

Jana von Stein
Email: janavs@umich.edu

Office: 426 Thompson St., #4204
Office hours: Tuesday 1:30-3:30

CICS 401/POLSCI 489-5

The International Law and Politics of Human Rights
University of Michigan, Fall 2008

COURSE LOCATION AND TIME:

G-228 Angell Hall, Tuesday 11am to 1pm.

COURSE PRE-REQUISITES:

Although it is not a pre-requisite, I highly recommend that students take Political Science 160 (Introduction to World Politics) before taking this course. I will assume that anyone enrolled is familiar with the material covered in Political Science 160.

COURSE DESCRIPTION:

This course explores the evolution of the international human rights regime, focusing primarily on Post-World War II developments. We examine all three 'generations' of rights: (1) civil and political; (2) social, economic, and cultural; and (3) special groups (e.g., minorities, women, children). Topics include: the existing body of international human rights law and organizations (design, historical evolution, organizational functions and dysfunctions), enforcement and compliance problems, and various aspects of globalization.

COURSE READINGS:

The following books are required. You can purchase them at campus bookstores (I requested Ulrich's) but can probably find them at a less expensive rate online. They are also on reserve at the circulation desk in Shapiro Library.

1. Donnelly, Jack. 2007. *International Human Rights*. Westview Press, 3rd edition.
2. Forsythe, David. 2006. *Human Rights in International Relations*. Cambridge University Press. 2nd edition.

Several articles and book chapters are also required. These are all available on ctools under 'Resources.' (You can also access them through 'Library Reserves' on ctools, but they are not organized by week).

RELIGIOUS HOLIDAYS:

I respect students' observance of religious holidays, some of which may coincide with our course meetings. I have made sure that no papers or exams are scheduled during important religious holidays (as defined by the University). If you need to miss class because of religious observances, please contact me.

COURSE WEBPAGE AND E-MAIL:

I use Ctools extensively. The best way to contact me outside class is through email, but please consult the syllabus/Ctools and use common sense before asking a question. In most circumstances, I will respond within 48 business hours; if this is not possible, you will receive an automated reply indicating when I will be back online.

ACADEMIC HONESTY, PAPER EXTENSIONS, MISSED ASSIGNMENTS

I follow the UM student conduct policies on cheating and plagiarism (these can be found on LS&A's website; I have also posted them under 'Resources >> 'Academic Resources' on Ctools). I will investigate any suspected cases of cheating and/or plagiarism and, if necessary, will refer them to University authorities for disciplinary action.

Make-up exams are only allowed in extreme circumstances, which must be documented. Papers received after class on November 25 will drop five percentage points per day.

COURSE REQUIREMENTS AND GRADING:

Attendance & Participation: 15% This course is a seminar – it is therefore very important that you attend each course meeting and participate actively. This means not only being physically present and talking, but also demonstrating that you have read and thought about the material. You can miss one week with no consequence (for whatever reason – illness, family emergency, laziness...), but your attendance and participation grade will decline with any additional absences.

Midterm: 25%
In class
October 14. The midterm will include a combination of: (1) Short answer questions in which students define terms and concepts discussed in class and/or readings; and (2) Essays in which students discuss the perspectives covered in class and/or readings, compare and contrast them, and apply them to current problems and events.

Paper: 25%
Due in class
November 25. Students will write a paper on a topic of relevance to the course. I will provide more details, including how to submit the assignment, in late September.

Final: 35%
In class
December 9. The final's layout will be similar to that of the midterm. It is not cumulative, but you are expected to demonstrate mastery of the overall concepts covered in the course, in addition to the specific material covered in the second half of the course.

The procedure for complaints about the grading of exams/papers is as follows. (1) You submit a written statement and the original paper/exam to me during my office hours or in class (please do not put them in my mailbox or under/on my door – it is very easy for items to “disappear” and I am not responsible for these). Be sure not to miss the deadline, which I will announce under Ctools >> 'Announcements' and in class when I return the assignment. (2) I will issue a decision. Please note that it is possible that your grade will improve, but it is also possible that your grade will worsen (or remain unchanged).

Week 1 (September 2). Introduction to the Course.

1. Chapter 1 of Forsythe.
2. Chapters 1 and 2 of Donnelly.

Week 2 (September 9). *Human Rights in Historical Perspective.*

1. Passages from Paul Lauren. 2003. *The Evolution of International Human Rights*. Philadelphia: University of Pennsylvania Press.
2. Forsythe, pp. 29-39.

