

Political Science 360.001 (21992)
International Human Rights Law

Spring 2014, Maybank 316	Professor Helen Delfeld
TTh 12:15 - 1:30pm	Email: hdelfeld@gmail.com
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Office Hours: TTh 3:15-4:15 I am also happy to make appointments outside of regular office hours. Office Phone: (843) 953.5915 (email is strongly encouraged – only call this number to see if I’m immediately available for a drop-in appointment. Don’t bother leaving a message; email me instead.)	

Overview of the course

This course is an introduction to both human rights law and theory. We will treat each of these themes in turn, first establishing what exactly is covered by human rights law, the participation of different countries, and methods of enforcement and resistance. Second, we will examine the theoretical implications of human rights law, including explorations of inherent contradictions in the law.

Texts

Goodbye Fred Voodoo

In recognition that no one textbook does a perfect job, as well that textbooks are very expensive, I will put most of the readings for the course on OAKS since I’ve selected just a chapter or two from a number of different sources. All of the readings from the following sources are online.

- 1) *International Human Rights: Law, Policy, and Process* by Weissbrodt, Fitzpatrick, Newman Edition/Year: 3rd ed., 2001. Readings from this book will be indicated with the initials “IHR”.
- 2) *International Human Rights in Context* by Steiner and Alston; Oxford: Oxford University Press, 2008. Readings from this book will be indicated by “IHRC”.
- 3) *Human Rights in the World Community*, Claude and Weston, eds. Philadelphia: University of Philadelphia Press, 1992. 2nd Edition. Readings from this book will be indicated with the initials “HRWC”.
- 4) *Human Rights in International Relations*, by David P. Forsythe. Cambridge, New York: Cambridge University Press, 2006. 2nd Edition. Readings from this book will be indicated with the initials “HRIR”.
- 5) *Universal Human Rights in Theory and Practice*, by Jack Donnelly. Ithaca, NY: Cornell University Press, 2003. 2nd Edition. Readings from this book will be indicated with the initials “UHR”

Grading

Grading will be as follows:

- 1 book review = not graded, but cannot turn in next segment of final paper without a “pass”
- 1 annotated bibliography = not graded, but cannot turn in next segment without a “pass”
- 1 final paper/project = 20%
- 10 reading responses, averaged = 20%
- 2 exams, each 15% = 30%
- Oral case report = 20%
- Participation = 10%

I do not make study guides, although I strongly encourage you to do so. Study groups certainly help, as well, and study groups may certainly construct study guides together. Material in the reading but not covered in class frequently appears on exams, as does material covered in class but not in the readings.

You must complete all components of class to pass the class -- in other words, there is no calculating that you can "get by" without doing the final paper or reading responses or whatnot.

Learning Outcomes

1. Demonstrate knowledge of political systems	Exam; C- necessary to demonstrate successful learning
2. Apply theories and concepts to new situations	Research paper process; C- necessary to demonstrate successful learning

Reading Responses

10 of the 14 weeks of the semester, you must submit a reading response through Dropbox on OAKS. These are due the SUNDAY before our Monday class meetings.

Book Review

A short (1000 word) review article will give a critical reading of a **scholarly** book not covered in class. Part of this assignment is the research you have to do to find a suitable book, so do your research on topics this week to line up your book.

A book/article review is a standard academic format: a section describing the content of the book, since your reader will not necessarily have read the work(s); placement in its scholarly context (who would agree or argue? why?); and a section critiquing the approach, content, and overall quality of the work(s), which incorporates your own analysis – which is not opinion. Analysis is derived rather from carefully considered opinion, supported by convincing evidence.

There will be **no rewriting** these papers, but I will read **clearly labelled complete** rough drafts if you turn it in one full week before the paper is due. I will then read rough drafts by the next class period for your pickup. I do not accept emailed papers, except in the direst emergency (which would be very dire indeed). Papers are due when I begin class (not when you show up for class, which may be two very different times!) Unexcused late papers will be docked 10% a day.

Annotated Bibliography

Since you will use a minimum of six **scholarly** sources to write your final paper, you will be given a leg up on the process by producing an annotated bibliography of those sources. Each annotation will consist

of the complete bibliographic reference of each source and one paragraph, minimum of 100 words, on both the **content** and the **theoretical approach** of the source. At most, three sources from the class syllabus may be used. At least four of the sources must be from the last four years.

Final Paper

The final paper will be a report on a very specific human rights topic of your choosing (3000 word limit), including a discussion of which human rights have been violated, the possible avenues of recourse available, and the theory you've learned in class.

Podcast (Alternative to Final Paper)

With my permission, you may make a podcast instead of a final paper. You need to plan this from the beginning of the semester. I need some evidence that you can in fact write well enough that a final paper might not be the best educational experience for you. The advantages of doing a podcast instead are legion: a new way of presenting information; being able to present a more complex story (in some ways) than a traditional research paper; building a really cool skill for your resume; having something powerful and unique to present on your personal website -- more and more a necessity for building an interesting career after college. However, don't be fooled. Making a podcast is **MORE** difficult than a traditional research paper, simply because you have never done one before (probably).

Oral Case Report

To delve into real-world human rights issues, each participant will give a 5-10 minute oral report (once a semester) on a beyond-the-headlines issue, and an NGO that is either successfully or unsuccessfully engaging in that issue.

Participation

I assign very targeted reading -- this means there is not that much of it, but it is critical to read the assignments in order to participate in class. You are expected to show up to class having done the reading and prepared to talk about it.

