

Human Rights and American Cultures

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*...Each of you, a bordered country,
Delicate and strangely made proud,
Yet thrusting perpetually under siege.
Your armed struggles for profit
Have left collars of waste upon
My shore, currents of debris upon my breast.
Yet today I call you to my riverside,
If you will study war no more.*

*...You, the Turk, the Arab, the Swede,
The German, the Eskimo, the Scot,
The Italian, the Hungarian, the Pole,
You the Ashanti, the Yoruba, the Kru, bought
Sold, stolen, arriving on a nightmare
Praying for a dream.*

*...Lift up your eyes
Upon this day breaking for you.
Give birth again
To the dream...*

Maya Angelou, Presidential Inauguration, 1993

Weeks 1 & 2

Human Rights in the Multilateral System

- Newman, Frank & David Weissbrodt. *International Human Rights: Law, Policy and Process*, Anderson Publishing, Cincinnati, 1990. xv-xvii.
- Meron, Theodor, Editor. *Human Rights in International Law*, Clarendon Press, Oxford, 1992. 1-2.
- Lauterpacht, Hersch. *70 Recueil des Cours*(1947). 5-11
- Nickel, James W. *Making Sense of Human Rights*, U. C. Press, Berkeley, 1987. 16-19, 36-46, 174-179.
- Forsythe, David P. *Human Rights and World Politics*, U. of Nebraska Press, 1989. 1-14.
- Laqueur, Walter & Barry Rubin, Editors. *The Human Rights Reader*, Temple U. Press, Philadelphia, 1979. 41-46.
- Cassese, Antonio. *Human Rights in a Changing World*, Temple U. Press, Philadelphia, 1990. 1-3.
- Weissbrodt, David & Teresa O'Toole, article in *The Universal Declaration of Human Rights*, Amnesty International USA Legal Support Network, NY, 1988. 17-33.
- Henry, Charles. Article in *Human Rights for the 21st Century*, Peter Juviler & Bertram Gross, Editors. M.E. Sharpe, Armonk NY, 1993. 234-35.
- Steiner, Henry J. & Philip Alston, *International Human Rights in Context*, Clarendon Press, Oxford, 1996. 31-33, 118-122.
- Higgins, Rosalyn. *Problems & Process: International Law and How We Use It*, Clarendon Press, Oxford, 1994. 95-97.

- Andrus, Beth. Article in *The Universal Declaration of Human Rights*, Amnesty International USA Legal Support Network, NY, 1988. 1-16.
- Maran, Rita. Torture: *The Role of Ideology in the French-Algerian War*, NY, Praeger, 1989. 7-8.
- Maran, Rita. Article in *Social Justice*, Vol.16 No.1, Spring 1989. 146-149.
- Boutros-Ghali, Boutros. Article in *Foreign Affairs*, March/April 1996. 86-89, 93-94.
- Chart, "Human Rights Bodies of the United Nations." *Human Rights Internet*, Vol.2 No. 1 June 1993, Canada.
- *UN Chronicle*, Vol. XXXIII, No.1, UN Dept. of Public Information, Spring 1996.
- *Annotations to the Provisional Agenda: Sub-Commission on Prevention of Discrimination and Protection of Minorities*; E/CN.4/Sub.2/1996/1/Add.1, 12 June 1996. 18-20
- "Chart of Ratifications of 4 Human Rights Conventions," from *The Human Rights of Women*, Rita Maran, Editor, June 1996.
- An-Na'im, Abdullahi Ahmed, Editor. *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus*. U. of Pennsylvania Press, Philadelphia, 1992. 427-431.
- Butcher, Goler Teal. Article in *An International Perspective on Human Rights*, Censer, Shumate, & Pacheco, Editors. George Mason U. Press, VA., 1992. 94 -97.
- *Human Rights Watch Report*, Human Rights Watch USA, 1995. xxviii-xxx; xvii-xix.
- *Amnesty International Report*, Amnesty International USA, NY, 1996. 35-42.

