# LSJ 320/POLS 368: The Law & Politics of International Human Rights

Instructor: Jonathan Beck

Office hours: Wednesdays 12:00-2:00 or by appointment

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June 21-August 20, 2021

Mondays and Wednesdays 2:20-4:30

[**>> Lecture Zoom Link <<**](https://washington.zoom.us/j/98203601528)

### Course Overview

This course examines the emergence and development, since World War II, of an international movement dedicated to the defense of human rights. We will study the goals of the movement and the global political context in which it operates. Special attention will be given to the legal institutions, national and international, which have influenced its evolution and character. Students taking the course will acquire an enhanced understanding of the role in human rights politics played by the United Nations, national governments, non-governmental organizations, social movements, customary international law, treaty law, and international tribunals.

The course is organized into two sections. In the first section, we will explore the emergence of the international human rights movement, international human rights institutions, and debates over the significance and power of human rights. In the second section, we will consider human rights in practice, exploring historical and contemporary human rights challenges and struggles. Each week will be categorized thematically, and we will integrate legal and institutional analysis with bottom-up studies of ordinary people struggling for human rights.

**Required Reading:** **All required readings will be posted for free on Canvas**. There are no required textbooks. Readings will include excerpts from political science publications, articles from journalistic outlets, fiction and non-fiction excerpts, and we will also watch some documentary films. There will be about 30 pages of reading per class session, and I will always provide reading questions to help guide you through the readings. These questions are not required for credit but should be considered a useful resource.

**Assessment:**

 Engagement/Participation 20%

Reading/Discussion Assignments (3 of 4) 25%

 Short Essay 25%

 Final Project 30%

To receive credit for this course, you must complete all assessment components above. I include a brief description of each component below:

**Engagement/Participation:** I recognize that every student participates differently. Participation will reflect your active engagement with course material and support of your peers, and can include verbal contributions in class, note-taking in small groups, online discussions, peer review assignments, study groups, conversations with the instructor, among other activities.

**Reading/Discussion Assignments:** Throughout the course, there will be a total of four reading/discussion assignments, which the instructor will make available a week before each is due. ***Students must complete three (3), including the REQUIRED first assignment (due Sunday, June 27 at midnight).*** Students may complete the fourth for extra credit on their final project. These are low-stakes assignments meant to build confidence, help with comprehension, and provide you an opportunity for hands-on human rights analysis. These assignments may sometimes ask you to engage material from outside the syllabus. All students who complete the assignment meaningfully will receive full credit.

**Short Essay:** Mid-way through the course, you will write a short essay (4-6 pages) that will ask you to summarize and analyze course readings, and develop and defend a thesis statement related to course content up to this point.

**Final Project:** For the final project, students will choose a human rights problem in a country of their choice, and will engage in legal analysis, some substantive research, and the development of a policy proposal. Students can submit their final project in the form of a written paper, or may present their information creatively (e.g. as video, comic book, short story, podcast, etc.) alongside a short personal reflection and annotated bibliography. There will be multiple check-in dates, including a project proposal assignment, a project update, and the final project is due Friday, August 20 at midnight.

**OPTIONAL:** Students who wish to publicly share their research for the final project will have the opportunity to post to a class blog. If you have taken a creative route for your final project and wish to share that, I ask only that you write a short accompanying explanation of what folks should look to get out of the creative exposition. If you have completed your final project as a written paper, you should summarize your key findings in an easy-to-read and interesting fashion in about 500 words, and should look for appropriate accompanying visuals.

**Weekly Due Dates**

If you are unable to meet this due date, you should reach out to your TA as soon as practicable.

**Week 1:** First reading/discussion assignment due Sunday at midnight (**required**)

**Week 2:** Second Reading/Discussion Assignment due Sunday at midnight

**Week 3:** Short Essay Thesis due Sunday at midnight

**Week 4:** Third Reading/Discussion Assignment due Sunday at midnight

**Week 5:** Short Essay due Sunday at midnight

**Week 6:** Final Project Proposal due Sunday at midnight

**Week 7:** Fourth Reading/Discussion Assignment due Sunday at midnight

**Week 8:** No Assignment

**Week 9:** Final Project due Wednesday, August 18 at midnight

**Academic Honesty:** You are assumed to be familiar with the university’s policies on cheating and plagiarism and the potential penalties involved (a link to those policies is on the section website or you can find it at: <http://depts.washington.edu/grading/issue1/honesty.htm>). In the event that there is a question about your work, you may be asked to produce any notes and outlines you used, to identify your sources, and to provide an electronic copy of your paper**.** Remember: When in doubt, cite.

### Access and Accommodations: Your experience in this class is important to me, and it is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law. If you experience barriers based on disability, please seek a meeting with DRS to discuss and address them. If you have already established accommodations with DRS, please communicate your approved accommodations to your instructor at your earliest convenience so we can discuss your needs in this course. Disability Resources for Students (DRS) offers resources and coordinates reasonable accommodations for students with disabilities. Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. If you have not yet established services through DRS, but have a temporary or permanent disability that requires accommodations (this can include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 206-543-8924, Mary Gates Hall 011, uwdrs@uw.edu or [disability.uw.edu](http://depts.washington.edu/uwdrs/).