I take your participation grade very seriously. This is a discussion-based class, and there is no way to earn an A without participating. But different people are prepared to participate in different ways, and I do not discriminate. If you come to office hours to discuss class issues, that is participation. If you contribute meaningfully in class, that is participation.

Attendance is mandatory, of course, and will be an important part of your grade. I will make all important announcements as soon as class starts, and I will not repeat these for latecomers: be aware that you need to get this information from your colleagues.

Cheating and Plagiarism

As a student at the College of Charleston, you are bound by an Honor Code. Plagiarism in any form will not be tolerated. The point of the class is to improve your critical thinking and writing skills, which is defeated by stealing others' work. You must cite quotations. When you paraphrase another's work, you must cite that as well. I should know the source of *every single thing* in your papers that is not either common knowledge or your own originally generated analysis. If you have any questions, refer to the

College policy on plagiarism. If any questions remain, talk to me. If doing the right thing is not incentive enough, be afraid of getting caught. It is easy to catch plagiarism, and I take it very seriously.

Conscience Cash

Since we all have multiple responsibilities, some of which conflict with the calendar of our class, I have instituted a Conscience Cash system to enable some flexibility in the scheduling of class due dates. Each person will begin with a “dollar” which can be used in the following ways:

1. You may trade the dollar to allow you to turn in a paper one class day late.
2. You may trade the dollar for a chance to rewrite the final paper.
3. You may trade the dollar to take a test at another time.
4. You may trade the dollar to allow you to drop a reading response grade (most appropriate, likely, when you are forced to miss a reading response due to unforeseen circumstance).
5. If you haven't used your conscience cash for other purposes, you will (by default) be given one extra point in your overall class grade.

There is **no other accommodation** available for missed work. You should use your dollar only when absolutely necessary, so you don't encounter an unexpected emergency, and pay with your grade.

Accommodations

Please Note: If you are a SNAP student eligible for accommodations, you must provide me with a copy of the notification letter you have been given by the SNAP office well before the need for any accommodation arises. If you are a student athlete who will miss class time due to away events, you must follow the procedures set out by the College in order to expect due consideration. In both cases, I will not guarantee granting your requests if I have not been given sufficient notice.

**Readings are to be done BEFORE the class day indicated.
Schedule of Class Meetings:**

Week 1 Starting Thurs, Jan 9: Introduction.

Background lecture: A (really) short history of international human rights law.

Week 2 Starting Tues Jan 14: Overview

- 1) Buergethal: “The Evolving International Human Rights System”
- 2) *Universal Declaration of Human Rights (UDHR)* Download from UN website, and take a look around while you are there!

Week 3 Starting Tues Jan 21:

Mutua, Makau “Savages, Victims, and Saviors”

Week 4 Starting Tues Jan 28: Civil and Political Rights, Components of Int'l Law

- 1) *read* International Covenant on Civil and Political Rights (ICCPR) Download from UN website. Make a rough outline of how you would break down the parts of the ICCPR (**you will turn this in**)
- 2) IHRC pp.26-57, 166-193.

Book Review Due!!!

Week 5 Starting Tues Feb 4: Economic, Social, and Cultural Rights

- 1) *skim over* International Covenant on Economic, Social and Cultural Rights (ICESCR) *Download from UN website. Note at least two significant differences from ICCPR (you will turn this in)*
- 2) HRWC Ch. 3, p. 146-207.

Week 6 Starting Tues Feb 11: Important Treaties; How They Work

- 1) Convention on the Rights of the Child (CRC) *Download from UN website*
- 2) CRC Reservations and Objections

Week 7 Starting Tues Feb 18: Global Mechanisms

“Standard Setting in Human Rights: Critique and Prognosis”.

Week 8 Starting Tues Feb 25: Regional Human Rights Systems

- 1) IHRC, Ch. 10

The class will divide into thirds. Each will read one of the following, be prepared to report:

- 2) IHR, Ch. 11
- 3) “What’s Wrong with the European Convention on Human Rights?”
- 4) “The African Peer Review Mechanism and Human Rights:...”

February 27: Midterm

Spring Break!!! March 1 to March 9

Week 9 Starting Tues Mar 11: Humanitarian Intervention

UHR Ch. 14, p 242-260

Annotated Bibliography Due!!!

Week 10 Starting Tues Mar 18:

Goodbye Fred Voodoo

Week 11 Starting Tues Mar 25: Transitional Justice

- 1) HRIR Ch. 4, p 89-120.
- 2) “The Irreconcilable Goals of Transitional Justice”

Week 12 Starting Tues Apr 1: Feminist Challenges to Standard Conceptions of Human Rights Law

- 1) Uma Narayan “Death by Culture” in *Dislocating Cultures: Identities, Traditions, and Third World Feminism* 1997
- 2) Charlotte Bunch “Women’s Rights as Human Rights: Toward a Re-Vision of Human Rights” *Human Rights Quarterly* 12 (1990)

Week 13 Starting Tues Apr 8: Non-Western Challenges to Western Political Norms

- 1) Eva Brems “Enemies or Allies? Feminism and Cultural Relativism as Dissident Voices in Human Rights Discourse.” *Human Rights Quarterly* 19 (1997)
- 2) Balakrishnan Rajagopal “International Law and the Development Encounter: Violence and Resistance at the Margins”, *ASIL PROC.* 16 (2000).

Week 14 Starting Tues Apr 15: Business and Human Rights

“Flowers, Diamonds, and Gold”

Final Paper Due!!!

Week 15 Starting Tues Apr 24: Fill in and catch up

Final exam Tues Apr 29, 12pm