

POS 321 INTERNATIONAL HUMAN RIGHTS¹

Fall Quarter 2010 (3 credit hrs)

Department of Political Science

Georgetown College

Tue & Thu 12:45 – 2:00 pm
CMB 103

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Office Hours:

Mon & Wed 1-2:30 pm

Tue & Thu 3:30–5 pm

or by appointment

Location: CMB 106

* If you contact me via email, I should be able to get back to you within next 12-24 hrs.

COURSE DESCRIPTION:

This course examines human rights and humanitarian intervention in world politics. Throughout the semester we are going to survey historical, theoretical and philosophical aspects of international human rights and discuss the advancement of the three different generations of human rights, the role of states and non-governmental actors in the protection of international human rights. Special attention will be paid to the protection of groups and minorities and the enforcement mechanisms.

COURSE OBJECTIVES:

POS 321 is an upper level undergraduate class, the students are expected to demonstrate an in-depth knowledge of the history, theory and application of international human rights and develop different analytical skills. At the end of the course, students should be able to acquire a variety of skills that that will help them prepare for their future intellectual and professional career in academia, the legal profession, variety of jobs in government and various businesses. These include skills to identify the evolution of the concept of international human rights and the specific categories of rights, to analyze the effectiveness of various international and domestic mechanisms and evaluate the effectiveness of mechanisms to enforce the protection of these rights. Lastly, the students should be able to relate contemporary cases of human rights violations and policies to protect these rights to theoretical explanations and present persuasive arguments in favor or against these policies.

REQUIREMENTS AND GRADING:

<i>Course Requirements:</i>	<u>% of final grade</u>	<u>Due Date</u>
Two in-class midterm exams	40% (20% each)	9/30; 10/28
Take-home final exam	30%	Exam Week
Issue(s) for Debates	20%	9/9; 9/16; 9/23; 10/21; 11/4; 11/11; 11/18;

¹ This syllabus is subject to change. I reserve the right to add supplementary readings if necessary.

In-class participation and attendance 10% throughout the semester

Grading Scale:

93-100%	A	73-78%	C
89-92%	A/B	68-72%	B/C
84-88%	B	62-67%	D
79-83%	B/C	0-61%	F

Please note that grades represent **NON-NEGOTIABLE** assessments of a student's comprehension of course material.

POLICIES AND CAVEATS:

If you have a disability that affects your performance in class, please notify the instructor **at the beginning of the semester** in order to find an accommodation that meets best student's interests.

Students are expected to attend class, and attendance will be recorded at each class meeting. In the case of extraordinary circumstances (medical), I should be informed **PRIOR** to the test about the student's impending absence (usually by email). Absences due to illness or injury will be excused retroactively when documentation is provided to the instructor. A student who misses a total of **TEN** (1/3) or more class meetings will receive a class participation grade of zero (0), and may also have his or her overall course grade reduced. A student who has a total of **FOURTEEN** (1/2) or more unexcused absences will receive a course grade of F. Even though I do not necessarily require a note from the doctor, I expect you to contact me in advance (preferably by email) and inform me if you are not feeling well.

I do **NOT** plan makeup examinations or quizzes. However, I understand that sometimes students are not able to attend exams or presentations. In these cases, make-up exams will be arranged only with the instructor's permission, so please be sure to let me know as soon as possible if you will not be able to attend at the scheduled time.

Please note that the in-class issues for debate are important components of this course and they make up a total of 20% of the overall grade. The purpose of debates is to have the students familiarize themselves with contemporary cases of international human rights violations and discuss various response strategies. Each student will need to sign up for **three debates**. The debates are expected to last about 50-60 minutes in which the students will be divided into two opposing teams of two students each (a total of 4 students). The students will be evaluated based on their performance in the presentations, as well as the questions that they raise and comments that they make from the audience. For further details check Moodle.

Lastly, I need to remind you that all of the work you submit in this course is expected to be your own. Students should review the see Honor System in Student Handbook to familiarize themselves with the Academic Honesty Policy. Although I do encourage students to exchange ideas and/or work together on certain assignments, *each student is responsible for completing and submitting his or her own homework*. Please be

advised that Georgetown College is a community of trust and respect. According to the Technology Ethics Policy honor and integrity are valued in and out of the classroom, as is the diversity represented in the College family. This includes specifically:

Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to work of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner and terms of publication and distribution.

