

POLS BC 3410x. Colloquium on Human Rights in a Diverse World. Fall 2007.  
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Office hours Tues., Thurs. 4:10-5pm and by appointment.

“The General Assembly proclaims the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective **recognition** and **observance**...”  
(from preamble to the UDHR, Dec. 10, 1948)[emphasis added]

The basic questions here for this colloquium—in effect a forum: what do human rights mean for their presumed holders’ actual rights and duties? What do various governments’ and other entities’ actions mean for human rights.

We shall be considering local, national, and inter- and trans-national aspects. Our forum is intended to facilitate open and frank discussion, in which all members should feel free to exchange their interpretations in the highest tradition of a free university. The forum can take up only some out of many possible related aspects and issues. It is meant not to preach, but to teach us all through reading, comments, and the dialogue among various points of view, as well as a longer research paper.

### **Activities of the Forum**

1. Weekly readings in preparation for Forum meetings parts I-III;
2. Written comments (due in class, not by e-mail) on readings for weeks 2-11. Eight of the comments will count for evaluation—the other two may be among those two you may skip during weeks 4-11.  
Each comment, of two double spaced pages, should form around a point relating to an issue suggested by your own reading of the materials, with references to specific readings to illustrate or support your point and with page notations where quotes used.  
One or two forum members will volunteer to present their findings the following week, to start off discussion.
3. Research paper on topic agreed to with PJ and Forum. Sources used certainly may include course readings. (Research paper evaluation is half of the final course evaluation). ("Guidelines" on topic statement, research design and research paper, will be distributed):
  - a. Topic statement for paper, about half a page draft pasted in an e-mail to PJ by 12 noon Friday November 2.\* Juviler will attempt to reply by Monday November 5. Paper copy of statement is due in class November 7, to be returned to you on my door by November 9. Topic statement should refer to one or two readings from syllabus or elsewhere which help form idea of topic. Please underline topic sentence (question or thesis).
  - b. Research design due November 21, returned on PJ’s door 416B Lehman by Fri. Please pick it up then.
  - c. Oral report based on one-page single spaced preliminary summary of research (topic, existing opinions, your findings and conclusions) delivered November 28 or December 5.
  - d. Paper , due by Friday December 14 in PJ’s grey faculty mail box: on 4<sup>th</sup> floor Lehman (not on his door); approx. 20 numbered double-spaced (12-font Times New Roman) pages incl. footnotes and

bibliography of sources cited in parentheses or footnotes (each note and biblio item single-spaced). First drafts with documentation accepted for preliminary comments on content (mostly not grammar) up to May 2.

**Readings:** (subject to additions or changes; all books listed are on reserve. (R) means on reserve at Barnard College library, not ordered for purchase. (P)=to purchase and on reserve. (D)= distributed. Other sources (except websites and distributed materials)) should be in course packet.

1. Ordered at Columbia University Bookstore (except for Carter book).

(P) George Andreopoulos, Zehra Arat, Peter Juviler, *Non-State Actors in the Human Rights Universe*, Bloomfield, Ct: Kumarian Press, 2006.

(P) Samantha Power, *"A Problem from Hell": America in the Age of Genocide*. NY: Basic Books, pb 2003.

(P) William Schulz, *Tainted Legacy*. NY: Nation Books, 2003

2. (D)(Distributed gratis): Peoples Movement for Human Rights Learning, *Human Rights Learning: a People's Report*, NY: PDHRE, 2006.

(D) 25+ *Human Rights Documents*. NY: HR Center, 2001, for those not yet owning it.

3. Course packet for "Human Rights in a Diverse World," (available at Village Copier, and a copy of which will be on reserve)

4. Other sources of readings, on reserve at Barnard College library.

(R) Lauren, Paul Gorden, *The Evolution of International Human Rights*. 2nd edit. U. of Pennsylvania Press, 2003.

