking the Grip: Obstacles to Justice for Paramilitary Mafias in Colombia," (Oct 2008). Use this 140-page report as a RESOURCE.

NO SESSION: Thanksgiving Week. Happy Giving Thanks!

Monday, Nov. 29, Noon:

**** 4th and Final Review Due!!!**

Session #14 (Nov. 30) Organized Crime, Democracy & Human Rights

Teresa P.R. Caldeira and James Holston, "Democracy and Violence in Brazil," *Comparative Studies in Society and History* 41,4 (Oct 1999), pp. 691-729.

Charles T. Call, "Democratization, War, and State-Building: Constructing the Rule of Law in El Salvador," *Journal of Latin American Studies* 35:4 (November 2003).

James Cavallaro and Mohammad-Mahmoud Ould Mohamedou, "Public Enemy Number Two?: Rising Crime and Human Rights Advocacy in Transitional Societies," *Harvard Human Rights Journal* 18, 139 (Spring, 2005).

Guest Speaker: TBA

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.