

Monterey Institute of International Studies  
MIIS, Graduate School of International Policy Studies

Semester and Year: Spring 2004

Course Code and Name: IS 589 Human Rights: Moving Intervention Upstream

Time: Tues.-Thurs., 4:00-5:50PM

Instructor: Jan Knippers Black  
Professor, GSIPS

Credits: 4

Office Location: McCone 117

Office Hours: Tues.-Thurs., 2:00-3:50; Wed., 4:00-5:00;

Prerequisites: None

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Course Description:

This course will address a broad range of abuses and injustices, particularly those that have been exacerbated by post-Cold War trends, through the wide-angle lens afforded by a human rights perspective. The globalization of markets, the dissolution of states, the emasculation of the public sector, the manifest hegemony of the private sector, and the increasing stress on ecological systems have generated new vulnerabilities and new categories of victims. We will examine the utility of human rights treaties, regimes, organizations and coalitions for assessing accountability, promoting reconciliation, and protecting the abused and endangered.

Course Objectives:

Students will be challenged to draw upon case material from around the world (including their immediate world) to broaden their perceptual horizons with respect to what constitutes a right, an abuse, and a protection. They should gain familiarity with approaches to human rights monitoring and with strategic thinking about undertaking intervention and protecting rights, healing abused populations, imposing accountability and promoting reconciliation.

## Methodology and Assessment:

Along with lectures, general discussion, audio-visual materials, and possibly a field trip or two, students, in teams of three, will examine three categories of human rights issues. With respect to the selected issue and case, each team should explain how and why abusive situations developed, how the human rights regime responded, how the situation might have been avoided, and how the community of the concerned might be or might have been more effective in addressing it.

Grades will be based on classroom participation, particularly in three group projects leading to panel presentations, and to reports of about 7-8 pages each, that will take the form of human rights impact assessments.

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## Course Outline:

Jan. 20 – The Human Rights Perspective: A Wide-Angle Lens

22 – Accountability for Abuse: Peter Kornbluh on Pinochet and Kissinger

27 – Deconstructing Human Rights

29 – Civil and Political Rights

Feb. 3 – Economic and Social Rights

5 – Cultural Rights

10 – Environmental Rights

Feb. 12 --19 - The Right to Belong

Citizenship and Exclusivity

Civil Strife and Ethnic Cleansing

Protecting Rights in Conflict Zones

Feb. 12 – Introduction to the Topic

“ 17 – Panel 1

“ 19 –Panel 2

Feb. 24 –Mar. 2, The Right to Truth and Atonement for Abuse

Transitional Justice: Tribunals and Truth Commissions

The Battered Population Syndrome

Justice, Equity, and the Pretense of Neutrality

Feb. 24 – Introduction to the Topic

Feb. 26 – Panel 1  
Mar. 2 – Panel 2  
Mar. 4 – Panel 3

SPRING BREAK March 6-14

Mar.16 -- 23 – The Right to Justice and the Rule of Law  
Capital Punishment; Torture;  
Privatized Prisons;  
Imprisonment as Ethnic Cleansing?  
Mar. 16 –Introduction to the Topic  
Mar. 18 – Panel 1  
Mar. 23 – Panel 2

Mar. 25 –Apr. 1--The Right to Eat: Public Sector Accountability  
Health, Education Welfare  
The Right to Earn a Living  
Funding Public Responsibility  
Mar. 25 – Introduction to the Topic  
“ 30 – Panel 1  
Apr. 1 – Panel 2

Apr. 6 --13 – The Right to Public Sector Oversight of Private Sector Operations  
Business Partnerships with Repressive Governments  
Market Monopoly of Crucial Resources (e.g., pharmaceuticals)  
Anti-sweatshop Campaigns  
Apr. 6 – Introduction to the Topic  
“ 8 – Panel 1  
“ 13 – Panel 2

Apr. 15 -- 22 – The Right to Equal Protection and to Diversity  
Eliminating Discrimination against Women and Minorities  
Identity politics and coalition-building  
Issues of Culture and Identity  
Individual vs. collective rights  
National self-determination?  
Apr. 15 – Introduction to the Topic  
“ 17 – Panel 1  
“ 22 – Panel 2

**(All papers due on April 27 except those relating to the topic of Protecting the Commons, which are due on May 6.)**

Apr. 27-- May 4 – The Right to Protection of the Commons:  
Drinkable Water, Breathable Air: the Right to a Livable Environment