Because electronic information is volatile and easily reproduced, respect for work and personal expression of others is especially critical in computer environments. Violations of authorized integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.

For further information on appropriate citation, feel free to visit the University of Wisconsin-Madison website and check a detailed instructional brochure about references on my webpage:

http://www.wisc.edu/writing/Handbook/DocAPSA_PC.html

Please do not forget that all cell phones, pagers, i-pods and other pieces of portable electric equipment should be **turned off completely** (not muted!!!) during class time and I will be very disappointed to hear ring tones during our class. Feel free to use your laptop computers or i-pads to take notes but make sure that the sound is completely turned off.

READINGS:

1) The following two books are required:

David P. Forsythe, *Human Rights in International Relations*, Cambridge University Press, 2nd Edition (2006), Paperback edition; (ISBN-13: 9780521684279; ISBN-10: 0521684277).

Issues for Debate in Human Rights: Selections from CQ Researcher, CQ Press (2010), ISBN: 978-1-60871-412-4 (Paperback).

2) Also, there is one recommended book (selected chapters will be posted on Moodle):

Jack Donnelly, "Universal Human Rights in Theory and Practice," Cornell University Press, 2003; ISBN 0-8014-8776-5

3) There are readings in addition to the required textbook. Most readings are academic articles published in the leading human rights journals and will be available on Moodle. When electronic versions of readings are not available, paper copies will be made available to the students in the library and/or bookstore.

COURSE OUTLINE

PART 1: INTRODUCTION

Introduction of participants, course requirements, discussion on the topics of human rights and international relations.

Forsythe, Chapter 1, pp. 1-28.

Skim thru selected Country Reports on Human Rights Practices:
<http://www.state.gov/g/drl/hr/c1470.htm>

Documents:

The UN Charter

The Universal Declaration of Human Rights

Issue(s) for debate: Human Trafficking and Slavery CQ researcher, chapter 6

PART 2: HISTORY AND PHILOSOPHY OF HUMAN RIGHTS

The development of the modern system; Western and non-Western conceptions of human rights

Forsythe, Chapter 2, pp. 29-56.

Donnelly, Chapters 5 and 7, pp. 71-88 and 107-26.

Documents:

Declaration on Granting Independence to Colonial Countries and Peoples, 1960

Slavery Convention (1926) and 1953

Convention relating to the Status of Refugees

Convention on the Reduction of Statelessness

PART 3: THEORETICAL ASPECTS OF INTERNATIONAL HUMAN RIGHTS

Schools of thought, group and individual rights; indivisibility of human rights

Donnelly, Chapter 6, pp. 89-107

Marie-Bénédicte Dembour, "What Are Human Rights? Four Schools of Thought,"

Human Rights Quarterly 32 (2010), pp. 1–20.

Pablo Gilabert, "The Importance of Linkage Arguments for the Theory and Practice of Human Rights," Human Rights Quarterly 32 (2010), pp. 425–438.

Alexandra Xanthaki, "Multiculturalism and International Law: Discussing Universal Standards," Human Rights Quarterly 32 (2010), pp. 21–48.

Issue(s) for debate: Torture Debate (CQ researcher, chapter 8)

PART 4: UNIVERSAL AND REGIONAL SYSTEMS FOR PROTECTION OF HUMAN RIGHTS

UN and UN System:

Forsythe, Chapter 3, pp. 57-88.

Jack Donnelly, "The Relative Universality of Human Rights," *Human Rights Quarterly* 29 (2007), pp. 281–306.

Nigel Rodley, "United Nations Human Rights Treaty Bodies and Special Procedures of the Commission on Human Rights—Complementarity or Competition," *Human Rights Quarterly* 25 (2003), pp. 882–908

Visit Amnesty International's web page <http://www.amnesty.org> and Human Rights Watch <http://hrw.org> and review for class discussion.

