

HMNR 100/HITO 119: Human Rights History and Theory

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Winter 2015

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Office hours: Tues/Thurs 1:50 pm outside Solís Hall lecture rooms (until 3:00 or there is no one left waiting, whichever comes first); also in H&SS 4084 by appointment

Teaching Assistant: TBD @ucsd.edu

Course Requirements:

19 in-class quizzes (beginning with Class 2): 75%
(lowest 4 quizzes dropped)
Final exam: 25%

Work expectations: While class attendance is absolutely essential, this is not a course that you can do well in just by coming to class. (And no class at a university this good should be, for that matter!) You should expect to work hard outside of class. Please keep in mind the UCSD policy on hours per week expected of students:

- **Units:** Enter the units of the course. If the course has variable units, enter minimum, maximum, and by increment (e.g., 4–12 by 2).
- **Full title:** Enter the complete course title exactly as it will appear in the catalog.
- **Hours per week expected of student:** Enter numbers in the appropriate boxes.
 - A total of three hours of course work per week for each unit of credit is standard (e.g., 4-unit courses require 12 hours of work).
 - Most 4-unit courses have three hours of lecture and 9 hours of outside preparation.
 - If a course will have required discussion sections/ labs/ etc., include the number of hours needed in the appropriate box.
- **Grade reports:** Check the appropriate box.

My target for reading and other assignments is, on average, 6-7 hours per week. I have very carefully put together the syllabus with that in mind, taking account of the length and difficulty of the assignments, and this 6-7 hours is a very "real" number. ~~For a Summer Session class, of course, we are working at double time, covering ten weeks' worth of material in five weeks. This translates into an average of 14 hours of work outside of class per week.~~ If the prospect of a forty-hour "work week" devoted to the investment you are making in your college career makes you uncomfortable, then I'm probably not your guy, and this is probably not your class. What you will get in return for that work, however, is a course of study calculated to ensure that you will learn a lot.

All Course Requirements Must Be Fulfilled: **NOTE: To pass this class you must satisfy *all* the course requirements with a reasonable and good-faith effort. Failure to satisfy *any* one of the course requirements with a reasonable, good-faith effort will result in a grade of F for the course.

Exams: Please note that the exams may include material that is not addressed in the readings but is presented in lecture. **Make up exams: Make-up exams will be given only in the case of a valid, documented excuse (e.g., medical problems). Any make-up exam may be given in a different form and include different content. For example, the make-up test may be in the form of an oral exam! **We cannot make arrangements for alternate exam final times due to multiple exams scheduled closely together. Check your exam schedule for your courses now and make sure you've chosen a course schedule that you can live with at finals time!!

OSD Accommodations:

Students requesting accommodations and services for this course due to a disability must provide a current Authorization for Accommodation (AFA) letter issued by the Office for Students with Disabilities (OSD) prior to eligibility for requests. Receipt of AFAs in advance is necessary for appropriate planning for the provision of reasonable accommodations. OSD Academic Liaisons also need to receive current AFA letters if there are any changes to accommodations. For additional information, contact the Office for Students with Disabilities: 858-534-4382 (V); 959-534-9709 (TTY – reserved for people who are deaf or hard of hearing); or email: osd@ucsd.edu. OSD Website: <http://disabilities.ucsd.edu>.

Academic Integrity and Plagiarism:

It is your responsibility to know and observe all UCSD rules concerning academic integrity and plagiarism. You should know your rights and responsibilities under the UCSD Policy on Academic Integrity <http://senate.ucsd.edu/manual/Appendices/Appendix2.pdf>. Any student found to have committed a substantial violation of the university rules concerning academic integrity will fail the entire course and the professor will initiate a charge of academic misconduct that may be noted on your academic record; other violations may result in failing one or more assignments and/or a charge of academic misconduct. A second offense will generally result in suspension or permanent expulsion from the university. If you have any questions or concerns, please talk to me. I view it as one of my chief responsibilities to help each of you produce first-rate academic work that reflects your own original thinking about the course themes and material.

