

INTERNATIONAL POLITICS SEMINAR

Human Rights in World Politics (W3961)

Wednesday, 2:10-4:00

Fall 2007

Professor Bruce Cronin (bc14@columbia.edu)

This seminar examines the development and implementation of human rights norms in the international system. It will explore the debates surrounding the concept of human rights in world politics and investigate legal, political and military efforts to implement these at the national, regional and international levels. Throughout the course we will consider the tension between international human rights and the principle of state sovereignty and whether there is a right and/or obligation for states and international institutions to intervene when human rights are violated. Finally, we will examine the degree to which human rights concerns are incorporated into foreign policies and in particular how they fit within traditional conceptions of “national interest.” In this context, we will human rights in the current “war on terrorism.”

Required Readings

David P. Forsythe, *Human Rights in International Relations*, 2nd Edition

R.P. Claude & B.H. Weston, eds. *Human Rights in the World Community*, 2nd ed.

Abdullahi Ahmed An-Na’Im, *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus*

I am also assigning journal articles. I will make these available in PDF form through Courseworks. These readings are marked with an asterisk (*).

Course Requirements

Since this is a seminar, we will rely heavily on the readings and class discussions. All students are expected to complete the required readings prior to class and to participate in discussions. In addition to completing the reading assignments and participating in class discussions, students will write a 25-30 page research paper on an international human rights question drawn from the syllabus and class discussions. The paper should incorporate at least some of the theories, concepts and debates covered in the course, but the student may choose the specific topic. All students must submit a one-paragraph description of their paper topic to the professor no later than November 7. **The paper is due on December 5.** We will discuss the papers in class.

Each student will choose one week and make a short presentation outlining the main questions and issues raised in the readings for that week. These presentations will lay the foundation for the discussion. **Presenters should avoid simply summarizing the reading materials** (you can assume that everyone has read them) and instead offer both a critical assessment of the various works and a conceptual overview of the week's topic, in addition to the questions for discussion. The instructor's role will be to facilitate the discussion, introduce relevant points and issues that are not raised by either the presenters or the participants, and provide background and supplemental material on the week's topic. Seminar participation, including your presentation, will count for 20% of your final grade.

COURSE SCHEDULE

September 5: Introduction

September 12: Human Rights as an International Concern

Forsythe, chapters 1 and 2

Burns H. Weston, "Human Rights: Concept and Content," in Claude & Weston

Rhoda Howard-Hassmann, "The Second Great Transformation," in Claude & Weston

Martha Nussbaum, "Capabilities, Human Rights, and the Universal Declaration," in Claude & Weston

Wilson, article 14

September 19: Human Rights: Universal Concept or Culturally Relative?

Burns Weston, "The Universality of Human Rights in a Multicultural World," in Claude & Weston

Ahmed An-Na'Im, essays # 1, 2, 4, 5, 10, 11, and 12

September 26 Human Rights in International Law

Claude and Weston, chapter 5 (articles 23-25)

* Louis Henkin, "The International Law of Human Rights," pp. 295-337 (in-class handout)

Read through the various legal and normative instruments (Appendix, pp. 459-488 in Claude and Weston)

October 3: The “Other” Human Rights: Social, Economic, and Group Rights

Claude & Weston, introductions to chapters 3 and articles 13-22

Forsythe, chapter 8

October 10: Mechanisms for Implementation

Forsythe, chapters 3 and 6

Stephen Marks, “The United Nations and Human Rights” in Claude and Weston

Michael Ratner, “Civil Remedies for Gross Human Rights Violations,” in Claude and Weston

Burns Weston, “Human Rights: Prescription and Enforcement,” pp. 294-301 in Claude and Weston

Harold Koh, “How is International Human Rights Law Enforced?,” in Claude and Weston

Anne Bayefsky, “Making Human Rights Treaties Work,” in Claude & Weston

October 17: Regional Human Rights Regimes

Forsythe, chapter 5

Dinah Shelton, “The Promise of Regional Human Rights Systems,” Claude and Weston

Burns Weston, “Human Rights: Prescription and Enforcement,” pp. 301-303 in Claude and Weston

* Tom Farer, “The Rise of the Inter-American Human Rights Regime: No Longer a Unicorn, Not Yet an Ox,” *Human Rights Quarterly* 19.3 (1997)

Read the European Convention on Human Rights and Fundamental Freedoms and the African (Banjul) Charter On Human And Peoples' Rights. Both are available on the internet. Think about how they differ and what they may have in common.

October 24: The Role of Non-Governmental Organizations

Forsythe, chapter 7

Laurie Wiseberg, "Human Rights Nongovernmental Organizations," in Claude & Weston

Claude & Weston, chapter 8 (introduction and articles 31-33)

* Keck and Sikkink, *Activists Beyond Borders*, chapter 3

Wilson, article 16

October 31: Human Rights and “The War on Terrorism”

*Jay S. Bybee, U.S. Department of Justice, Office of Legal Counsel, Memorandum for Alberto Gonzales, Counsel to the President, Re: Standards of Conduct for Interrogation Under 18 U.S.C 2340-2340A. (<http://www.usdoj.gov/olc/18usc23402340a2.htm>)

Wilson, introduction and articles 5, 7, 10, 11, and 12

November 7: Extreme Human Rights Violations and Universal Jurisdiction: Genocide, Torture, Crimes against Humanity, Grave Breaches of the Laws of War

Diane Orentlicher, “Genocide,” in Claude & Weston

Lisa Hajjar, “Torture and the Future,” in Claude & Weston

*Darryl Robinson, “Defining Crimes against Humanity at the Rome Conference”

*Ahcene Boulesbaa, “The Nature of the Obligations Incurred by States Under Article 2 of the U.N. Convention Against Torture, Human Rights Quarterly, vol. 12, no. 1, February 1990.

*Beth van Schaack, “The Crime of Political Genocide: Repairing the Genocide Convention’s Blind Spot, *The Yale Law Journal*, vol. 106, no. 7, May 1997.

November 14: Human Rights Violations and International Tribunals

Forsythe, chapter 4

*Joanne Lee and Richard Price, “International Tribunals and the Criminalization of International Violence,” in Richard M. Price and Mark W. Zacher, eds., *The United Nations and Global Security*

*Gary Bass, *Stay the Hand of Vengeance*, Introduction and Epilogue

*Priscilla Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (London: Routledge, 2002), pp. 1-49

Wilson, article 8

November 21: No class. Thanksgiving holiday.

November 28: Humanitarian Intervention and Human Rights: Is There a Duty to Help?

*“The Responsibility to Protect,” Report of the International Commission on Intervention and State Sovereignty,” December 2001, (www.iciss.ca/report-en.asp)

Wilson, articles 3 and 6

December 5: Wrap-Up: The Future of Human Rights

Forsythe, chapter 9