This is an introductory survey course on international human rights law, institutions and politics. Global, regional and national mechanisms and forces for promoting and protecting human rights are covered, including procedural and substantive aspects.

You are only required to read the first 75 pages listed of reading each week. Any readings listed beyond 75 pages is optional, if you have or can make time. Assignments are listed by week. The precise assignment for each class will be indicated in class, depending on precisely what we have had time to cover in class.

For your papers, as well as for future reference and inspiration, I have provided a thorough listing of sources for each week’s topic. You will write your papers on one of the weekly topics. You will make a 5-10 minute class presentation of your paper on the day that this reading is discussed in class. You will need to choose that topic by the third week of class. Please submit an outline to me before beginning to write your paper. The paper is due the last class of the semester.

Requirements for Grade:

30%: Mid-Term Exam covering first-half of the course

35%: one 5-page paper on a topic related to one week’s reading. You will also be "on call" to answer questions about the reading for the week that you selected.

35%: Final Examination covering mostly the second half, but also the basic ideas and concepts from the first half of the course

Excellent class participation can raise your grade.

NB: University rules state: "A student, doing passing work, was permitted to withdraw from the course without penalty. Withdrawals without penalty will not be permitted after the midpoint of the total grading period, which includes final examinations, except in cases where hardship status has been determined by the Office of the Dean of Students and the student is doing passing work, as determined by the student's instructor." The last day to withdraw without a grade of W is March 2, 2001. The Mid-Term will occur on Monday, February 26, 2001; so, you will have your mid-term grade before March 2, 2001.
Three Items for Purchase:

- Course Packet: Available from Bestway Copy Shop on Decatur St.


**Reading Assignments:** (These assignments are subject to reasonable changes, with notification to the students in class)

We will rely on readings from the computer extensively in this course. This will save you money, but will require some extra effort on your part. The main internet sites from which you will do required readings are:

- Docuweb: http://docuweb.gsu.edu/
- Amnesty International: www.amnesty.org
- Human Rights Watch: www.hrw.org

You will also receive monthly copies of *UN Law Reports* which we will read for every class.

You should also be using the web-ct compliment to this class to find human rights links and additional suggested readings from the internet.

**Other Websites**

You should get comfortable with the web to obtain human rights reports from various sources, and to try to assess their comprehensiveness and accuracy. Normally, you have to find your document by searching through "links." For example, to obtain the draft optional protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, which would give women a right to petition under the convention, you would click:

**Web Site URLs for Key Human Rights Information Sources:**

- Aboriginal Law and Legislation: www.bloorstreet.com/300block/ablawleg.htm
- Bosnia Link: http://www.dtic.dla.mil/bosnia/
- European Court for Human Rights: www.dhcour.coe.fr/default.hcm
- Human Rights Watch: www.hrw.org
- Int'l Court of Justice: www.law.cornell.edu/icj or: www.icj-cij.org
Syllabus

Week I: January 8, 2001

Introduction to Course

Required:

- Video from Library South Reserves: "The Wansee Conference" D810.3 .W36 1989
- Falk, "Introduction" and ch.1 "Pursuing Global Justice"
- Docuweb: Kenneth Jost, "Human Rights"
- Course Packet: David B. Steele, "Embedding UN Norms," and Zenon Stavrinides, "Human Rights Obligations under the UN Charter" and Jose Alves, "The Declaration of Human Rights in Postmodernity"

As soon as possible, please try to familiarize yourself with the following, which are found on www.un.org, then click on treaties

- United Nations Charter
- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic Social and Cultural Rights
- European Convention on Human Rights
- Charter, Organization for Security and Cooperation in Europe

For empirical data, you will want to consult human rights NGO reports. For a general overview, see the State Dept.'s Annual Report on Human Rights in the world issued every February. The best NGO reports are from Amnesty International and Human Rights Watch's World Report: Events of 1997. See:

- Human Rights Watch: www.hrw.org
Look for the code following the UN document, such as for “Comparative Summary of Existing
Communications and Inquiry Procedures and Practices under International human rights instruments
human rights, CN.6 is for women). Fortunately, this particular document is available too on the UN
home page.

To subscribe to the general Human Rights Watch e-mail list to receive press releases and public
letters concerning all regions of the world, send an email message to majordomo@igc.apc.org with
"subscribe hrw-news" in the body of the message.

**Week II: January 22, 2001**

**Introduction to Human Rights Law, Politics and Practice**

An overview of the basic human rights covenants, as well as the Conventions on the Child, Torture
and Genocide, and the Conventions on the Elimination of all Forms of Discrimination Against
Women.

