

Political Science 317: Global Human Rights
Spring 2008

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COURSE CONTENT: This course introduces students to human rights in the global system and focuses on understanding the philosophical foundations, historical evolution, institutional development, and important actors in global human rights. The course will also examine debates about human rights within an emerging area of human rights – the environment.

EVALUATION: Grades will be determined in the manner described below. The Emory University Academic Honor Code applies to all assignments for this course. Plagiarism is presenting someone else's work as your own. Please cite or quote all ideas that are not your own or common knowledge. If you are unsure about whether something would be plagiarism, please ask. Plagiarism will result in referral to the honor council.

A note on participation: Your active participation is very important. Always feel free to state your opinions in a way that invites discussion. No outside knowledge of international relations or political science scholarship, of history, or of current events will be necessary for effective class participation. Discussion of other scholarship, history, and current events will certainly be welcome when they are relevant, but careful reading of the materials assigned for this course and concentrated thinking about the ideas raised in class will be a sufficient basis from which to contribute profitably to class discussion. The first step toward participating in class is attending class.

20% ~ Quizzes.

The readings listed for each day on the syllabus should be completed before class begins. You should not encounter the arguments or ideas from the reading for the first time in class, but rather the class discussion should clarify the material and its implications. Each week by midnight on Sunday night before class, you must complete the quiz over the content of the week's reading available on the Blackboard course site.

60% ~ Midterm Exams.

There will two in-class midterm exams on ??? and ???. The midterms will cover material from the first half of the course, and will require you to demonstrate knowledge of both the readings and class discussions. The midterm will consist of a short answer section and two or three essay questions in which you will be expected to make an argument and support it with evidence from the readings and class discussion. Your goal will be to

demonstrate sophisticated analytical and critical thinking about the topic in question. Exams may be made up only in the case of medical excuse or verified emergency.

20% - Policy Memo.

You will write a 5 page memo advocating a particular position concerning human rights issues relating to the environment. The policy memo will be due on ???. The memo should reflect significant research efforts. Please double-space your papers, spell-check and make sure that you have offered proper citations when you report the ideas and research of others. Please also feel free to arrange to meet with the instructor to discuss your research (it may be helpful to bring an outline of your paper). It is critical that your paper be well researched and include a good bibliography with appropriate references. You may not obtain all information from internet sources, but are required to use the library for research. Reputable news sources may be included (e.g. New York Times), but not exclusively. You should provide information and evidence obtained from scholarly sources such as academic journals. You may wish to begin by referring to sources in the reference department of the library, a list of which is included below. Also, you may obtain information from electronic journals available at www.jstor.com. To look up articles using Ingenta online (available at www.ingenta.com). The format in which you cite information may be of your choosing, as long as it is consistent and all relevant information is included

Extra Credit Over the course of the semester, students can earn extra credit by attending talks and/or films relating to human rights and write a one to two paragraph summary of the event. A list of events on campus and around Atlanta will be provided and updated throughout the semester on Blackboard.

GENERAL GUIDELINES FOR WRITING ASSIGNMENTS: You will complete several writing assignments during this course. For all of them, it is important that you convey your ideas in a clear and convincing manner. Your papers will be limited to a specified number of pages, so it is important for you to determine what information is relevant. Do not assume that the reader has prior knowledge of the topic. Even if the instructor is familiar with the topic you are discussing, the instructor is trying to determine what you know and understand. If you leave out obvious points or logical connections or do not define important terms, the instructor must assume that you either do not know or do not understand the material. In all of your writing assignments for this class, you will be required to make an argument. Each essay should include an introduction, a body, and a conclusion. The introduction should introduce the topic, capture the interest of the reader, and explain what you intend to accomplish in the text. The introduction should include a thesis statement that succinctly states your argument. In the body of the essay you should logically present your argument and provide evidence to support it. Each paragraph should address a single point and include a beginning, middle, and an end. The paper should flow from one paragraph to the next with clear transitions; a paragraph should always be related to the previous and the following paragraph. The conclusion should summarize and reinforce the argument and explain what you believe that you have proven. It is often helpful as well to draw out the implications of your argument for future trends,

for policy making, or for groups of people. Very few people, regardless of level of experience, write excellent essays in one draft. Editing is very important. You are strongly encouraged to reread and revise your work. It is often beneficial to ask another person to read your essay as well. Look carefully for weaknesses in your argument and for places where you do not explain your point clearly. Avoid excessive reliance on direct quotations; paraphrase where possible. Check for continuity and clear transitions, and remove awkward phrasing. Make sure that you have offered proper citations when you report the ideas of others. Most computer programs help you to check grammar and spelling. Papers with several grammatical and spelling errors will be penalized. Having good ideas is very important, but being able to express them well is also crucial. Your paper grades will reflect both the points that you make and the way in which you convey the information.