*Of every hue and caste am I, of every rank and religion,
A farmer, mechanic, artist, gentleman, sailor, quaker,
Prisoner, fancy-man, rowdy, lawyer, physician, priest,
I resist any thing better than my own diversity.*

America, Walt Whitman

Weeks 3, 4 & 5

Human Rights and the U.S. Government

- Takaki, Ronald. *From Different Shores*, Oxford U. Press, NY, 1987. 40-41.
- Carter, Jimmy. *The International Bill of Human Rights*, Entwistle Books, Glen Ellen, 1981. ix-xi.
- Schoettle, Enid. Article in *Changing America*, Mark Green, Editor, Newmarket Press, NY, c.1993. 216-230.
- Kartashkin, Vladimir, and David Forsythe. Article and response, in *Human Rights for the 21st Century*, Peter Juviler & Bertram Gross, Editors. M.E. Sharpe, Armonk NY, 1993. 207-219.
- Strossen, Nadine. Article in *Article 19: Press Law and Practice*, Sandra Coliver, Editor, London, 1993. 196.
- *Country Reports on Human Rights Practices for 1995*, U.S. Department of State, Washington, D.C. xi - xix, iii-vi.
- "Americans overwhelmingly favor U.S. payment of U.N. dues," *The Interdependent*, United Nations Association USA, Washington, D.C., Vol. 22 No. 1, Spring 1996. 5.
- *Civil and Political Rights in the United States*. Initial Report of the U.S.A. to the U.N. Human Rights Committee under the International Covenant on Civil and Political Rights, Washington, D.C., July 1994. Cover, i-vi, Table of Contents i-ii.
- Henkin, Louis. Article in *Human Rights in International Law*, Theodor Meron, Editor. Clarendon Press, Oxford, 1992. 25-55.
- Stephens, Beth. "Hypocrisy on Rights," *N.Y. Times*, 24 June 1993.
- *Human Rights & Security Assistance*. Amnesty International USA Report, Washington, D.C., May 1996. Cover, contents page, 1, 41-44.
- *In the National Interest*, Lawyers Committee for Human Rights, NY, 1996. vii-ix; xiii- xv; 61-62.
- *Amnesty International Report*, Amnesty International USA, NY, 1996. 313-315.
- *Human Rights Watch Report*, Human Rights Watch USA, 1995. 68-69, 321-325.
- *Basic Documents Pertaining to Human Rights in the Inter-American System*. Organization of American States, Washington, D.C., 1988. 1-3
- *Annual Report of the Inter-American Commission on Human Rights 1992-1993*. Organization of American States, Washington, D.C., 1993. 5-6.
- *Report by Mr. Maurice Glele-Ahanhanzo on racism...[in the] United States of America, mission of October 1994*. E/CN.4/1995/78/Add.I, 16 January 1995.
- *Letter...from...the United States of America...to Mr. Maurice Glele-Ahanhanzo*. E/CN.4/1995/158, 6 March 1995.

- *Response of the USA to the Report of Maurice Glele-Ahanhanzo*, unpublished draft; excerpts.

*My house is the red earth; it could be the center of the world.
I've heard New York, Paris, or Tokyo called the center of the world, but I say
it is magnificently humble. You could drive by and miss it.
Radio waves can obscure it. Words cannot construct it, for
there are some sounds left to sacred wordless form. For instance, that fool crow,
picking through trash near the corral, understands the center of the world as
greasy scraps of fat. Just ask him. He doesn't have to say that the earth has
turned scarlet through fierce belief, after centuries of heartbreak and laughter --
he perches on the blue bowl of the sky, and laughs.*

