

M.A. in International Studies 603
Seminar on:
HUMAN RIGHTS & INTERNATIONAL LAW
(Fall 2009)

University of San Francisco
Room: Harney Hall 510

Professor Robert Elias
T 2:00-5:00 pm

Required Books

Micheline Ishay, *The History of Human Rights* (2008 Edition)
Gary Teeple, *The Riddle of Human Rights* (2004)
Gerd Oberleitner, *Global Human Rights Institutions* (2007)
Priscilla Hayner, *Unspeakable Truths: The Challenge of Truth Commissions* (2001)
Jonathan Power, *Like Water on Stone: Story of Amnesty International* (2001)
William Felice, *The Global New Deal: Economic & Social Rights* (2003)
William Blum, *Rogue State: Guide to World's Only Superpower* (3rd Edition 2005)
Jonathan Barker, *No Nonsense Guide to Global Terrorism* (2008)
William Schulz, *Tainted Legacy: 9/11 & the Ruin of Human Rights* (2003)
Paul Nelson & Ellen Dorsey, *New Rights Advocacy: Human Rights NGOs* (2008)

Optional Books (On Library Reserve)

David Forsythe, *Human Rights in International Relations* (2nd Edition)
Micheline Ishay, *The Human Rights Reader* (2nd Edition)
Walter Lacquer, *The Human Rights Reader*

Course Outline

Film: **IN NAME OF THE FATHER (Britain)(Monday, 31 August)(133)**

Week One: WHAT ARE HUMAN RIGHTS? (1 September)

(A) Bringing Repression to Life

(B) Causes of Repression: Human Nature, Institutions, Systems?

Reading: NONE

[Forsythe, *Human Rights in Intl. Relations*, ch. 1 (OPTIONAL)]

Film: **NUREMBERG (Germany)(Monday, 7 September)(179)**

Week Two: HISTORICAL PERSPECTIVES ON HUMAN RIGHTS (8 September)

(A) Origins, Evolution and Content

Reading: ISHAY, *A History of Human Rights*

Film: **OF LOVE AND SHADOWS** (Chile)(Monday, 14 September)(104)

Week Three: IDEOLOGICAL PERSPECTIVES ON HUMAN RIGHTS (15 Sept.)

(A) Varieties – Political, Economic, Cultural, Religious

(B) Philosophy vs. Law vs. Politics

(C) Universalism vs. Relativism

Reading: TEEPLE, *The Riddle of Human Rights*

CASE STUDY PRESENTATION PROPOSALS DUE (22 September)

Film: **CLOSET LAND** (Psychology)(Monday, 21 September)(95)

Week Four: SUPRANATIONALS AND HUMAN RIGHTS (22 September)

(A) International Relations Theory: Order Versus Justice

(B) Human Rights Law

(C) Rights Covenants: National, Regional & International Law

(D) Human Rights Implementation: Governments, Law & Enforcement

Reading: OBERLEITNER, *Global Human Rights Institutions*

Lacquer, *Human Rights Reader*, 197-203,215-233 (and skim 203-306)(Gleeson Library Reserve)

[Forsythe, *Human Rights in Intl. Relations*, ch. 2,3,5 (OPTIONAL)]

Film: **LONG NIGHT'S JOURNEY INTO DAY** (South Africa)(Mon., 28 Sept.)(95)

Week Five: NATION-STATES AND HUMAN RIGHTS (29 September)

(A) National Law and National Courts

(B) Truth Commissions

Reading: HAYNER, *Unspeakable Truths*

[Forsythe, *Human Rights in Intl. Relations*, ch. 4 (OPTIONAL)]

Films: (Monday, 5 October)

MANUFACTURING CONSENT (Media)(60)

DEMOC. NOW: CONFESSIONS OF ECON. HIT MAN (Banks)(60)

Week Six: TRANSNATIONALS & HR: A CLASH OF INTERESTS? (6 October)

(A) Non-Governmental Organization Reports

(1) Multinational Corporations/Banks

(2) Freedom Fighters, a.k.a. Terrorists

(3) Mass Media

(4) Religious Institutions

(5) Universities

(6) Relief Organizations

(7) People's Tribunals

(8) Human Rights NGOs

Reading: NONE

[Forsythe, *Human Rights in Intl. Relations*, ch. 7,8 (OPTIONAL)]

