

Politics and Government 362:
Human Rights in Global and Comparative Perspective
Prof. Natasha Bennett

Despite the centrality of human rights in multilateral institutions, many aspects of international human rights—as defined by international law—are controversial, and their implementation at global and domestic levels remains incomplete. This is a survey course on human rights that will analyze the gap between human rights in theory and human rights in practice through a study of global human rights as they play out in domestic institutions and politics. In this way, the course will emphasize how different societies understand human rights, the extent to which states conceptualize and fulfill their human rights obligations, and the difficulties associated with implementing them. Much of the course content will be devoted to understanding the enjoyment of human rights for minority groups and how economic development influences human rights protections.

Throughout this course, students will explore the following questions: What are global human rights? What are the social and political conditions that seem to cause widespread human rights violations? Can we identify global and comparative patterns of those violations, particularly for marginalized groups? How are human rights best protected and fulfilled at global and national levels? What contemporary events present challenges for the protection and fulfillment of human rights at global and domestic levels of governance?

Learning Objectives

You will learn how to identify and analyze arguments presented in the readings regarding a wide range of perspectives regarding human rights theory and practice. Additionally, you will learn how to assess the successes and failures of human rights implementations, applying them to contemporary world issues. You will also learn how to write in a clear and condensed manner in a way that analyzes facts, political situations, and proposes policy solutions.

Required Texts:

Jack Donnelly: *Universal Human Rights in Theory and Practice*, 3rd ed.

Phillip Gourevitch: *We wish to inform you that tomorrow we will be killed with our families; Stories from Rwanda*

Samantha Power: *A Problem From Hell: America in the Age of Genocide*

Amartya Sen: *Development as Freedom*

All other readings will be provided via the course's Canvas website

Assessments:

- Attendance and Participation (10%)
- “Ticking Timebomb” essay- (15%)
 - Essay on the ethics of torture: do the ends justify the means?
- Midterm (20%)
- Final (25%)
- Human Rights Report (25%)
 - HRR Outline (5%)

- The main assignment in this course is a human rights report in which you will be asked to analyze a contemporary world issue through a human rights lens. This will require some external research. Think of this report as something that an international non-governmental organization (like Human Rights Watch or Amnesty International) produces with the hopes effecting policy reform. I will provide some examples in class. You will be asked to provide background on a contemporary issue, identify and analyze which human rights are violated, identify and analyze the political, social, economic drivers of the abuses, and consider some solutions. The instructions and assignment will be posted the first week of the class, so you will have the whole semester to work on it

Submission policy: All submission dates and times for the papers and exams are binding. **Late assignments will not be accepted.** It is YOUR RESPONSIBILITY to ensure that any papers/ assignments/ exams uploaded to Canvas can be opened. If I cannot download and open your file, I cannot grade it.

- I prefer Microsoft Word document formats. If you use different software such as Pages, please convert the file.
- To avoid losing work due to computer/ technical difficulties, consider using a cloud-based service (such as Dropbox, Google Drive, iCloud, for your notes and assignments)

Tardiness: If you are late, it is YOUR RESPONSIBILITY to ensure that I have marked you down as present in the attendance sheet. Approach me at the end of the class to do so.

Statements:

Classroom Emergency Response Guidance

Please review university emergency preparedness, response procedures and a training video posted at www.pugetsound.edu/emergency/. There is a link on the university home page. Familiarize yourself with hall exit doors and the designated gathering area for your class and laboratory buildings.

If building evacuation becomes necessary (e.g. earthquake), meet your instructor at the designated gathering area so she/he can account for your presence. Then wait for further instructions. Do not return to the building or classroom until advised by a university emergency response representative.

If confronted by an act of violence, be prepared to make quick decisions to protect your safety. Flee the area by running away from the source of danger if you can safely do so. If this is not possible, shelter in place by securing classroom or lab doors and windows, closing blinds, and turning off room lights. Lie on the floor out of sight and away from windows and doors. Place cell phones or pagers on vibrate so that you can receive messages quietly. Wait for further instructions.

