

COURSE DESCRIPTION

The idea of human rights had led to a revolution in the political and normative understanding human security and global responsibility beyond the boundaries of the sovereign nation-state. From its role in the founding of the United Nations and the International Criminal Court, many see human rights as a force of progress. At the same time, the universalistic aspirations behind the human rights movements have long been attacked as ethno-centric, philosophically incoherent, and dangerously unrealistic. This course studies the theoretical, practical, and legal arguments for and against using human rights as vehicle for change in international politics. Drawing on historical and contemporary cases from around the world, the course will survey the actors and organizations, including states, corporations, and non-state actors, involved in the promotion of human rights around the globe. We will also review potential issues, such as competing conceptions of human rights, whether human rights are universal, problems of enforcement, and the role of human rights in foreign policy. Throughout, we consider a variety of perspectives, including: liberal, realist, feminist, postcolonial, and other critical approaches concerned with human rights institutions and ideologies.

REQUIREMENTS AND GRADING:

Grades are based on the following criteria:

- **Class participation (20%):** The success of this class depends on the intensive participation of each and every student. For this reason, regular class participation and thoughtful contribution to our discussion based on a thorough analysis of the readings are crucial. Students are expected to attend all class meetings. If you must miss a class meeting because of a religious holiday, illness, or family emergency, please notify me of your planned absence. You are expected to turn in a one-page make-up essay assignment to substitute for class participation that day.
- **Critical Response Assignments (20%):** You will compose 2 response papers to that select and briefly explain a particular concept/phrase/word from the readings, analyze what this illuminates about an aspect of the overall argument, and raises a question or concern about it. You are expected to use theoretical and conceptual evidence from course readings. The papers should be 400-600 words (double-spaced, 12 point font, 1 inch margins).
- **Human Rights Advocacy Presentation (30%):** As a group of 3-4 students, you will explore a contemporary human rights issue. You will then present an analysis on that issue in the form of a 15-20 min presentation. You are asked to research an NGO, local advocacy group, or governmental body that is concerned with your chosen issue and report back to our class with suggestions for engaging with this issue. Each group member submits a 200-300 word summary of a source they consulted.
- **Research Proposal and Paper Précis (5%):** In order to make the research process more manageable, we will have two preparatory assignments: a short research proposal and 7-item annotated bibliography due on X/XX and X/XX. Students will turn in a carefully

written and preliminary research topic statement (2-3 paragraphs) by X on X/XX; and a substantial research proposal (of at least 2 pages, including a revised topic statement if necessary) with an annotated draft bibliography of at least 7 high-quality sources by X/XX. This will allow me to provide you specific feedback about how to approach your question and which readings to consult on the basis of your topic statement and bibliography.

- **Final Paper (25%):** Students are expected to write one 5,000 word essay that explores a question of relevance to the core themes and topics of the course. The essay is due at noon on XXX. This assignment will be assessed on the extent to which you:
 - a. Offer a clear, concise thesis statement describing the central argument of the essay.
 - b. Provide reason and evidence to support that central argument throughout the essay and address counterarguments.
 - c. Deliver a well-written, organized, properly cited essay.
 - d. Conduct a comprehensive research and incorporate the literature into your analysis.

ASSIGNED READINGS

Part I. Introduction, Theory, History

Week 1: What are Human Rights?

Monday

Introductions

Easterly, William, "Poverty is Not a Human Rights Violation" available online at <http://archive.economonitor.com/blog/2009/06/poverty-is-not-a-human-rights-violation/>

Dossani, Sameer. "Amnesty International Responds to 'Poverty is Not a Human Rights Violation'"

Wednesday

1789 Declaration of the Rights of Man and Citizen – Available online at http://avalon.law.yale.edu/18th_century/rightsof.asp

The Universal Declaration of Human Rights – Available online at <https://www.un.org/en/universal-declaration-human-rights/>

Week 2: The Rise of Human Rights

Monday

Donnelly, Jack. "Human Rights in Global Politics: Historical Perspective," Ch. 1 in: *International Human Rights*, Fifth edition. Boulder: Westview Press, 2017. 3–19.

Ashild Samnoy, "The Origins of the Universal Declaration of Human Rights," in Alfredsson and Eide, eds., *The Universal Declaration of Human Rights: A Common Standard of Achievement* (The Hague: Martinus Nijhoff, 1998), pp. 3-22

Wednesday

Moyn, Samuel *The Last Utopia: Human Rights in History*, Harvard University Press, 2010, pp. 1-43.