NO CLASS: Fall Break (13 October)

Film: KILLING FIELDS (Cambodia)(Monday, 19 October) (142)

Week Seven: POLITICAL/CIVIL RIGHTS (20 October)

(A) The Political Economy of Repression

(B) Political Repression: Tyranny, Torture, Killings & Detention

Reading: POWER, *Like Water on Stone*

Film: GIRL IN THE CAFÉ (Poverty)(Monday, 26 October)(95)

Week Eight: ECONOMIC/SOCIAL/CULTURAL/GROUP RIGHTS (27 October)

(A) Globalization, Market Terrorism, and Human Rights

(B) Economic Repression: Poverty, Inequality, Underdevelopment

(C) Ecocide: Environmental Injustice

(D) Global Apartheid: Sex, Race and Ethnicity

Reading: FELICE, *Global New Deal*

Films: (Monday, 2 November)

PLAN COLOMBIA (Colombia)(54)

WAR ON DEMOCRACY (Latin America)(94)

Week Nine: EXPORTING REPRESSION (3 November)

(A) Historic Impact of U.S. Foreign Policy

(B) Drug Wars and Death Squads

(C) War, Conflict and Human Rights

Reading: BLUM, *Rogue State* (*Gleeson Reserve*)

[Forsythe, *Human Rights in Intl. Relations*, ch. 6 (OPTIONAL)]

Films: (Monday, 9 November)

STATE OF FEAR (Peru)(80)

RWANDAN NIGHTMARE (Rwanda)(40)

Week Ten: TERRORISM AND HUMAN RIGHTS (10 November)

(A) What Causes Terrorism?

(B) Group, Market and State Terrorism

(C) Fighting Terrorism

Reading: BARKER, *No Nonsense Guide to Global Terrorism*

Films: (Monday, 16 November)

HIJACKING CATASTROPHE (U.S.)(64)

PALESTINIAN DIARIES (Palestine)(60)

Week Eleven: 9/11, WAR AND INTERVENTION (17 November)

- (A) Rhetoric of Democracy & Humanitarianism
 - (B) Imperial Reality: Varieties of Intervention
 - (C) Military Intervention: From Kosovo to Kabul to Baghdad
 - (D) Domestic Repression: Torture, Security & Human Rights
- Reading: SCHULZ, *Tainted Legacy*

Film: **BLOOD DIAMOND** (Africa)(Monday, 23 November)(143)

Week Twelve: CASE STUDY PRESENTATIONS (Part One) (24 November)

- (A) Human Rights Reports
 - (1) Human Rights Activists & Organizations
 - (2) Compelling Rights Issues
- Reading: None

Film: **BURNING SEASON** (Brazil)(Monday, 30 November)(123)

Week Thirteen: CASE STUDY PRESENTATIONS (Part Two) (1 December)

- (A) Human Rights Reports
 - (1) Human Rights Activists & Organizations
 - (2) Compelling Rights Issues
- Reading: None

Films: (Monday, 6 December)

FOURTH WORLD WAR (Argentina, Mexico, Korea, South Africa)(74)
BRINGING DOWN A DICTATOR (Yugoslavia)(56)

Week Fourteen: POLITICAL ACTION FOR HUMAN RIGHTS (8 December)

- (A) Politics of Human Rights
 - (B) What Is To Be Done?
- Reading: NELSON, *Human Rights Advocacy*
[Forsythe, *Human Rights in Intl. Relations*, ch. 9 (OPTIONAL)]

CASE STUDY PAPERS DUE (17 December)

COMMUNICATIONS

- (1) Office: 276 Kalmanovitz Hall
- (2) Office Hours: M 11-12; Th 12-1; and by appointment
- (3) Phone: eliasr@usfca.edu (best contact); 422-6349 (Office)

LEARNING OUTCOMES - Students will be able to:

- (1) Assess the interdisciplinary literature on international law, human rights and global politics, emphasizing political questions and social science methods/theories. Students will be able to understand the meaning/origins of human rights norms.
- (2) Analyze explanations of human behavior, relations or institutions. Students will be able to understand the nature and sources of repression, victimization, and

human rights violations, and how can they be explained as forms of human interaction and organization.

