

Barnard College

Colloquium on Human Rights in A Diverse World

Spring 1995 - BC POS 3410y

Professor Peter Juviler
408 Lehman. Mailbox Room 415 Lehman
E-mail: ph1@columbia.edu
Tel. X-44036, home 866-1651
Office hours by appointment & W. 2-4

This colloquium will act as a commission, incorporating the findings of human rights monitoring in our discussion of human rights' definition, validation, explanation of causes of violations and political impact of human rights, the their promotion and protection. Building on last year's commission statement, each of you will contribute a page of your own to our update: "Human Rights: in the Fiftieth Anniversary Year of the Universal Declaration of Human Rights" (UDHR).

Human rights are the rights that one has because one is human. Human rights imply also that one has obligations as a human. The UDHR, Article 1, sums it up: "All humans beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

The basic question for the commission is:

What meaning do human rights have for analysis (normative and empirical research) and policy, "as a common standard of achievement for all peoples and all nations?" (UDHR)

Readings (all are on reserve at Barnard):

1. Ordered at Columbia University Bookstore:
 - o Donnelly, Jack, *International Human Rights*(2nd ed., Boulder: Westview, 1997).
 - o *Human Rights Watch World Report 1998*(New York: Human Rights Watch, 1997)

- Ishay, Micheline R., ed., *The Human Rights Reader: Major Political Essays, Speeches, and Documents From the Bible to the Present* (New York, Routledge, 1997).
 - Steiner, Henry and Philip Alston, *International Human Rights in Context: Law, Politics, Morals* (Oxford U. Press, 1996).
 - Weiss, Thomas, and Cindy Collins, *Humanitarian Challenges and Intervention* (Boulder: Westview, 1997)
2. Other sources of readings (additional handouts may be distributed at meetings. See also Recommended Readings, at end of syllabus):
- Andreopoulos, George J., Richard Pierre Claude, eds. *Human Rights Education for the Twenty-First Century*.
 - *Commission Statement 1997* (distributed)
 - Hunter, Kenneth and Timothy Mack, eds. *International Rights and Responsibilities for the Future*.
 - Peters, Julie and Andrea Wolper, *Women's Rights Human Rights*.
 - Human Rights Watch & ACLU, *Human Rights Violations in the United States*, (1993)

Activities of the Workshop

1. Readings and preparation for meetings, participation in them (25% of evaluation of your work).
2. Comments on the readings, for topics 1-9, based on topic question, or on stated question of your own, up to two double-spaced standard (12-font) pages, referring to specific readings, and pages where appropriate (25% of evaluation of your work), in two copies, one due to instructor at beginning of meeting.
3. Research Paper

Research Paper by May 1, in two copies, about 20 numbered double spaced standard pages (12-font, no smaller). Please include separate sheet with contribution to 1998 commission statement. Complete first drafts accepted up to April 30, with full documentation.

Stages:

- a. Topic statement due by or before March 12 in PJ's mailbox, 415 Lehman: typed, total length a paragraph or two, underlining topic sentence: a question or hypothesis. Statement should relate topic to two or three relevant readings from syllabus, explaining how they led you to your framing of the topic.
- b. Research design, due on or before April 2 in PJ's mailbox, 415 Lehman. It consists of:

- i. an introductory paragraph, making clear the human rights at issue, ending with your underlined topic sentence (question or thesis about human rights theory or practice) (repeat: please underline your topic sentence);
 - ii. very brief summary of range of existing views of other writers on the topic (secondary sources usually);
 - iii. preliminary description of your approach in terms of parts of your paper and what each will do; (iv) brief preliminary outline based on (iii), of major subheadings of paper;
 - iv. working bibliography of at least six secondary and six primary sources (primary source here means human rights documents, speeches, govt. documents, eyewitness accounts, foreign articles and reports in translation, human rights reports, basic theorists, memoirs, congressional hearings, etc. A "source" is not a publication, but the specific article, speech, etc. etc. in it, cited as to original author title, date and name of publication, and if a reprint or translation, where you found it. Nexis and internet are fine, but note Nexis and website after period, in the citation of your actual source. Neglect of scholarly journal articles will detract from value and credibility of your paper.
- c. Paper, due at the beginning of our meeting May 1 in two copies. (50% of grade).

Here's a check list for you as you revise and re-revise your paper:

short introduction leading to clear underlined topic sentence, and before that, indicating human rights or rights policies at issue.

- i. a summary of existing views on the issue, and a brief sketch of contents of paper and its approach.
- ii. development of your paper, with subheadings, and backed up by evidence of solid and careful documentation (footnotes, end notes or first-word of title-page reference to item in bibliography which balances secondary and primary sources (may include interviews).
- iii. a conclusion that reiterates, the topic question or statement and then sums up your findings in answer or affirmation., and adding at end the relevance of conclusion to a specific, named part of the 1997 workshop statement (changing or additional perspective, etc.).
- iv. conclusion reiterated on separate single-spaced, 12 font sheet, with your name on it.