**Required:**

- Video from Library South Reserves on "Human Rights" (30 minutes) MC-0909
- Falk, ch. 2 "A Half Century of Human Rights" and ch. 10, "The Challenge of Genocidal Politics in an Era of
  Globalization"
- Peter R. Baehr, "Controversies in the Current International Human Rights Debate;"
  http://www.du.edu/humanrights/workingpapers/papers.htm
- Jack Donnelly, "Ethics and International Human Rights Practice"
  http://www.du.edu/humanrights/workingpapers/papers.htm

**Consult for Papers:** Jack Donnelly and Rhoda E. Howard, "Assessing National Human Rights
McAdams and Dieter Rucht, "The Cross National Diffusion of Movement Ideas," in Russel J. Dalton,
might also want to peruse a Holocaust memoir to sense the world's conscience when human rights
were developed, as well as the mentality of some of the founders of the human rights movement.
Alexander Donat's The Holocaust Kingdom, New York: US Holocaust Museum, 1978, ($15.95) is a
good one because it depicts all the different phases of the nightmare.

**Week III: January 29, 2001**

**Universal or Relativistic?, Accountability or Amnesty?**

Are human rights universal? Should exceptions be made for cultural differences, such as in East
Asia? What about states of emergency? What rights are not derogable? Is there such a thing as a
mostly universal approach? What cross cultural consensus exists, if any? We review which of the
legally binding, international human rights are actually respected in practice and suggest some
hypotheses why. We also consider what actions states have undertaken during democratic
transitions to account for past violations, including the Truth Commissions in Haiti and El Salvador
and the Truth and Reconciliation Commission in South Africa.

**Required:**
Falk ch. 5, "Patterns of Global Dominance and Non-Western Attitudes toward Human Rights"
Todd Landman, "Comparative Politics and Human Rights": http://www.du.edu/humanrights/workingpapers/papers.htm

Docuweb:
1. Makau Mutua, "African Viewpoint"
3. Catherine Lalumiere, "A European Perspective"


Week IV: February 5, 2001

Multilateral Politics of Human Rights

What impact have multilateral implementation procedures had on the human rights practices of states? Special attention on the UN system, especially the Human Rights Commission, the Subcommission on the Prevention of Discrimination and the Protection of Minorities, General Assembly and the Human Rights Committee and other Treaty-created bodies.

Required:

Docuweb:
3. Tom J. Farer, "The United Nations and Human Rights: More than a Whimper, Less than a Roar"
4. Patrick James Flood, "The UN Human Rights System" and "Factors Influencing the Effectiveness of UN Human Rights Institutions"

Consult for Papers: UN Yearbook and the UN Chronicle, both published by the UN, as well as the Inter Dependent, the bi-monthly newspaper of the UN Association of the USA.


**Week V: February 12, 2001**

**Regional Human Rights Processes**

How have regional human rights organizations influenced the practices of their member states? What are the relative strengths and weaknesses of regional as opposed to global approaches? What explains the dramatic differences between regions? How do multilateral and regional instruments co-exist? Special attention will be paid to Europe and Latin America.

**Required:**
- Robertson: ch. 4-7. Claude, 17, 18
- Docuweb:
  2. Thomas Buergenthal, “The Inter-American Human Rights System”
- Course Packet: “Selected Judgements of the European Court of Human Rights”


**Week VI: February 19, 2001**

**Domestic Remedies, NGOs, and Human Rights Monitoring**

**Required:**
- Docuweb:
  1. W. Marvin Will, "NGOs and IGOs as Promoters of Liberal Democracy in the Caribbean: Cases from Nicaragua and Guyana”
  2. Edward L. Cleary, "Transnational Networking for Human Rights Protection"
  3. Katherine A. Sikiink, "Nongovernmental Organizations, Democracy and Human Rights in Latin America"
  5. Laurie S. Wiseberg, "Human Rights Nongovernmental Organizations”

the Covenants and other ratified human rights treaties (unlike the ambiguous position of the US Constitution, which gives supremacy to treaties, but not to UN actions).

Mid-Term Examination: February 26, 2001

Week VII: March 12, 2001

Human Rights and US Foreign Policy

What are the relative strengths and weaknesses of bilateral, as opposed to multilateral implementation procedures? What place should human rights objectives have in national foreign policies? How can international human rights be reconciled with the principle of non-intervention? What explains that the US has been both a leading promoter and violator of human rights? What explains the different human rights policies in East Asia, Africa and the "like-minded states" like Canada, the Netherlands and Norway?

Required:

- Falk, ch. 3 “Taking Human Rights Seriously at Home”
- Human Rights Dialogue, "Toward a "Social Foreign Policy" with Asia: Fostering Links Between Americans and East Asians on Shared Social Concerns", www.cciaa.org/lhr.html


Week VIII: March 19, 2001

Minorities, Disappearances and Religious Discrimination

What are the sources of religious intolerance? How have Latin America and the UN approached the problem of displaced or disappeared persons? What is the right to self-determination and what is it not? What are the permissible limits or restrictions upon the exercise of rights and what are impermissible derogations?

