

INR 4297

International Protection of Human Rights

Spring 2014

Department of Politics and International Relations

Class Time: M/W/F 1pm – 1:50pm

Location: Deuxieme Maison 190

Professor: Erin Kimball Damman
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COURSE DESCRIPTION AND OBJECTIVES:

Human rights have become an increasingly central issue in global politics. This course introduces students to the law and politics of international human rights. It examines the gradual construction of an international human rights regime and its influence on international politics. The course seeks to understand how and why human rights standards have come into being and how they change over time. Drawing on historical and contemporary cases from around the world, the course will survey the actors and organizations, including states, international organizations, and non-state actors, involved in the promotion of human rights around the globe, as well as obstacles to such promotion. It will review competing conceptions of human rights, whether human rights are universal, problems of enforcement, and the role of human rights in foreign policy. Major topics include civil and political rights; economic, social and cultural rights; the laws of war, genocide, torture, humanitarian intervention, transnational corporations, women's rights, and the international criminal court.

This is a global learning (GL) course that counts toward your global learning graduation requirement.

By completing this course, students should achieve the following global learning outcomes:

1. **Global Awareness:** Students will be able to articulate the interrelation of cultural, historical and political forces that determine the evolving discourse on human dignity.
2. **Global Perspective:** Students will be able to analyze major debates within the field of human rights from the perspective of different local, national, international and global actors/groups involved.
3. **Global Engagement:** Students will be able to evaluate current events from a human rights perspective and engage in advocacy/policy prescriptions.

We will accomplish this through a variety of active learning methods:

- Assigned readings and in-class film screenings
- Lectures, along with instructor-led discussion
- Frequent small group and class-wide debates
- Guest speakers from local advocacy and governmental organizations
- Exams that will require, among other tasks, that you analyze a problem from multiple perspectives.
- A written research report of 3500 to 4000 words in length that requires interaction with an organization involved in human rights advocacy

REQUIRED TEXT:

Donnelly, Jack. 2012. *International Human Rights*. 4th Edition. Boulder, CO: Westview Press. ISBN: 978-0-8133-4501-7

NOTE: Other readings, indicated in the course outline, will be distributed electronically.

Some Key Websites Relating To International Human Rights

The UN High Commissioner for Human Rights (and UN Human Rights Council)

www.ohchr.org/english

The United Nations Headquarters Home Page

www.un.org

International Criminal Tribunal for the Former Yugoslavia Home Page

www.un.org/icty

The University of Minnesota International Human Rights Library (**best, in general, for human rights related documents!**)

www1.umn.edu/humanrts

Amnesty International Online

(Click Library link for County Reports)

<http://www.amnesty.org/>

The Human Rights Watch Home Page

<http://www.hrw.org/>

EVALUATION:

ASSIGNMENT	PERCENTAGE	DUE DATE
Attendance and Participation	10%	Through out semester
Class Presentation	10%	Through out semester
Response Paper	10%	Through out semester
First Exam	20%	Wednesday, February 19
Research Paper	30%	April 16
Final Exam	20%	Monday, April 21

Attendance and Participation (10%): Attendance is mandatory, and you will be graded on your participation. To earn participation points, you must come to class prepared and take part in the class discussions. **BE ADVISED:** This class is very interactive, and it will require time on your part to be prepared to adequately contribute in class. **YOU MUST DO THE READINGS LISTED IN THE SYLLABUS BEFORE CLASS FOR THE DAY LISTED!**

Class Presentation (10%): You will each have a turn to serve on a panel for an in-class debate. During the first week, you will sign up for one class problem. You are required to research this topic in-depth and come to class prepared to debate it from a specific side. Even if you do not agree with the side that you are representing, you must attempt to find reasonable arguments in favor of your position.

Response Paper (10%): Following your class debate, you will write a response paper (roughly 800 words) that summarizes the issue and why it is controversial, and what the different sides believe. Ultimately, you must argue in favor of one side or the other (NOTE: you do not need to argue for the side you represented in class).

Tests (2 x 20%): There will be two tests in this class. Both will be a combination of short answer and definitions.

Human Rights Report (30%): You will choose a current event that represents a human rights problem and write a **3500 to 4000** word report about it, **AS IF YOU WERE AN NGO** (e.g. Amnesty International, Human Rights Watch). It will be a combination of a research paper and a policy prescription. Please note: Turnitin.com will be used in this course.

Grading Scale:

A 93 – 100	A- 90 to 92.99	B+ 87 to 89.99
B 83 to 86.99	B- 80 to 82.99	C+ 77 to 79.99
C 73 to 76.99	C- 70 to 72.99	D+ 67 to 69.99
D 63 to 66.99	D- 60 to 63.99	F 60 and below

Please note: You must receive a grade of C or higher to use this class for your major. A C- or worse can be considered as failing.