Secrets from the Center of the World, Joy Harjo and Stephen Strom

Weeks 6, 7 & 8

Human Rights and Native Americans

- *Native America in the Twentieth Century*. Mary B. Davis, Editor. Garland Publishing, NY, 1994. 270-73.
- *The Great Law of Peace of the Longhouse People (Iroquois)*. Akwesasne Notes, Mohawk Nation, NY, 13683, Fourth Printing 1975. Excerpts.
- Barsh, Russel Lawrence. "Indigenous North America and Contemporary International Law," *Oregon Law Review*, Vol. 62, No.1, 1983. 73-76, 80-93, 99-102.
- Excerpts from Working Paper by Mrs. Daes on concept of "indigenous peoples" E/CN.4/Sub.2/AC.4/1996/2, 10 June 1996.
- *The Vienna Declaration*, U.N. World Conference on Human Rights, Vienna, June 1993. cover, paragraphs 1-4, 28-32.
- "The Rights of Indigenous Peoples" *Human Rights Fact Sheet No. 9*. Centre for Human Rights, U.N., Geneva, May 1990. Cover, 5-7, 18.
- Sanders, Douglas. "The UN Working Group on Indigenous Populations," *Human Rights Quarterly*, Vol. 11, No.3, 1989. 406-412, 418-422, 427-end.
- Barsh, Russel Lawrence. "Indigenous Peoples in the 1990s: From Object to Subject of International Law?" *Harvard Human Rights Journal*, Vol. 7, 1994. 33-45, 75-78, 80-85.
- *Discrimination Against Indigenous Peoples* E/CN.4/Sub.2/1995/26, 21 June 1995. 1, 9-15.
- *Report of the Expert Seminar on Practical Experiences Regarding Indigenous Land Rights and Claims*, Canada, March 1996. E/CN.4/Sub.2/AC.4/1996/6/Add.1, 4 June 1996. 1-11.
- Comtassel, Jeff J. and Tomas Hopkins Primeau. "Indigenous 'Sovereignty' and International Law," *Human Rights Quarterly*, Vol. 17, No.2, May 1995. 343-365.
- *Consideration of a Permanent Forum for Indigenous People*. E/CN.4/Sub.2/AC.4/1995/7, 12 July 1995. 9-10.
- *Report of the Workshop on a Permanent Forum for Indigenous People*, Copenhagen, June 1995. E/CN.4/Sub.2/AC.4/1995/7/2, 6 July 1995. Paragraphs 1-5, 10, 13-21, 25-27.
- *Technical Review of Draft Declaration on the Rights of Indigenous Peoples*- E/CN.4/Sub.2/1994/2/Add.1, 20 April 1994. 2-11.
- *Information received from...United States of America*. E/CN.4/WG.15/2/Add.I, 13 November 1994. 1, 6.
- *Remarks on UN Draft Declaration on the Rights of Indigenous Peoples*. U.S. Department of State, 18 May 1996.
- *Seeds of A New Partnership: Indigenous Peoples and the United Nations*, U.N., NY, 1994. A, B, i-vii, 4-5, 14-15.
- *Civil and Political Rights in the United States*. Initial Report of the U.S.A. to the U.N. Human Rights Committee under the International Covenant on Civil and Political Rights, Washington, D.C., July 1994. 36-45.
- *Human Rights Committee Begins Considering Initial Report of the United States* HR/CT/400, 29 March 1995, 1, 10.
- *Indigenous Peoples, First Nations in the Americas: Land, Ecology, Human Rights, and Self-Determination*, Conference, U.C. Berkeley, May 1993. 1, 4.
- *Indigenous Women: Taking Control of Their Destiny*. U.N. Dept. of Public Information, NY, December 1995.
- Deloria, Vine Jr., and Clifford M. Lytle. *The Nations Within*, Pantheon Books NY, 1984. 1-4, 7-12, 241-242.
- Deloria, Vine Jr., and Clifford M. Lytle. *American Indians, American Justice*, University of Texas Press, Austin, 1983. 1-4.

- Williams, Robert A. Jr. "Encounters on the Frontiers of International Human Rights Law: *Duke Law Journal*, Vol. 1990: 660-704.
- Williams, Robert A. Jr. *The American Indian in Western Legal Thought: The Discourses of Conquest*, Oxford U. Press, NY, 1990. 96-108, 325-328.
- Berman, Howard R. "The Development of International Recognition of the Rights of Indigenous Peoples," *...Never Drink from the Same Cup*, CDR-IWGIA Doc.No.74, 1993.
- Morris, Glenn T. "International Law and Politics: Toward a Right to Self- Determination for Indigenous Peoples," *The State of Native America*, M. Annette Jaimes, Editor, South End Press, Boston, 1992. 55-58, 73, 75-77.
- Ortiz, Roxanne Dunbar. *Indians of the Americas: Human Rights and Self-Determination*, Praeger, NY, 1984. 29-32.
- Stamatopoulou, Elsa. "Indigenous Peoples and the United Nations: Human Rights as a Developing Dynamic," *Human Rights Quarterly*, Vol.16, 1994.
- Tennant, Chris. "Indigenous Peoples, International Institutions, and the International Legal Literature from 1945-1993," *Human Rights Quarterly*, Vol. 16, 1994. 1-5.
- Saugee, Dean B. "Indigenous Rights and Responsibilities for the Natural World," *Human Rights Brief*, Vol.2, No.3, Spring 1995.
- Guitteau, Robert & Nadia Ezzelarab, "Recognizing Indigenous Peoples' Rights in the Americas," *Human Rights Brief*, Vol.2, No.3, Spring 1995.
- Reisman, W. Michael. "Protecting Indigenous Rights in International Adjudication," *The American Journal of International Law*, Vol.89, 1995. 350-353, 362.
- Winona La Duke, "Speech Before Plenary of NGO Forum '95," in connection with U.N. Fourth World Conference on Women, Beijing, China, September 1995.

inside
my deep brown skin
i ponder the wisdom of these Indians
who look just like me
and make me wonder
if i am indeed
Just Black
Just because
few of us can chant
the true litany of our tribal descent
Ashanti, Fanti, Dahomey, Twi
Choctaw, Chicasaw, Cherokee, Creek
French, Spanish, Irish, German and Greek
i re-paint my picture of what it is to be
Just Black

