

# **Human Rights and International Politics (PO8016)**

Weeks 1-5 Hilary Term 2012

Lecture Location: TBC

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This short module examines some of the most prominent issues currently facing scholars in the field of human rights and international politics. It will survey cutting-edge approaches to the study of international human rights standards and, importantly, their impact; highlight key areas of contestation; and examine through concrete case studies the local effects of human rights law and norms, with a particular focus on their transmission and impact in the developing world.

## **By the end of the module students will:**

1. Have a good grasp of the state of research in the field of human rights and international politics
2. Be able to discuss, and critically comment on, the effects of international human rights standards
3. Be aware of some of the major policy implications of scholarship on human rights.

## **Recommended texts:**

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition)

Freeman, M., **Human Rights: an Interdisciplinary Approach** (Polity Press: 2011, 2<sup>nd</sup> Edition)

You may find it interesting and/or helpful to read an introductory overview of the sub-field of human rights. To that end, I suggest this textbook:

Baylis, J. et al., **The Globalization of World Politics** (Oxford: 2011, 5<sup>th</sup> Edition), especially Chapter 30. Also, chapters 17, 19, 20, 29, and 31

## **Assessment**

### **20% – Module Participation**

Participation in seminars constitutes an important portion of your grade. There is a significant amount of reading to be done, and the expectation is that all students will come to class having done the assigned readings. Seminar participation requires contributing to class discussion, including listening to others, and demonstrating a sound knowledge of readings through constructive interventions, in the form of both online comments (see next section) and in-class commentary and/or questions. Required readings are indicated although other

readings are included for additional consultation. To incentivize active participation each student will prepare one response piece on a topic that will form the basis for discussion in class. “Responders” will be expected to lead discussion in class and all students should come prepared to be called upon as discussants.

### **30% – Response Piece (from Week 8)**

Students are required to write a response piece in the course of the module. Each week’s readings are accompanied by a different focal article from a widely read publication (e.g. *The Economist*, *Foreign Affairs* or *Foreign Policy*) that addresses a topical issue or event with clear implications for that week’s human rights theme. Your assignment will be to reflect on the article for that week’s topic and compose a concise response paper.

The response piece is a forum for you to express critical insights into pressing international concerns. They must draw on either one or several of the week’s required readings (and, if desired, additional sources, but not to the exclusion of the required readings). A high level of analytical mastery of the reading materials is to be combined with a professional, formal but also accessible presentation style in a manner akin to a newspaper editorial.

Response pieces **MUST** be submitted **at least 48 hours prior** to class. Response pieces will then be uploaded onto an online ‘Response Forum’ where all students will be expected to post **at least ONE** substantive comment of around 300 words (the quality of your comment will form part of your participation grade) on any of the response pieces submitted that week. Comments must be posted using your full name **at least four hours prior** to class here:

<http://tompegram.com/teaching/po8016-response-forum/>

Our peer review process will be password protected (from the unfiltered “blogosphere”). The password to access response pieces is: **hr2012**

The response piece should be between 800-1000 words, formatted in Word, single-spaced and submitted to me ([pegramt@tcd.ie](mailto:pegramt@tcd.ie)) by email. The piece should conform to a formal structure which demonstrates clear analytical intent but should also aspire to an accessible, conversational tone. Organization is very important and the piece must be accompanied by a proper, however brief, introduction and conclusion. The piece must also have a title.

As these pieces are partially “research based,” citations should be integrated into the text in the Harvard style (i.e. Donnelly 2007: 23). However, reflecting the op-ed intent, where possible citations should be integrated using hyperlinks (Highlight text → Insert → Hyperlink). Hyper-linking text is a great way to richly supplement material in ways that print does not allow. For an example of a response piece see:

<http://tompegram.com/2011/09/the-un-security-council-on-syria-radical-change-or-continuity/>

### **50% – Project Proposal**

The largest part of your grade is assessed on the basis of a project proposal to be submitted by TBC. Each student should choose one theme from the course and write a paper based on required and additional readings, with further readings/sources encouraged, and offer a critical review of the literature. The goal of this project is to provide a barebones outline of a

potential empirical research project you could do for a masters thesis, an academic article, or even a doctoral dissertation. Each project proposal should include: (1) a statement of the research question (an abstract of around 200 words), (2) a review of the existing literature on the topic, (3) your theoretical argument, (4) your hypotheses that flow from this argument, (5) a conclusion that states how your project adds to what we know about human rights, and (6) a bibliography.