MISCELLANEOUS COURSE POLICIES:

1. Class starts at 1pm precisely. Please be on time. Arriving late is disrespectful to your classmates (and professor) and causes disruptions to those around you.
2. Consistent and timely reading is the key to success in this course. Every student must arrive to our class prepared (with outlines or notes) to discuss the day's readings.
3. I may not take role everyday, but I will do so often, on random and unannounced times. You are allowed two unexcused absences, after that your participation grade will be reduced by 3% for each documented unexcused absence.
4. Work turned in late is not acceptable. Excused delays on assignments will only be considered for emergency cases – a death in the family, a severe illness, etc. Excuses based on illness or events occurring within 24 hours of the due date will not be accepted if the student cannot provide evidence of significant progress on the incomplete assignment. Computer-related excuses are not accepted – please save your work often and on a flashdrive or CD as well as hard drive. Print a hard copy of partially completed drafts too.
5. Similarly, our exam dates are set at the start of the semester, so I am unlikely to allow you to take a make-up exam if you miss one regardless of the circumstances. In rare cases of severe and verifiable emergency or illness, I may, at my discretion: a) allow you to write a make-up exam on a date of my choosing or b) calculate your course grade without this exam. In the majority of cases, however, if you miss an exam you will simply receive a zero.
6. Laptops may be used in class FOR TAKING NOTES ONLY. If you are going to use a laptop be sure to turn off all messaging, facebook, email, etc programs before class

begins. This is a privilege that I reserve the right to revoke should it cause any disruptions to you or those around you.

7. Students enrolled in all Florida International University courses are expected to uphold standards of academic integrity and are subject to FIU's rules governing academic misconduct. Identified cases of plagiarism or cheating could result in a grade of "F" for the work in question or for the course. For information about FIU's academic integrity policies, see <http://www2.fiu.edu/~oabp/misconductweb/1acmisconductproc.htm>.
8. Reasonable accommodations are available for students with a documented disability. If you have a disability and may need accommodations to fully participate in this class, please visit the Disability Resource Center (DRC). All accommodations **MUST** be approved through the DRC (Graham Center (GC) 190). Please stop by, call 305-348-3532, or email drcupgl@fiu.edu to make an appointment with a disability specialist.
9. I expend a great deal of effort to ensure that your grades in this course accurately reflect the quality of your work. Any questions you have about grades must be presented in writing, and may not be submitted sooner than one week after receiving the grade in question. (And if in this written statement you insist that your grade should be reexamined, please understand that as a consequence your grade could go down as well as up.)
10. Kindly show the respect that is due to your classmates (and, of course, your professor). We will be debating many sensitive topics in this course. Please handle yourselves and your disagreements professionally. We are all here to learn, and we all have something to contribute.

Disclaimer: I reserve the right to make changes to the syllabus as needed during the course.

COURSE OUTLINE

PART I: INTRODUCTION, HISTORY AND CONCEPTUALIZATION

Week 1: Introduction

January 6: Course Overview

- Syllabus will be handed out

January 8: Human Rights: Some Contested Issues: A Staring Place

Reading:

- Donnelly Chapter 1

January 10: Why it matters: “I Came to Testify”

Reading:

- Donnelly. Chapter 13, pp 191 to 198
- Vulliamy. 1994. *Seasons in Hell*. Selected chapters.

Week 2: History

January 13: Class Discussion on Bosnia and human rights

Reading:

- Vulliamy. 1994. *Seasons in Hell*. Selected chapters.

January 15: The Foundations for Civil and Political Rights

Reading:

- Ishay, Micheline. 2008. “Human Rights and the Enlightenment.” *The History of Human Rights*.

January 17: The Foundations for Social and Economic Rights: The Industrial Revolution

Reading:

- Ishay, Micheline. 2008. “Human Rights and the Industrial Age.” *The History of Human Rights*.

Week 3: The Rise of Modern Human Rights

January 20: NO CLASS – Martin Luther King Jr. Day

January 22: World War II, the Nuremburg trials and the Universal Declaration

Reading:

- Morsink, Johannes. 1999. “The Drafting Process Explained.” P 2-28.
- Sikkink, Kathryn. 2004. “The Idea of Internationally Recognized Human Rights.” In *Mixed Signals: U.S. Human Rights Policy and Latin America*. Cornell UP

January 24: Class Discussion on Universal Declaration of Human Rights

Reading:

- Universal Declaration of Human Rights in Donnelly, pp 261 – 264

Assignment For Class: Choose one article from the Declaration and find a real life example. Bring evidence to class for discussion

Week 4: Issues of Universality and Relativity

January 27: Universal vs. Cultural Relativity

Reading:

- Donnelly, Chapter 3
- Sen, 2000. “Culture and Human Rights” in *Development as Freedom*. pp. 227 – 248.
- Mutua. “Savages, Victims and Saviors: The Metaphor of Human Rights.”