(3) Understand the structure of the international human rights legal system, including governmental and non-governmental institutions on the global, national, and local levels. Students will be able to describe the political economy and organizational structure of human rights decision making, using tools of social science analysis

(4) Employ social science knowledge to explore questions of political, civil, economic, social, cultural, and environmental justice, with an appreciation and respect for human diversity (including issues of race, ethnicity, gender, and sexuality). Students will be able to distinguish between relative and universal human rights standards

(5) Articulate a critical perspective for evaluating the international human rights system, including its legal, political and economic foundations

(6) Use tools of legal analysis and argumentation to address human rights controversies, such as terrorism, humanitarian intervention, cultural imperialism, & the impact of U.S. foreign policy

RESOURCES

(1) Guest Speakers – Considerable human rights work is being done around us, some originating on campus, and much more in the surrounding communities. I'll invite in various human rights activists and practitioners to tell you about their work

(2) Library Reserve - Here you will find the OPTIONAL books listed at the top of this course outline: Use the Forsythe book if you feel you need an introductory primer on human rights (on the course outline I've listed the appropriate places to read the various Forsythe chapters, if you want the additional background). Skim the Lacquer book to get a feel for the international law and covenants on human rights. Skim the Ishay book to get a feel for the historic documents on human rights.

(3) Films - I have an extensive library of videotapes and DVDs on human rights problems, activists, and organizations, some of which will be played in class or in the REQUIRED FILM SERIES during the semester. I invite you to make use of films not played for the class, either to satisfy your curiosity or to help you prepare your papers or presentations. Contact me if you'd like a list of the available films.

(4) Us - We need to help each other keep abreast of human rights developments. We might want to begin each class with a short discussion of some current human rights issue; please take some responsibility for raising these issues and bring in whatever relevant experiences you've had or witnessed.

(5) Alternative Media - you should break the habit of relying on conventional U.S. media for how you understand the world. Contrary to the commercials ("Read Time and Understand"), if you rely on only Time (or its mainstream daily or weekly twins), you probably won't really understand at all. For alternative perspectives, see New Internationalist, Peace Review (which we produce here at USF) Z Magazine, The Nation, The Utne Reader, The Progressive, Mother Jones, Social Justice, Socialist Review, World Press Review, In These Times, Tikkun, Alternatives, Sojourners, Ms. Magazine, New Political Science, Multinational Monitor, and The Catholic Worker, as well as Democracy Now TV, and KPFA (94.1 fm) and KQKE (96 am) radio.

REQUIREMENTS

Besides completing the course readings, ALL of the following are required:

(A) <i>Class Participation</i>	5% (Attendance, Oral Contributions)
(B) <i>Weekly Report/Questions</i>	15% (1-2 pp. Reports for Each Class)
(C) <i>Film Series/Reports</i>	10% (Attendance, 10 One-Page Reports)
(D) <i>Seminar Leadership/Debate/Outline</i>	15% (Lead One Class Discussion) or (Present Pro or Con NGO Theme)
(E) <i>Case Study Proposal</i>	0% (Sign-Up)
(F) <i>Case Study Presentation</i>	15% (Oral Report)
(G) <i>Case Study Paper</i>	40% (One 20 pp. Essay)

	100%

(A) Class Participation

(1) Attendance at the seminar is **REQUIRED**. More than one absence will jeopardize your final grade. Assigned reading must be completed before the class period during which it will be discussed. You should have thought about the readings beforehand, and come to each class prepared to **ACTIVELY Participate**

(B) Weekly Report/Questions

(1) To help stimulate class discussion, and to supplement your oral class participation grade (in case you don't get to participate as much as you'd like), you should submit, for each class, a **1-2** page, double-spaced, typed report that:

(a) summarizes the major themes from each week's readings, and provides your evaluation of the significance of that week's materials

(b) lists 5 questions you would pose to your fellow students if you were leading that week's class discussion

(2) Use this report during class and then submit it to me at the end of each class. Turning these observations in regularly will give me an additional way to evaluate your participation and preparation for class.