The literature review must be framed around your research question and will discuss what has been done in a subfield, which gaps you detect, and how a novel or insightful argument may help fill that gap (approximately 2500 words).

The project proposal should be around 3500 words and no more than 4000 in length (excluding bibliography). Basic paper conventions apply: (1) formatted in Word, double spaced, (2) complete footnotes, (3) pages numbered, (4) proofread, and (5) full bibliography. Essays must state the word count.

**Deadline for submission: 5pm, Monday 6 February 2012**

### **Submission**

Project proposals must be submitted both via [www.turnitin.com](http://www.turnitin.com) and in hard copy. The hard copies must be typed and printed, on one side of the paper only. Hand them in without plastic folders, binders etc, ensure that the cover sheet has been attached and correctly filled in, and make sure you've numbered the pages of your proposal. Put your name on the cover sheet but nowhere else on the essay. There will be a drop box outside my office for hard copies (see front cover).

Coursework needs to be submitted via the plagiarism detector Turnitin; see [www.turnitin.com](http://www.turnitin.com). Every essay must be submitted through turnitin.com to receive a grade.

Assignments not completed on time will lead to a grade of zero for that assignment, unless specific arrangements have been made in advance with Dr Thomas Pegram.

**Please note that plagiarism is unacceptable in any circumstances and both the Department and College takes all plagiarism cases very seriously. This is particularly important in terms of reviewing academic literature where it is important that the review is based on your own reading and assessment. Plagiarism will lead to a failing grade for the entire module.**

To submit via turnitin: the class ID is 4560068 and the password is **hr2012**

If you haven't used [www.turnitin.com](http://www.turnitin.com) before, select new users on the homepage, follow the instructions for setting up a student profile, login with your new personal password, and you will get to the page for uploading a paper for the class. Make sure you figure out how to do this in good time for the deadline.

## Summary of Seminars

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# Reading List: Human Rights and International Politics

## Week 1: Human Rights in International Politics

**Focal article:** The Economist, 'Stand up for your rights', 22 March 2007:  
<http://www.economist.com/node/8888856>

\* No response piece this week.

### Questions for consideration

1. Do human rights properly encompass only civil and political rights, or also economic and social rights?
2. What is the significance of widespread formal acceptance by states of the international law of human rights?
3. Is support for international human rights a form of western imperialism?

### Introductory

Donnelly, Jack, 'Human Rights', in John Baylis et al., **The Globalization of World Politics** (Oxford: 2011, 5<sup>th</sup> edition), Chapter 30

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition), Chapter 1

Charter of the United Nations: [www.un.org/aboutun/charter](http://www.un.org/aboutun/charter)

Universal Declaration of Human Rights: <http://www.un.org/en/documents/udhr/>

### Required

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition), Chapter 3

Freeman, Michael, **Human Rights** (Polity: 2011, 2<sup>nd</sup> Edition), Introduction

Cranston, Maurice, 'Human Rights, Real and Supposed', in D. D. Raphael (ed.), **Political Theory and the Rights of Man** (Bloomington: Indiana U. Press, 1967)

Shue, Henry, **Basic Rights: Subsistence, Affluence, and US Foreign Policy** (Princeton U. Press, 1997), 'Part I: Three Basic Rights'

Hathaway, Oona, 'Do Human Rights Treaties Make a Difference?' **The Yale Law Journal**, Vol. 111, No. 8 (Jun., 2002), pp. 1935-2042

Simmons, Beth, **Mobilizing for Human Rights** (Cambridge, 2009), Chapters 1 (Introduction), 3 and 9

### Recommended

Hunt, Lynn, **Inventing Human Rights** (Norton and Company, 2007), pp. 15-34

Hunt, Paul, **Reclaiming Social Rights: International and Comparative Perspectives** (Aldershot: Dartmouth, 1996), Chapter 1

Alston, Philip, 'Conjuring up new human rights: A proposal for quality control', **American Journal of International Law**, vol. 78, no. 3, July 1984, pp. 607-21