Philip Alston. "Does the Past Matter?: The Origins of Human Rights," *Harvard Law Review*, Vol. 126 (2013): 2061-2081.

Week 3: Theoretical Perspectives

Monday

Donnelly, Jack. *International Human Rights* (Westview, 2012), 4th ed. "Theories of Human Rights."

Kathryn Sikkink, "Introduction to the Origins of Human Rights Policies," in *Mixed Signals: U.S. Human Rights Policy and Latin America* (Cornell, 2004), pp. 3-22.

Wednesday

Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, 1999), p. 67-71.

Makau Mutua, "Savages, Victims and Saviours: The Metaphor of Human Rights," *Harvard International Law Journal*, Vol. 42 (2001), pp. 201-245.

Week 4: Rights, Citizenship, and the Nation-State

Monday

Rogers Brubaker, "Citizenship as Social Closure" and "The French Revolution and the Invention of National Citizenship," in *Citizenship and Nationhood in France and Germany* (Cambridge, Mass.: Harvard University Press, 1992), pp. 21-49.

Hannah Arendt, "The Decline of the Nation-state and the End of the Rights of Man," in *The Origins of Totalitarianism* (New York: Harcourt, 1968), pp. 267-302.

Wednesday

Ayelet Schachar, *The Birthright Lottery: Citizenship and Global Inequality* (Cambridge, MA: Harvard University Press, 2009). (excerpt)

Week 5: Are Human Rights Universal?

Monday

Donnelly Jack., *International Human Rights*. Chap 3, "The Relative Universality of Human Rights." 39-56.

Bilahari Kausikan, "Asia's Different Standard," *Foreign Policy*, No. 92 (Autumn 1993).

Wednesday

Grovogui, Siba N'Zatioula. "Mind, Body, and Gut! Elements of a Postcolonial Human Rights Discourse." In *Decolonizing International Relations*, Branwen Gruffydd Jones (ed.). Maryland: Rowman and Littlefield, 2006.

Preis, Ann-Belinda S. "Human Rights as Cultural Practice: An Anthropological Critique" *Human Rights Quarterly* 18, no. 2 (1996): only pp. 286-299.

Part II: States, NGO's, Corporations, Power

Week 6: The Role of States

Monday

Brysk, Alison. "Global Good Samaritans? Human Rights Foreign Policy in Costa Rica." *Global Governance* 11(2005): 445–66.

Brysk, Alison. "Peace without Justice." of *Global Good Samaritans: Human Rights as Foreign Policy*, New York: Oxford University Press, 2009. 148- 170.

Wednesday

Hathaway, Oona A. "The Promise and Limits of the International Law of Torture." In: Sanford Levinson, ed. *Torture: A Collection*, New York: Oxford University Press, 2004. 199–212.

Hafner-Burton, Emilie. "Sticks and Stones: Naming and Shaming the Human Rights Enforcement Problem." *International Organization* 62, no. 4 (2008): 689–716.

Week 7: Non-State and NGOs

Monday

Keck, Margaret and Kathryn Sikkink. Ch. 1, *Activists Beyond Borders: Advocacy Networks in International Politics*. Cornell University Press, 1998. 1-38

Bob, Clifford. "Merchants of Morality." *Foreign Affairs*, no. 129 (2002): 36-45.

Wednesday

Carpenter, R. Charli. "Governing the Global Agenda: 'Gatekeepers' and 'Issue Adoption' in Transnational Advocacy Networks." In: Deborah D. Avant et al., eds. *Who Governs the Globe?*. New York: Cambridge University Press, 2010. 202–37

Week 8: Corporations

Monday

Forsythe, "Transnational Corporations and Human Rights," in *Human Rights in International Relations* (Cambridge, 2012), pp. 277-314.

Debra Spar, "The Spotlight and the Bottom Line: How Multinationals Export Human Rights," *Foreign Affairs* (March/April 1998).

Wednesday

Chris Albin-Lackey, "Without Rules: A Failed Approach to Corporate Accountability," Human Rights Watch, *World Report 2013*, pp. 29-40.

Week 9: Power

Monday

Oona A. Hathaway. "Do human rights treaties make a difference?" *The Yale Law Journal* 111, no. 8 (2002): 1935-2042.

Kathryn Sikkink. *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*. W.W. Norton, 2011, 211- 245.

Wednesday

Merry, Sally Engle. "Measuring the World: Indicators, Human Rights, and Global Governance." *Current Anthropology* 52, no. 3 (2011): S83-S95.

