

History 314w/414 – Women’s Studies 296/496 – International Human Rights

History Department, University of Rochester, Spring 2013

Jean Pedersen

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Course Description

What does it mean to be human? What different kinds of rights might be part of different people's working definitions? How should we act on any or all of those different definitions today? This course will look at both

- a) the historical development of conflicting theories of human rights and
- b) more contemporary debates about their ideal extent, their practical exercise, and the preferred means of their necessary enforcement.

Specific modern topics will include: human rights and international affairs (with a focus on China), the pros and cons of UN conferences (with a focus on the Fourth World Conference on Women in Beijing, the Millennium Summits in New York, and the Millennium Development Goals), the work of truth and reconciliation commissions (with a focus on South Africa), human rights and humanitarian intervention (with a focus on the precedents leading up to Libya and Syria), the prosecution of war crimes and crimes against humanity (with a focus on UN tribunals, US courts, and the new International Criminal Court), the impact of globalization (with a focus on women’s work around the world), and the war on terror and the debate about health care (with a focus on the United States in an international context).

Required Books (on sale at the University Bookstore and often on reserve at Rush Rhees Library – additional required readings for the course are available on reserve at Rush Rhees Library, on e-reserve through Blackboard, and/or readily available on the Internet through the web links in the Required Reading section of the syllabus below)

Dan Smith, The Penguin State of the World Atlas (9th ed., Penguin, 2012)
Andrew Fagan, The Atlas of Human Rights (University of California, 2010)
Jack Donnelly, International Human Rights (4th ed, Westview, 2012)
Micheline Ishay, History of Human Rights from Ancient Times to the Globalization Era (2nd ed., University of California, 2008)
Jeffrey Wasserstrom et al, eds., Human Rights and Revolutions (2nd ed., Rowman and Littlefield, 2007)
Mary Ann Glendon, A World Made New (Random House, 2002; also available as an e-book through Voyager)
Michael Ignatieff, American Exceptionalism and Human Rights (Princeton University, 2005)
Jonathan Wolff, The Human Right to Health (Norton, 2012)

Recommended Books (on sale at the University Bookstore and on reserve at Rush Rhees Library)

Micheline Ishay, ed., The Human Rights Reader (2nd ed., Routledge 2007; our readings in this book are required, but you may also be able to find them on the Internet through the UN, the Avalon Project, or elsewhere)
Makau wa Mutua, Human Rights: A Political and Cultural Critique (fascinating further reading, but not required)

Film Screenings (video and/or DVD versions of most of our films are on reserve in the Multimedia Center)

“Tiananmen: The Gate of Heavenly Peace” (Carma Hinton and Richard Gordon, 1995; <http://www.tsquare.tv/>)
“Beyond Beijing” (Shirini Heerah and Enrique Berrios, 1996; <http://www.wmm.com/filmcatalog/pages/c184.shtml>)
“Long Night’s Journey Into Day” (Frances Reid and Deborah Hoffmann, 2000;
<http://www.irisfilms.org/longnight/index.htm>)
“The Reckoning: The Battle for the International Criminal Court” (Paco de Onís, Peter Kinoy, and Pamela Yates, 2009; http://skylightpictures.com/films/the_reckoning/)

Required Assignments

Class participation – 40%

Reading in advance of class

Preparing weekly written reflections on the reading – 1-2 double-spaced typed or hand-written pages each
Participating in class discussion, including 5 5-10-minute oral reports – 1 on a particular country or concern, 1 on a religious text and its relationship to human rights, 3 on your paper topic (1 early in the semester, 1 later in the writing process, 1 as you move from rough to final draft)

Seminar paper – 60%

Pick any research topic related to human rights, e.g. the ideas of a theorist, the actions of a political figure or policy expert, the creation and implementation of a guiding document, the history of an organization, the response to an abuse, the balance of an achievement

15-20 typed, double-spaced pages for undergraduates, 20-25 pages for graduate students

Final version due Monday, May 6 (see the syllabus for intermediate topic, bibliography, outline, and rough draft deadlines, and see the last page for more detailed instructions about each of these assignments)

An additional note about research, writing, and academic honesty:

This seminar fulfills the requirements for an upper-level writing course in the History Department.