Required readings:

Note: You should have read and thought about the course readings by the dates indicated. You will get much more out of the lectures and discussion sections if you have completed all the readings in advance. Books are available for purchase at the UCSD Bookstore and on reserve at Geisel Library. Required books include:

(1) Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen*. Third edition, 2011

[You must have this newest edition!]

ISBN-10: 0812221389 ISBN-13: 978-0812221381

(2) Jack Donnelly, *Universal Human Rights in Theory and Practice*. Third edition, 2013.

[You must have this newest edition!]

>> UCSD Library has e-version for online reading

ISBN-10: 0801477700 ISBN-13: 978-0801477706

~~**I-Clicker requirement:** All students will be required to purchase and immediately register for the course an I-Clicker device, available at the UCSD Bookstore. These will be necessary for in-class testing and for participation grades.~~

About e-mail correspondence:

1. E-mails to you: From time to time, we may send important course announcements to the class via e-mail. To do that, we will need to use your official UCSD e-mail address. Please be sure that your account is always in working order, and check it regularly. We cannot send these course e-mails to gmail and similar accounts.

2. E-mails to me: Try to come talk with me instead! Please use e-mail only for scheduling and other very brief communications. E-mail is a great tool for that sort of message, but I just don't feel that I can respond properly to substantive questions about the course using it. I want you to know, however, that I will very much enjoy *talking* with you about the course material and any questions or concerns you may have, and our discussions will be much more efficient, spontaneous, and helpful for you if you come to speak with me in person. I encourage all of you to visit during my office hours or, if that time does not work, to schedule a meeting with me.

WEEK 1:

Tuesday, 6 January

What Are Human Rights? Where Do They Come From?—Origins, Guiding Principles, Foundations

Assignments:

None—introduction to the course

Thursday, 8 January

Points of Departure: Basic Concepts of Human Rights

**THE IN-CLASS QUIZZES BEGIN WITH THIS CLASS.
THE QUIZ WILL COVER THE ASSIGNMENTS LISTED BELOW**

Assignments:

Donnelly, *Universal Human Rights in Theory and Practice*, Introduction and ch. 1, "The Concept of Human Rights" (pp. 1-23)

Human Rights Watch report, "Swept Away": Abuses against Sex Workers in China (59 pages)

Elizabeth Segran, "Female genital mutilation on the rise among Southeast Asian Muslims," *Global Post* "Rights" blog, 10 December 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/rights/female-genital-mutilation-southeast-asia-muslims>

WEEK 2:

Tuesday, 13 January

The Nature and Origins of Human Rights

Assignments:

Lauren, *The Evolution of International Human Rights*, Introduction and ch. 1: "My Brother's and Sister's Keeper: Visions and the Origins of Human Rights" (pp. 1-42)

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 5, "A Brief History of Human Rights" (pp. 75-92)

Jacob Kushner, "Kenya: Long Days and Low Pay to Grow Christmas Flowers," *Global Post* "Rights" blog, 12 December 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/rights/kenya-flower-workers-rights-fair-trade>

Recommended/optional (will not be a subject for the quiz):

Maurice Cranston, "Are There Any Human Rights?," *Daedalus* 112, no. 4 (Fall 1983), pp. 1-17.

Thursday, 15 January

The Sources of Human Rights, Part I: The Western Tradition and the Origins of Internationalization

Assignments:

Lauren, *The Evolution of International Human Rights*, ch. 2, "To Protect Humanity and Defend Justice: Early International Efforts" (pp. 43-78)

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 8, "Dignity: Particularistic and Universalistic Conceptions in the West" (pp. 121-132)

Hebrew Bible, The Ten Commandments

Selections from Bartolomé de las Casas, "In Defense of the Indians"

Declaration of the Rights of Man and Citizen, 1789

WEEK 3:

Tuesday, 20 January

The Sources of Human Rights, Part II: A Transcultural and Comparative Examination

Assignments:

- Donnelly, *Universal Human Rights in Theory and Practice*, ch. 9, "Humanity, Dignity, and Politics in Confucian China" and ch. 10, "Humans and Society in Hindu South Asia" (pp. 133-146 and 147-158)
- Graeme Reid, "The Trouble with Tradition: When "Values" Trample over Rights," in Human Rights Watch, *World Report 2013* (pp. 20-28 of the pdf document)
- Human Rights Watch, *World Report 2013*, read sections on Mexico (pp. 246-253), France and Germany (426-430), Iran (pp. 537-543), and the United States (pp. 639-653)

Thursday, 22 January

The Evolution of Human Rights: Toward the Modern International Approach, Part 1

Assignments:

- Lauren, *The Evolution of International Human Rights*, ch. 3, "Entering the Twentieth Century: Visions, War, Revolutions, and Peacemaking"; ch. 4, "Opportunities and Challenges: Visions and Rights Between the Wars" (pp. 79-108 and 109-136)
- G. Spiller, ed., Papers on Inter-Racial Problems Communicated to the First Universal Races Congress, Held at the University of London, July 26-29, 1911: Read from the pdf file: Preface (v-vi); Introduction (vii-viii); and G. Spiller, "The Problem of Race Equality" (pp. 29-39).
- Anonymous Chinese author, "On Rights," in Stephen C. Angle and Marina Svensson, eds., *The Chinese Human Rights Reader: Documents and Commentary 1900-2000* [1903] (pp. 15-23)

Recommended/optional (not a subject for the quiz):

- Documentary video, Council of Europe, *Viewpoint* [talk show], "Roma: Rejected Europeans" (29 min.)

WEEK 4:

Tuesday, 27 January

World War II, the United Nations, and the Move toward International Conventions

Assignments:

- Lauren, *The Evolution of International Human Rights*, ch. 5, "A 'People's War': The Crusade of World War II" and ch. 6, "A 'People's Peace': Peace and a Charter with Human Rights" (pp. 137-164 and 165-194)
- Human Rights Watch report, "Losing Humanity: The Case against Killer Robots" (2012) (55 pp. total; focus on Summary and Recommendations; read the other sections more lightly)

Thursday, 29 January

Rules and Institutions I: The Universal Declaration, the UN, and the Courts

Assignments:

- Lauren, *The Evolution of International Human Rights*, ch. 7, "Proclaiming a Vision: The Universal Declaration of Human Rights" (pp. 195-226)
- Donnelly, *Universal Human Rights in Theory and Practice*, ch. 2, "The Universal Declaration Model" (pp. 24-39)
- P.C. Chang [Zhang Pengjun], "Chinese Statements during Deliberations on the UDHR (1948)," in Stephen C. Angle and Marina Svensson, eds., *The Chinese Human Rights Reader: Documents and Commentary 1900-2000* (pp. 206-213) [pdf to be added to course web site]**
- Charles M. Sennott, "Seeking the Will to Prosecute Modern-day Slavery," Global Post "Rights" blog, 5 December 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/groundtruth/human-trafficking-slavery-prosecution>

WEEK 5:

Tuesday, 3 February

The Ascendancy of Liberal Democracy and the Liberal Democratic Model of Human Rights

Assignments:

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 13, "Human Rights, Democracy, and Development" (pp. 217-234)

Human Rights Watch report, *Wrong Direction on Rights: Assessing the Impact of Hungary's New Constitution and Laws*, 2013 (29 pp.)

Samuel Moyn, lecture to Duke University Law School, 2009 (video, 47 min.)

Optional/recommended (not a subject for the quiz):

"Reflections on 'The Last Utopia': A Conversation with Samuel Moyn," *Journal Human Rights Practice* 3, no. 2 (2011): 129-138. [pdf to be added to course web site]

Thursday, 5 February

Free People and Free Bodies: The Rights to Life, Liberty, Personal Autonomy, and Physical Security

Assignments:

Amnesty International report, USA: The Edge of Endurance: Prison Conditions in California's Security Housing Units, 2012 (68 pp.)