Issue(s) for debate: Aiding Refugees (CQ Researcher chapter 4)

Civil and Political/ Economic Social and Cultural Rights:

Donnelly, Chapter 11, pp. 185-204

Judith V. Welling, "International Indicators and Economic, Social, and Cultural Rights," *Human Rights Quarterly* 30 (2008), pp. 933–958;

Mary Robinson, *Advancing Economic, Social, and Cultural Rights: The Way Forward*, *Human Rights Quarterly* 26 (2004), pp. 866–872

Documents:

International Covenant on Civil and Political Rights

International Covenant on Economic, Social and Cultural Rights

International Convention on the Elimination of All Forms of Racial Discrimination

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

PART FIVE: REGIONAL SYSTEMS – EUROPE, THE AMERICAS, AFRICA

Forsythe, Chapter 5, pp. 121-51

Steven Greer, "What's Wrong with the European Convention on Human Rights," *Human Rights Quarterly* 30 (2008), pp. 680–702

Robert K. Goldman, "History and Action: The Inter-American Human Rights System," *Human Rights Quarterly* 31 (2009), pp. 856–887

Bronwen Manby, "The African Union, NEPAD, and Human Rights: The Missing Agenda," *Human Rights Quarterly* 26 (2004) 983–1027

Documents:

The European Convention on Human Rights and its Five Protocols, Rome, 4 November 1950

The European Social Charter

The Final Act of the Conference on Security and Cooperation in Europe

OAS Declaration of the Rights and Duties of Man

American Convention on Human Rights

Inter-American Convention to Prevent and Punish Torture
African Charter on Human and Peoples' Rights

Issue(s) for debate: The Troubled Horn of Africa (CQ researcher, Chapter 12)

PART SIX: DOMESTIC SYSTEM/S FOR PROTECTION OF INTERNATIONAL HUMAN RIGHTS

Forsythe, Chapter 6, pp. 152-87
Ming Wan, "Human Rights Lawmaking in China," *Human Rights Quarterly* 29 (2007), pp. 727-753

Issue(s) for debate: Human Rights in China and Crisis in Darfur (CQ researcher -- chapters 10 and 11)

PART SEVEN: NON-GOVERNMENTAL ACTORS AND HUMAN RIGHTS

Forsythe, Chapter 7, pp. 188-217
Todd Howland, "How El Rescate, a Small Nongovernmental Organization, Contributed to the Transformation of the Human Rights Situation in El Salvador," *Human Rights Quarterly* 30 (2008), pp. 703-757

PART EIGHT: SPECIAL RIGHTS – THE PROTECTION OF GROUPS AND MINORITIES

Donnelly, Chapter 12, pp. 204-20

Documents:

Convention on the Political Rights of Women, 1955

Convention on the Elimination of All Forms of Discrimination against Women

Issue(s) for debate: Women's Rights (CQ researcher, chapter 3)

PART NINE: THE ENFORCEMENT OF INTERNATIONAL HUMAN RIGHTS

Forsythe, Chapter 4, pp. 89-120
Donnelly, Chapter 14, pp. 242-260
Payam Akhavan, "Are International Criminal Tribunals a Disincentive to Peace," *Human Rights Quarterly* 31 (2009), pp. 624-654

Documents:

The Rome Statue of the International Criminal Court

Read about the International Tribunal for the Former Yugoslavia,

<http://www.icty.org/sections/AbouttheICTY> and

International Criminal Tribunal for Rwanda,

<http://liveunictr.altmansolutions.com/AboutICTR/GeneralInformation/tabid/101/Default.aspx>

Issue(s) for debate: World Peacekeeping (CQ researcher, chapter 2) and
Closing Guantanamo (CQ researcher, chapter 7)

SELECTED BIBLIOGRAPHY:

Adam McBeth, *International Economic Actors and Human Rights*, London; New York: Routledge, 2010

Stephen Humphreys (ed.), *Human Rights and Climate Change*, Cambridge; New York: Cambridge University Press, c2010

Sarah Joseph, Adam McBeth (eds), *Research Handbook on International Human Rights Law*, Cheltenham, UK and Northampton, MA : Edward Elgar, c2010

Todd Landman, and Edzia Carvalho, *Measuring Human Rights*, Milton Park, Abingdon, Oxon; New York, N.Y.: Routledge, c2010

Dia Anagnostou, Evangelia Psychogiopoulou (eds), *The European Court of Human Rights and the Rights of Marginalized Individuals and Minorities in National Context*, Leiden; Boston: Martinus Nijhoff Publishers, 2010

Daniel J. Whelan, *Indivisible Human Rights: a History*, Philadelphia: University of Pennsylvania Press, c2010.