Week 3 (September 16). *Universalism vs. Relativism.*

1. Chapter 3 of Donnelly.
2. Michael Ignatieff. 2001. "The Attack on Human Rights." *Foreign Affairs* 80: 102-116.
3. The Bangkok Declaration on Asian Values. www.unhcr.ch/html/menu5/wcbangk.htm.
4. Michael Dowdle. 2001. "How a Liberal Jurist Defends the Bangkok Declaration." In Lynda Bell, Andrew Nathan, and Ilan Peleg (eds.), *Negotiating Culture and Human Rights*. New York: Columbia University Press, pp. 125-152.

Week 4 (September 23). *The UN and Human Rights.*

1. Forsythe, pp. 39-52 and chapter 3.
2. Chapter 5 of Donnelly.
3. "Can Its Credibility be Repaired? The United Nations." *The Economist*, September 10, 2005.
4. "A Caterpillar in Lipstick? The UN's Human Rights Council." *The Economist*, March 4, 2006.
5. "Great Expectations. Human Rights and the UN." *The Economist*, March 24, 2007.

Week 5 (September 30). *Human Rights and Foreign Policy.*

1. Chapter 6 of Donnelly.
2. Chapter 6 of Forsythe.
3. George Kennan. 1985-86. "Morality and Foreign Policy." *Foreign Affairs* 64 (2): 205-218.

Week 6 (October 7). *The Domestic-International Nexus.*

1. Chapter 4 of Donnelly.
2. Oona Hathaway. 2004. "The Promise and Limits of the International Law of Torture." In Stanford Levinson (ed.), *Torture: A Collection*. Oxford: Oxford University Press, pp. 199-212.
3. "The United Nations and Zimbabwe: Crimes Against Humanity." *The Economist*, June 26, 2008.
4. Michael Bratton and Eldred Masunungure. 2008. "Blocking Democracy in Zimbabwe." *Manuscript, Michigan State University and University of Zimbabwe*.

Week 7 (October 14). *Midterm.*

Week 8 (October 21). *No class (study break).*

Week 9 (October 28) *Humanitarian Intervention.*

1. Chapter 8 of Donnelly.
2. The UN Convention on the Prevention and Punishment of the Crime of Genocide.
3. Samantha Power. 2002. *A Problem from Hell: America in the Age of Genocide*. New York: Basic Books, pp. 329-390.

Week 10 (November 4). *International Tribunals.*

1. Chapter 4 of Forsythe.
2. Steven Roper and Lilian Barria. 2006. *Designing Criminal Tribunals: Sovereignty and International Concerns in the Protection of Human Rights*. Burlington, VT: Ashgate, pp. 83-98.
3. Jack Snyder and Leslie Vinjamuri. 2003-04. "Trials and Errors: Principle and Pragmatism in Strategies of International Justice." *International Security* 28 (3): 5-44.
4. "A Challenge to Impunity." *The Economist*, July 25, 1997.
5. "Justice or Expediency in Sudan?" and "Sudan's Leader is Accused, but Others Can Expect to Follow." *The Economist*, July 19, 2008.

Week 11 (November 11). *Development, Globalization, and Human Rights.*

1. Chapter 8 of Forsythe.
2. Peter Muchlinski. 2001. "Human Rights and Multinationals: Is there a Problem?" *International Affairs* 77 (1): 31-47.
3. Dali Yang. 2007. "China's Long March to Freedom." *Journal of Democracy* 18 (3): 58-64.

Week 12 (November 18). *Non-Governmental Organizations and Human Rights.*

1. Chapter 7 of Forsythe.
2. Don Hubert. 2004. "'New' Humanitarian Advocacy? Civil Society and the Landmines Treaty." In Paul Gready (ed.), *Fighting for Human Rights*. New York: Routledge, pp. 78-105.
3. Daniel Hawkins. 2008. "Protecting Democracy in Europe and the Americas." *International Organization* 62 (3): 373-403.
4. Sebastian Mallaby. 2004. "NGOs: Fighting Poverty, Hurting the Poor." *Foreign Policy* (September/October): 50-58.

Week 13 (November 25). *Human Rights Post 9/11.*

1. Chapter 10 of Donnelly.
2. Alan Dershowitz. 2004. "Tortured Reasoning." In Stanford Levinson (ed.), *Torture: A Collection*. Oxford: Oxford University Press, pp. 257-280.
3. Alex Bellamy. 2006. "No Pain, No Gain? Torture and Ethics in the War on Terror." *International Affairs* 82 (1): 411-425.

Week 14 (December 2). *Wrap-up, Review.*

1. Michael Ignatieff. 2001. Chapters 1 ("Human Rights as Politics") and 2 ("Human Rights as Idolatry") of *Human Rights as Politics and Idolatry*. Princeton: Princeton University Press, pp. 3-100.

Week 15 (December 9). *Final Exam.*