4. Panel report on research, (10 minutes) briefly summarizes topic, findings, and contribution to 1998 Statement.

Outline

January 22

Introductions to course, one another, and to human rights. Defining human rights: What are rights, and human rights? Are they dependent on fulfilling obligations?

Distributed for next time, excerpt from *Breakthrough*.

January 29

Validating human rights. How does the validation for international human rights change in basis over time?

- Donnelly, *International Human Rights*, pp. 18-22.
- Ishay, *The Human Rights Reader*, xviii-xxv, 24-29, 57-8, 93-104, 127-30, 138-39 (Cicero, *Magna Carta*, John Locke, *U.S. Declaration of Indep.*, *French Declaration of Rights of Man and Citizen*)
- *Breakthrough*, 13, 18 (chronology through 19th century, UDHR, preamble).

February 5

Does the fact that human rights originated in the West negate the validity of international human rights in an economically and culturally diverse world?

Two perspectives:

- a. the expanding definition and international legal consensus
 - Donnelly, pp. 3-17, 22-32.
 - Steiner and Alston, 113-126, 155-160, 256-304, 1110-44, 1156-81. (evolution and nature of the international legal regime of human rights, popular participation and sovereignty; economic and social rights, the right to development, interdependence of rights, the "International Bill of Rights"). (continued).
- b. the issue of cultural relativism in a diverse world
 - Donnelly, 32-5, 153-59.
 - Steiner and Alston, pp. 166-254 (views from west and east, north and south).

February 12

Violations and responses. Were the domestic and international responses effective in protecting human rights -- and were they proactive or after the fact?

- Steiner and Alston, 3-12, (global snapshots)
- Human Rights Watch & ACLU, *Human Rights Violations in the United States*, 1-8.
- Donnelly, 36-59, 136-48.
- Andreopoulos and Claude, *Human Rights Education* editors' introduction, 3-8 and chapter 24 (human rights education and NGOs)

February 19

International human rights protection, such as through the UN, and NGOs (nongovernmental organizations). Do Donnelly and the Steiner-Alston survey leave similar impressions as to their success, and factors impeding success?

- Donnelly, pp. 51-85.
- Steiner and Alston, pp. 338-9, 347-76, 385-94, 411-497, optional:
- Steiner and Alston, 971-1004 (rights to self-determination, autonomy, and indigenous people's rights).

February 26

Gender (here, Women's and Gay) Rights. What have been the obstacles and gains?

- Julie Peters and Andrea Wolper, *Women's Rights Human Rights*, pp. 18-48 (Friedman on movement, Stamatopoulos on UN).
- Steiner and Alston, pp. 887-945.
- Ishay, xxvii-xxix, 233-62.
- Andreopoulos and Claude, *Human Rights Education*, chapters 6,7.

March 5

Globalization and human rights and foreign policy: the case of the People's Republic of China. To what extent if "realism" trumps, is "constructive economic engagement" the preferable choice?

- Donnelly, pp. 30-32, 86-135.

- Steiner and Alston, pp. 811-861, 1140-45 ("Enforcement by States Against Violator States, market economy and globalization").
- Aryeh Neier, "The New Double Standard," and Jeffrey Garten, Comment: The Need for Pragmatism," *Foreign Policy*, No. 105 (Winter 1996-1997), pp. 91-106.

March 12

Discussion of topic for your research. What topic comes to mind, noting rest of syllabus and points or omissions in:

- *Abridged 1997 workshop statement, summary*(distributed)
- *Human Rights Watch World Report 1997*, Introduction and reports on at least five countries of special interest to you.
- Juviler, Peter, "Clearing a Path Toward the International Bill of Rights," in Kenneth Hunter and Timothy Mack, eds. *International Rights and Responsibilities for the Future*, Westport: Greenwood Publishing Group, 1996), pp. 53-65.
- Andreopoulos and Claude, *Human Rights Education*, editor's intro, and any two chapters except 1,6,7, 24 (read elsewhere).

Revised March 6 Topic Statement due by March 12 in P.J.'s box, Room 415.

March 26

Briefing and Discussion on Humanitarian Intervention

- a. Briefing by Reference Librarian.
- b. How does humanitarian intervention relate to the protection of human rights?
 - o Weiss and Collins, *Humanitarian Challenges and Intervention*, 1-134.

April 2

Humanitarian Intervention: Choices and Improvements

- Andreopoulos and Claude, *Human Rights Education*, chapter 1 (Andreopoulos)

Research design due by April 2, P/J's box, Room 415.

April 9, 16, 23, 30

Presentation and discussion of research reports