Washington state law requires that UW develop a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The UW’s policy, including more information about how to request an accommodation, is available at [Religious Accommodations Policy (https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/)](https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/). Accommodations must be requested within the first two weeks of this course using the [Religious Accommodations Request form (https://registrar.washington.edu/students/religious-accommodations-request/)](https://registrar.washington.edu/students/religious-accommodations-request/).”

**Basic Needs Policy:** Your safety, health and well-being are far more important than anything going on in class. Please feel free to reach out to me if you need to talk. Any student who faces challenges securing their food, housing, or personal safety should feel welcome to come to the instructor so that we can connect you with any resources available through the university.

**Diversity Statement**: Diversity creates opportunities for people to engage, understand and respect others whose perspectives, values, beliefs, traditions, and world views have been shaped by experiences and backgrounds that may be different from their own, particularly those from historically marginalized and underrepresented groups. This account of diversity includes, but is not limited to differences in gender, race, age, national origin, ethnicity, gender identity and expression, immigration status, intellectual and physical ability, sexual orientation, income, faith, socio-economic class, family status, primary language, military experience, political identification, cognitive style, and communication style. If any student has concerns, they should feel welcome and encouraged to express their concerns to me in person or via e-mail. Please see a breakdown of some campus resources at the end of this syllabus.

***Course Schedule***

**SECTION I: FOUNDATIONS OF HUMAN RIGHTS**

**Week 1: Introduction to the Law & Politics of International Human Rights**

**Monday, June 21:** **Introduction to the Course; What are Human Rights?**

 **Guiding Question**: What are human rights, where do they come from, and how are they formalized?

 **Topics:** Norms; Institutions; Moral & Philosophical Foundations

 **Reading**: *The Global Politics of Human Rights* pp. 14-28; Samuel Moyn, “How the human rights movement failed”

**Wednesday, June 23: Human Rights for Whom?**

 **Guiding Question:** Who decides what counts as human rights, who is excluded, and who benefits? What is intersectionality and how can it matter for understanding and promoting human rights?

 **Topics:** Human Rights Critiques; Inequality; State Power

 **Reading:** Dana Alston,“The Summit: Transforming a Movement”; “Inter-American Court Decides First Environmental Rights Case against Argentina”; Combahee River Collective Statement

*First reading/discussion assignment due Sunday by midnight*

**Week 2 The Historical Emergence of Human Rights**

**Monday, June 28: Human Rights in World History**

 **Guiding Question**: When and why did human rights emerge as a movement? Why did states come to adopt the language of human rights?

 **Topic:** Human Rights Movement; State Power

 **Reading**: Susan Waltz, “Reclaiming and Rebuilding the History of the UDHR”

**Legal Instruments**: Universal Declaration of Human Rights (UDHR) (see also: <https://cartoonmovement.com/project/70-years-human-rights>)

**Wednesday, June 30: Human Rights Treaties & Institutions**

 **Guiding Question**: What are some of the foundational treaties and institutions in human rights, why did states support them, and how did movements for liberation draw on these new resources?

 **Topic**: Institutions; Norms; Political Opportunity Structures

 **Reading**: Carol Anderson, *Eyes off the Prize* (excerpts)

 **Legal Instruments**: International Covenant on Civil and Political Rights (1966)

*Second Reading/Discussion Assignment due Sunday by midnight*

**Week 3 State Power and Human Rights Protections**

**Monday, July 5: HOLIDAY – NO CLASS**

**Wednesday, July 7: State Interests in Human Rights**

 **Guiding Question:** Why do states sometimes violate and sometimes protect and promote human rights? How do human rights institutions seek to restrain state behavior, and when are they effective?

 **Topic:** State Power; State Repression; Inequality; Institutions; International Law; Compliance

 **Reading:** Lucía Cholakian Herrera, “Decades After Argentina’s Dictatorship, the Abuelas Continue Reuniting Families”; Ruth Maclean, “I told my story face to face with Habré: courageous rape survivors make history”; Meredeith Deliso, “Record number of state bills in 2021 impact transgender rights, advocacy group says”

*Short Essay Thesis due Sunday at midnight*

**Week 4 Enforcing Human Rights**

**Monday, July 12: IR Theory and Human Rights Practice**

 **Guiding Question**: How should we understand the role of human rights in international relations? How do human rights change the way states interact with each other?

 **Topic:** Theory; International Relations; Global Politics; International Law; International Criminal Court

 **Reading**: Judith Kelley, “Who Keeps International Commitments and Why? The International Criminal Court and Bilateral Nonsurrender Agreements”; Human Rights Watch, “The ICC and the United States”

 **Legal Instruments:** The Rome Statute (1998)

**Wednesday, July 14: We the People and the Fight for Human Rights**

 **Guiding Question**: How can ordinary people influence human rights outcomes?

 **Topic**: Global Civil Society; civil society; social movements

 **Reading**: *Watch* “Pray the Devil Back to Hell” (2008), available from the library via Alexander Street (see view instructions under Canvas modules). This documentary documents the peace movement called Women of Liberia Mass Action for Peace.

