

Seton Hall University

eRepository @ Seton Hall

---

Diplomacy Syllabi

School of Diplomacy and International  
Relations

---

Spring 2018

## DIPL 6140 International Human Rights

Amy J. Higer PhD  
*Seton Hall University*

Follow this and additional works at: <https://scholarship.shu.edu/diplomacy-syllabi>

---

### Recommended Citation

Higer, Amy J. PhD, "DIPL 6140 International Human Rights" (2018). *Diplomacy Syllabi*. 126.  
<https://scholarship.shu.edu/diplomacy-syllabi/126>

Amy J. Higer  
Classroom: Stafford 07  
E-mail: [amy.higer@shu.edu](mailto:amy.higer@shu.edu)

Office Hours: Before or After class,  
or by email.

**International Human Rights  
DIPL 6140, Graduate Course  
Seton Hall School of Diplomacy  
Spring 2018**

**COURSE DESCRIPTION**

Progress in human rights is one of the hallmark achievements of the last century. In 1914, more than half the world lived under colonial rule, no country permitted all of its citizens to vote, and governments could inflict egregious abuses against their own people with relative impunity, protected by the norm of non-intervention in the domestic affairs of other countries. Most countries around the world had laws that overtly discriminated on the basis of race, ethnicity, religion, gender and sexual preference. Today, 70 years after the adoption of the Universal Declaration of Human Rights, there has been a profound shift in thinking among people in all parts of the world. Governments are expected to treat their people humanely, upholding a certain set of ethical standards – even if they do not often comply. This gap, between expectations for the ethical treatment of human beings and the reality of what governments actually do, makes the struggle for human rights an ongoing one.

The course seeks to understand how and why human rights as an idea and as a set of standards have come into being and how they have affected the conduct of world politics. It examines the decades-long construction of an international human rights regime and the emergence of a global culture of rights. While it covers the use of legal cases and instruments to uphold and enforce human rights standards, the course's primary emphasis is on understanding the political forces both propelling and opposing this rights regime. The goal of the course is to help us to think about why the world today recognizes the existence of certain rights as fundamental, when, just a few centuries ago—indeed, just a few decades ago—these rights were far from self-evident. We will consider the following questions: What explains the shifts in understanding of acceptable human behavior? Why and how are human rights violated, what can (and cannot) be done about such violations through international actions? Why do human rights remain such a small part of international politics, and what might be done about that? Are human rights universal or are they culturally specific? What should be the relationship between rights and national sovereignty? What is the role of non-governmental organizations and social movements in changing conceptions of rights and human protections? When is humanitarian intervention justified, and when is it necessary? What are the human rights responsibilities of multinational corporations? And what role should human rights play in American foreign policy?

Part I of the course examines on the history, evolution, and theory of human rights. Part II considers the legal and political institutions in the human rights regime. Throughout, the focus is on human rights as *an ethical and political framework for public policy*, rather than a system of international law, though law is certainly a central component of this framework.

### Course Goals

This course seeks to help students to:

- Develop analytical skills to question and evaluate human rights policies and practices at the international and national levels;
- Gain an understanding of and perspective on the evolution of the global human rights movement;
- Gain substantive knowledge of the ethical, political, and legal frameworks for human rights and of the prevailing trends in the human rights field;
- Perceive improvements, discern ambiguities and identify contradictions in the human rights movement;
- Draw useful conclusions about the roles of various state and non-state actors in the identification of rights and in their promotion and enforcement; and
- Identify potential roles for oneself in the promotion of human rights.

### REQUIRED BOOKS

- Jack Donnelly and Daniel J. Whelan, *International Human Rights*, 5<sup>th</sup> ed. (Boulder: CO: Westview Press, 2018). ISBN: 978-0-8133-4948-0
- Lynn Hunt, *Inventing Human Rights: A History* (NY: W.W. Norton, 2007). ISBN: 978-0-393-33199-8
- Andrew Clapham, *Human Rights: A Very Short Introduction* (London: Oxford University Press, 2015). ISBN: 978-0-19-870610-8
- Akira Iriye, Petra Goedde and William I. Hitchcock, *The Human Rights Revolution: An International History* (London: Oxford University Press, 2012). ISBN: 978-0-19-533314-5.