January 29: Human rights in diverse cultures: Case Studies

Readings:

- Bielfeldt. 1995. "Muslim voices in the Human Rights Debate" *Human Rights Quarterly*
- Cobbah. 1987 "African Values and the Human Rights Debate." *Human Rights Quarterly*

January 31: Class Problem 1: Asian Values

Reading:

- Donnelly Chapter 12
- Kausikan, Bilihari. Autumn 1993. "Asia's Different Standard." *Foreign Policy*. No. 92

Panel:	FOR TRADITION	FOR UNIVERSALITY
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

Week 5: Issues of Universality and Relativity continued

February 3: Collective Rights as Human Rights?

Reading:

- Deloria, Vine. 1969. "Custer Died for Your Sins." Excerpt
- Jones, Peter. 1999. "Human Rights, Group Rights, and People's Rights" *Human Rights Quarterly*.

February 5: Women's Rights as Human Rights?

Reading:

- Bunch, Charlotte. 1990. "Women's Rights as Human Rights." *Human Rights Quarterly*.
- Moller Okin, Susan. 1999. "Is Multiculturalism bad for Women?" Princeton UP

February 7: Class Problem 2: Religion, Health and the right to bodily integrity

Reading:

- Althaus, Frances. "Female Circumcision: Right of Passage or Violation of Rights?"
- "A ban on male circumcision would be antisemitic. How could it not be?" link on Blackboard.
- "Infant male circumcision is genital mutilation." Link on Blackboard

Panel: Pro Circumcision	Pro Male Only	Anti-Circumcision
1. _____	1. _____	1. _____
2. _____	2. _____	2. _____

3. _____ 3. _____ 3. _____

II. THE PROMOTION OF HUMAN RIGHTS

Week 6: The Problem of Sovereignty

February 10: The State as the Perpetrator of Human Rights Violations

Reading:

- Donnelly Chapter 4
- Danner, Mark. The Truth of El Mozote available at:
<http://archives.newyorker.com/?i=1993-12-06#folio=050>

February 12: The State as Protector: Constitutions and Foreign policy

Reading:

- Donnelly Chapter 9

February 14: Class Problem 3: Asylum Seekers around the world

Reading:

- Gibney, Matthew. 2004. "Introduction." *The Ethics and Politics of Asylum*. Cambridge UP.

Panel: FOR LIMITED ASYLUM FOR CULTURAL ASYLUM

1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

Week 7:

February 17: Review Day

February 19: TEST 1

February 21: The U.S. and domestic issues

Reading:

- Michael Ignatieff, "Introduction: American Exceptionalism and Human Rights," in Ignatieff, ed., *American Exceptionalism and Human Rights* (Princeton, 2005), pp. 1-26
- Human Rights Watch. "World Report 2013: US" at: <http://www.hrw.org/world-report/2013/country-chapters/united-states>

Week 8: The US and Human Rights

February 24: US Foreign Policy

Reading:

- Donnelly, Chapter 8
- Lynch, Colum. “Does the U.S. deserve its new seat on the Human Rights Council?” Colum Lynch, Turtle Bay (blog), Monday, November 12, 2012. At: http://blog.foreignpolicy.com/posts/2012/11/12/does_the_us_deserve_its_seat_on_the_human_rights_council#sthash.cj6Eo6XV.dpbs

February 26: Class Problem 4: Torture and the War on Terror

Reading:

- Forsythe, David. 2008. “The United States and International Humanitarian Law.” *Journal of Human Rights*.
- Torture Memos: Yoo Memo, Jan 9, 2002
Gonzales to Bush, Jan 25, 2002.
Powell to White House, Jan 26, 2002
Taft to Gonzales, Feb 2, 2002, 1st two pages
Bybee to Gonzales, August 1, 2002, 1st two pages

Panel:	FOR EIT	FOR GENEVA CONVENTIONS
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

February 28: International Human Rights Regimes

Reading:

- Donnelly Chapter 5
- Alston, Philip. 2011. “Hobbling the Monitors.” *Harvard International Law Journal*. Pp. 563- 625
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Week 9: International Human Rights Regimes, continued

March 3: Regional Regimes

Reading:

- Donnelly Chapter 6

March 5: The ICC theory and practice

Reading

- Schabas, William. 2001. *An Introduction to the International Criminal Court*. Chapter 1 and 2.
- Mamdani, Mahmood. 2008. “The New Humanitarian Order?”
- Dersso, Solomon. “The International Criminal Court’s Africa Problem.” *Al Jazeera*, June 11, 2013

March 7: Class Problem 5: Universal Jurisdiction

Reading:

- Kissinger. 2001. “The Pitfalls of Universal Jurisdiction” *Foreign Affairs*.

