The Politics and Practice of Human Rights

Political Science 3240/8245
International Studies 4140-004
University of Nebraska Omaha
Fall 2023

Monday & Wednesday 1:00 pm - 2:15 pm
Arts and Sciences Hall 310

Brett J. Kyle, PhD
Associate Professor of Political Science
Office of Latino/Latin American Studies (OLLAS)
Goldstein Center for Human Rights (GCHR)
University of Nebraska at Omaha

Office: Arts and Sciences Hall 288
Email: bjkyle@unomaha.edu
Web: www.brettkyle.com

Office Hours: Monday, 10 am-12 pm and 2:30-3:30 pm; Wednesday, 10 am-12 pm
(and by appointment)

Email or schedule via MavConnect: https://www.unomaha.edu/my/mavconnect.php

Course Description

This course provides a theoretical and empirical basis for understanding human rights and accountability for human rights violations around the globe. The course is organized around the tension between the universality of human rights and the acute exercise and protection of such rights. In the words of Steve Stern and Scott Straus, "human rights are only imaginable with appeal to the global and universal, but they are only concrete when they are local" (2014, 4). We begin by defining human rights, delving into critical views of the concept, and examining some of the most egregious violations, such as torture and genocide. We then explore civil society mobilization, international law, and the intersection of the two. Next, we investigate transitional justice measures, such as trials and truth commissions, which seek to provide justice after mass atrocity and political transition from authoritarianism to democracy. In the final section of the course, we look at a selection of contemporary issues in human rights.

Prerequisites

This is an upper-level Political Science course. Undergraduate: PSCI 2210 or junior standing or permission of the instructor. Graduate: PSCI 2210 or equivalent is recommended.

Course Materials

Goodhart, Michael, ed. 2023. *Human Rights: Politics and Practice*. New York: Oxford University Press, 4th edition. (❖ on the class schedule denotes a reading from this book)

Straus, Scott and Steve Stern, eds. 2014. *The Human Rights Paradox: Universality and its Discontents*. Madison: University of Wisconsin Press. (✪ on the class schedule denotes a reading from this book)

Individual class readings are available on the Canvas course site in the Modules for their respective classes.

Evaluation: Your course grade will be based on the following:
Attendance and Class Participation: 20%
Human Rights in the News: 10%
Résumé Assignment: 5%
Critical Book Review: 25%
Exams: 40%

Attendance & Participation (20%)
First and foremost, I want you here! The easiest way to do well in this course is to be in class every day. Come to class prepared to ask and answer questions, clarify readings, discuss course material, participate in activities, and share your thoughts and ideas. The classroom offers you a forum to engage with your peers and to learn from each other. After pandemic-induced online and Zoom-based teaching, I am happy to be back in a real-life classroom with all of you, and I want us to make the most of it! I will record attendance using Roll Call on the Canvas course site, but please note that the Attendance & Participation Grade is a different, aggregate score, which includes both *attendance and participation*: Not attending class will earn you 0% for the day; Attending class will earn you 75% for the day; Attending *and successfully participating* in the day's activities will earn you up to 100% for the day. Being late to class will result in points deductions.

A few specific thoughts about success in our class:

- Take notes in class. Read your notes as soon as possible after each class. The sooner you read your notes after class, the more of the material you will retain.
- Take notes when you read so that you will better retain the information in the readings and be prepared to discuss it.
- Treat everyone in the class with patience and common courtesy. When you speak, remember that you are in dialogue with the entire class. Speak to and listen to all of your classmates. Be curious and ask questions.
- You are responsible for your own learning and accountable for your own work—you are ultimately in charge of your own educational experience!

Human Rights in the News (5% x 2 = 10%)
Human rights issues are all around us. Each day's news brings stories related to the issues we engage with in this course—from human rights being realized to human rights being violated. In this course, you are expected to follow human rights-related news. Two times during the semester, you will select a news article and write a double-spaced one-page summary of the article that demonstrates a connection to the course material. You will submit the article and one-page write-up via Canvas, by providing the URL to the news article and your one-page write-up, where indicated in the Assignments section of the Canvas course site. One article/write-up is due

during the first half of the semester (Aug. 21-Oct. 9) and one is due during the second half of the semester (Oct. 18-Dec. 4).

I frequently use current events and news articles to illustrate the ideas and issues in this course. You can view examples from previous years on the Canvas course site. The quality of the news source must be in keeping with those examples. Consult the following sources in your human rights-related news reading: *The New York Times, The Washington Post, The Los Angeles Times, Associated Press, BBC, Reuters, The Economist, Foreign Policy, Al-Jazeera, South China Morning Post*, and the Latest News sections of Human Rights Watch and Amnesty International. If I find the quality of a news article you select lacking, I will require you to find a different article.