Goodman, Ryan and Derek Jinks, 'Measuring the Effects of Human Rights Treaties', **European Journal of International Law**, vol. 14, no. 1, pp. 171-183

Franck, Thomas, 'Are Human Rights Universal?' **Foreign Affairs**, January/February 1997:  
<http://www.foreignaffairs.com/articles/56666/thomas-m-franck/are-human-rights-universal>

## **Week 2: The United Nations, Human Rights and Reform**

**Focal article:** The Economist, **Thinking the UNthinkable**, 11 November 2010:  
<http://www.economist.com/node/17463443>

### **Questions for consideration**

1. Does the UN play an effective role in the promotion and protection of human rights? Which criticisms do you find most compelling and why?
2. Does the UN always reflect the policies of its most powerful members (the 'Permanent 5' or P5)? Based on your assessment, what are the prospects for enlargement of the UN Security Council?
3. What are the ambitions of 'the BRICs' (Brazil, Russia, India, China and South Africa) within the UN and how are they challenging and/or reinforcing the status quo?

### **Introductory**

Taylor and Curtis, 'The United Nations', in John Baylis et al., **The Globalization of World Politics** (Oxford 2011: 5th edition), Chapter 19

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition), Chapter 5

### **Required**

Weiss, Thomas, **What's Wrong with the United Nations (and How to Fix it)** (Polity, 2008), especially pp. 1-49 and Conclusion

Danchin, P. G. and H. Fischer, **United Nations Reform and the New Collective Security** (Cambridge University Press, 2010), especially pp. 1-33

Alston, Philip, 'Reconceiving the UN Human Rights Regime: Challenges Confronting the New UN Human Rights Council', **Journal of International Law**, vol. 7, 2006:  
[http://www.chrgj.org/publications/docs/wp/WPS\\_NYU%20\\_CHRGJ\\_Alston\\_Final.pdf](http://www.chrgj.org/publications/docs/wp/WPS_NYU%20_CHRGJ_Alston_Final.pdf)

Falk, Richard, 'Reforming the United Nations: A Global Civil Society Perspective', **Transnational Foundation for Peace and Future Research**, 23 September 2005: [http://www.transnational.org/SAJT/forum/meet/2005/Falk\\_UNReforms.html](http://www.transnational.org/SAJT/forum/meet/2005/Falk_UNReforms.html)

Bosco, David, **Five to rule them all: the UN Security Council and the making of the modern world** (Oxford U. Press: 2009), especially Chapter 7

Also see: David Bosco, 'Five myths about the United Nations', **Washington Post Opinions**, 24 March 2011: [http://www.washingtonpost.com/opinions/five-myths-about-the-united-nations/2011/03/24/AFWSzmXB\\_story.html](http://www.washingtonpost.com/opinions/five-myths-about-the-united-nations/2011/03/24/AFWSzmXB_story.html)

John Bolton et al., Global Structures Convocation, 1994, 'Human Rights, Global Governance and Strengthening the United Nations', ON RESERVE/On WebCT

### **Recommended**

Luck, Edward, 'How Not to Reform the United Nations', **Global Governance**, vol. 11, 2005, pp. 407-14: <http://www.jstor.org/pss/27800582>

Russett, Bruce, 'Ten Balances for Weighing UN Reform Proposals', **Political Science Quarterly**, vol. 111, no. 2, Summer 1996, pp. 259-69: <http://www.jstor.org/pss/2152321>

Mats, Berdal, 'The United Nations Security Council: Ineffective but Indispensable', **Survival**, vol. 45, no. 2, Summer 2003, pp. 7-30: <http://pookerb.com/214-IR/wk03/Claude-PeaceAndSecurity.pdf.pdf>

Glennon, Michael, 'Why the Security Council Failed', **Foreign Affairs**, vol. 82, no. 3, May/June 2003: <http://www.foreignaffairs.com/articles/58972/michael-j-glennon/why-the-security-councilfailed>

Centre for UN Reform: <http://www.centerforunreform.org/>

### **Week 3: The United States: Human Rights and Foreign Policy**

**Focal article:** Richard Falk, 'Drone Attacks: American Citizens and Foreign Civilians', **Foreign Policy Journal**: <http://www.foreignpolicyjournal.com/2011/10/12/drone-attacks-american-citizens-and-foreign-civilians/>

### **Questions for consideration**

1. Is the US paying more or less attention to human rights through foreign policy? Why?
2. Is there a theoretical or otherwise systematic reason why even among liberal democratic states, such as the US, the Netherlands, and Japan there are major differences in their approach to international human rights standards?
3. What human rights issues are of current concern in international policy-making? How might these issues be addressed in the future by states?

