Spring 2013

International Human Rights

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This class meets each Thursday from 7:35-9:45pm in ST 123 Alfieri Hall (Back of Diplomacy Bldg). The readings for this course will consist of:

1. A text entitled *International Human Rights in Context: Law, Politics, Morals*, Henry J. Steiner, Philip Alston, Ryan Goodman (hereafter Text);

2. A volume entitled “A Problem from Hell” America and the Age of Genocide by Samantha Power (hereafter “Power”);


5. Memorandum on Business and Human Rights: The New Frontier by Professors Brown

6. An Article entitled *Historical Perspective The Civil Rights Movement’s Early Embrace of Human Rights* by Professor Raymond M. Brown

(6) A small number of Supplemental Handouts to be supplied; and

We expect you to bring the Steiner Text, copies of all handouts, and a copy of the Universal Declaration of Human Rights to each class and to keep up with the assigned reading. We downloaded a UNDHR app for free from the United Nations. It allows one to read UN publications such as the UN Today, the UN Charter and the Universal Declaration of Human Rights. Get it now from [www.un.org/publications](http://www.un.org/publications) or from [http://itunes.apple.com/in/app/charter-united-nations-un/id373516900?mt=8](http://itunes.apple.com/in/app/charter-united-nations-un/id373516900?mt=8). It works on iPhone, iPad and iPod Touch. It is also required that you read the New York Times each day. It is available free of charge online at [http://www.nytimes.com/pages/todayspaper/index.html?src=hp1-P](http://www.nytimes.com/pages/todayspaper/index.html?src=hp1-P), specifically the “International” section.

A Note About Class Requirements
We reserve the right to have a Midterm Exam and/or a Final Exam. An additional consideration for your final grade will be based on attendance and the quality of your class participation. The schedule of readings and class discussion topics follows.

Office Hours/Meetings with Students
We will meet with students after class and/or by appointment. We are available to meet for extended periods of time on weekends. We welcome questions and/or comments by email to: wanda.akin@shu.edu or rbrown@greenbaumlaw.com. You may also reach us by calling our respective offices at the telephone numbers listed above.

A Note for Students with Disabilities
If you have a documented disability, or think you might have one, you may be eligible for accommodations in academic classes, the residence halls, food service areas, etc., under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Disabilities may include those that are permanent or temporary
and include, but are not limited to: learning disabilities, ADHD, medical issues, psychological or psychiatric problems, limited mobility, low vision or blindness, and hearing impairments. Students are not permitted to negotiate accommodations directly with professors. To receive special accommodations or assistance, please self-identify at the Office for Disability Support Services (DSS), Duffy Hall, Room 67 at the beginning of the semester. For more information or to register for services, contact Linda Walter, Director of DSS, at (973) 313-6003.
CLASS 1: HUMAN RIGHTS MATTERS

Text: Preface & Chapter 1, pp 1-18
Power: "About the Author", Preface I-XXI, Chapter 1 “Race Murder”
World Made New: Preface
Universal Declaration of Human Rights (UDHR) Review Entire Declaration

Handouts
World War Two as Prelude to UN Charter and Universal Declaration of Human Rights
Jews and Non Jews Join in Tribute to Dr. Sherwood Eddy at Dinner in His Honor, Jewish Daily Bulletin, October 19, 1933
Franklin D. Roosevelt’s “Four freedoms speech” Annual Message to Congress on the State of the Union: January 6, 1941
Japan Admits Army Forced Women Into War Brothels
By James Sterngold, New York Times, August 05, 1993

Zero Dark Thirty
Letter from US Senators Feinstein, McCain, and Levin to Chairmen of SONY Pictures, December 21, 2012 concerning Zero Dark Thirty

New Delhi Gang Rape
The Journey To Delhi Gangrape Victim's Death Began With A Movie..... India Today, December 29, 2012
Murder Charges Are Expected Against 5 Men in New Delhi Gang Rape
By GARDINER HARRIS Published: January 3, 2013

Delhi Gangrape: Judges Suggest Ways For Speedy Trial As Lawyers Refuse To Represent Accused
Press Trust of India, December 30, 2012

CLASS 2: HUMAN RIGHTS IN THE UN CHARTER, TEXTUAL ANALYSIS OF UDHR PREAMBLE, SOURCES OF INTERNATIONAL LAW, & HOW TO READ A CASE

Scot Free PEOPLE MAGAZINE, September 28, 1998
Rape Case Unfolds on Web and Splits City, New York Times, December 12, 2012

