

COMPARATIVE PERSPECTIVES ON HUMAN RIGHTS (POLS 258)
Spring 2007

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Office hours: Tuesdays, 2-4 p.m.

Day: M/W/F
Time: 11:00 – 11:50 a.m.
Location: Arjona 311 (TBA)

Course description: The subject of human rights is generally organized around several core theoretical concepts, including but not limited to: 1) the divisions between what are called different “generations” or types of rights; 2) the distinction among different aspects of state responsibility for rights; and 3) the spheres in which rights are realized (i.e., public versus private sphere). This course explores and challenges these core concepts by contrasting human rights experiences in different regions and subject areas.

All students who enroll in this course are assumed to have read the Academic Misconduct section of the Student Conduct Code regarding such matters as plagiarism and cheating on examinations. If there are any students in this class who have special needs because of learning disabilities or other kinds of disabilities, please discuss these with the professor within the first two weeks of class.

Logistics: All books used in this course are available for purchase at the UConn Co-Op. All articles are available through VISTA, unless otherwise indicated in the syllabus. Students should purchase the following books:

The Essentials of Human Rights, edited by Rhona K.M. Smith and Christien Van den Anker (Oxford, UK: Oxford University Press, 2006)

Human Rights Watch World Report 2006 (New York: Human Rights Watch, 2006)

Course requirements: The course requirements include:

- Three exams (Exam #1 on February 14; Exam #2 on March 28; and a Final Exam on May 2, 10:30 a.m. till 12:30 p.m.)
- Regular weekly quizzes

Final course grades will be calculated as follows:

First exam: 15% Midterm exam: 30% Final exam: 40%

Quizzes: 15%

Course attendance is essential to success. Unless a student has a medical emergency or a personal emergency documented by the Dean of Students Office, failure to be present on the day of the quiz or exam, or failure to turn in the writing assignment at the *beginning* of class on the day it is due, will result in a zero for that portion of the grade. (Quizzes will be administered within the first five minutes of class; if a student is late for class, she/he will *not* be allowed to take the quiz.)

INTRODUCTION

Wednesday, January 17, 2006

THE HUMAN RIGHTS REGIME: A Short Overview

Friday, January 19:

Overview of general human rights concepts: Part I

Read the following under “Legal measures and instruments” in *The Essentials of Human Rights*:

- Treaty-based law
- Customary international law
- The Universal Declaration of Human Rights
- The International Covenants on Civil & Political Rights and on Economic, Social & Cultural Rights

Monday, January 22

Overview of general human rights concepts: Part II

Read also under “Humanitarian law and criminal law” in *The Essentials of Human Rights*:

- International criminal law and the regional tribunals

Wednesday, January 24

Overview of key institutions: Part I

Read the following under “The institutional framework for human rights” in *The Essentials of Human Rights*:

- The United Nations system of human rights protection
- The reform of the UN
- The UN High Commissioner for HR
- The International Labour Organization
- Regional systems: an overview
- The International Criminal Court

Friday, January 26

Overview of key institutions: Part II

Read James Traub, “Ban Ki-moon vs. The Bad Guys,” *New York Times Magazine*, Sunday, November 6, 2006: 17-18. Available in VISTA, under “Course Materials.”

CORE THEORETICAL CONCEPT I: Three “Generations” of Rights

Monday, January 29

Read the following under “Theories and critiques of human rights” in *The Essentials of Human Rights*:

- Indivisibility of human rights
- The capability approach and human rights
- Needs and human rights

And read the following under “Rights and Freedom” in *The Essentials of Human Rights*:

- Group rights

Wednesday, January 31

Read Peter R. Baehr, “Controversies in the International Human Rights Debate,” paper prepared for a roundtable on “Human Rights in Democratic Transitions,” of the Research Committee on Human Rights, International Political Science Association, Ljubljana, Slovenia, 26-28 August 1999. Available in VISTA, under “Course materials.”

CORE THEORETICAL CONCEPT II: State responsibility for Rights

Friday, February 2

The respect, protect, fulfill continuum; De jure versus de facto discrimination

Reading to be announced.

Monday, February 5

Economic rights: state, market and civil society – who is responsible for ensuring the realization of economic rights?

Read Irene Khan (Secretary General, Amnesty International), “Understanding Corporate Complicity” Extending the Notion Beyond Existing Laws,” remarks for a Business Human Rights Seminar, 8 December 2005 (London). Available in VISTA, under “Course materials.”

Read Lisa Misol, “Private Companies and the Public Interest: Why Corporations Should Welcome Global Human Rights Rules,” in *Human Rights Watch World Report 2006* (New York: HRW, 2006): 41-51.