### COURSE REQUIREMENTS

1. Class Participation and Attendance (20%)
2. Bi-Weekly Reading Responses (30%) (see description below)
3. Final Project, broken down as: (50%) see (separate handout for description)
  - Quote book: 35%
  - Visual Presentation: 15%

\*\*\*\*\*

### COURSE SCHEDULE AND READING ASSIGNMENTS

(15)

| DATE | TOPIC  | READINGS  | QUESTIONS  |
|------|--|---|--|
| 1/22 | <b>PART I:<br/>HISTORY,<br/>EVOLUTION<br/>AND THEORY<br/>OF HUMAN<br/>RIGHTS:<br/>Introduction to<br/>Course</b> | Podcast: "Enemy of Mankind,"<br><i>More Perfect</i> , Oct. 24, 2017.  | How and why have human rights as an idea and as standards come into being and how have they have changed over time? Why do human rights remain such a small part of international politics, and what might be done about that? |
| 1/29 | <b>Human Rights<br/>in Historical<br/>Perspective</b>  | *Donnelly and Whelan, ch.1.<br><br>*Hunt, "Introduction," pp. 15-34.<br><br>*Clapham," ch. 1, "Looking at Rights.   | What is "self evident"?<br>Why is "dignity" so central to human rights?  |
| 2/8  | <b>Theories of<br/>Human Rights</b>  | *Donnelly and Whelan, ch. 2, pp. 21-38.<br><br>* <u>The Human Rights Revolution</u> , Kenneth Cmiel,"The Recent History of Human Rights," pp. 27-51. "Introduction: Human Rights as History."<br><br>*Clapham, ch. 2, "Historical Development and Contemporary Concerns." |  |
| 2/12 | <b>Universality of<br/>Human Rights</b>  | *Hunt, ch. 2, "Bone of Their Bone."<br><br>*Clapham, ch. 4, "Torture."<br><br>* <u>The Human Rights Revolution</u> , G. Daniel Cohen, "The Holocaust and the 'Human Rights Revolution': A Reassessment, pp. 53-71<br><br>**QUOTE BOOK TOPICS DUE                          |  |
| 2/19 | <b>Indivisibility of<br/>Human Rights</b>  | *Donnelly and Whelan, ch. 4.<br><br>*Hunt, ch. 3, "They Have Set a Great Example."  |  |
| 2/26 | <b>PART II: LEGAL<br/>AND</b>  | *Donnelly and Whelan, chs. 5-6.   |  |

|      |   |   |                     |
|------|---|---|---------------------|
|      | <b>POLITICAL INSTITUTIONS OF HUMAN RIGHTS</b> | <p>*<u>The Human Rights Revolution</u>, Elizabeth Borgwardt, “‘Constitutionalizing’ Human Rights: The Rise and Rise of the Nuremberg Principles,” pp. 730-92.</p> <p>*<u>The Human Rights Revolution</u>, William Hitchcock, “Human Rights and the Laws of War: The Geneva Conventions of 1949,” pp. 93-112.</p> <p>**Two Sample Quotes Due</p>           |                     |
| 3/5  | <b>SPRING BREAK</b>                           | <b>SPRING BREAK</b>   | <b>SPRING BREAK</b> |
| 3/12 | <b>Human Rights and Foreign Policy</b>        | <p>*Donnelly and Whelan, ch.7</p> <p>*Hunt, ch. 4, “There Will Be No End of It.”</p> <p>*Clapham, ch. 3, “Human Rights Foreign Policy and the Role of the UN.”</p> <p>*Clapham, ch. 5, “Deprivations of life and Liberty.”</p>  |                     |
| 3/19 | <b>Human Rights in US Foreign Policy</b>      | <p>*Donnelly and Whelan, ch. 8.</p> <p>*<u>The Human Rights Revolution</u>, Paul Rubinson, “‘For Our Soviet Colleagues’: Scientific Internationalism, Human Rights, and the Cold War,” pp. 245-264</p> <p>*<u>The Human Rights Revolution</u>, “Sarah Snyder, “Principles Overwhelming Tanks: Human Rights and the End of the Cold War,” pp. 265-283.</p> |                     |
| 3/26 | <b>Transnational Advocacy</b>                 | <p>*Donnelly and Whelan, chs. 8-9.</p> <p>*Clapham, ch. 6, “Balancing Rights—Free Speech and Privacy.”</p>  |                     |

