

SYLLABUS

HMNR 101 and ANSC 140 Contemporary Human Rights

Spring 2018

MWF 2-2:50

Solis 110

Professor: Amy Rothschild

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Office hours:

3-3:50 Friday (SSB 293)

Course Description

In this course, we will study the history, theory and practice of human rights, by which I refer to the legal human rights regime that was founded in 1948 with the passing of the Universal Declaration of Human Rights, in the post-World War II context. What is the history of the modern human rights regime/why did this regime come into being? What is the relationships between civil rights and human rights? The course will look at some of the key debates within the field of human rights, including debates between universalism and cultural relativity, and between individual and collective rights. It will also look at some of the main critiques of human rights. Does it matter if there is an international human rights regime if human rights are not enforced? In what ways can human rights be considered a colonialist enterprise? Finally, it examines how human rights are actually employed by different persons and groups across the globe, including in attempts to secure freedom and justice, and in attempts to reckon with or recover from pasts of war or genocide.

Topics to be examined in this course include globalization, genocide, suffering, transitional justice, the relationship between human rights and culture, the relationship between human rights and colonialism, and the principle of humanitarian intervention.

Learning Objectives

By the end of the course students will be able to explain what human rights are/what human rights is

By the end of the course students will be able to talk about key debates within the field of international human rights

By the end of the course students will be able to think critically about how the international human rights regime can be used to promote justice

By the end of the course students will be able to think critically about the limitations of the human rights regime

Typical Class

Classes will include a combination of lectures based around the readings, as well as films, and small group discussions and activities (most Fridays will be film days).

There are no discussion sections for this course.

Required Texts

*There are no required texts for this course. Readings will be posted on Tritoned (there may be one or two exceptions for which online links will be provided). It is necessary to do all of the reading if you want to succeed in the course.

Course Requirements

1. Attendance and participation

You are required to attend class. You are allowed to miss one day of class without any excuse without jeopardizing your grade. However, if you miss more than one class (without a legitimate excuse) points will be taken off. Attendance may be taken at any point. You are also required to engage in full class discussions and small group discussions and conduct in-class assignments. Participation is part of your grade.

2. Midterm (April 30)

3. Student Presentations

3. Final examination (June 16)

4. Five short response papers (due dates flexible) *description below

Grading Scale

Participation: 15%

Response papers: 15%

Class Presentation: 10%

Midterm: 30%

Final: 30%

Needs:

If there are special needs that require you to have special arrangements for turning in assignments, taking tests, etc. please alert me to these as soon as possible and I will ensure the necessary arrangements are made.

Academic Integrity/Plagiarism:

Students are expected to do their own work. Plagiarism is unacceptable and carries heavy penalties. For further information, go to UCSD's website on academic integrity, at <http://www-senate.ucsd.edu/manual/appendices/app2.htm>. Myself and the TA may use Turnitin to find instances of plagiarism.

*Powerpoints from class lectures will be posted on Tritoned before the midterm and the final.

COURSE SCHEDULE

***updates to schedule will be posted online**

Note: Readings are to be completed *before* the class period to which they are assigned

WHAT ARE HUMAN RIGHTS?

WEEK 1 (April 2, 4 &6)

M: Introduction to the course and to the concept of human rights

No required reading

W: Emergence of human rights. What is/are human rights?

Key Documents (linked)

<http://www.un.org/en/universal-declaration-human-rights/>

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

Clapham, Andrew 2007. Chapter Two, The Historical Development of International Human Rights, in Human Rights, A Very Short Introduction. Oxford: Oxford University Press, p.23-56 (33pp)

F: Emergence of human rights. What is/are human rights?

Fischlin, Daniel, and Martha Nandorfy, 2007. Human Rights in Theory and Practice, in The Concise Guide to Global Human Rights pp1-25 (25pp)

KEY DEBATES IN HUMAN RIGHTS

Week 2 (April 9, 11 & 13)

M: Citizenship Rights versus Human Rights

Arendt, Hannah, 1966. "The Decline of the Nation-State and the End of the Rights of Man." in The Origins of Totalitarianism. New York: Harcourt, Brace & World, Inc. pp. 267-306 (30pp.)

Guest lecture.

W: Universalism versus Relativism

What about "Female Genital Mutilation"? And Why Understanding Culture Matters in the First Place, Richard A. Shweder, Daedalus, Vol. 129, No. 4, The End of Tolerance: Engaging Cultural Differences (Fall, 2000), pp. 209-232 (23)

AAA statement on Human Rights (linked)

<https://lucian.uchicago.edu/blogs/around1948/files/2012/09/1947-Statement-on-Human-Rights-American-Anthropological-Association.pdf>

F: Film

Week 3 (April 16, 18 & 20)

M: “Asian Values”?

A Confucian Approach to Human Rights, Author(s): May Sim (20 pages)

W: Human right and Colonialism

Matua, Makau, 2001. Savages, Victims, and Saviors. The Metaphor of Human Rights. Harvard International Law Journal 42(1):201-245 (44pp).