While I hope that our course will inspire many discussions outside of class, I also expect that each of you will complete all of your individual written assignments on your own, and that your writing will consistently include appropriate credit for any words or ideas that you bring in from outside sources whether you are submitting the weekly responses or the successive drafts of the final paper.

See the University of Rochester policy on Academic Honesty here: <http://www.rochester.edu/College/honesty/>

Schedule of Readings and Deadlines

Introduction

January 16 Introduction

Optional Additional Materials:

Human Rights in Conflict: Interdisciplinary Perspectives

<http://web.gc.cuny.edu/nehhumanrights06/index.html>

United Nations, <http://www.un.org/>

International Criminal Court, <http://www.icc-cpi.int/>

International Committee of the Red Cross, <http://www.icrc.org/>

Médecins sans frontières, <http://www.msf.org/>

Amnesty International, <http://www.amnesty.org/>

Human Rights Watch, <http://www.hrw.org/>

International Context

January 23 Smith, Penguin State of the World Atlas
Donnelly, International Human Rights, Introduction, Chapter 1, and Chapter 2, Problem 1
Human Rights Reader, ed. Ishay, selections from Section 15
Universal Declaration of Human Rights (15.8)
UN Convention on the Prevention and Punishment of Genocide (15.7)
International Covenant on Civil and Political Rights (15.12)
International Covenant on Economic, Social, and Cultural Rights (15.13)
UN Convention on the Elimination of All Forms of Discrimination against Women (15.16)
UN Convention on the Rights of the Child (15.18)
UN Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (on-line from the UN, <http://treaties.un.org/Home.aspx?lang=en>)

Optional Additional Reading:

Jack Donnelly, Universal Human Rights in Theory and Practice

Karen E. Smith and Margot Light, eds., Ethics and Foreign Policy

January 30 *Preliminary paper topics due (see more details on the final page of the syllabus)*

Fagan, The Atlas of Human Rights

Routledge International Encyclopedia of Women: Global Women's Issues and Knowledge, eds. Cheris Kramarae and Dale Spender (e-reserve through Blackboard)

Charlotte Bunch and Samantha Frost, "Women's Human Rights: An Introduction"

Review the UN Convention on the Elimination of All Forms of Discrimination against Women

Optional Additional Readings:

Marjorie Agosin, ed., Women, Gender, and Human Rights: A Global Perspective

Rebecca Cook, ed., The Human Rights of Women

Niamh Reilly, Women's Human Rights: Seeking Gender Justice in a Globalizing Age

Intellectual Perspectives

February 6 Historical Controversies about Human Rights

Ishay, History of Human Rights, Preface to the 2008 Edition, Introduction, and Chapters 1-2
Plus a religious text of your choosing, which you should read with an eye to its possible relevance for human rights and plan to present to the class (pick your own or look at the starting suggestions scattered throughout Part I of Ishay's Human Rights Reader)

February 13 *Topics and bibliographies due (see more details on the final page of the syllabus)*

Paradoxes of Human Rights

Human Rights and Revolutions, ed. Wasserstein et al

Hunt, "The Paradoxical Origins of Human Rights"

Wasserstein, "The Chinese Revolution and Contemporary Paradoxes"

Kotsonis, "A European Experience: Human Rights and Citizenship in Revolutionary Russia"

Ishay, History of Human Rights, Chapters 3 and 4

Optional Additional Readings:

Lynn Hunt, Inventing Human Rights: A History

Samuel Moyn, The Last Utopia: Human Rights in History

February 20 Challenges to Human Rights

Joanne Bauer, "The Challenges to International Human Rights," Chapter 9 of Constructing Human Rights in the Age of Globalization, ed. Mahmood Manhipouri et al (e-reserve through Blackboard)