(C) Film Series/Reports – Integrated into the course will be a weekly Film Series, which will run each Monday evening at 6 pm. The films are **central** to the subject matter of the course.

(1) Attendance – Viewing these films is REQUIRED, and the material they contain should be incorporated into class discussions, written comments and course papers. If you cannot attend the scheduled showing of the film, then you must either check out the film from Gleeson Reserve, rent the film from a video store or service (such as Netflix), or borrow a copy of the film from the Politics Department office, Kalmanovitz 213. A number of the films are also available online to watch for free at Google Video. A full schedule of the films will be distributed to you separately.

(2) Reports – For at least **ten (10)** of the films, you must complete **1-page reports** (on forms I'll provide). Those reports should be **turned in** during the class following the video showing.

(D) Seminar Leadership/Debate/Outline – Each student will be expected to either provide some seminar leadership OR participate in a seminar debate. Students can satisfy this requirement by choosing **ONE** of the following options:

(1) Leadership – At the beginning of the class period to which you've been assigned, you'll be expected to present your view of the major themes for that week's readings, and present a series of at least 5 questions about the materials to help launch that week's class discussion. You'll have **10 minutes** to pursue this leadership role.

OR (2) Debate – For our October 6 class, there will be no assigned reading. Instead, we will have a series of short debates about the impact of various NGOs (non-governmental organizations) on human rights. You'll be assigned to one of 7 or 8 different NGO categories, and you'll prepare a **10 minute** presentation arguing either a Pro or Con position. For example, do "Religious Institutions" have a positive effect on human rights? Pro or Con? You'll work in teams of two students, with one of you arguing the Pro side and the other arguing the Con side.

BOTH (3) Outline – For either option, you'll make your oral report/argument, and then you'll submit a **1-page** outline of what you presented.

(E) Case Study – You will be asked to develop a Human Rights Case Study, which will be delivered first as a class presentation and then as a paper, as follows:

(1) Proposal - A **1 paragraph** proposal for your Case Study Presentation and Case Study Paper will be due on **September 22**.

(2) Presentation – You must complete research on a human rights theme and present the most important findings in an oral report on either **November 24** or **December 1**. Since we'll have adequately examined human rights problems and tragedies during the course, I strongly urge you to instead focus on human rights success stories, including the work of human rights activists, organizations and movements. You may choose from a list I'll provide, or propose your own.

Alternatively, if you have a burning desire to further explore a particular human rights problem, violation, or situation, or you want to focus on a particular target (or group) of human rights violations, you may do so as long as it doesn't substantially duplicate material already covered in the course readings or films. You'll be asked to make a **10-12 minute** oral presentation on the subject you choose.

(3) Paper – On the **Same Theme** you used for your Presentation, you'll be asked to expand your oral report into a **20-page** research essay. All student essays will be considered for publication (with your permission) in **Peace Review: A Journal of Social Justice** (which is edited at USF and published by Routledge Books). Thus, you should consult and use the Submission Guidelines for the journal, which you'll find at: <http://www.usfca.edu/peacereview/PRHome.html> The Papers are due on **December 17**.

***Plagiarism is a Serious and Easily Detected Academic Offense
Please Don't Jeopardize Your Grade & University Standing***

It's Inappropriate to Submit the Same or Similar Papers for More Than One Course; Choose Topics That Do Not Overlap With Another Course

REQUIRED HUMAN RIGHTS FILM SERIES

WEEKLY SHOWING EACH MONDAY EVENING

Cowell Hall 113, at 6:00 pm

- (1) **ALL** the films in this series are **REQUIRED** viewing
- (2) A Video Report (on the Video Report Form I've provided you) is **REQUIRED** for ten (10) of the films, and each one should be submitted as soon as possible after the film showing. You **must** submit a Report for **Hijacking Catastrophe**; it's your choice which other 9 films you select for your remaining Reports.
- (3) There are several ways you can see the films:
 - (a) Attend the Monday showing, each week
 - (b) Check out the film at the Gleeson Library reserve desk. You can view the film at the Library or at another site (3 hour check out)
 - (c) Rent the films from a video store or service, such as Netflix; most of the films are commercially available
 - (d) Check the films out from the Politics Dept (Kalmanovitz 213). Copies of most of the films are available for short-term check out
 - (e) A number of the films are available for free, online viewing at Google Video (see **Google** below)
- (4) Generally, we will discuss each week's film during class later that week; please be prepared to contribute
- (5) For More Info: Professor Robert Elias, Kalmanovitz 276, x6349, eliasr@usfca.edu