## Responsibility to past and future generations

Apr. 27 – Introduction to the Topic

Apr. 29 – Panel 1

May 4 – Panel 2

May 6 – Epilogue: It Takes a Community of Rights

### Reading List:

The main textbooks for this course will be Seyom Brown, Human Rights in World Politics, (2000); UNDP, Human Development Report, 2000: Human Rights and Human Development; and J. Black, Inequity in the Global Village (1999). Also recommended and available in the MIIS bookstore and/or on reserve in the MIIS Library are Richard A. Falk, Human Rights Horizons, (2000), Martha Meijer, ed., Dealing with Human Rights, (2001), David Beetham, Democracy and Human Rights, (1998), Noam Chomsky, Profit Over People, (1999), Marrack Goulding, Peacemonger, 2002, Peter Kornbluh, The Pinochet File, 2003, W.R. Smyser, The Humanitarian Conscience, 2003, and Virginia Bouvier, ed., The Globalization of U.S.- Latin American Relations: Democracy, Intervention, and Human Rights. Other assigned readings and reference works on reserve include annual reports of Amnesty International, Human Rights Watch, Lawyers for Human Rights, and the Inter-American Commission on Human Rights; newsletters of the Washington Office on Latin America and Human Rights Watch; The Limits of Tolerance: Freedom of Expression and the Public Debate in Chile, 1998; The UNDP Human Development Report, 1999; and folders containing articles, particularly from the Human Rights Quarterly.

Suggested websites: <[www.amnestyusa.org](http://www.amnestyusa.org)> <[www.humanrightswatch.org](http://www.humanrightswatch.org)>  
<[www.carnegiecouncil.org](http://www.carnegiecouncil.org)> <[www.usip.gov](http://www.usip.gov)>

Jan. 20-27 - Black, Chap. 2; Falk, Chap. 1, Meijer, Chap 1, UNDP 2000, “Overview.”.

Jan. 29 - – Beetham, Chap. 5; Black, Introduction and Part V; UNDP, Chaps. 1-3.

Feb. 3 – Black, Part III; UNDP 2000, Chap 4; Beetham, Chap. 3; Seyom Brown, Chap 2; Meijer, Chap. 6-7.

Feb. 5 – Preis, “Human Rights as Cultural Practice,” and Rodley, “Conceptual Problems in the Protection of Minorities,” Human Rights Quarterly; UNDP, Chap. 2.

Feb. 10 – Black, Part IV; UNDP, Chap. 5; Meijer, Chap. 8

Feb. 12--19 – Black, Parts I and II; David Keen, “Organized Chaos: Not the New World We Ordered,” The World Today, 1/99; Black, “The Kosovo Watch in the Caucasus,” Z Magazine; Falk, Chaps, 8-10; Kofi Annan, UNDP, p. 31.

Feb. 24 – Mar. 4 – Black, Chap. 15 and Part VI, Introduction and Chap. 18; from articles folder, “Sergei Baburkin, “National Security and Human Rights,” Demokratizatsiya; Kornbluh on Pinochet, Villalobos on El Salvador; Brown, Chaps. 5-6.

March 16 - 23 - “The Death Penalty: An Affront to our Humanity,” in Amnesty International Annual Report, 1999.

Mar. 25 – Apr. 1– Beetham, Chap. 6; Chomsky, Profits Over People;

Apr. 6 -- 13 – articles folder, Dhooge, “A Close Shave in Burma: UNOCAL Corporation and Private Enterprise Liability for International Human Rights Violations,”; Korten, When Corporations Rule the World.

Apr. 15 - 22 – Black, Part VII; Binion, “Human Rights: A Feminist Perspective,” Human Rights Quarterly; Franck, “Are Human Rights Universal?” Foreign Affairs; John Jenkins, Indigenous Minority Groups in Multinational Democracies in the Year 2000: Problems and Prospects; Falk, Chaps. 6-7; Meijer, Chaps. 2-3.

April 27-May 4 – Black, “ The Fragile Ecology of Mother Earth,” in Development in Theory and Practice, 2<sup>nd</sup> ed., Falk, Chaps. 11-12.

May 6 – Black, Conclusion; Falk, Chap 13; Mary Robinson, UNDP, p. 113.