Makau wa Mutua, "Savages, Victims, and Saviors: The Metaphor of Human Rights," Harvard International Law Journal 42 (Winter 2001) (e-reserve through Blackboard)

Association of African Women for Research and Development, "A Statement on Genital Mutilation," document 22 in Third World, Second Sex, ed. Miranda Davies (RRL reserve; e-reserve through Blackboard)

Susan Pedersen, "National Bodies, Unspeakable Acts: The Sexual Politics of Colonial Policymaking," Journal of Modern History, 63: 4 (December 1991), 647-680 (on-line through Voyager using the JSTOR electronic database)

Ishay, History of Human Rights, Chapters 5 and 6 (especially pp. 246-279 and pp. 335-355)

Optional Additional Readings:

Michael Ignatieff, Human Rights as Politics and Idolatry

Makau wa Mutua, Human Rights: A Political and Cultural Critique

Historical Developments

February 27 Rights and Revolutions

Lynn Hunt, French Revolution and Human Rights, Introduction (RRL reserve; e-reserve through Blackboard)

Human Rights and Revolutions, ed. Wasserstein et al

Zuckert, “Natural Rights in the American Tradition”

Woodside, “An Enlightenment for Outcasts”

Bernault, “What Absence is Made Of”

Human Rights Reader, ed. Ishay, selections from Sections 7 and 15

Magna Carta (15.1)

English Bill of Rights (15.3)

Declaration of Independence (15.4)

Declaration of the Rights of Man and the Citizen (15.5)

Declaration of the Rights of Woman and the Citizen (7.7)

Declaration of Sentiments (available from the Women’s Rights National Historical Park in Seneca Falls, with a link to signers’ biographies:

<http://www.nps.gov/wori/historyculture/declaration-of-sentiments.htm>)

Optional Additional Readings:

Anna Clark, Scandal: The Sexual Politics of the British Constitution

David Armitage, The Declaration of Independence: A Global History

Linda Kerber, No Constitutional Right to be Ladies: Women and ... Citizenship

Pauline Maier, American Scripture: Making the Declaration of Independence

Sue Peabody and Tyler Stovall, eds., The Color of Liberty: Histories of Race in France

Joan Scott, Only Paradoxes to Offer: French Feminists and the Rights of Man

March 6 *Outlines due (see more details on the final page of the syllabus)*

The Rights Revolution

Glendon, A World Made New, especially Preface, chapters 1-5, 10-12, Epilogue, Appendix 7

Samuel Moyn, Prologue to The Last Utopia: Human Rights in History (RRL reserve; e-reserve through Blackboard; e-book through Voyager)

Human Rights Reader, ed. Ishay, selections from Sections 6 and 15

Franklin Delano Roosevelt, “Four Freedoms” (6.1)

United Nations Charter (15.6)

African Charter on Human and People’s Rights, also known as the Banjul Charter (15.17)

African Protocol on the Rights of Woman, also known as the Maputo Protocol

(available from the African Union: <http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol%20on%20the%20Rights%20of%20Women.pdf>)

Optional Additional Readings:

Elizabeth Borgwardt, A New Deal for the World: America’s Vision for Human Rights

Paul Kennedy, The Parliament of Man: The Past, Present, and Future of the United Nations

Cass Sunstein, The Second Bill of Rights

March 13 Spring Break – No Class

Contemporary Dilemmas

March 20 Human Rights and International Affairs

Donnelly, International Human Rights, Chapters 5-7, 9-11, 12 (especially 7, 9, 11, 12)
Monroe E. Price, introduction to Owning the Olympics: Narratives of the New China (RRL reserve; e-reserve through Blackboard; e-book through Voyager)

The Beijing Declaration and the Platform for Action (RRL reserve)

Boutros-Ghali, "Translating the Momentum of Beijing into Action," plus
"Beijing Declaration," "Mission Statement," "Global Framework," and
"Critical Areas of Concern"