CORE THEORETICAL CONCEPT III: Rights in the public and private spheres

Wednesday, February 7

Violence against women: what “counts” as human rights abuse, and why does it matter?

Charlotte Bunch, “Feminism, Peace, Human Rights,” *Canadian Woman Studies* 22, 2 (Fall 2002): 6-11. Available in VISTA, under “Course materials.”

Read the following chapters of the World Health Organization’s (WHO) *Multi-Country Study on Women’s Health and Domestic Violence Against Women* (Geneva: 2006), available in VISTA, under “Course Materials” and also electronically via:

http://www.who.int/gender/violence/who_multicountry_study/en/

- Chapters 1 (Intro) and 2 (Methods) – 19 pages total

Friday, February 9

Guest lecture by Kathryn Libal; in advance, please read:

Sarah Henderson and Alana Jeydel, “Women and Physical Autonomy,” in *Participation and Protest: Women and Politics in a Global World* (Oxford University Press, 2007): 280-289, available in VISTA, under “Course Materials.”

Rhonda Copelon, “Rape and Gender Violence: From Impunity to Accountability in International Law,” *Human Rights Dialogue* 2/10 (Fall 2003), available in VISTA, under “Course Materials.”

Monday, February 12

Formal versus informal economic activity: regulating visible versus “invisible” work

Read Hernando De Soto, “Dead Capital and the Poor,” *SAIS Review* 21, 1 (Winter-Spring 2001): 13-44. Available in VISTA, under “Course Materials.”

Wednesday, February 14

EXAM #1 – in class

REGIONAL PERSPECTIVES ON HUMAN RIGHTS: Overview

Friday, February 16

Read all sections under “The reality of rights in different regions of the world” in *The Essentials of Human Rights*:

- Latin America
- Central Asia
- Commonwealth of Independent States
- Central & Eastern Europe
- Africa
- Asia
- China
- The Middle East

- North America

Monday, February 19

Universalism versus cultural particularism

Read chapter by Joanne Bauer, "The Challenge to International Human Rights," in *Constructing Human Rights in the Age of Globalization*, edited by Mahmood Monshipouri, Neil Englehart, Andrew J. Nathan, and Kavita Philip (ME Sharpe, 2003). Available electronically (see VISTA, "Related Websites" link):

http://www.cceia.org/resources/articles_papers_reports/905.html

REGIONAL PERSPECTIVES ON HUMAN RIGHTS: Latin America

Wednesday, February 21

Overview of regional issues

Read the "Americas" section, *Human Rights Watch World Report 2006* (New York: HRW, 2006): 160-217.

Friday, February 23

"Disappearances" and the creation of new human rights norms

** View FILM in class **

REGIONAL PERSPECTIVES ON HUMAN RIGHTS: Africa

Monday, February 26

Overview of regional issues

Read the "Africa" section, *Human Rights Watch World Report 2006* (New York: HRW, 2006): 72-159.

Wednesday, February 28

Finish material from "Africa" section of HRW *World Report 2006*.

Friday, March 2

Challenges to individual rights: the African Charter and "community-based" rights

Bonny Ibhawoh, "Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the African State," *Human Rights Quarterly* 22, 3 (2000): 838-860. Available in VISTA, under "Course Materials."

Monday, Wednesday, Friday – March 5, 7 and 9

SPRING BREAK

Monday, March 12

State accountability, property rights and the battle against HIV-AIDS: Southern Africa in perspective

Read Joseph Amon, "Preventing the Further Spread of HIV/AIDS: The Essential Role of Human Rights," in *Human Rights Watch World Report 2006* (New York: HRW, 2006): 53-71.

Read Mila Pefianco-Thomas and Tony Dorono, "The Treatment Action Campaign: Issue-Based Organizing and Social Transformation in South Africa," *Social Policy* 35, 1 (Fall 2004): 52-57. Available in VISTA, under "Course Materials."

View in class: FILM on Treatment Action Campaign

REGIONAL PERSPECTIVES ON HUMAN RIGHTS: United States

Wednesday, March 14

Human rights and the “War on Terror” (weighing protections against terrorism against the right not to be tortured, the right to a fair trial, and right to privacy)

Read Kenneth Roth, “Introduction,” in *Human Rights Watch World Report 2006* (New York: HRW, 2006) pp. 1-38.

Friday, March 16

Read The Ford Foundation’s report *Close to Home: Case Studies of Human Rights Work in the United States*, Part 4 (2004): 91-103. Available in VISTA, under “Course Materials.”

REGIONAL PERSPECTIVES ON HUMAN RIGHTS: Asia

Monday, March 19

Overview of regional issues

Read the “Asia” section, *Human Rights Watch World Report 2006* (New York: HRW, 2006): 218-323

Wednesday, March 21

Environmental rights and citizen activism in Asia

Review website for Joanne Bauer’s book *Forging Environmentalism* (2006), available in VISTA, under “Related Website” link.