F: Film

GENOCIDE

Week 4 (April 23, 25 & 27)

M: Intro to Genocide

Barnett, Michael 2002. Eyewitness to a Genocide. Ithaca: Cornell University Press, Introduction (1-21) (20 pp)

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx>

W: Who counts?

Nelson, Diane, 2015. “The Algebra of Genocide” (p. 63-92) in Who Counts? The Mathematics of Death and Life after Genocide. Durham: Duke University Press. (29pp)

F: Midterm review

Week 5 (April 30, May 2 & 4)

M: MIDTERM

W: The Politics of Suffering

Kleinman, Arthur and Joan Kleinman, 1996. The Appeal of Experience; the Dismay of Images: Cultural Appropriations of Suffering in Our Times. Daedalus 125(1):1-23. (22)

F: Film

TRANSITIONAL JUSTICE

Week 6 (May 7, 9 & 11)

M: Punitive Justice

Wilson, Richard, 2005. Judging History: The Historical Record of the International Criminal Tribunal for the Former Yugoslavia. *Human Rights Quarterly* 27(3):908-942. (34)

W: Punitive Justice

DeLaet, Debra 2006. Punitive Justice and Human Rights, in *The Global Struggle for Human Rights*, Thomson Wadsworth Press, p159- 185 (26 pp).

F: Film

Week 7 (May 14, 16 & 18)

M: Punitive Justice

Sikkink, Katherine, 2011. The Effects of Human Rights Prosecutions in Latin America. In *The Justice Cascade, How Human Rights Prosecutions are Changing World Politics*. New York: W.W. Norton, pp129- 161 (32pp).

W: Reparative Justice and Reconciliation

Reconciliation and Revenge in Post-Apartheid South Africa: Rethinking Legal Pluralism and Human Rights

F: Reparative Justice and Reconciliation

Theidon, Kimberly 2006. Justice in Transition: The Micropolitics of Reconciliation in Postwar Peru. *Journal of Conflict Resolution* (25pp)

Week 8 (May 21, 23 & 25)

W: Reparative Justice and Reconciliation

Reconciliation after Ethnic Cleansing: Listening, Retribution, Affiliation (23)

W: Film

F: Film

CASE STUDY: EAST TIMOR

Week 9 (May 28 & 30, 1)

M: NO CLASS

W: Human Rights as Political Tool (for Independence)

2003 Non-State Diplomacy: East Timor 1975-1999. Portuguese Studies Review 11(1): 1–28 (28)

F: What gets labelled a genocide?

Was the Conflict in East Timor ‘Genocide’ and Why Does it Matter? Ben Saul (33)

Week 10 (June 4, 6 & 8)

M: Transitional Justice in Timor

Kent, Lia. 2008. “Truth Seeking and Memory Politics in Post Conflict East Timor.” Melbourne, July 1. (17)

W: Transitional Justice in Timor

Rothschild, Agency, Resistance and Legacies of Timor-Leste’s Truth Commission (19)

F: NO CLASS

FINAL EXAM: Friday June 16

Response papers

You are required to turn in five short response papers, which you will hand to me at the start of class. Response paper will be on the reading for the class session at which you are handing in your response (if there are two readings, choose one). You can only hand in one response paper per class session. You can choose which weeks/which class sessions you want to hand in response papers for, although I recommend not saving the five papers for the final five classes. There will be no points for late entries. Please be clear about which questions you are answering. The grading rubric for the responses will be posted on Tritoned.

Your response papers should be at least 450 words (please use double spaces, 12-point font, Times New Roman). Each response should answer three of the ten questions below. Again, be clear about which questions you are answering.

1. What is the article’s main thesis or main argument?
2. Who or what is the author arguing against? What are those people saying/what is the argument the author is refuting?
3. What evidence does the author use to make his or her argument?
4. Are you persuaded by the evidence? Why or why not? What kinds of evidence would you prefer or what additional evidence would it take to persuade you?

5. What do you still want to know? What unresolved issues and unanswered questions do you still have, or does this article raise? What were you unclear about?
6. What do you take away from the article? What is the most interesting aspect of this article for you?
7. How does this article relate to concepts discussed in this class or other class readings (including the textbook readings)?
8. What are some class discussion questions you can formulate based on this reading?
9. Did you relate to this reading personally? Did this reading help you to understand an aspect of how the concept of race has impacted your life or the life of someone you know?
10. Did this article help you to think of any current events more clearly? Explain.

- Response papers aside, actively engaging with the texts you read in your classes is a critical skill, which will help you do well in this course and others. It would be useful for you to always keep the above questions in mind as you read. Taking notes while you do your readings for this class is also highly recommended.

Student Presentations

Groups of two or three will pick one class period in which to present the required reading. Classes last 50 minutes. Students should be prepared to lead the class through a presentation lasting at least 20 minutes. Students have freedom in their presentations. However, I suggest you do the following:

- Use a powerpoint presentation to lay out the article's main points (you can use the response paper questions above to guide you).
- Try to connect the article to things we have learned in previous class readings or sessions.
- Come up with interesting discussion questions for the class (feel free to split the class up into groups if you like)
- Come up with other activities if you like
- Feel free to discuss what you found confusing in the article
- Feel free to bring in relevant background information to bolster your presentation