Ping-chun Hsiung and Yuk-lin Renita Wong, "Jie Gui—Connecting the Tracks: Chinese Women's Activism Surrounding the 1995 World Conference on Women in Beijing," in Feminisms and Internationalism, ed. Mrinalini Sinha et al (RRL reserve; e-reserve through Blackboard)

The Unfinished Revolution: Voices from the Global Fight for Women's Rights (RRL reserve; e-reserve through Blackboard)

Sharon Hom, "Claiming Women's Rights in China"

Sheridan Prasso, "A Long March for Women's Rights in China"

In-class screening of clips from

"Tiananmen: The Gate of Heavenly Peace" (Carma Hinton and Richard Gordon, 1995;
see their wonderful website here: <http://www.tsquare.tv/>)

"Beyond Beijing" (Shirini Heerah and Enrique Berrios, 1996)

Optional Additional Readings:

Jo Becker, Campaigning for Justice: Human Rights Advocacy in Practice

Kate Merkel-Hess et al, eds., China in 2008: A Year of Great Significance

Jeffrey Wasserstrom, China in the Twenty-First Century: What Everyone Needs to Know

Michael Schechter, United Nations Global Conferences

Mahnaz Afkhami et al, eds. Muslim Women and the Politics of Participation: Implementing the Beijing Platform

Cathy J. Cohen, ed., Women Transforming Politics: An Alternative Reader

Michelle Goldberg, The Means of Reproduction: Sex, Power, and the Future of the World

Carol Elizabeth Lockwood et al, eds., International Human Rights of Women: Instruments of Change

Bonnie Smith, ed. Global Feminisms Since 1945: Rewriting Histories

March 27 *First date to hand in rough drafts of papers (see more details on the final page of the syllabus)*

Human Rights and International Justice, Part 1:

The End of Apartheid – Truth and Reconciliation

Donnelly, International Human Rights, Chapters 4 and 8; review Chapters 6.2 and 6.5

Martha Minow, "Breaking the Cycles of Hatred," in Breaking the Cycles of Hatred: Memory, Law, and Repair (e-reserve through Blackboard; e-book through Voyager)

In-class screening of "Long Night's Journey Into Day" (Frances Reid and Deborah Hoffmann, 2000; in addition to the readings above, please prepare for the screening by consulting the film-makers' website at <http://www.irisfilms.org/longnight/index.htm>, especially the sections on "Stories," "Filmmakers Q and A," and "History")

Optional Additional Materials:

Truth v. Justice: The Morality of Truth Commissions, ed. Robert Rotberg and Dennis Thompson

After Apartheid: Re-Inventing South Africa, ed. Ian Shapiro and Kahreen Tebeau

Heidi Grunebaum, Memorializing the Past: Everyday Life in South Africa after the TRC

April 3

Human Rights and Humanitarian Intervention

Donnelly, International Human Rights, Chapter 13

Michael Ignatieff, "The Warrior's Honor," a chapter of The Warrior's Honor (RRL reserve; e-reserve through Blackboard)

International Commission on Intervention and State Sovereignty, The Responsibility to Protect, especially Foreword and Synopsis (available on-line here:

<http://responsibilitytoprotect.org/ICISS%20Report.pdf>

Office of the UN Special Advisor on the Prevention of Genocide, press release on the 5 September 2012 General Assembly discussion of the Secretary General's report, "The Responsibility to Protect: Timely and Decisive Response" (available on-line from the United Nations here: <http://www.un.org/News/Press/docs/2012/ga11270.doc.htm>)

Optional Additional Materials:

Cynthia Enloe, Bananas, Beaches, and Bases: Making Feminist Sense of International Politics

Cynthia Enloe, The Morning After: Sexual Politics at the End of the Cold War

Cynthia Enloe, The Curious Feminist: Searching for Women in a New Age of Empire

Michael Ignatieff, Blood and Belonging: Journeys into the New Nationalism

(plus the 6 episodes on Germany, the Kurds, the Ukraine, Northern Ireland, Quebec, and the break-up of the former Yugoslavia in the related 1984 BBC video series of the same name)