*Third Reading/Discussion Assignment due Sunday at midnight*

**Week 5 (April 26) Civil Society’s Role in Human Rights Promotion**

**Monday, July 19: Resource Allocation, Local Needs, and Human Rights Challenges**

 **Guiding Question**: What is Global Civil Society, and what is its role in human rights promotion and protection? Do civil society organizations help or hurt local efforts to improve human rights standards?

 **Topic**: civil society organizations; NGOs; inequality; resource distribution

 **Reading**: Sally Engle Merry, *The Seduction of Quantification* (excerpts); “How the Red Cross Raised Half a Billion Dollars for Haiti and Built Six Homes” available at <https://www.propublica.org/article/how-the-red-cross-raised-half-a-billion-dollars-for-haiti-and-built-6-homes>

 **Guest Lecturer:** Rachel Castellano, Doctoral Student in Political Science

**SECTION II: CASE STUDIES IN HUMAN RIGHTS**

**Wednesday, July 21: Human Rights for Women and Girls**

 **Guiding Question**: Why was it significant that women’s rights came to be understood as human rights, and why does gender inequality continue to run deep across the globe?

 **Topic**: gender equity; women’s rights as human rights; labor rights; inequality

 **Reading**: Minky Worden, ed. *The Unfinished Revolution* (excerpts)

 **Legal Instruments**: Convention on the Elimination of All Forms of Discrimination Against Women (1979)

*Short Essay due Sunday at midnight*

**Week 6 Gender & Sexuality; Globalization & Inequality**

**Monday, July 26: Human Trafficking**

**Guiding Question**: What is the relationship between human rights and human trafficking, and how have states managed to escape responsibility to the victims of sexual and labor exploitation? What are the benefits of establishing human trafficking victims as a specific category in need of rights protections? What are some of the costs of constructing this specific category?

**Topic:** human trafficking; human exploitation; state power; inequality

 **Reading**: Julia O’Connell Davidson, “Will the Real Sex Slave Please Stand Up?”; Janina Pescinski, “A Human Rights Approach to Human Trafficking”

 **Guest**: Ryan Goehrung, Doctoral Candidate in Political Science

**Wednesday, July 28: Globalization and Inequality**

 **Guiding Question:** What is the relationship between globalization and inequality, and does inequality pose a barrier to the full enjoyment of human rights? Can human rights provide opportunities to challenge global inequality?

 **Topic:** inequality; globalization; development; socio-economic rights

 **Reading:** HRW, “Discrimination, Inequality, and Poverty”; Amartyra Sen, *Development as Freedom* (excerpts)

 **Legal Instruments:** International Covenant on Economic, Social, and Cultural Rights

*Final Project Proposal due Sunday at midnight*

**Week 7 The Human Right to Exist**

**Monday, August 2: Genocide**

 **Guiding Question:** What is genocide, when and why did it come to be recognized as a crime against humanity, and has its institutionalization helped us reduce genocide?

 **Topic:** genocide; international law; cultural rights

 **Reading:** Mahmood Mamdani, “A Brief History of Genocide”

 **Legal Instruments:** Convention on the Prevention and Punishment of the Crime of Genocide (1948)

**Wednesday, August 4: Uighur Muslims in China**

 **Topic:** genocide; international law; cultural rights

 **Reading:** Darren Byler, “Ghost World”; Darren Byler, “How Companies Profit from Forced Labor”; *New Yorker* on Inside the Prison Camps, <https://www.newyorker.com/news/a-reporter-at-large/china-xinjiang-prison-state-uighur-detention-camps-prisoner-testimony>

 **Legal Instrument:** International Convention on the Elimination of All Forms of Racial Discrimination (1966)

*Fourth Reading/Discussion Assignment due Sunday at midnight*

**Week 8 Forced Migration**

**Monday, August 9: The Human Right to Safety and Dignity**

 **Guiding Question:** How do human rights work in a state-centric world? Why is forced migration such a critical topic to the protection of human rights, what legal protections do forced migrants have, and what responsibilities do third-party states have to these folks?

 **Topic:** migration; immigrant rights; asylum

 **Reading:** Miriam Jordan & Max Rivlin-Nadler, “Migrant Families Force Biden to Confront New Border Crisis”; spend some time with the latest UNHCR report, *Global Trends: Forced Displacement in 2019*.

 **Legal Instruments:** Convention Relating to the Status of Refugees (1951)

**Wednesday, August 11: Climate Change and Human Rights Challenges**

**Guiding Question**: How does climate change present unique challenges for human rights? What are the likely consequences of climate change, and what human rights responsibilities do states have to those most vulnerable?

**Topic**: climate change; forced migration

 **Reading**: “The Case for Climate Reparations”; “Safe Climate Report” from the UN Special Rapporteur on Human Rights and the Environment

**Week 9 Concluding Thoughts: From Scholarship to Activism?**

**CONTENT TBD**

*Final Project due Wednesday, August 18 at midnight*