David Kennedy, "The International Human Rights Movement: Part of the Problem?" *Harvard Human Rights Journal*, vol. 15 (2002), pp. 101-125

Further Reading:

Beth Simmons. *Mobilizing for Human Rights: International Law in Domestic Politics*, Cambridge University Press, 2009, pp.112-158, 349-380.

Part III: Issues in Human Rights

Week 10: International Criminal Law

Monday

O'Connell, Mary Ellen. *The Power and Purpose of International Law: Insights from the Theory and Practice of Enforcement*. New York: Oxford University Press, 2008. 295-327

David Forsyth, "Transitional Justice: Criminal Courts and Alternatives" in *Human Rights in International Relations* (2012), pp. 117-152.

Wednesday

Henry Kissinger, "The Pitfalls of Universal Jurisdiction," *Foreign Affairs*, 80 (July/August 2001). (C)

Kenneth Roth, "The Case for Universal Jurisdiction," *Foreign Affairs* (Sept/Oct. 2001).

Aryeh Neier, "What Should Be Done about the Guilty?" *New York Review of Books*, February 1, 1990.

Week 11: America and Human Rights

Monday

Jeremy Rabkin, "American Independence and the Opinions of Mankind," *Law Without Nations* (2005) Chapter 9

Ignatieff, Michael, "Introduction: American Exceptionalism and Human Rights," in Ignatieff (ed.), *American Exceptionalism and Human Rights* (2005)

Wednesday

Harold Hongju Koh, "America's Jekyll-and-Hyde Exceptionalism", in Ignatieff, *American Exceptionalism and Human Rights* (2005)

Colum Lynch, "US Subjects its Human Rights Record to Review by UN Council," *Washington Post*, November 5, 2010.

"Does the U.S. deserve its new seat on the Human Rights Council?"

Colum Lynch, Turtle Bay (blog), Monday, November 12, 2012.

Week 12: Is There Selective Enforcement?

Monday

Solomon Dersso, "The International Criminal Court's Africa Problem," *Al Jazeera*, June 11, 2013.

David Bosco, "Why is the International Criminal Court picking only on Africa?" *WP Opinions*, March 29, 2013

David Kaye, "Who's Afraid of the International Criminal Court?" *Foreign Affairs* (May/June 2011).

Wednesday

Adam Branch, "International Justice, Local Injustice," *Dissent* (Summer 2004).

Mahmood Mamdani, "The New Humanitarian Order?" *The Nation*, September 29, 2008.

Week 13: LGBT Rights

Monday

Thoreson, Ryan Richard. "Queering Human Rights: The Yogyakarta Principles and the Norm That Dare Not Speak Its Name." *Journal of Human Rights* 8, no. 4 (2009): 323-39.

Mertus, Julie. "Applying the Gatekeeper Model of Human Rights Activism: The U.S.-Based Movement for LGBT 7 Rights." In *The International Struggle for New Human Rights*, ed. Bob Clifford. Philadelphia, PA: University of Pennsylvania Press, 2009. 52-67

Wednesday

Bob, Clifford. "Culture Wars Gone Global." *The Global Right Wing and The Clash of World Politics*. New York: Cambridge University Press, 2012. 36-71

Kaoma, Kapya J. "The Marriage of Convenience: The U.S. Christian Right, African Christianity, and Postcolonial Politics of Sexual Identity." In Meredith L. Weiss and Michael J. Bosia, eds. *Global Homophobia*. Urbana, IL: University of Illinois Press, 2013. 75-102

Week 14: Wrap-up

Monday

Hilary Charlesworth, "What are Women's International Human Rights?" (1994)

de Schutter, Olivier. "The Right to Food." *Harvard International Review*. 31, no. 2 (2009): 38-42.

Thomas Gammeltoft-Hansen. *Access to asylum: International refugee law and the globalisation of migration control*, Cambridge University Press, 2011, pp.11-43, 231-248

Kelly Kate Pease and David Forsythe. "Human Rights, Humanitarian Intervention, and World Politics." *Human Rights Quarterly* 15.2 (1993): 290-314.

Wednesday

David Kennedy. "The International Human Rights Movement: Still Part of the Problem?" *Examining Critical Perspectives on Human Rights*, pp. 19-34.

Samuel Moyn, "The Future of Human Rights," *SUR: International Journal of Human Rights*, 11.20(2014): 57-66.