Résumé Assignment (5%)
In the class sessions on Human Rights Activism, we will explore the work of realizing human rights. I will present information on human rights careers and connect you with resources from the UNO Academic and Career Development Center. As part of this module, you will create and submit a professional resume.

Critical Book Review (Critical Summary: 5% + Final Critical Review: 20% = 25%)
Many ideas and issues in human rights are highly contested in the scholarship of the field. In order to explore tensions, challenges, and evolution in human rights scholarship, you will read a human rights monograph during the semester and write a critical book review on that work. The list of books and assignment details will be distributed in class.

Exams (Exam 1: 20%; Exam 2: 20%)
The in-class exams will be essay based. Mastery of both the lecture material and the assigned readings will be necessary for the exams. *Do not miss exams. If an emergency arises and you cannot make it, please contact me beforehand to request a makeup exam. The ability to make up work missed will be at the discretion of the instructor. Make up exams will be more challenging in format and content than the in-class exams. Un-excused absences from exams will result in a grade of zero for that exam.*

UNO Writing Center
The UNO Writing Center offers free one-on-one consultations with trained consultants to all students, faculty, and staff. Their goal is to help writers improve their writing skills and confidence in all types of writing, in all subject areas, and at all stages of the writing process. For more information about their hours and locations or to schedule an appointment, visit their website at www.unomaha.edu/writingcenter or visit them at their main location in Arts and Sciences Hall, Room 150.

Academic Integrity
You must maintain academic integrity at all times. Plagiarism/cheating are serious academic crimes, and I will pursue any infringements seriously and actively. At a minimum, any infringement will result in a grade of zero on the assignment. For more information on University of Nebraska at Omaha policies on academic integrity, please see: https://www.unomaha.edu/student-life/student-conduct-and-community-

standards/policies/academic-integrity.php and http://www.unomaha.edu/graduate-studies/student-rights-responsibilities.php.

Accessibility Services Center
Accommodations are provided for students who are registered with the Accessibility Services Center (ASC) and make their requests sufficiently in advance. For more information, contact ASC (Location: 104 H&K, Phone: 402-554-2872, Email: unoaccessibility@unomaha.edu) or go to the website: https://www.unomaha.edu/student-life/accessibility/index.php.

Late Policy
On daily/weekly assignments, no late work will be accepted. For the paper assignment, late papers will be penalized by 5% per day late. For example, a paper that earns an 85% but is one day late would receive a grade of 80%.

Schedule of Class Meetings

I. Fundamentals of Human Rights

Week One
Monday, August 21: Introduction to the course

Wednesday, August 23: The Universal Declaration of Human Rights (UDHR)
- ❖ Appendix I: UN General Assembly, *Universal Declaration of Human Rights*
- ❖ Goodhart, "Introduction"

Question: How are the universal and the local in tension with each other in human rights? Are these tensions resolvable?

Week Two
Monday, August 28: Foundations of Human Rights
- ❖ Langlois, "The Philosophical Foundations of Human Rights"
- ✪ Stern and Straus, "Embracing Paradox: Human Rights in the Global Age"

Wednesday, August 30: Modern History of Human Rights
- ❖ Short, "The Social Life of Human Rights"
- Glendon, Mary Ann. 2002. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. New York: Random House, preface and Chapters 1-2.

Question: Why "human"? Why "rights"? Why do we think we have rights? Where do human rights come from?

Week Three
Monday, September 4: Labor Day (UNO Holiday – No Classes)

Wednesday, September 6: International Relations and Human Rights
- Dunne and Hanson, "Human Rights in International Relations"

- Arendt, Hannah. 1951. *The Origins of Totalitarianism*, 267-290.

Question: How do human rights challenge the idea of the state system? How do they reinforce it?

Week Four
Monday, September 11: Comparative Politics and Human Rights
- Cardenas, "Human Rights in Comparative Politics"
- Arendt, Hannah. 1951. *The Origins of Totalitarianism*, 290-302.

II. Realizing Human Rights

Wednesday, September 13: Violence and Violations—Torture
- United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx
- Schulz, "Torture"

Week Five
Monday, September 18: International Law against Torture
- ❖ Smith, "Human Rights in International Law"
- ❖ Ritter, "Treaties, Monitoring, and Enforcement"

Wednesday, September 20: Civil Society against Torture
- ❖ Smith, "Social Movements and Human Rights"
- Report of the Senate Select Committee on Intelligence, Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, 113th Congress, 2d Session, S. Report 113-288 (December 9, 2014), Findings and Conclusions section, pp. x-xxviii.
- Campaign Zero, "Police Use of Force Policy Analysis" (September 20, 2016)

Question: What role(s) is/are there for international law and inter-governmental organizations in realizing human rights in the world?