## Required

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition), Chapter 6 (pp. 132-142) and Chapter 10

Baehr, Peter and Monique Castermans-Holleman, **The Role of Human Rights in Foreign Policy** (Palgrave Macmillan: 2004, 3<sup>rd</sup> Edition), Chapter 3 'Dilemmas of Foreign Policy'

Chandler, David, **From Kosovo to Kabul: Human Rights and International Intervention** (Pluto Press: 2006, 2<sup>nd</sup> Edition), Chapter 3

Roth, Kenneth, 'Empty Promises: Obama's Hesitant Embrace of Human Rights', **Foreign Affairs**, February 24, 2010: <http://www.hrw.org/news/2010/02/24/empty-promises>

Koh, Harold H., 'Repairing Our Human Rights Reputation', **New England Law Review**, vol. 11, 2009, pp. 11-20: [http://assets.wne.edu/170/5\\_comm\\_Repairin.pdf](http://assets.wne.edu/170/5_comm_Repairin.pdf)

Forsythe, David, 'US Foreign Policy and Human Rights: Situating Obama', **Human Rights Quarterly**, vol. 33, no. 3, August 2011, pp. 767-89

## Recommended

Committee on Foreign Affairs House of Representatives, 'Ideal vs. Reality in Human Rights and U.S. Foreign Policy: The Cases of Azerbaijan, Cuba, and Egypt', Serial No. 110-84, 12 July 2007: <http://www.internationalrelations.house.gov/110/36727.pdf>

Forsythe, David, 'American Policy Towards Enemy Detainees in the War on Terrorism', in David Forsythe (ed.), **American Foreign Policy in a Globalized World** (Routledge: 2006), Chapter 8

Smith, Tony, **Foreign Attachments: the Power of Ethnic Groups in the Making of American Foreign Policy** (Harvard University Press, 2000), pp. 94-110

Peceny, Mark, 'Democracy Promotion and American Foreign Policy: Afghanistan, Iraq, and the Future', in David Forsythe (ed.), **American Foreign Policy in a Globalized World** (Routledge: 2006), Chapter 9

Freeman, Michael, **Human Rights** (Polity: 2011, 2<sup>nd</sup> Edition), Chapter 7

## Week 4: The International Criminal Court and Human Rights

**Focal article:** The Economist, 'The International Criminal Court bares its teeth', 12 May 2011: <http://www.economist.com/node/18682044>

### Questions for consideration

1. How accurate is it to say we are moving towards the universal enforcement of human rights?
2. What explains US longstanding opposition to the ICC?



3. Is the selective application by international criminal tribunals against less powerful states an inherent feature of the international system?

### **Introductory**

Reus-Smit, 'International Law', in John Baylis et al., **The Globalization of World Politics**, (Oxford: 2011, 5<sup>th</sup> edition), Chapter 17

### **Required**

Neier, Aryeh, "The New Double Standard", **Foreign Policy**, vol. 105 (Winter 1996-1997), pp. 91-101.

Garten, Jeffrey, "Comment: The Need for Pragmatism", **Foreign Policy**, vol. 105 (Winter 1996-1997), pp. 103-106.

Fairlie, Megan, 'The United States and the International Criminal Court Post-Bush: A Beautiful Courtship but an Unlikely Marriage', **Berkeley Journal of International Law**, vol. 29, no. 2, 2011, pp. 528-76

Mayerfeld, Jamie, 'Who Shall be Judge: The United States, the International Criminal Court and the Global Enforcement of Human Rights', **Human Rights Quarterly**, vol. 25, no. 1, February 2003, pp. 93-129

Roth, Kenneth, 'The Case for Universal Jurisdiction', **Foreign Affairs** (July August 2001), pp. 150-154.