Jill Marshall (ed), *Personal Freedom through Human Rights Law: autonomy, identity and integrity under the European Convention on Human Rights*, Leiden; Boston: Martinus Nijhoff Publishers, 2009

Neil Stammers, *Human Rights and Social Movements*, London; New York, NY: Pluto Press/ Palgrave Macmillan, 2009

Richard A Falk, *Achieving Human Rights*, Published New York: Routledge, 2009

Menno T. Kamminga and Martin Scheinin (eds), *The Impact of Human Rights Law on General International Law*, Oxford; New York: Oxford University Press, 2009

Jack Donnelly, *The Concept of Human Rights*, New York: St. Martin's Press, 1985

Monique Castermans-Holleman, Fried van Hoof and Jacqueline Smith (eds), *The Role of the Nation-State in the 21st Century: Human Rights, International Organizations, and Foreign Policy* (essays in honor of Peter Baehr), Boston: Kluwer Law International, c1998

Richard Pierre Claude and Burns H. Weston (eds), *Human Rights in the World Community: Issues and Action*, Philadelphia: University of Pennsylvania Press, c1992

POS 321
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Tentative Schedule

Week	Tuesday	Thursday
Week One 8/24-8/26	8/24 Introduction to the class and topic	8/26 Introduction to the topic (cont'd)
Week Two 8/31 – 9/2	8/31 History of Human Rights	9/2 Philosophical Foundations of Human Rights
Week Three 9/7 – 9/9	9/7 Theories explaining human rights	9/9 Issue(s) for debate: Human Trafficking and Slavery
Week Four 9/14 – 9/16	9/14 Introduction to systems and generations of human rights. Universal human rights	9/16 Issue(s) for debate: Torture Debate (CQ researcher, chapter 8)
Week Five 9/21 – 9/23	9/21 The UN System – civil and political rights	9/23 Issue(s) for debate: Aiding Refugees (CQ Researcher chapter 4)
Week Six 9/28 – 9/30	9/28 The UN System – Economic Social and Cultural Rights	9/30 Midterm Exam I
Week Seven 10/5 – 10/7	10/5 Regional Systems – Europe (Part 1)	10/7 Fall Break (no classes)
Week Eight 10/12 – 10/14	10/12 Regional Systems – Europe (Part 2)	10/14 Regional Systems – the Americas
Week Nine 10/19 – 10/21	10/19 Regional Systems – Africa	10/21 Issue(s) for debate: The Troubled Horn of Africa (CQ researcher, Chapter 12)
Week Ten 10/26-10/28	10/26 Domestic Systems for Protection of Human Rights	10/28 Midterm Exam II
Week Eleven 11/2 – 11/4	11/2 NGOs and the protection of int'l human rights	11/4 Issue(s) for debate: Human Rights in China
Week Twelve 11/9 – 11/11	11/9 Special rights – women, minorities, people with disabilities, etc	11/11 Issue(s) for debate: Women's Rights (CQ researcher, chapter 3)
Week Thirteen 11/16 – 11/18	11/16 The enforcement of int'l human rights: humanitarian intervention	11/18 Issue(s) for debate: The Crisis in Darfur
Week Fourteen 11/23 - 11/25	11/23 The enforcement of int'l human rights: tribunals	11/25 Thanksgiving Break (no Classes)
Week Fifteen 11/30 – 12/2	11/30 Issue(s) for debate: Peacekeeping and/or tribunals	12/2 Issue(s) for debate: Closing Guantanamo (CQ researcher, chapter 7)
Week Sixteen 12/7 – 12/9	12/7 Preps for the final exam; Q&A, etc	12/9 Reading Day (no classes)