Required:

- Falk ch.6, "Revising the Right to Self-Determination"
- Docuweb:
  1. Hurst Hannum, "Autonomy, Sovereignty and Self-Determination"
  2. Sabrina P. Ramet, "The So-Called Right of National Self-Determination and Other Myths"
  3. Daniel Kofman, "Secession, Law and Rights: the Case of the former Yugoslavia"
  4. Mario Sznajder and Luis Roniger, "The Unsolved Legacy of Human Rights Violations in the Southern Cone"

Week IX: March 26, 2001

Second Generation Rights: Gender, Environmental, Economic, Social and Cultural Rights and Indigenous Rights

Has the demise of the "new world order" affected the Covenant on Economic, Social and Political Rights?" What effects have the globalization of capital had on this "Second-Generation" of human rights? What efforts have been undertaken to promote a right to development? How has the right to a healthy environment been formulated and implemented? What effects have the Earth summit and the Kyoto conferences on ozone depletion regulation had? What are the rights of the indigenous populations, both in law and in fact? What was the effect of the April 8-10, 1997 conference in Phuket, Thailand on the "Protection of Folklore"?

Required:

- Falk ch.7, "Group Claims within the UN System"
- Docuweb: Mary H. Cooper, "Women and Human Rights"


Week X: April 2, 2001

Humanitarian Law, Genocide and War Crimes Tribunals

What is the emerging understanding of the sociology of genocide? Is humanitarian law also human rights law? What are the rights and modus operandi of the International Committee of the Red Cross? What is the current debate on neutrality in the distribution of humanitarian assistance? How has Latin America responded to "internal disturbances and tensions"? How effective have been the
International Tribunals for the Former Yugoslavia and Rwanda? What are the prospects for the International Criminal Court?

Required:

- Falk ch.9, "The Unmet Challenges of Genocide in Bosnia and Rwanda"
- Docuweb: Ben Kiernan, "Bringing the Khmer Rouge to Justice"

Consult for Papers: Bell-Fialkoff, Andrew, *Ethnic Cleansing*, New York: St. Martin's Press, 1996; *Law Reports of Trials of War Criminals, Selected and Prepared by the United Nationals War Crimes Commission*, His Majesty's Stationary Series. See for example, Vol. II on the Belsen Trial or the Einsatzgruppen trial at Nuremburg, where only five were executed and most received ten year sentences, but were released in 1953, serving only seven years for murdering 100,000 or more. For the Cambodian War Crimes research, contact Yale Genocide Program for Yale, c/o Craig.etcheson@yale.edu; Gardner, Gay, "Why Doesn't the US Arrest War Criminals?" *The Christian Science Monitor*, Jan. 6, 1998, p.19

**Week XI: April 9, 2001**

Case Studies

Does the US have double standards on China and Iran? What procedures have the UN adopted for these cases? Why is there so little attention to communal killing in East and South Asia in most international human rights fora?

Required:

- Falk ch. 8, "The Geopolitics of Exclusion: the Case of Islam"
- Tom J. Farer, "Swallowing Injustice to Build Community: Latin America after the Era of State Terror": [http://www.du.edu/humanrights/workingpapers/papers.htm](http://www.du.edu/humanrights/workingpapers/papers.htm)
- Roberto Belloni, "Building Civil Society in Bosnia-Herzegovina": [http://www.du.edu/humanrights/workingpapers/papers.htm](http://www.du.edu/humanrights/workingpapers/papers.htm)


**Week XII: April 16, 2001**

Humanitarian Assistance
How has humanitarian assistance raised a plethora of human rights issues? What standards other than human rights might be applicable?

Required: Cahill, Part I: Reality

Consult for Papers: Iain Guest, *Behind the Disappearances*; news accounts of the ongoing crises in Chile and Argentina on their "dirty wars."

**Week XIII: April 23, 2001**

**Refugee Rights and Assistance**

Required:

- Cahill, Part I: Players
- Docuweb: Dariusa Rejali, "Conceptualizing Refugees Who Have Been Tortured in the Global Village"
- Course Packet: Maria Stavropoulou, "Displacement and Human Rights: Reflections on UN Practice" and Christina Boswell, "Doing Justice to Refugees: Challenges and Limits of the Current Debate"


**Week XIV: April 30, 2001**

**The Vienna Human Rights Conference and the Post-Cold War**

What effects did the 1993 World Conference on Human Rights have? How has the end of the Cold-War begun to harm and protect human rights? How are NGOs evolving? With the dawn of the new century, what new perspectives on improving and strengthening protection mechanisms are emerging?

Required:

- Cahill, Part III: Solutions and Future Options

**Final Examination:** Monday, May 7, 7:15 - 9:15 p.m.

**For Additional Reading**


Braun, Herbert, *Our Guerillas, Our Sidewalks: A Journey Into the Violence of Colombia*, 0-87081-357-9, $17.50