Kissinger, Henry, 'The Pitfalls of Universal Jurisdiction', **Foreign Affairs** (July/August 2001), pp. 86-96.

Mendes, Errol, **Peace and Justice at the International Criminal Court: A Court of Last Resort** (Edward Elgar: 2010), Chapter 5 ('Reassuring Africa')

Goldstone, Richard, 'Does the ICC Target Africa?' **EQ: Equality of Arms Review**, vol. 1, no. 2, March 2009, pp. 1-4:

<http://www.ibanet.org/Document/Default.aspx?DocumentUid=0F36BAD6-06A1-499A-AF1F-0949E8135319>

### **Recommended**

Donnelly, J., **International Human Rights** (Westview: 2007, 3<sup>rd</sup> Edition), Chapter 3

Gary Bass, 'Do War Crimes Tribunals Work?' in **Stay the Hand of Vengeance: The Politics of War Crimes Tribunals** (Princeton University Press, 2000), pp. 283- 310

Kaysen, Carl and Sarah B. Sewall (eds.), **The United States and the International Criminal Court** (Rowman & Littlefield: 2000), Chapters 1 ('An Overview') and Chapter 6 ('The US Perspective on the ICC')

Neumayer, Eric, 'A New Moral Hazard? Military Intervention, Peacekeeping and Ratification of the International Criminal Court', **Journal of Peace Research**, vol. 46, no. 5, September 2009, pp. 659-70.

## **Week 5: China and the Future of Human Rights in a Non-Western World**

**Focal article:** Gary Bass, 'China: Human Rights Last', **Foreign Policy** 22 February 2011: [http://www.foreignpolicy.com/articles/2011/02/22/human\\_rights\\_last](http://www.foreignpolicy.com/articles/2011/02/22/human_rights_last)

### **Questions for consideration**

1. Are human rights 'universal'? Is support for international human rights a form of western imperialism?
2. How is China as an emerging power shaping human rights discourse and critiques alongside, in parallel to, and against Western states?
3. Should one be optimistic or pessimistic about the future of human rights in international politics?

### **Required**

Freeman, M., **Human Rights: an Interdisciplinary Approach** (Polity Press: 2011, 2<sup>nd</sup> Edition), Chapter 9

Donnelly, Jack, 'The Relative Universality of Human Rights', **Human Rights Quarterly**, vol. 29, no. 2, May 2007, pp. 281-306

Goodhart, Michael, 'Neither relative nor universal. A response to Donnelly', **Human Rights Quarterly**, vol. 30, no. 1, February 2008, pp. 183-93

Donnelly, Jack, 'Both universal and relative. A reply to Goodhart', **Human Rights Quarterly**, vol. 30, no. 1, February 2008, pp. 194-204

Franck, Thomas, 'Is Personal Freedom a Western Value?' **American Journal of International Law**, vol. 91, no. 4, October 1997, pp. 593-627

Foot, Rosemary, **Rights Beyond Borders: The Global Community and the Struggle over Human Rights in China** (Oxford: 2000), Chapters 8 and 9

'US Human Rights Report Raps China, Iran, Belarus', **Voice of America**, April 8, 2011: <http://www.voanews.com/english/news/US-Human-Rights-Report-Raps-China-Iran-Belarus-119487999.html>

'China Hits back with Report on U.S. Human Rights', **Xinhua**, April 11, 2011: [http://news.xinhuanet.com/english2010/china/2011-04/10/c\\_13822287.htm](http://news.xinhuanet.com/english2010/china/2011-04/10/c_13822287.htm)

### **Recommended**

Human Rights Watch, **World Report 2011: A Facade of Action** (HRW: 2011): <http://www.hrw.org/world-report-2011/world-report-2011-facade-action>

Cohen, Jean L., 'Rethinking Human Rights, Democracy, and Sovereignty in the Age of Globalization', **Political Theory**, vol. 36, no. 4, August 2008, pp. 578-606

Taylor, Ian, 'Sino-African Relations and the Problem of Human Rights', **African Affairs**, vol. 107, no. 426, 2008, pp. 63-87

The Economist, '**Human rights? What's that?**' 14 October 2010:  
<http://www.economist.com/node/17259138>