- Roth, 2001. “The Case for Universal Jurisdiction.” *Foreign Affairs*.

Panel:	FOR UNIVERSAL JURISDICTION	AGAINST
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

Week 10: SPRING BREAK

III. HUMAN RIGHTS IN PRACTICE

Week 11: Regimes and Case Studies

March 17: Transnational Advocacy Networks

Reading:

- Donnelly Chapter 10
- Keck and Sikkink, “Transnational Advocacy Networks in International Politics,” in *Activists Beyond Borders* (Cornell, 1998), pp. 1-38

March 19: Case Study: What should our response be to Syria?

Reading:

- Donnelly Chapter 7
- Donnelly Chapter 11
- HRW. “In Cold Blood” Read the Summary.
- HRW. “We Can Still See Their Blood.” Read the Summary
- HRW. Opposition Responses to “We Can Still See Their Blood.”
- HRW. “Holistic Approach Needed for Justice.”

March 21: Case Study: Homosexuality in Africa, How should this be addressed?

Reading:

- Amory, Deborah. “ ‘Homosexuality’ in Africa: Issues and Debates.” *Journal of Opinion*
- Croome, Philippa. 23 December 2013. “Uganda’s Gays Fear Mounting Violence in Wake of Anti-Gay Bill’s Passage.” *CNN*

Week 12: Human Rights in Conflict and Post-Conflict Settings

March 24: Genocide

Reading:

- Donnelly Chapter 13
- Lemarchand. 1998. “Genocide in the Great Lakes: Which Genocide, Whose Genocide?”

March 26: Humanitarian Interventions: An Obligation to Protect?

Reading:

- Finnemore, Martha. 2003. *The Purpose of Intervention*. Excerpt.
- Alex Bellamy, "R2P - Dead or Alive?" in *Responsibility to Protect – From Evasive to Reluctant Action?* (Hans Seidel Foundation, 2012), pp. 11-28.

March 28: Class Problem 6: Peace vs. Justice

Reading: Zartman and Kremenyuk. 2005. "Peace versus Justice." Selected Chapters.

Panel:	FOR PEACE	For JUSTICE
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

Week 13: Modern Slavery

March 31: Movie: Sold: Fighting the New Global Slave Trade

Reading:

- Kovasevic, Natasa. 2007. "Child Slavery: India's Self-Perpetuating Dilemma

April 2: Modern Slavery

Reading:

- Kapstein, Ethan. 2006. "The New Global Slave Trade." *Foreign Affairs*.

April 4: Class Problem 7: Poverty and Human Rights: Do We have an Obligation to help?

Reading:

- Pogge. 2007. "Freedom from Poverty and Human Rights." Chapter 1. Oxford UP.

Panel:	Obligation	No Obligation
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

Week 14: Globalization and Human Rights

April 7: Video: Free Trade Slaves

Reading:

- Donnelly, Chapter 14

April 9: Transnational Corporations

Reading:

- Forsythe, "Transnational Corporations and Human Rights," in *Human Rights in International Relations* (Cambridge, 2012), pp. 277-314.
- Debora Spar, "The Spotlight and the Bottom Line: How Multinationals Export Human Rights," *Foreign Affairs* (March/April 1998).
- Chris Albin-Lackey, "Without Rules: A Failed Approach to Corporate Accountability," Human Rights Watch, *World Report 2013*, pp. 29-40.

April 11: Class Problem 8: Can Globalization Be Good for Human Rights?

Reading:

- Howard-Hasseman. 2005. "The Second Great Transformation." *Human Rights Quarterly*

Panel:	FOR GLOBALIZATION	AGAINST
	1. _____	1. _____
	2. _____	2. _____
	3. _____	3. _____

Week 15: Wrap Up

April 14: A Resolving Conflict: The Right to a clean environment vs. the right to development

Reading:

- OHCHR and UNEP. 2012. "Human Rights and the Environment."

April 16: Looking Forward: Human Rights Today and Tomorrow

FINAL PAPER DUE

April 18: Review Day

Week 16: Finals Week

April 21: EXAM 12PM TO 2PM, DEUXIEME MAISON 190