Andrew Moravcsik

This course analyzes the emergence, expansion, and enforcement of international human rights norms. The course introduces the major international institutions and political processes by which international human rights norms are established and enforced, namely the regimes established under the United Nations, regional human rights conventions (European, Inter-American, African), and various treaties. We will read works by political scientists, policy analysts and legal academics -- including the use of a leading international human rights casebook. The course is designed to explore why national governments have ceded sovereignty to international institutions, the primary purpose of which is to empower their own citizens, sometimes aided by foreign states, to mobilize or litigate against them in international forums. To this end, we analyze the politics of norm creation and expansion, inquiring in particular about the relative importance of interstate coercion (intervention, sanctions, financial inducement), institutional design (the nature of international judges and officials, the form of international tribunals and standards), domestic political commitment (the interests of national governments and their constituencies, the role of domestic courts) and idealistic persuasion (the power of NGOs, public opinion, transnational diffusion, and analogical reasoning). The reading load totals approximately 150-200 pp. per week. Work will include three short (2-3 pp.) response papers and one long research paper on an appropriate topic to be determined in consultation. Grading will be based 33% on reading, class participation, and response papers, and 66% on the final research paper.

Texts

- Philip Gourevitch, We Wish to Inform You that Tomorrow We Will Be Killed with our Families: Stories from Rwanda (New York: Picador, 1998).

Week 1

The Eye of the Beholder

Gourevitch, We Wish to Inform You, entire (pp. 5-353).

Week 2

Theoretical Debates


Krasner, *Sovereignty*, pp. 43-72.


Week 3

International Human Rights before World War II: Religion, Slavery, Minorities


Krasner, *Sovereignty*, pp. 73-104.


Week 4

The Postwar Establishment of Human Rights Norms: Cultural Relativism and the United Nations Declaration


**Week 5**

**The Establishment and Functioning of Enforcement Institutions: The UN and Regional Regimes**


**Week 6**

**Political Enforcement -- Humanitarian Intervention**


Farer, ed. *Beyond Sovereignty*, pp. 189-296.


Benjamin Whitaker, "The Human Right to Interfere" in *The New Statesman*.


**Week 7**

**Political Enforcement -- NGOs and the Role of Sanctions, Pressure, Mobilization**


Keck and Sikkink, *Activists beyond Borders*, pp. 79-120.

Risse, Ropp and Sikkink, eds. *The Power of Human Rights*. Conclusion and any two additional chapters of your choice.


*The Burma Pipeline* (HBS Case 9-797-149).


**Week 8**

**Judicial Enforcement before Ad Hoc International Tribunals: Nuremberg, the Former Yugoslavia, and Rwanda**


José Alvarez, unpublished paper on Rwanda.

**Week 9**

**Judicial Enforcement before Permanent International Tribunals: Europe, the Americas, and Africa**


**Week 10**

**Judicial Enforcement before Domestic Courts: Filártiga and Pinochet**


House of Lords: Opinions of the Lords of Appeal, ex parte Pinochet, March 24, 1999 and ---------. http://www.publications.parliament.uk/cgi-bin/htm

**Week 11**

**The Generation(s) of Rights: Expanding the Human Rights Discourse**

**General**

Steiner and Alston, International Human Rights in Context, pp. 1110-1146, 1148-1181

Henkin, "Human Rights Standards and their 'Generations'" (mimeograph).


**References:** Universal Declaration of Human Rights; Covenant on Civil and Political Rights; Optional Protocol to the Covenant on Civil and Political Rights; Covenant on Economic, Social, and Cultural
Rights; Convention Against Torture; Convention Against Genocide; The Geneva Conventions; Convention on the Rights of the Child; Convention on Elimination of Discrimination Against Women; Charter of the United Nations can all be accessed at: http://www.hrweb.org/legal/undocs.html

**Economic Rights / Law and Development**


**Women's Rights**


**Indigenous, Minority and National Rights**

Donnelly, pp. 143-160

Steiner and Alston, *International Human Rights in Context*, pp. 971-1020
Refugee Rights


Alternative Conceptions of the Good


**Week 12**

Discussion of Student Research Projects