BBC documentary video, *Gypsy Child Thieves*, dir. Liviu Tipurita, 2009 (59 minutes), online at:
http://www.dailymotion.com/video/x1c8ww9_gypsy-child-thieves-bbc-documentary_news
<https://www.youtube.com/watch?v=THInODdvvMQ>
<https://www.youtube.com/watch?v=XCnMkrWyaEE>

WEEK 6:

Tuesday, 10 February

Free and Equal Citizens: Political Rights

Assignments:

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 4, "Equal Concern and Respect" (pp. 55-71)

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Human Rights Watch report, Hidden Apartheid: Caste Discrimination against India's "Untouchables"—Shadow Report to the UN Committee on the Elimination of Racial Discrimination, 2007 (118 pages. Suggestion: read the last page first, to orient your further reading)

Thursday, 12 February

Free Minds and Free Mouths: The Rights to Freedom of Expression and Freedom of Belief

Assignments:

Human Rights Watch, *Montagnard Christians in Vietnam: A Case Study in Religious Repression*, 2011 (46 pp.)

HBO documentary film, *Pussy Riot: A Punk Prayer* (88 min.)

online: <http://vimeo.com/91314892> in the library: FVL DV 12605-1

Rebecca Lee Sanchez, "Backlash to Egypt's New Protest Law Hits Cairo's Streets," Global Post "Rights" blog, 26 November 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/rights/egypts-new-protest-law-the-first-clashes-strike-cairo-streets>

WEEK 7:

Tuesday, 17 February

Challenging Rights: Universalism and Its Problems

Assignments:

Lauren, *The Evolution of International Human Rights*, ch. 8 "Transforming Visions into Reality: The First Fifty Years of the Universal Declaration" (pp. 227-266)

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 6, "The Relative Universality of Human Rights" and ch. 7, "Universality in a World of Particularities" (pp. 93-105 and 106-118)

Recommended/optional (not a subject for the quiz):

Adeno Addis, "Individualism, Communitarianism, and the Rights of Ethnic Minorities," *Notre Dame Law Review* 67 (1992): 1233-61.

Thomas M. Franck, "Are Human Rights Universal?" *Foreign Affairs* 80, no. 1 (Jan-Feb 2001): 191-204.

Michael Ignatieff, "The Attack on Human Rights," *Foreign Affairs* 80, no. 6 (Nov-Dec 2001): 102-116.

Thursday, 19 February

Challenging Rights: Beyond the Individual—The "Asian Way," Social Cohesion, and Anti-Individualism

Assignments:

Bilahari Kausikan, "Asia's Different Standard," *Foreign Policy* (Fall 1993), pp. 24-41

Aryeh Neier, "Asia's Unacceptable Standard," *Foreign Policy* (Fall 1993), pp. 42-51

Xiaorang Li, "'Asian Values' and the Universality of Human Rights," *Business and Society Review* 102-103, no. 1 (March 1999): 81-87.

HRW report, *Promises Unfulfilled: An Assessment of China's National Human Rights Action Plan*, 2011 (67 pp.)

WEEK 8:

Tuesday, 24 February

Challenging Rights: Islamic and Christian Conceptions of Rights in the Modern Era

Assignments:

Cairo Declaration of Human Rights in Islam

Abdullahi Ahmed An-Na'im, "Human Rights in the Muslim World: Socio-Political Conditions and Scriptural Imperatives—A Preliminary Inquiry," *Harvard Human Rights Journal* 3 (1990): 13-52.

Alex Pearlman, "Rights Group Says Indonesia a Hotbed of Religious Intolerance and Corruption," Global Post "Rights" blog, 28 February 2013

Video [also embedded in the Pearlman blog post], Human Rights Watch, c. 2013 (4 min.)

Kristin Deasy, "Social media blasphemy cases went up four-fold in 2012: rights group," Global Post "Rights" blog, 11 December 2012, <http://www.globalpost.com/dispatch/news/regions/middle-east/121211/social-media-blasphemy-cases-went-four-fold-2012-rights-gro>

The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom and Rights, c. 2010

Optional/recommended (will not be a subject for the quiz):

Christopher McCrudden, "Legal and Roman Catholic Conceptions of Human Rights: Convergence, Divergence and Dialogue?" *Oxford Journal of Law and Religion* 1, no. 1 (April 2012): 1-17.