(R) Adamantia Pollis & Peter Schwab, *Human Rights: New Perspectives, New Realities*. Boulder, CO: Lynn Rienner, 2000

## OUTLINE

1. 9/5. **Introductions to each other and the course.**

And a few words on normative and consequential aspects of human rights study, and their combination.

### **Part I. Origins and International Recognition of Human Rights**

2. 9/12. **Origins of Human Rights**

Drawing No, 16, "The Death Cart", from Luba Gurdus series, "They Didn't Live to See;"  
(R) Lauren, *The Evolution of International Human Rights*, pp. 10-28 (Visions; Human Nature, Natural Law, and Human Rights; Traditions and Ideas of a Very Different Sort.

(P) Power, "A Problem from Hell," Preface, Ch. 1-3 (Race Murder, A Crime w/o a Name, A Crime with a Name)

For further reading: recommended for those who have not taken and are not taking Intro to Human Rights, or history of human rights: (R) Ishay, *The Human Rights Reader*, pp. 57-8, 93-104, 127-34, 138-39 (Magna Carta; John Locke; U.S. Declaration of Independence; French Declaration of Rights of Man and Citizen).\*

3. 9/19. **Human Rights Recognition in the New UN: Influences beyond the great powers.**

In class: short film on Eleanor Roosevelt and the Universal Declaration

Brief comparisons for paper:

1. Compare the stories of human rights in the drafting of the UN Charter excerpt of Louis Henkin, *Human Rights: Ideology and Aspiration*, 8-11 (in reader), with (R) Lauren, *The Evolution of International Human Rights*, pp. 160-232 (UN, great powers and the UN Charter, non-westerners and human rights).

2. And compare "Lemkin's law" (P) Power, "A Problem from Hell," Ch. 4-5 (Lemkin's Law, A Most Lethal Pair of Foes) with human rights as described in Henkin, "Human Rights, Ideology and Aspiration, 3-8 and Lauren.

UN Charter Preamble and Arts. 1-2, 55-56 and Universal Declaration of Human Rights in (D) 25+ *Human Rights Documents*).

### **Part II. International Community "Illusory"?**

(Condoleezza Rice so termed it, quoted in Schulz *In Our Own Best Interest*, p 19, and *Tainted Legacy*, p. 46, 57, 121). **Or Have We Reached at Least Some Agreement on the Human Rights Responsibilities of States and Non-State Actors?**

4. 9/26. **The UN system: apex of an international community of human rights? Or a bargaining arena for sovereign states?**

"Human-Rights Law: The conscience of mankind;" "The power of shame;" "Taming leviathan."  
*The Economist*, 12/5/98, pp. 3-8.

\*UN Charter (1945)

(D) 25+ *Human Rights Documents*, Nos. 3-6 (UDHR & the 2 basic covenants, ICESCR, ICCPR and protocols), No. 8 (covenant on racial discrimination), and two not ratified by the U.S.: on discrimination against women, and rights of the child), Nos. 9, 10, 14.\*

2005 UN Millennium Summit resolution (excerpts on Values and Principles, Peacekeeping, Human Rights (incl. Responsibility to Protect); Parag Khanna, "United They Fall," (excerpt), *Harper's Magazine*, 1/06, pp. 31-37.

5. 10/3. **Are Human Rights Universally Valid, and No Less Relevant, Realizable in a Culturally and Politically Diverse World, Where Fewer Than Half of Countries and People are Free?**

"I do not want my house to be walled in on all sides and my **windows** to be stuffed. I want the cultures of all the lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any.....Mine is not a religion of the prison house. It has room or the least among God's creation. But it is proof against indolence, pride of race, religion, or color." M.K. Gandhi, *Young India*, 1-6-1921.