REQUIRED READING: All Readings for the course are available via Blackboard in the Course Materials folder or here You are also required to keep up to date on current events by reading articles relating to human rights and international relations in The New York Times. It has excellent coverage of international events, and you can subscribe to The New York Times at a very reasonable student rate, or read articles daily online for free. To subscribe, call 1-800-NYTIMES, or go to <http://www.nytimes.com>. From the home page, click on customer service, then features and offers, and discounts for students.

DISCUSSION AND READING SCHEDULE

Jan 15: Introduction - Human Rights Today

Questions for discussion:

What are Human Rights?

How does one determine if something is a human right?

Why are Human Rights important?

What human rights issues currently attract the attention of activists, scholars and policy makers?

Readings :

The Universal Declaration of Human Rights

Richard Claude and Burns Weston. Chapter 1:International Human Rights. In Claude and Weston. Human Rights in the World Community.

Excerpts from the Amnesty International Annual Report 2007 (Read the Responsibilities Section)

Excerpts from the Human Rights Watch Annual Report 2007 (Read the Introduction)

Jan 17: Human Rights in Historical Perspective

Questions for discussion:

How and why did Human Rights enter the international political process since WWII?

What is meant by positive and negative rights?

What are civil and political rights? economic, social and cultural rights? solidarity rights?

How are each codified?

Readings :

Burns Weston. Human Rights. In Claude and Weston Human Rights in the World Community.

Listen to President Roosevelt's Four Freedoms speech.

Jan 22: Philosophical Foundations Human Rights

Questions for discussion:

What philosophical traditions are reflected in Human Rights?

How have Human Rights evolved?

What philosophical traditions are rights based on?

Are any rights missing?

Readings :

Jerome Shestack. 2000. The Philosophical Foundations of Human Rights. In Janusz Symonides (ed). Human rights : concept and standards Paris : UNESCO Publishing.

Jan 24: International law and Human Rights

Questions for discussion:

How has international human rights law evolved over the last fifty years?

Are governments legally bound to observe rights?

Does international law matter?

What is the status of the individual in IL?

What are the primary legal human rights instruments?

Are all human rights of equal importance?

Are all legally binding?

Readings :

Buergethal, Thomas. "International Human Rights in an Historical Perspective"

Jan 29: The Rights in Human Rights: Political Evolution of Rights

Questions for Discussion:

Do human rights matter?

Do some rights matter more?

What differences are inherent in individual and collective rights?

What linkages can be drawn between violations of economic rights and civil/political rights?

What standing does each have in international law?

Do all rights have the same force?

Are all rights non-derogable?

Readings :

Ignatieff, Michael. Human Rights as Politics

Jan 31: The Human in Human Rights: Cultural Relativism and Universalism

Questions for discussion:

- Are human rights universal?
- Should individual rights trump the greater good?
- What support do human rights have?
- Are there ideological justifications for HR violations?
- How do cultural/religious practices affect HR?
- Are human rights a western imposition?

Readings:

Thomas Franck. "Are Human Rights Universal? Foreign Affairs. Jan/Feb 2001: 191-204
Ignatieff, Michael. "The Attack on Human Rights," Foreign Affairs. Nov/Dec 2001

Feb 5: In-class Midterm

Feb 7: Realizing Human Rights: Challenges and Strategies:

Questions for Discussion:

- How do we move from HR standard setting to realization?
- Who hold the obligation to improve human rights?
- What actors can influence the process of protection and promotion of HR?

Readings :

Hannum, Hurst "Implementing Human Rights: An Overview of Strategies and Procedures" in Guide to International Human Rights Practice.

Feb 12: Realizing Human Rights: The United Nations Charter

Questions for discussion:

- What are the sources of the UN mandate on HR?
- What UN organs and machinery exist to protect and promote HR?
- How important of a role has the UN played in the evolution of HR?

Reading:

Alston "Assessing the UN Human Rights Regime"
look at UN websites

Feb 14: Realizing Human Rights: The United Nations Treaty Bodies

Questions for discussion:

- What are the treaty obligations that protect HR?
- How do implementation mechanisms differ across treaties?
- How do monitoring

Readings:

TBD

Feb 19: Realizing Human Rights: The Council of Europe

Questions for discussion:

What mechanisms exist within each regional institution?