Student Accessibility and Accommodation

If you have a physical, psychological, medical or learning disability that may impact your coursework, please contact Peggy Perno, Director of Student Accessibility and Accommodation, 105 Howarth, 253.879.3399. She will determine with you what accommodations are necessary and appropriate. All information and documentation are confidential.

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Course Schedule:

Modules:

Why Human Rights Matter (week 1)

Why Human Rights Matter

Readings:

- Julie Mertus, *Human Rights Matters*- Chapter 1: “Operationalizing Human Rights at the Local Level”
- Selections from: Gourevitch, Phillip, *We Wish to Inform you that Tomorrow We will be Killed with our Families: Stories From Rwanda*
- Cynthia Enloe: Chapter 1- “Who Gets Taken Seriously” in *Seriously! Investigating Crashes and Crises as if Women Mattered*

Changing conception of Rights (weeks 2-3)

What are human rights?

Readings:

- “Human Rights as Critique of Power”—Brooke Ackerly in Goodhart *Human Rights: Politics and Practice*
- Dworkin, Ronald “Rights as Trumps”
- Selections from Jacques Maritain *Natural Law*
- “What are Human Rights? Six Historical Controversies” Micheline Ishay, *Journal of Human Rights*

Are human rights universal?

Readings:

- Donnelly Chapter 2- The Universal Declaration Model
- Kissinger, Henry, “The Pitfalls of Universal Jurisdiction,” *Foreign Affairs*
- Roth, Kenneth, “The Case for Universal Jurisdiction,” *Foreign Affairs*

- Schaer, Cathrin. “Prosecuting Syrian War-Crimes Suspects from Berlin” *The Atlantic*, <https://www.theatlantic.com/international/archive/2019/07/can-germany-convict-syrian-war-criminals/595054/>

The cultural relativism debate

Readings:

- Donnelly- Chapters 6 & 7
- Sen, Amartya, Chapter 10- “Culture and Human Rights”
- An Na’im, “Human Rights in the Muslim World,”

Human rights in International Law: Construction of an international regime (weeks 4-5)

Wars and Genocide:

Readings:

- Samantha Power, *A Problem from Hell* pp 1-86
 - Chose a country case from the following:
 - Cambodia pp 87-154
 - Iraq pp 171-246
 - Rwanda pp 329-390
- United Nations, *Convention on the Prevention and Punishment of the Crime of Genocide*, <http://www.ohchr.org/english/law/genocide.htm>

What are human rights in international law/international treaties

Readings:

- Chapter 5 “The Rights Guaranteed” –Dinah Shelton in *Advanced Introduction of International Human Rights Law*
- Universal Declaration of Human Rights
- The International Covenant on Civil and Political Rights
- The International Covenant on Economic, Social, and Cultural Rights
- “Why Do Countries Commit to Human Rights Treaties”—Oona Hathaway- *Journal of Conflict Resolution*

Human Rights, Security, States of Exception (week 6)

Readings:

- Selections from William Schultz, *The Phenomenon of Torture Readings and Commentary*
- Richard Falk: “Encroaching on the Rule of Law: Post-9/11 Policies within the United States” in *National Insecurity and Human Rights: Democracies Debate Counterterrorism* eds Brysk and Shafir, 2007
- Howard Adelman: “Canada’s Balancing Act: Protecting Human Rights and Countering Terrorist Threats” in *National Insecurity and Human Rights: Democracies Debate Counterterrorism* eds Brysk and Shafir, 2007

Assessment: **Ticking Timebomb Essay**

The Right to Have Rights (weeks 7-9)

The “human” in human rights

Readings:

- Arendt, Hannah: *The Decline of the Nation State and the end of the Rights of Man*
- Gershon Shafir: “Globalization and the Citizenship Gap” in *People out of Place: Globalization, Human Rights, and the Citizenship Gap*. 2004.