"Human Rights Law: "Controversies and Culture," *The Economist*, 12/5/98, pp. 8-10  
Bozeman, "Law, Human Rights, and Culture," pp. 26-37.  
Michael Ignatieff, "The Attack on Human Rights;" *Foreign Affairs*, Nov/Dec 2001, pp. 103-116;  
On consensus building Abdullahi Ahmed an Na'im in Steiner and Alston, *International H.R. in Context*, 2<sup>nd</sup> ed. 2000, pp. 426-28  
(P) Schulz, *Tainted Legacy*, pp.109-122 (consensus based on social consequences).

For further reading: (R) Martha Meijer, *Dealing with Human Rights*, Chs. 4-5: Lee Kuan Yew, "Culture is Destiny;" Kim Dae Jung, "Is Culture Destiny? Gains occurred for universalism in 1990s in Eastern Europe. But incomplete observance persists e.g., for Roma (Gypsies): e.g., World Bank, "About the Roma" 12/06 and reports from Bulgaria and Croatia, *Roma Rights*, Nos. 2 and 3, 2006, cover and pp.65-67 (not in reader).

6. 10/10. **"Responsibility To Protect" with Humanitarian Intervention: Politics and Sovereignty Blocks to Protection and Prevention.**

(P) Power, *"A Problem from Hell,"* Chs. 6, 9-12, 14 (Cambodia, Bosnia, Rwanda, Srebrenica, Kosovo, Conclusion).

UN Charter (see week 3) Articles 39-51 (43-47 largely inoperative).

Anonymous, "Ensuring a Responsibility to Protect: Lessons from Darfur. *Human Rights Briefs*, Winter 2007, 26-30; Dallaire, "Looking at Darfur, Seeing Rwanda," *NYT* 10/4/04; Gerard Prunier, "The Politics of Death in Darfur," *Current History*, May 2006, pp. 195-202.

For Further Reading (not in reader): "Women on the Other Side of War," *Amnesty International*, Winter 2006, 12-14 ([www.aiusa.org](http://www.aiusa.org)); "Publics Around the World Say UN Has Responsibility to Protect Against Genocide." [www.worldpublicopinion.org](http://www.worldpublicopinion.org); Rod Nordland, "Darfur," *Newsweek*, 1/29/07, 37-39; "The World Notices Darfur," and "Must Intervention be Legal?" *The Economist*, 7/31/04.

7. 10/17. **Diverse Social-Economic Interests: Globalization, Poverty, and Human Rights.**

In class: DVD film by the NGO Free The Slaves: portion including Kevin Bales (see readings below).

"Foreword" to *Human Development Report 2000*, the importance of human rights.  
Kofi A. Annan, "Problems Without Passports," *Foreign Policy*, Sept-Oct. 2002, 30-31.  
Juviler, "Contradictions of Globalization."

Unocal Settles Rights Cases in Myanmar ,” AP 1 2/1/04; “How the Global Gag Rule Undermines U.S. Foreign Policy & Harms Women’s Health,” Pop’n Action Int’l, 6/04; Ed Vulliamy, “Streets of Despair,” (trafficking) *Amnesty International* (Winter 05), pp. 12-16; Jeffrey Sachs, “No Time To Waste,” *The Guardian Weekly*, Sept. 16-22, 2005.

(P) *Non-State Actors*, Chs. 4-6 (Braun and Gearhart, Gunderson, and Martin on “The Role of Corporate Actors” incl. impact on workers’ rights); Ch. 7 (Richard Falk on global civil society; Ch. 14 (Bales on slavery and anti-slavery NGOs).

For further reading (not in reader): Issue on “Women in the World,” *Current History*, March 2006; William Greider, “The Establishment Rethinks Globalization,” *The Nation*, April 30, 2007, 11-14; Haider Rizvi, “Liberia: Sued Over `Slave’ Plantation” w.w.w.corpwatch.org, 12/8/05; (P) *Non-State Actors*, Ch. 10 (Macklin on “Affordable and Accessible Drugs for Developing Countries”).