What are the similarities across the institution?

What are the differences? Are the differences important?

Readings:

The European Convention on Human Rights and interpretation document (a short guide to the ECHR)

Shirley Williams. Human rights in Europe. In Power and Allison. Eds (realizing HR)

Feb 21: Realizing Human Rights: Other Regional Organizations

Questions for discussion:

What mechanisms exist within each regional institution?

What are the similarities across the institution?

What are the differences? Are the differences important?

Readings:

Forsythe, David. Regional Application of Human Rights Norms

Look at each of the RGO websites

Feb 26: Realizing Human Rights: Foreign Policy of States

Questions for discussion:

What are the obligations of other states to protect human rights?

Are their obligations different for different types of rights?

Civil and Political vs. Economic, Social and Cultural rights?

What are the opportunities and limits?

Are human rights concerns more central to the FP of some states than others? Why?

Readings:

Forsythe, David. Comparative Foreign Policy.

Baehr, Peter R. et. al. 2002. *Human Rights in the Foreign Policy of the Netherlands*

Human Rights Quarterly - Volume 24, Number 4, November 2002, pp. 992-1010

Review the French Government Policy on HR and Foreign Policy. [French Gov perspective](#)

Feb 28: Realizing Human Rights: American Foreign Policy

Questions for discussion:

How is the US bound by international HR law?

What mechanisms exist for the implementation of US HR obligations?

What obstacles hinder US implementation? Do HR matter in foreign policy?

What legal obligations (domestic and international) does the US government have with respect to its own citizens and the citizens of other countries?

Readings:

David Forsythe. U.S. Foreign Policy and Human Rights

Mar 4: Realizing Human Rights: Non Governmental Organizations in the Developed World

Questions for discussion:

What kinds of rights do NGOs attempt to further?

How do NGOs function?

Do NGO reports matter?

For IOs? For Governments? For world public opinion?

What strategies do NGOs adopt to further rights?

How important have NGOs been in the realization of rights?

Readings:

Keck and Sikkink – Transnational Advocacy Networks in International and Regional Politics.

Laurie Weisberg “Human Rights Non-Governmental Organizations”

Roth, Kenneth. 2000. “Human Rights Organizations: A New Force for Social Change” in Power and Allison (eds) Realizing Human Rights. St. Martins Press.

Mar 6: Realizing Human Rights: Non Governmental Organizations in the Developing World.

Questions for discussion:

What issues to NGOs in the developing world focus on?

What is the relationship between Western and Southern NGOs?

Readings:

T. Jeffery Scott. "Evaluating Development Oriented NGOs"

Welch, Claude E. Five issues for NGO strategists In Welch, NGOS and Human Rights.

March 11&13: Spring Break

March 18: Accountability for HR Violations

Questions for Discussion:

What mechanisms exist to prosecute violations of HR law?

Why has there been little progress on creating strong enforcement mechanisms?

Why are states reluctant to empower institutions with this task?

Readings:

Terry Collingsworth. 2002. “The Key Human Rights Challenge: Developing Enforcement Mechanisms” Harvard Human Rights Journal 15: 183-205.

Goldstone, Richard. Advancing human rights, the need for justice and accountability. In Power and Allison. Eds (realizing HR)

Weschler, Lawrence. 2000. "Exceptional Cases in Rome: The United States and the Struggle for an ICC," in *The United States and the International Criminal Court; National Security and International Law*. Sarah B. Sewall and Carl Kaysen, editors. Rowman and Littlefield Publishers; New York.

March 20: Prosecution of War Crimes

Questions for Discussion:

How have efforts at prosecution for gross HR violations fared?

How do the ICTY and the ICC compare?

What have been the successes of the ICTY?

Where does the future lie in international accountability?

Readings:

Zoglin, Katie. 2005. "The Future of War Crimes Prosecutions in the Former Yugoslavia: Accountability or Junk Justice?" *Human Rights Quarterly*. 27: 41-77.

ICTY. "Contributions of the ICTY to international justice"

March 25: 2nd Midterm Exam

March 27: Linking Human Rights and the Environment

Questions for Discussion:

How does the environment fit within current Human Rights standards?

How might sustainability affect HR?

How might the realization of HR affect the environment?