Text: Chapter 2, pp 58 – thru top of 75
Power: Chapter 2 A Crime Without a Name
World Made New: Chapters 1 & 2 “The Longing for Freedom” * Madame Chairman
Half the Sky: Chapter 1 “Emancipating Twenty-First-Century Slaves” “Fighting Slavery From Seattle”
UDHR Preamble

Handouts

Critiques of UDHR
http://www.nostatusquo.com/ACLU/mackinnon/mackin1.html
An Appeal to the World: A Statement of Denial of Human Rights to Minorities
NAACP & W.E.B Du Bois, 1947

CLASS 3: HISTORY AND TEXTUAL ANALYSIS OF ARTICLES 1-4, THE MINORITIES REGIME

Text: 96-114

World Made New: Chapters 3 & 4 a Rocky Start & Every Conceivable right
UDHR Articles 1-4

Power: Chapter 3 The Crime With a Name
CLASS 4: TORTURE
Text 224-262
World Made New: Chapter 5 A Philosophical Commitment
Libya’s Quest for Justice: The Thin Line Between Guilt and Innocense, Der Spiegel, 8-31-12
http://www.spiegel.de/international/world/the-new-libya-searches-for-justice-a-852377.html
UDHR Article 5
Handouts
Khaled El-Masri
European Court of Human Rights Grand Chamber: Case of El-Masri v The Former Yugoslav Republic of Macedonia: Judgment 13 December 2013
The Facts: pages 3 – 24
Relevant International Law and other Public Material: pages 27-41
Alleged Violations of Article 3 of the Convention [ECHR] pages: 52-67
Conclusions: 79-81
US v Khaled El-Masri US Fourth Circuit Court of Appeals March 2, 2007

CLASSES 5 & 6 : NUREMBERG AND ITS LEGACY
Text: 115 -133, 395 -404
World Made New: Chapters 6 & 7 Late Nights in Geneva & In the Eye of the Hurricane
Power: Chapter 4 Lemkin’s Law thru § entitled “Closing the Loophole”
Handout – “The American Perspective on Nuremberg: A Case of Cascading Ironies” Raymond M. Brown
Section Paragraphs 14 – 32, 86- to Report’s end
Half the Sky: Chapter 4 “Rule by Rape” “Mukhtar’s School” Chapter 5 “The Shame of “Honor” “Study Abroad”—in the Congo Chapter 6 “Maternal Mortality-One Woman a Minute” “A Doctor Who Treats Countries, Not Patients” and Chapter 7 “Why Do Women Die in Childbirth?” “Edna’s Hospital”

CLASS 7: THE ORIGINS OF THE HUMAN RIGHTS IDEA
Text: 133-159
World Made New: Chapter 8 Autumn in Paris
Half the Sky: Chapter 8 “Family Planning and the “God Gulf” “Jane Roberts and Her 34 Million Friends”
Power: Balance of Chapter 4 Lemkin’s Law & Chapter 5 “A most Lethal Pair of Foes”
Professor Brown, Historical Perspective (To Be Supplied)

CLASS 8: GENOCIDE
Text: 1273 -1290, 1298-1310
Power: Chapter 10 Rwanda: Mostly in a Listening Mode
Handout
Darfur
A) Situation in Darfur, Sudan Decision on the Applications for Participation in the Proceedings of Applicants a/0011/06 to a/0015/06, a/0021/07, a/0023/07 to a/0033/07 and a/0035/07 to a/0038/07 (Pre-Trial Chamber I, 6 December 2007)
B) Situation in Darfur, Sudan Corrigendum to Decision on the Applications for Participation in the Proceedings of Applicants a/0011/06 to a/0015/06, a/0021/07, a/0023/07 to a/0033/07 and a/0035/07 to a/0038/07 (Pre-Trial Chamber I, 14 December 2007)
The Rohingyas
The Hidden Genocide, Al-Jazeera Investigation, [50 minute video] Phil Rees, December 9, 2012
http://www.aljazeera.com/programmes/aljazeerainvestigates/2012/12/201212512215836351.html
Nobody’s people in a no-man’s land
http://www.aljazeera.com/indepth/features/2012/08/201281684646546896.html
The Disunion of Myanmar, Swe Win NYT 8-16-12
http://latitude.blogs.nytimes.com/2012/08/16/the-disunion-of-myanmar/?emc=eta1
CLASS 9: ACCESS TO FAIR LEGAL AND JURIDICAL TREATMENT & REFUGEE & ASYLUM RIGHTS