Michael Ignatieff, Virtual War: Kosovo and Beyond

Michael Ignatieff, Empire Lite: Nation-Building in Bosnia, Kosovo, Afghanistan

Related materials at the Office of the UN Special Advisor on the Prevention of Genocide,

<http://www.un.org/en/preventgenocide/adviser/responsibility.shtml>

April 10

Human Rights and International Justice, Part 2:

Prosecuting Genocide, Crimes against Humanity, and War Crimes

Jasmina Kuzmanović, "Legacies of Invisibility: Past Silence, Present Violence against Women in the Former Yugoslavia" in Women's Rights, Human Rights, ed. Julie Peters and Andrea Wolper (e-reserve through Blackboard)

Catherine MacKinnon, selections from Are Women Human? And Other International Dialogues listed below (RRL reserve; e-reserve through Blackboard)

"Women's Status, Men's States"

"War Crimes Remedies at the National Level"

"Collective Harms under the Alien Tort Statute"

"Defining Rape Internationally"

Louise Chappell, "Gender and Judging at the International Criminal Court," Politics & Gender 6, no. 3 (2010): 484-495 (e-reserve through Blackboard)

In-class screening of "The Reckoning: The Battle for the International Criminal Court"

(Paco de Onís, Peter Kinoy, and Pamela Yates, 2009; see associated website

http://skylightpictures.com/films/the_reckoning/)

Optional Additional Materials:

Michael Marrus, The Nuremberg War Crimes Trial, 1945-1946: A Documentary History

Geoffrey Robertson, Crimes against Humanity: The Struggle for Global Justice

International Criminal Tribunal for the Former Yugoslavia, <http://www.un.org/>

International Criminal Tribunal for Rwanda, <http://www.ictt.org/>

(continued on the next page)

International Criminal Court, <http://www.icc-cpi.int/>

Rome Statute of the International Criminal Court, <http://untreaty.un.org/cod/icc/index.html>

Women's Initiatives for Gender Justice, <http://www.iccwomen.org/index.php>

April 17

Last date to hand in rough drafts of papers (see more details on the final page of the syllabus)

Globalization and International Economic Development

Donnelly, International Human Rights, Chapter 14; review Chapter 10, Problem 5
The Women, Gender, and Development Reader, ed. Nalini Visvanathan et al, selected readings
below (RRL reserve; e-reserve through Blackboard)

Maria Patricia Fernandez Kelly, "Maquiladoras: the View from the Inside"
Kalima Rose, "SEWA: Women in Movement"

Ela Bhatt, "Empowering Women: the SEWA Experience," in The Other India: Realities of an
Emerging Power, ed. Rajesh Chakrabarti (RRL reserve; e-reserve through Blackboard)

Jennifer Bickham Mendez, From the Revolution to the Maquiladoras: Gender, Labor, and
Globalization in Nicaragua, pages TBA (RRL reserve; e-reserve through Blackboard)

Millennium Development Goals (on-line from the United Nations through "We Can End Poverty:
Gateway to the MDGs" here: <http://www.un.org/millenniumgoals/>;
click on any of the links in the row from "Background" to "Beyond 2015," and you will
see the Millennium Development Goals in red in the right-hand column)

Review Ishay, History of Human Rights, Chapters 5 and 6 (pp. 245-279 and pp. 340-356)

Optional Additional Materials:

Daniel Crosswell, The SEWA Movement and Rural Development

Estelle Freedman, No Turning Back: The History of Feminism and the Future of Women

Gilbert M. Joseph and Timothy J. Henderson, The Mexico Reader: History, Culture, Politics

William I. Robinson, Transnational Conflicts: Central America, Social Change, and Globalization

April 24

American Exceptionalism at Home and Abroad

Donnelly, International Human Rights, Chapter 15

Ignatieff, American Exceptionalism

Ignatieff, "Introduction"