Race and ethnicity and human rights

Readings:

- Convention on the Eradication of all forms of Racial Discrimination
- Chapter 5: Jean Jackson: Rights to Indigenous Culture in Colombia” in *The Practice of Human Rights* eds. Merry Engle and Goodale.
- Selections from Carol Anderson: *White Rage: The Unspoken Truth of our Racial Divide*

Women’s rights as human rights

Readings:

- Convention on the Elimination of Discrimination Against Women
- Charlotte Bunch “Women’s Rights as Human Rights”
- “When Development is Not Enough: Inequality, Structural Change, and Violence Against Women”—Alison Brysk and Aashish Mehta

Human Rights and Sexual Minorities

Readings:

- Selections from Philip Ayoub, *When States Come Out: Europe’s Sexual Minority and the Politics of Visibility*
- “Latin America’s human-rights court moves into touch territory” *The Economist*. Feb 1, 2018

Migration and Human Rights

Readings:

- Alice Edwards- “Human Rights, Refugees, and the Right ‘To Enjoy’ Asylum” *International Journal of Refugee Law*, Volume 17, Issue 2, 2005, Pages 293–330
- Martin, Susan. “Climate Change, Migration, and Governance.” *Global Governance*, vol. 16, no. 3, 2010, pp. 397–414..
- Crush, J. (2001), The Dark Side of Democracy: Migration, Xenophobia and Human Rights in South Africa. *International Migration*, 38: 103-133

Human Rights and Development (Weeks 10-13)

Economic and Social Rights

Readings:

- Donnelly- Chapter 3 “Economic Rights and Group Rights”

- Fukuda-Parr “International Obligations for Economic and Social Rights: The Case of the Millennium Development Goals” in *Economic Rights* eds. Hertel and Minkler
- Selections from Amartya Sen, *Development as Freedom*

Short film: *Period. End of Sentence.*

Health and human rights

Readings:

- Paul Farmer: *Pathologies of Power* chapters 1, 5, 6, 7

The right to food and water

Readings:

- Baer, Madeline *Stemming the Tide: Human Rights and Water Policy in a Neoliberal World*, Oxford University Press: 2017
 - Chapter 2: Human Rights in a Neoliberal World
 - Chapter 4: Private Water, Public Good - Privatization and State Capacity in Chile
 - Chapter 5: Water for Life - Implementing the Human Right to Water and Sanitation in Bolivia
- Hertel, Shareen (2015), “Hungry for Justice: Social Mobilization on the Right to Food in India” *Development and Change*, 46: 72-94.
- Howard-Hassmann, Rhoda E. "The Right to Food Under Hugo Chávez." *Human Rights Quarterly*, vol. 37 no. 4, 2015, p. 1024-1045.

Urban Inequality and Access to Justice

Readings:

- David Harvey, “The Right to the City” *International Journal of Urban and Regional Research* 27(4):939-941
- Joe Hoover, “The human right to housing and community empowerment: home occupation, eviction defence and community land trusts” *Third World Quarterly*, 2015, 36:6
- Natasha Bennett “Bottom Two Billion: The Global Expansion of Slums and Second Class Citizenship” in *Contracting Human Rights* eds Brysk and Stohl, 2018.

Solutions: Civil Society? Humanitarian Intervention? (weeks 14-15)

Civil Society:

Readings:

- Keck and Sikkink: *Activists Beyond Borders*
 - Introduction
 - Choose between:
 - Environmental Advocacy Networks
 - Advocacy Networks in Latin America
 - Transnational Networks on Violence Against Women
- Selections from: Nelson and Dorsey, *New Rights Advocacy: Changing Strategies of Development and Human Rights NGOs*

- Mertus, Julie. 2007. The Rejection of Human Rights Framings: The Case of LGBT Advocacy in the US HRQ 29(4) Nov. 2007
- Hertel, Shareen. 2006. *Unexpected Power: Conflict and Change among Transnational Activists*- Chapter 4 “Discrimination, the Right to Work, and Reproductive Freedom: The Case of Mexico”

Humanitarian/Military Intervention:

Readings:

- Donnelly- Chapter 15
- Selections from: Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*
- Alex Bellamy, “Libya and the Responsibility to Protect: The Exception and the Norm” *International Ethics*