[Chapter 5 of *Forging Environmentalism* – recommended reading only – available in VISTA, under “Library Resources.”]

* Extra credit: Attend talk by Joanne Bauer on March 21, 2006 at noon in Monteith Room 119.

Friday, March 23

Human rights, culture, and democracy in Asia – the balancing act

Fareed Zakaria in conversation with Lee Kuan Yew, “Culture is Destiny,” Chapter 4 in Martha Meijer, *Dealing with Human Rights* (Brookfield, CT: Kumarian Press, 2001). Available in VISTA, under Library Resources.

Kim Dae Jung, “Is Culture Destiny? The Myth of Asia’s Anti-Democratic Values: A Response to Lee Kuan Yew” (Chapter 5 in Meijer). Available in VISTA, under Library Resources.

Monday, March 26

EXAM #2

SPECIAL TOPIC 1: Religion and human rights

Wednesday, March 28

Read the following under “Traditional values supporting human rights” in *The Essentials of Human Rights*:

- Ubuntu and human rights
- Buddhism and human rights
- Confucianism and human rights
- Islam and human rights
- Jewish tradition and human rights

Friday, March 30

Christopher Reardon, "Islam and the Modern World" (interview with Abdullahi An-Na'im), Ford Foundation Report (Winter 2002). Available in VISTA, under "Course Materials."

SPECIAL TOPIC 2: Children's rights – children as subjects, not objects, of rights

Monday, April 2

Read the following under "Rights and Freedoms" in *The Essentials of Human Rights*:

- Children's rights

Also read Karin Landgren, "The Protective Environment: Development Support for Child Protection," *Human Rights Quarterly* 27, 1 (2005): 214-248. Available in VISTA, under "Course Materials."

Wednesday, April 4

Sheena Crawford, *The Worst Forms of Child Labor: A Guide to Understanding and using the new convention* (London, UK: Department for International Development, Social Development Department, 2000). Available in VISTA, under "Course Materials."

Michael J. Dennis, "Current Developments: Newly Adopted Protocols to the Convention on the Rights of the Child," *American Journal of International Law* 94, No. 4 (2000): 789-796. Available in VISTA, under "Course Materials."

Friday, April 6

Guest lecture by William T. Armaline – readings to be announced.

SPECIAL TOPIC 3: Indigenous rights and the challenge of balancing individual and group rights

Monday, April 9

Read the following under "Rights and Freedom" in *The Essentials of Human Rights*:

- Indigenous peoples rights

Read the UN *Draft Declaration on the Rights of Indigenous Peoples*, available in PDF format in VISTA, under "Course Readings")

Review the website of the UN Permanent Forum on Indigenous Issues (see VISTA, "Related Websites" link): <http://www.un.org/esa/socdev/unpfi/>

Wednesday, April 11

Read the entire special issue of *Human Rights Dialogue*, Series 2, 12 (Spring 2005), on "Cultural Rights: What they are, why they matter, and how they can be realized." Available in VISTA, under "Course Materials" – listed as "HRD Cultural Rights 2005"

Friday, April 13

Topic to be announced.

SUBJECT AREA 4: Economic and labor rights – straddling generations?

Monday, April 16

Read the International Covenant on Economic, Social and Cultural Rights (ICESCR)

Read the UN Declaration on the Right to Development

Both are available electronically via the website of the UN Office of the High

Commissioner for Human Rights (see VISTA, "Related Websites" link):

<http://ohchr.org/english/law/index.htm>

Also read Shareen Hertel, "Measuring Economic Rights: Why Bother? The Research Agenda" *International Studies Perspectives*, 7, 3 (August 2006): 215-230. Available via VISTA, under "Course Materials."

Wednesday, April 18

Read Chapter 1 of the AFL-CIO Solidarity Center publication, *Justice for All: A Guide to Workers Rights in the Global Economy* (Washington, DC: Solidarity Center, 2003). This chapter available in VISTA, under “Course Materials.” Complete report available on VISTA, see “Related Websites” link.

Friday, April 20

Read Margaret Levi and April Linton, “Fair Trade: A Cup at a Time?,” *Politics and Society* 31, 3 (September 2003): 407-432. Available in VISTA, under “Course Materials.”

Recommended reading (not required): Sandra Polaski, *Trade and Labor Standards: A Strategy for Developing Countries* (Washington, DC: Carnegie Endowment for International Peace, 2003). Available in VISTA, under “Course Materials.”

Monday, April 23

Exam Review: Part I

Wednesday, April 25

Exam Review: Part II

Friday, April 27

Final course evaluation