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| 31 August | <u>IN NAME OF THE FATHER (133)</u> (Daniel Day-Lewis, Emma Thompson)
(Set in Northern Ireland, amidst the conflict between the Irish and British; portrays the true story of the false arrest and imprisonment of innocent men) |
| 7 September | <u>NUREMBERG (179)</u> (Alec Baldwin, Jill Hennessy)
(Set in Germany, courtroom drama about the post-World War II trial of the century of Nazi war criminals) |
| 14 September
Connelly) | <u>OF LOVE AND SHADOWS (104)</u> (Antonio Banderas, Jennifer
(Set in Chile, portrays the political awakening of a Chilean amidst the repression of the military dictatorship; based on actual events and the novel by Isabel Allende) |

- 21 September **CLOSET LAND (95)**(Madeleine Stowe, Alan Rickman)
(Citizen is arrested without charges, and faces the fine line between psychological and physical torture)
- 28 September **LONG NIGHT'S JOURNEY INTO DAY (S. Africa Truth Commission)**
(95)
(Restorative justice, rather than punishment, approach to human rights violations, in South Africa)
- 5 October **MANUFACTURING CONSENT (Vol. 1)**(60)(Noam Chomsky)
(Explores U.S. media bias, propaganda, and false consciousness of American public opinion)(View V. 2 if you have the time)(**Google**)
- Perkins)** **DEMOCRACY NOW: CONFESSIONS OF ECON. HIT MAN (60)**(John Perkins)
(Former international banker, John Perkins, tells how banks cheat poor nations out of trillions, impose debts, and take over their economies)(**Google**)
- 12 October **NO FILM: Fall Break**
- 19 November **KILLING FIELDS (142)**(Sam Waterston, John Malkovich)
(Khmer Rouge repression and genocide in Cambodia in 1970s)
- 26 October **GIRL IN THE CAFÉ (95)** (Bill Nighy, Kelly Macdonald)
(British finance minister invites his new, mysterious girlfriend to Reykjavik G8 Summit, where she gets him to take poverty seriously for the first time)
- 2 November **PLAN COLOMBIA (54)**
(The U.S. war on drugs, terrorism and repression in Colombia; Edward Asner narrates)(**Google**)
- WAR ON DEMOCRACY (94)** (John Pilger)
(John Pilger documentary on history of U.S. intervention in Latin America early 21st century resistance in Venezuela, Bolivia, etc)(**Google**)

- 9 November **STATE OF FEAR (80)**
rebels (Cycle of repression and terrorism in Peru, focusing on Shining Path
and military death squads)
- RWANDAN NIGHTMARE (40)**
intervention?) (Genocide/ethnic conflict in Rwanda: a failure of humanitarian
- 16 November **HIJACKING CATASTROPHE (REQUIRED REPORT)* (64)**
Iraq; (The political campaign to convert the war on terrorism into the War on
Julian Bond narrates)
- PALESTINIAN DIARIES (60)**
(Struggles of daily life and repression under Israeli occupation)
- 23 November **BLOOD DIAMOND (143)(Leonardo DiCaprio, Jennifer Connelly)**
(African diamond mining, civil war, and repression)
- 30 November **BURNING SEASON (123)(Raoul Julia, Sonia Braga)**
(True story of Chico Mendes and struggle to preserve rainforest and
indigenous rights in Brazil)
- 6 December **FOURTH WORLD WAR (74)**
(Globalization, violence and economic injustice in Argentina, Mexico,
Korea, and South Africa; Michael Franti narrates)(**Google**)
- dictator, **BRINGING DOWN A DICTATOR (56)**
(The student movement that overthrew the repressive Yugoslavian
Slabodin Milosevic; Martin Sheen narrates)(**Google**)

Google – available for free, online viewing at Google Video