Week Six
Monday, September 25: Violence and Violations—Genocide
- United Nations Conventions on the Prevention and Punishment of the Crime of Genocide: http://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx
- ❖ Straus, "Genocide and Human Rights"

Wednesday, September 27: Responses to Mass Atrocity
- ❖ Kuperman, "Humanitarian Intervention"
- ✪ Foster Lynch, "Civilian Agency in Times of Crisis: Lessons from Burundi"

Question: Under what conditions does mass atrocity occur? How can mass atrocity be prevented? Can mass atrocity be stopped once under way? What does it take to stop it?

Week Seven
Monday, October 2: Human Rights Activism

- ❖ Parisi, "Feminist and Activist Approaches to Human Rights"
- ❖ Zivi, "Human Rights Claiming as a Performative Practice"

Wednesday, October 4: Human Rights Activism, continued

- ✪ Kurasawa, "The Aporias of New Technologies for Human Rights Activism" (*aporia = an irresolvable internal contradiction or logical disjunction in a text, argument, or theory)

Question: Has technological development (especially "Web 2.0") improved or diminished human rights activism? Why? How so?

Week Eight
Monday, October 9: Democracy, Majoritarianism, and Individual Rights

- ❖ Davenport, "Political Democracy and State Repression"
- **First Human Rights in the News Write-up Due by today**
- **Résumé Due**

Wednesday, October 11: **Exam 1**

Week Nine
Monday, October 16: Fall break (No classes)

III. After Atrocity

Wednesday, October 18: Transitional Justice – Origins and Goals

- ❖ Quinn, "Transitional Justice"
- ✪ Vinck and Pham, "Consulting Survivors: Evidence from Cambodia, Northern Uganda, and Other Countries Affected by Mass Violence"
- Human Rights Watch, "Policy Statement on Accountability for Past Abuses" in Neil J. Kritz, ed. *Transitional Justice*, 217-18.

Question: What are the goals of transitional justice? Are these the right goals?

Week Ten
Monday, October 23: Trials

- Zalaquett, "Balancing Ethical Imperatives and Political Constraints: The Dilemma of New Democracies Confronting Past Human Rights Violations" in Neil J. Kritz, ed. *Transitional Justice*, 203-06.

Wednesday, October 25: Truth Commissions

- Michael Ignatieff, "Digging Up the Dead," *New Yorker*, November 10, 1997, 84-93.

Question: Do the leaders of a new democracy have a moral duty to prosecute members of the former authoritarian regime? Is pursuing truth enough? What is the difference between accountability and punishment?

Week Eleven
Monday, October 30: Amnesties

- Amnesty International, "Policy Statement on Impunity" in Neil J. Kritz, ed. *Transitional Justice*, 219-21.

Wednesday, November 1: Restorative Justice

✪ Conley-Zilkic, "Rights on Display: Museums and Human Rights Claims"

Question: Should transitional justice efforts be focused on the perpetrators or on the victims?

Week Twelve
Monday, November 6: Does Transitional Justice Work?

Wednesday, November 8: Critical Perspectives on Transitional Justice

- Draper, "The Business of Memory: Reconstructing Torture Centers as Shopping Malls and Tourist Sites" in Ksenija Bilbija and Leigh A. Payne, eds. *Accounting for Violence: Marketing Memory in Latin America*, 127-150.
- **Critical Summary Due**

Question: Does "trauma tourism" raise awareness of the past or trivialize the past? Is it right to make money off of a traumatic past?

IV. Contemporary Issues in Human Rights

Week Thirteen
Monday, November 13: Human Rights and Economic Development

❖ Winkler and de Carvalho Hernandez, "Human Rights and the UN Sustainable Development Goals"

Wednesday, November 15: Human Rights and the Natural Environment

❖ Atapattu, "Human Rights and the Environment"

Week Fourteen
Monday, November 20: A Human Right to Water?

❖ Baer, "The Human Right to Water"
✪ Cullet, "The Human Right to Water in Rural India: Promises and Challenges"

Wednesday, November 22: Thanksgiving break (No classes)

Week Fifteen
Monday, November 27: Refugees and Human Rights

❖ Loescher, "Human Rights and Forced Migration"

Wednesday, November 29: Indigenous Rights

❖ Romero, Berra, and Speed, "Indigenous Rights and Language Sovereignty"

- **Critical Book Review Due**

Week Sixteen

Monday, December 4: Conclusions and the Future of Human Rights

- Goodhart, "The Future of Human Rights"
- ✪ Hiskes, "A Very Promising Species: From Hobbes to the Human Right to Water"
- **Second Human Rights in the News Write-up Due by today**

Wednesday, December 6: **Exam 2**