Thursday, 26 February

Challenging Rights: Beyond the Individual—National Rights, Ethnic Rights, and Other Group Rights

Peter Jones, "Human Rights, Group Rights, and Peoples' Rights," *Human Rights Quarterly* 21, no. 1 (February 1999): 80-107.

Robert N. Clinton, "The Rights of Indigenous Peoples as Collective Group Rights," 32 *Ariz. L. Rev.* 739 (1990): 739-747.

Video, *Our Generation*, dir. Sinem Saban, 2010 (73 min)

Online: <https://www.youtube.com/watch?v=Tcq4oGL0wII>

Amnesty International report, *Europe: Human Rights Here, Roma Rights Now: A Wake-up Call to the European Union*, 2013 (12 pp.)

Recommended/optional (will not be subject for the quiz):

Amnesty International report, *Australia: The Land Holds Us: Aboriginal Peoples' Right to Traditional Homelands in the Northern Territory*, 2011 (12 pp.)

Susan Moller Okin, "Mistresses of Their Own Destiny": Group Rights, Gender, and Realistic Rights of Exit," *Ethics* 112, no. 2 (January 2002): 205-230.

WEEK 9:

Tuesday, 3 March

Challenging Rights: Communism, Socialism, and Economic, Social and Cultural Rights

Assignments:

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 3, "Economic Rights and Group Rights" and ch. 14, "The West and Economic and Social Rights" (pp. 40-54 and 235-253)

Human Rights Watch, "*What Is a House without Food?": Mozambique's Coal Mining Boom and Resettlements: Summary and Recommendations*, 2013 ([read the full document](#); 32 pp.); and Human Rights Watch Report, "*What Is a House without Food?": Mozambique's Coal Mining Boom and Resettlements* [full report] ([read only pp. 100-105](#) on applicable legal and international human rights standards) [two documents, both on ted.ucsd.edu]

Human Rights Watch, *My So-called Emancipation: From Foster Care to Homelessness for California Youth* (required: only Summary and Recommendations, pp. 1-8; you may wish to explore the rest for deeper understanding of the facts and issues)

Thursday, 5 March

Rights Right Now: The Contemporary Status of Human Rights around the World

Assignments:

Lauren, *The Evolution of International Human Rights*, ch. 9, "The Continuing Evolution" (267-288)

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 11, "International Human Rights Regimes" (161-196)

Benjamin Ward, "Europe's Own Human Rights Crisis," Human Rights Watch, *World Report 2012*, 42-50.

WEEK 10:

Tuesday, 10 March

Rules and Institutions II: Global Activism, the Rise of the NGOs, and International Intervention

Assignments:

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 12, "Human Rights and Foreign Policy," and ch. 15, "Humanitarian Intervention against Genocide" (pp. 197-213 and 254-273).

Video, *The Reckoning: The Battle for the International Criminal Court* (60 min. edited version)

Will be placed on reserves in the Arts Library

Thursday, 12 March

Rights Tomorrow: The Future of Universal Human Rights

Assignments:

Lauren, *The Evolution of International Human Rights*, ch. 10, "Toward the Future" (pp. 289-315)

Donnelly, *Universal Human Rights in Theory and Practice*, ch. 16, "Nondiscrimination for All: The Case of Sexual Minorities" (pp. 274-291)

Marie Doezema, "Profiling Iran's LGBT refugees: Leaving without Time to Pack," Global Post "Rights" blog, 29 August 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/rights/iran-lgbt-refugees-leaving>

Sarah Parvini and Benjamin Gottlieb, "Activists to gay conversion therapists: 'Don't try to fix us'," Global Post "Rights" blog, 12 November 2013, <http://www.globalpost.com/dispatches/globalpost-blogs/rights/gay-conversion-therapy-debate-NARTH-LGBT>

Marie Doezema, "British leaders confront gay conversion therapy," MinnPost/Global Post blog, 11 December 2013, <http://www.minnpost.com/global-post/2013/12/british-leaders-confront-gay-conversion-therapy>

FINAL EXAM: THURSDAY, 19 MARCH, 7:00 pm -- BE SURE TO CONFIRM ON TRITONLINK