|      |   |   |  |
|------|---|---|--|
| 4/2  | <b>PART III: CASE STUDIES: Humanitarian Intervention</b>              | <p>*Donnelly and Whelan, ch. 10, pp. 171-183.</p> <p>*Clapham, ch. 7, "Food, Education, Health, Housing, and Work."</p>   |  |
| 4/9  | <b>Humanitarian Intervention and R2P</b>                              | <p>*Donnelly and Whelan, ch. 10, pp. 184-200.</p> <p>*Clapham, ch. 8, "Discrimination and Equality."</p>  |  |
| 4/16 | <b>Globalization and Human Rights; Women's Rights as Human Rights</b> | <p>*Donnelly and Whelan, ch. 11.</p> <p>*<u>The Human Rights Revolution</u>, "Allida Black, "Are Women 'Human'? The UN and the Struggle to Recognize Women's Rights as Human Rights," pp. 133-155.</p> <p>*<u>The Human Rights Revolution</u>, Kelly J. Shannon, "The Right to Bodily Integrity: Women's Rights as Human Rights and the International Movement to End Female Genital Mutilation, 1970s-1992, pp. 285-310.</p> |  |
| 4/23 | <b>Terrorism and Human Rights</b>                                     | <p>*Donnelly and Whelan, ch. 12, 217-227.</p> <p>*Clapham, ch. 9, "The Death Penalty."</p>  |  |
| 4/30 | <b>Torture</b>  | <p>*Donnelly and Whelan, ch. 12, 227-231.</p> <p>*Hunt, ch. 5, "The Soft Power of Humanity."</p> <p>*<u>The Human Rights Revolution</u>, Barbara Keyes, "Anti-Torture Politics: Amnesty International, the Greek Junta, and the Origins of the human Rights 'Boom' in the US," p. 201-222.</p>  |  |

|     |  |   |  |
|-----|--|---|--|
|     |  | *Clapham, "Final Remarks, p. 161-165.           |  |
| 5/7 | <b>Conclusions, Reflections, and Presentations</b> | **Group Presentations<br>**Final Quotebooks due |  |

\*\*\*\*\*

### Bi-WEEKLY READING RESPONSES

On the first day of class, we will divide into two groups: A and B. Each week, one group will be responsible for submitting a written response to the assigned readings. (This means that every student will submit a response paper every other week). Responses are to be brief (one paragraph per reading, and no more than a total of TWO typed pages total, 12 point font, double-spaced). The purpose is to help you reflect more deeply on the readings, and to engender a more informed class discussion. For each assigned reading, students will do four things:

1. Identify, at the top of the page, the **author and title** of the reading;
2. Find a **quote** from the reading that articulates the author's main point. Reproduce this quote, with page number. The quote may be more than one sentence, but typically an author is succinct in stating her/his thesis. She/he also typically states the thesis at the beginning and end of an essay, or chapter, but it may also be found somewhere in the body of the text.
3. Identify ONE **interesting point** from the reading that you think is worth discussing in class. You may cite a second quote, or describe the point or idea in your own words.
4. Briefly state **your opinion** of the reading: Did you like or dislike it? Why? Why not? Do not say: "I liked this reading because it was interesting." You should think about what it is that appeals to you in or about the reading, OR what you find to be problematic. Let yourself REFLECT, then write.

Reading responses will be graded with an A, B, or C grade and together are worth 20 percent of your final grade. An "A" response shows:

- You have read all the assigned readings for that day;
- You have reflected on these readings;
- You took care in writing down your thoughts (you used a spell-checker; you use "active" voice; articles and pronouns have clear antecedents; you proofread the paper; you use good grammar).

- The paper adheres to technical rules (12-point font; double-space; no more than two pages; includes author and title for each reading.)

“B” and “C” grades fall short of these criteria. Due to the nature of the assignment, LATE RESPONSES WILL NOT BE ACCEPTED. My expectation is that all students will receive an “A” for this portion of the course. By the end of the course, every student should have submitted seven (7) reading responses.