Koh, "America's Jekyll-and-Hyde Exceptionalism"

One additional essay of your choice

Jonathan Wolff, The Human Right to Health

Review Ishay, History of Human Rights, Chapter 5 (pp. 279-314) and Preface to the 2008 Edition

Optional Additional Materials:

Jean Bethke Elshtain, Just War against Terror: The Burden of Terror in a Violent World

Cynthia Enloe, Nimo's War, Emma's War: Making Feminist Sense of the Iraq War

Michael Walzer, Just and Unjust Wars: A Moral Argument with Historical Illustrations

May 1

Final Presentations of Independent Projects (see more details on the final page of the syllabus)

Open topic depending on what happens in the world this semester

May 6

Final seminar paper deadline (please hand in your paper by bringing it to the office of the
History Department, RRL 364, by 4:00 p.m., Monday, May 6)

Schedule of deadlines for the final independent paper

- January 30 **Preliminary paper topics due**
1-2 typed double-spaced pages
You may pick any research topic related to human right, e.g. the ideas of a theorist, the actions of a political figure or policy expert, the creation and implementation of a guiding document, the history of an organization, the response to an abuse, the balance of an achievement.
As this is a history course, please note that you should plan to explore the historical dimension of any topic you pick in the course of your research, even if you pick a contemporary topic.
When you submit your topic, please include a short discussion of what it is, why you want to study it, and what question(s) you want to answer about it.
Plan to announce your potential topic[s] to the class.
- February 13 **Topics and bibliographies due**
This may be a time to revise, update, or, if you wish, even change your preliminary paper topic.
The Rush Rhees reference librarians and I would be very happy to help you with your research – some subject bibliographers who might be particularly knowledgeable in your topics include:
Alan Unsworth – world history – aunsworth@library.rochester.edu, 275-9298
Margaret Becket – American history – mbecket@library.rochester.edu, 275-9300
Ann Marshall – political science – ann.marshall@rochester.edu, 273-3451
Please divide your bibliography to show separate lists of primary and secondary sources.
If you've substantially changed your topic, plan to present your updated topic to the class
- March 6 **Outlines due**
Please include a title, an introductory paragraph, a provisional thesis, an outline, and a bibliography divided into primary and secondary sources.
If you have questions about where your project is going, please feel free to add those as well.
The more information you can give me, the more feedback I can give you.
- March 13 Spring Break
- March 27 **First date to hand in rough drafts of papers**
The sooner you hand in your rough draft, the more time you'll have to revise it later.
If you hand in your rough draft by today, you'll have over a month to work on it some more after you get it back with my comments, questions, and suggestions on April 3.
If you hand in your rough draft today, you'll also have the option of submitting an optional second draft for more feedback before the final project is due.
Don't forget a title and a bibliography!
- April 3 **Last date to hand in rough drafts of papers if you will also want to submit an optional second draft of the paper for more feedback before you submit the final version**
If you hand in your rough draft today, you'll get it back on April 10 – and you'll still have the option of submitting an optional second draft for more feedback before the final project is due.
- April 17 **Very last date to hand in required rough drafts (or optional intermediate drafts) of papers**
Please note that if you wait this long to hand in your first draft, you won't get it back until April 24, and you'll have less than two weeks to revise it.
If you handed in a first draft any time on or before April 3, you can submit an optional second draft for additional feedback now.
Please include a title, a bibliography, and as many specific references in the text as possible.
- May 1 **Final class presentations of independent projects**
Somewhere from 5 to 15 minutes, depending on the number of students in the class – stay tuned!
- Monday, May 6 **Final seminar paper deadline**
15-20 typed, double-spaced pages for undergraduates; 20-25 pages for graduate students
Don't forget a title, proper citations for all outside references, and a bibliography.
Please hand in your paper by bringing it to the office of the History Department, RRL 364, by 4:00 p.m., Monday, May 6