#### 8. 10/24. **Transitional Justice; ICC and Breaches of Humanitarian Law)**

"Human rights law: a challenge to impunity," pp. 10-13;

(P) Power, "A Problem from Hell," Ch. 13 (Lemkin’s Courtroom Legacy)

ICTJ: “What is Transitional Justice?” Luis Moreno Ocampo, “Transitional justice in ongoing conflicts,” *IJTT*, Vol. 1, 2007, 8-9; David C. Morrison, “War Crimes,” *FPA Great Decisions*, 2007, 65-71, 73-75.

Elizabeth Rubin, “If Not Peace, Then Justice,” (Darfur and the ICC) *NYT Magazine*, 4/2/06, 43-49, 66, 74.

Julia Graff, “Corporate War Criminals and the ICC: Blood and Profits in the Democratic Republic of the Congo,” *Human Rights Briefs*,” Winter 2004, 23-26.

Jeffrey Gettleman, “Leader Vows Not to Surrender as Long as He Faces Arrest,” *NYTimes*,

For Further Reading (P)Schulz, pp.148-154 (on the ICC); (not in reader:) Rome Statute of the ICC, e.g., Part 2, Arts. 5-8 on crimes ([www.un.org/law/icc/statute](http://www.un.org/law/icc/statute)); Marlisa Simons, “2 Face Trials at The Hague Over Atrocities in Darfur,” *NYTimes*, February 28, 2007;

Christopher J. Le Mon, Rwanda’s Troubled Gacaca Courts,” *Human Rights Briefs*, Vol. 14, 2, Winter 2007, 16-20; Robin Mejia, “Grim Statistics” (Sierra Leone), *Science*, Vol. 313, 7/21/06; “Cambodia: No Justice in this World,” *The Economist*, 12/23/06; A dilemma from Uganda; Rome Statue of the ICC, Part 2, Arts.. 5-9(2) on crimes and initiation;

#### 9. 10/31 **Diversity of Faith: Religions and Human Rights: Competing Claims?**

Topic statement for paper, about half a page draft pasted in an e-mail to PJ by noon Friday November 2. Juvilier will attempt to reply by Monday November 5. Paper copy of statement is due in class November 7, to be returned to you on my door by November 9. Topic statement should refer to one or two readings from syllabus or elsewhere which help form idea of topic. Please underline topic sentence (question or thesis).

Distributed in class: Guidelines for research paper.

Timothy Samuel Shah and Monica Duffy Toft, “Why God Is Winning,” *Foreign Policy*, July/August 2006, 38-42.

*Non-State Actors*, Ch 16 (Fautré on religious freedom in Europe).

Samuel Huntington, "The Clash of Civilizations" (excerpt from *Foreign Affairs*, Summer 1993); Amartya Sen, "A World Not Neatly Divided," *NYT*, 11/23/01; Wolfgang Petritsch, "Islam Is Part Of the West, Too," *NYTimes*, November 20, 2001; Timothy Garten Ash, "Islam in Europe," *NYReview of Books*, 10/5/06, pp. 32-5; (Dan Murphy, "From Tunis to Tehran, the great veil debate," *CSM*, 1/8/06.

For further reading (not in reader): Juviler, "Janus with Halo and Scrolls: Religion's Ambivalent Relationship with Human Rights," *Helvidius*, Spring 2002, 9-19; Karen Armstrong, "Ghosts of Our Past," *Modern Maturity*, Jan/Feb '02, pp. 45 -47, 66; Mohammed Ayoob, "Political Islam: Image and Reality," *World Policy Journal*, summer 04, pp. 1-14; Isobel Coleman, "Women, Islam, and the New Iraq," *Foreign Affairs*, Jan-Feb 06, pp. 24-38; Wallace L. Daniel, "Islam and the 'Clash of civilizations,'" *Journal of Church and State*, Vol. 48, No. 3, summer 06, pp. 509-523; \* Tom Heneghan, HRWF, "Christians second-class in Muslim lands," 6/12/03;

### **Part III. U.S. Policies and Human Rights Abroad and At Home**

Topic statement (see "Activities of the Forum") due March 19, paper version in class March 21.