World Made New: Chapters 9 & 10 The Nations Have Their Say & The Declaration of Independence
UDHR Articles 6-15
Is Delhi So Different from Steubenville?
http://www.nytimes.com/2013/01/13/opinion/sunday/is-delhi-so-different-from-steubenville.html?hp

Chixoy Dam [Rio Negro Massacre, Guatemala]
Video [15 Min Chixoy Dam: No Reparations, No Justice, No Peace
http://www.youtube.com/watch?v=xF3YI7XMNEE&feature=youtube_gdata_player

NGO letter to Presidents of World Bank and Inter-American Bank, November 13, 2012
[Chixoyletter]
Letter and Report from the Inter-American Commission of Human Rights to the Inter-American Court of Human Rights submitting the case of Rio Negro Massacre v the Republic of Guatemala,

CLASS 10: Marital, Religious & Expressive Rights
Text: 569-665

World Made New: Chapter 11 The Deep Freeze
Half the Sky: Chapter 9 “Is Islam Misogynistic?” “The Afghan Insurgent”
UDHR Articles 16, 18-21

Handouts
Russia: Band Members’ Conviction a Blow to Free Expression [Human Rights Watch Report]

Timbuktu’s Ancient Manuscripts Under Threat, Curtis African, New African, October 2012

CLASS 11: Economic & Social Rights Examined, Textual Analysis of Article 23
Text: 263-283, 371-374

World Made New: Chapter 12 Universality Under Siege
UDHR 22 – end

Aminul Islam

[From Human Rights Watch]

Bangladesh: Investigate Killing of Labor Activist

Union Organizer Aminul Islam’s Body Bore Signs of Torture
April 11, 2012

Letter to Prime Minister Sheikh Hasina Re. Wazed Killing of Aminul Islam, Bangladesh Center for Worker Solidarity April 11, 2012

CLASS 12: GENDER & HUMAN RIGHTS

Gender Issues
Text 175-201, 546-564

Half the Sky: Chapter 12 “The Axis of Equality” “Tears over Time Magazine” and Chapter 13 “Grassroots vs. Treetops” “Girls Helping Girls”
The End of Men, Hanna Rosin, The Atlantic July/August 2010


Forward By the Administrator UND III-IV,
Forward by the Director General and Chairman of the Board of Directors, Arab Fund for Economic and Social Development V-VI,
Forward by the Regional Director, UNDP/Regional Bureau for Arab States VII-VIII, Overview: A Future for All, 1 -13,
p28 (Figures 2-7 & 2-8 & text accompanying)
(Read or Listen)
Women Rights in the Age of the Arab Spring

http://www.npr.org/2012/03/05/147980270/womens-rights-in-the-age-of-the-arab-spring?sc=emaf

CLASS 13: BUSINESS & HUMAN RIGHTS
BP Executives’ Human Rights Miscalculations: Have They Bet the Ranch?
Diversity Inc Web Sight, July 26, 2012
Assisting Business Leaders in Meeting the “Corporate Responsibility to Respect Human Rights”
Internal Memorandum, Spring 2011

CLASS 14: ADDITIONAL FUTURE HUMAN RIGHTS CHALLENGES
World Made New: Epilogue
Half the Sky: Chapter 14 “What You Can Do” “Four Steps You Can Take in the Next Ten Minutes”
DEATH PENALTY
Death Penalty, American Exceptionalism & Executions in The Gambia
Text 17 – 57
Handout
Execution of Nine Death Row Inmates in The Gambia, 8-28-12, US State Department Press Statement
Gambia Threatens To Execute All Death Row Prisoners, But Africa Moving Toward Abolition Of Capital Punishment, International Business Times, 8-28-12
gambia-death-penalty-african-union-eu-moratorium
UPDATE 2-Senegal appeals to Gambia to halt executions, Reuters, 8-28-12
gambia-executions-idUSL6E8JSl1J20120828.html
Responsibility to Protect
Text: 835 - 842
Terrorism & Human Rights
Text: 404 - 454
Handout
Interlocutory Decision On The Applicable Law: Terrorism, Conspiracy, Homicide, Perpetration, Cumulative Charging
Appeals Chamber of the Special Tribunal of Lebanon, February 16, 2001
Pp 2-5 a Headnote on “The Notion of Terrorism to be Applied by the Tribunal”
“Defining Terror”
LGBT RIGHTS
Uganda’s ‘Kill the Gays’ bill Spread
Efforts to establish anti-homosexual laws stir nervousness among LGBT community and beyond 3 January 2013
http://www.aljazeera.com/indepth/features/2013/01/2013121392698654.html