Tanika J. Beamon, student, 1994

Weeks 9, 10 & 11

Human Rights and African Americans

- Hill, Robert A. Editor. *The Marcus Garvey and Universal Negro Improvement Association Papers, Vol. II, 27 August 1919 - 31 August 1920*. U. of California Press, Berkeley, 1983. 571-578, 590-591, 602-604, 620-621.
- *International Tribute to William E.B. DuBois*. United Nations Special Committee Against Apartheid, U.N., NY, 23 February 1978. Cover, vii-ix, 1-6, 15-19, 20-22, 27-30.
- Horne, Gerald. *Black & Red: W.E.B. Du Bois and the Afro-American Response to the Cold War*. State University of New York Press, 1986. 35-39, 75-82, 97, 200.
- *The Autobiography of W.E.B. Du Bois*, International Publishers, USA, 1968. "The Niagara Movement," 249-251, 348.
- Marable, Manning. *W.E.B. Du Bois*, Twayne/G.K.Hall, Boston, 1986. 168-169.
- McNeil, Genna Rae. *Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights*. U. of Pennsylvania Press, Philadelphia, 1983. xv, xxiii-xxv, 197-198.

- Patterson, William L. (Editor). *We Charge Genocide: The Historic Petition to the United Nations*. International Publishers, NY, 1971; Original copyright 1951 by Civil Rights Congress. Title page (iii), v-xvi, 3-8, 31-37, 48-50, 57-59, 77-81, 107, 125-133, 195-197.
- Franklin, John Hope. *From Slavery to Freedom: A History of Negro Americans*, 4th Edition, Alfred A. Knopf, NY, 1974. 457-462, 504-506, 508.
- Henry, Charles P., Editor. *Ralph J. Bunche*, U. of Michigan Press, Ann Arbor, 1995. 1-2, 8-10, 165-174.
- Goldman, Roger. *Thurgood Marshall: Justice For All*, Carroll & Graf, NY, 1992. 22-26, 72-74, 77-78, 207-8.
- *Thurgood Marshall - Memorial Tributes in the Congress of the United States*. U.S. Government Printing Office, Washington, 1994. 272-276.
- Stone, Eddie. *Andrew Young: Biography of a Realist*. Holloway House, Los Angeles, 1980. 210-212.
- Clark, Steve, Editor. *Malcolm X - The Final Speeches, February 1965*, Pathfinder, NY, 1992. 62, 169-70

*I swore
it would not devour me
I swore
it would not humble me
I swore it would not break me.*

*And they commanded we dwell in the desert
Our children be spawn of barbed wire and barracks.*

*...We, the dangerous,
Dwelling in the ocean.
Akin to the jungle.
Close to the earth.*

*Hiroshima
Vietnam
Tule Lake*

*And yet we were not devoured.
And yet we were not humbled.
And yet we are not broken.*

Janice Mirikitani, 1978.

Weeks 12, 13 & 14

Human Rights and Asian Americans

- Tateishi, John. *And Justice For All: An Oral History of the Japanese American Detention Camps*, Random House NY, 1984. 239-241.
- Kim, Hyung-Chan, Editor. *Dictionary of Asian American History*, Greenwood Press NY, 1986. 236.
- Niiya, Brian, Editor. *Japanese American History: An A-to-Z Reference from 1868 to the Present*, Facts on File, year 1993. 120-121.
- Ichioka, Yuji, Editor. *Views from Within: The Japanese American Evacuation and Resettlement Study*, Asian American Studies Center, U.C. L.A., 1989. 3-6.
- Okamura, Raymond Y. "The American Concentration Camps: A Cover-up Through Euphemistic Terminology," *The Journal of Ethnic Studies*, Vol.10, No.3:95, Fall 1982.
- Weglyn, Michi. *Years of Infamy: The Untold Story of America's Concentration Camps*, Wm. Morrow, NY, 1976, 21-2.
- *Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Civilians*, U.S. Government Printing Office, Washington, D.C., December 1982. vii-x, 1 - 15.
- Irons, Peter. *Justice At War*, Oxford U. Press, NY, 1983. vii-ix.
- Irons, Peter. *Justice Delayed*, Wesleyan U. Press, Middletown CT, 1989. ix-xi, 3-16.

- Crost, Lyn. *Honor By Fire*, Presidio, Novato CA, 1994. 296-299.
- Uchida, Yoshiko. *Desert Exile: The Uprooting of a Japanese American Family*, U. of Washington Press, Seattle, 1991. 46-49, 2 question-sheets (Q. 13-71).

Week 15

Weaving it Together

Review and Questions