Readings:

Mary Robinson. N.d. "Making the Links between Human Rights, Environment and Sustainable Development" Presented at the UN World Summit on Sustainable Development (WSSD) Civil Society Forum, Johannesburg Expo Centre/NASREC Johannesburg, South Africa

Dinah Shelton. 1991. "Human Rights, Environmental Rights, and the Right to Environment" 28:10-23.

April 1: Environmental Protection as a Human Right?

Questions for Discussion:

How might a human rights approach be applied to the environment?

How might protecting the environment further human rights?

How might protecting the environment limit the realization of HR?

Readings: Michael Anderson. *Human Rights Approaches to Environmental Protection: An Overview* In Alan E. Boyle and Michael R. Anderson. (eds) *Human Rights Approaches to Environmental Protection*

Klaus Bosselmann. "Human Rights and the Environment: Redefining Fundamental Principles?"

April 3: Past, Present and Future: Intergenerational Respect for Rights?

Questions for Discussion:

Is there a right to development?

Is there a contradiction between the right to develop and the right to a clean and healthy environment?

What do current inhabitants owe to future generations?

Should the current efforts at the realization of human rights be constrained by environmental protection?

What do people with a high level of HR realization owe others?

Readings:

Greg Maggio and Owen J. Lynch. *Human Rights, Environment, and Economic Development: Existing and Emerging Standards in International Law and Global Society*

April 8: The Environment in International Treaties

Questions for Discussion:

What HR and environmental standards are incorporated into international law?

What are the major international treaties that deal with the environment?

What institutions exist with respect to monitoring and protecting the environment?

Readings:

Robin Churchill. "Environmental Rights in Existing Human Rights Treaties" In Alan E. Boyle and Michael R. Anderson. (eds) *Human Rights Approaches to Environmental Protection*

Chris Calamita. 2002. "International Agreements, Treaties, and Conventions on Environment and Human Health"

Alan Boyle. "The Role of International Human Rights Law and the Protection of the Environment" In Alan E. Boyle and Michael R. Anderson. (eds) *Human Rights Approaches to Environmental Protection*.

April 10: Recent trends and efforts within the international system

Questions for Discussion:

What have been the major recent international efforts to address the environment and climate change?

What are the major debates, pro and con, to expanding environmental regulation?

What are the perspectives of Europe, China and the US on climate change?

Readings:

Adriana Fabra. "The Intersection of Human Rights and Environmental Issues: A review of institutional developments at the international level. Paper presented at The Joint UNEP-OHCHR Expert Seminar on Human Rights and the Environment.

Antonio Trindade. "Human Rights and The Environment" in Janusz Simonidies. (ed.) *Human Rights: New Dimensions and Challenges*. Ashgate: Aldershot.

April 15: Expanding Space for the Environment in the HR system

Questions for Discussion:

What efforts have been made recently to incorporate environmental protection within the UN or regional systems?

Readings:

Audrey R. Chapman. 2002. "Integrating Human Rights and the Environment Within the United Nations." Presented at the UN World Summit on Sustainable Development (WSSD) Civil Society Forum, Johannesburg Expo Centre/NASREC Johannesburg, South Africa.

The EU and the Environment

April 17: The Impact of Environmental Rights Violations

Questions for Discussion:

How does environmental degradation influence the realization of HR?

Who suffers most from environmental degradation?

Readings:

Francis O. Adeola. 2000. "Cross-National Environmental Injustice and Human Rights Issues: A Review of Evidence in the Developing World" *American Behavioral Scientist*, Vol. 43: 686-706 (2000)

April 22: A Human Rights approach to Environmental protection

Questions for Discussion:

How can the realization of HR and Environmental protection be linked together?

What strategies exist to simultaneously further sustainability and HR?

Readings:

Aaron Sachs. 1997. "A Planet Unfree: What Do Human Rights Have To Do With Environmental Protection? Everything."

Richard Hiskes. 2005. "The Rights to a Green Future." *Human Rights Quarterly*. 27: 1346.

Sheila Watt-Cloutier. "Climate Change and Human Rights"

April 24: The Challenges Ahead

Questions for Discussion:

Can HR be de-politicized?

In advocacy terms which UN/regional instruments work best?

Is international protection effective?

What could be done to improve international protection and realization of rights?

Readings:

Robinson, Mary. 2000. "The Challenges Ahead" in Power and Allison (eds) Realizing Human Rights. St. Martins Press.
Michael Ignatieff. "The Rights Stuff" The New York Review of Books