#### **10. 11/7 The Paradox of U.S. Exceptionalism-I. Terror and U.S. Foreign Policy in a World of Diverse Identities and Interests**

"Evil cannot be eradicated once and for all...But evil acts must be checked, punished, deterred Can this be done in a manner that serves justice and security concerns while avoiding excessive moral rhetoric and the dangers of a crusade?"--Carnegie Council on Ethics and Int'l Affairs, "The Ethics of the 'New War,'" *Imprint* (Sept/Oct. 2001).

(P) Schulz, *Tainted Legacy*, Ch. 1, and pp. 177-82 (terrorism).

##### **a. Outlooks before invasion of Iraq:**

Peter Ford, "Why Do They Hate Us?" *CSM*, 9/27/01 (includes a chronology of "50 years of US Policy in the Middle East;")

Invade? Security and human rights justifications of U.S. preemptive strikes: *The National Security Strategy of the United States of America*, September 2002, intro. and parts I-V.

No: (A reply) Ivo Daalder, James Lindsay, and James Steinberg, "Hard Choices: National Security and the War on Terrorism," *Current History*, December 2002.; Fawaz A. Gerges, "The 'War' On Terrorism: A Cultural Perspective *Ethics and International Affairs*, Vol. 16., No. 1, 2002; "War with Iraq is Not in America's National Interest," Advt. in the *NYT* with Profs. Betts, Jervis, Snyder, and Waltz among signers, 9/26/02.

##### **b. After the invasion: just preventive war? (And where do human rights fit in?)**

On U.S. help to Saddam Hussein: Danielle Celermajer, "Iraq, the US and Human Rights;" James Fallows, "Blind Into Baghdad," *Atlantic Monthly*, Jan/Feb/04; National Security Council, "National Strategy for Victory in Iraq," 11/05, pp. 1-3 (executive summary).

For further reading: (P)Schulz, Ch. 2,3 (history and hubris; harm from violations overseas); (not in reader): ); "Annan Reiterates His Misgivings About Legality of the War in Iraq" *NYT*, 9/22/04; (Robert Fisk, "A dictator created then destroyed by America," *Independent*, 12/29/06; "World Publics Reject US Role as the World Leader" *World PublicOpinion.org*, 4/17/07, 1-4.

11. 11/14 **Paradox of U.S. Exceptionalism–II: Confinement, and Torture in the "War on Terror"**

**Second hour: meeting with reference librarian, 2<sup>nd</sup> floor Lehman Library.**

(D) 25<sup>+</sup> *Human Rights Documents*: International Convention on Civil and Political Rights, Article 7; Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

(P) Schulz, *Tainted Legacy*, Ch. 7, 9 (Is Torture Ever Justified? History and Hubris: The Role of Human Rights in the Struggle Against Terrorism).

AP, "A Brief History of Renditions, 12/29/; Testimony of Elisa Massimo on The Military Commissions Act and the Future of Detention at Guantanamo Bay, *Human Rights First*, 3/29/07; Anthony Lewis, "Making Torture Legal," *NY Review of Books*, 6/04; Alan Dershowitz debates Kenneth Roth: "Torture could be justified," CNN, 3/30/03;

For further reading (not in reader): Harold Koh, "On America's Double Standard: The good and bad faces of exceptionalism," from "Bringing H.R. Home," *American Prospect* (10/01/04.

[www.prospect.org/web/printfriendly...](http://www.prospect.org/web/printfriendly...)); Christian M. De Vos, "Mind the Gap: Purpose, Pain, and the Difference between Torture and Inhuman Treatment," *Human Rights Briefs*, Winter 2007, 4-11; Alan Dershowitz, "Want to Torture? Get a Warrant," *San Francisco Chronicle*, 1/22/02; "Torture: How to lose friends and alienate people," *The Economist*, 11/12/05; excerpts from Michael Ratner (president of Ctr. For Constit. Rights) and Ellen Ray, "What the World Should Know," 10/21/04

12. 11/21. **Paradox of U.S. Exceptionalism–IV: Civil-Political, Economic-Social Rights in the U.S. Clashes of Priorities within and between rights clusters.**

**Research design due Nov. 21**

Ford Foundation, *Close to Home: Case Studies of Human Rights Work in the United States*. 6/04, 6-18

And prepare (a) or (b)

a. civil and political rights.

(D) 25<sup>+</sup> *Human Rights Documents*, Nos. 4-6 (ICCPR) and 8 (Standard Minimum Rules for the Treatment of Prisoners)

(P) Schulz, *Tainted Legacy*, pp. 1-11, Ch. 8 (security, liberty, and the challenge of a new world). President's Radio Address, 12/17/05; "The Fog of False Choices," *NYTimes*, 12/20/05; Evan Thomas, Daniel Klaidman, "'Full Speed Ahead: After 9/11...Behind the NSA Spying Furor,'" *Newsweek*, 1/9/06 (with historical background on security issues); "Prisoner Abuse: How Different are US Prisons?" Human Rights Watch, accessed 1/3/06; Roy Walmsky, "Prison Planet," *Foreign Policy*, May/June 2007, 30-31.

Reports on research, November 28 and December 5

For further reading (not in reader:) find the Ford Fdn. publication at [www.fordfoundation.org](http://www.fordfoundation.org); The National Center for Human Rights Education. Description, Programs, h.r. chart, 2006; ; Dorothy Q. Thomas, "The Value of Human Rights in the United States," *American Prospect*, 10/01/04; Walter Armstrong, "Brutality in Blue," (homophobia), *Amnesty International*, Winter 2005, 17-19; Roger Clark,

"International Human Rights Law: Its Effect on Domestic Law," in (R) Pollis and Schwab, *Human Rights*, pp. 185-207; (R) Steiner and Alston, *International Human Rights in Context*, pp. 646-48: (UN special rapporteur Radikha Coomaraswamy on violations in U.S. prisons). (R) Schulz, *Tainted Legacy*, Ch. 4 (violations at home hurt us Overseas);

b. economic and social rights.

Should they be left more to private initiatives, in the spirit of the Heritage Foundation where "some of the finest conservative minds in America today do their work."?

The Heritage Foundation, "Mandate for Leadership: Principles to Limit Government": Forward and Introduction; Franklin Roosevelt, "An Economic Bill of Rights" (1944); "Cass Sunstein, "Economic Security: A Human Right: Reclaiming Franklin Delano Roosevelt's second bill of rights;" *The American Prospect*, May 2004, 10/04, A24-26; "Contents" of the "Special Report on Ending Poverty in America," in *American Prospect*, May 2007, A1-31. Ellen Chesler, "International Holdout" (U.S. non-ratification of CEDAW), *American Prospect* 10/01/04.

For further reading (not in reader): The National Center for Human Rights Education (Atlanta, involved education and other human rights related training, advocacy for African Americans)([www.nchre.org](http://www.nchre.org)); Jennifer Egan, "To Be Young and Homeless," *NYT Magazine*, 3/21/02; "Hurricane Katrina Rights Violations Exposed," *Final Call.com News*, 8/28/06; Bob Herbert, "Out of Sight," 12/18/6; "Special Report on Ending Poverty in America," in *American Prospect*, May 2007, A1-31.

(P) *Non-State Actors*, Ch 16 Juviler, "The Genetic Revolution and Human Rights: Brave New World Revisited?" (ethical and market obstacles to research and care for healing).

(R) Barbara Ehrenreich, *Nickel and Dimed: On (Not) Getting By in America*.

Paper, due by May 7, in PJ's grey faculty mail box (not on his door).

13. 11/28

14. 12/05

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