

San José State University
Justice Studies
JS 271, International Human Rights (Online), Fall 2020

Course and Contact Information

Instructor: Roni Abusaad

Email: Please send communications via Canvas. (For back-up, you can reach me at Roni.Abusaad@sjsu.edu)

Office Hours: Mondays, 12 - 2 pm - email me for the Zoom link.

Course Format: Online Course

This is an online class. Course materials such as syllabus, handouts, assignment instructions, etc. can be found on Canvas Learning Management System course login website at <http://sjsu.instructure.com>. Canvas will be used to facilitate this class including discussion boards and submitting assignments. You are responsible for regularly checking with the messaging system through MySJSU at <http://my.sjsu.edu> and Canvas to learn of any updates.

Description

Progress in human rights is one of the 20th century's hallmark achievements. One hundred years ago, more than half the world lived under colonial rule; no country permitted all of its citizens to vote; and state terrorists operated with impunity, protected by the norm of noninterference in the internal affairs of other countries. Discrimination on the basis of race, ethnicity, religion, and gender were accepted official practices. But today, a half century after the adoption of the Universal Declaration of Human Rights, there has been a profound transformation in the way that governments are expected to treat their people and each other –even if they often do not comply. Expanding the scope of human rights protections has not been easy. While some important changes emerged out of religious belief and duty, compassion, or a sense of responsibility to others, most were the outcome from war, persecution, slavery, territorial conquest, state terror, torture, the exploitation of women and children, ethnic cleansings, and the mass exterminations of genocide. Furthermore, each attempt to create new visions of rights has been met with powerful opposition and enormous resistance. Winning the protection of rights continues to be a major global struggle – in a race against war and oppression.

This course examines the gradual construction of an international human rights regime and a universal culture of rights. This international regime is characterized by widely accepted norms, binding treaties with implementation mechanisms, access by individual victims to global and regional machinery, and transnational networks of activists who are both better informed through new communications and less willing to accept the limitations of traditional claims of national sovereignty. The course seeks to understand how and why human rights standards have come into being and how they change over time. While it makes use of legal cases and understands the importance of technological change in fostering new notions of rights, it focuses primarily on understanding the socio-political forces both propelling and opposing this rights regime.

Course Learning Outcomes (CLO) (Required)

Upon successful completion of this course, students will be able to:

- 1: Have a clear understanding of the basic idea of human rights and the approaches to the concept such as universalism or cultural relativism.
- 2: Understand the logic of human rights violations by states and their implications.
- 3: Have an understanding of human rights documents and institutions to enforce those (conflict resolution).
- 4: Learn to engage in educated discourse on the conflicts between state security/economy and protection of human rights, and how human rights should play a role in US domestic and foreign policies.

Graduate PLOs

- 1: Creating assignments that are engaging, meaningful, and challenging.
- 2: Providing students meaningful and relatively quick feedback.
- 3: Having high expectations for writing assignments.
- 4: Offering an academic experience that involves meaningful engagement with the professor and among the students to build an online community.

Required Texts/Readings (Required)

Textbook

Jack Donnelly, Universal Human Rights in Theory and Practice, 3rd Edition, ISBN: 9780801477706

***Note that the textbook is available electronically for free via the SJSU library.*

Other Readings

Other required readings will be posted on Canvas. The readings are subject to change by instructor so please continue to regularly check the syllabus and Canvas

Grading Information (Required)

Grading Scale

The final course grade will be calculated based on the following standard scale:

98-100	A+	80-83	B-	64-67	D
94-97	A	78-79	C+	60-63	D-
90-93	A-	74-77	C	<60	F
88-89	B+	70-73	C-		
84-87	B	68-69	D+		

Students must achieve a grade of C or better (C- not accepted) to fulfill Justice Studies major requirements.

Determination of Grades

- Critical Response and Responses to peers: 20%
- 2 choice assignments (Choose two out of three options: 1. Interview 2. Action or 3. Presentation): 30%
- Research Paper: 40%
- Class Participation: 10%

Online Classroom Protocol

Students should always be respectful of other students. I ask that you follow the principles of netiquette and will not tolerate insensitive, rude, or abrasive comments. I will also not tolerate sexist, racist, homophobic, or any type of remarks that hinder instead of promote class discussion. Please remember that you are a community of professionals, and henceforth you are expected to interact with professionalism, courtesy, dignity, and ethical consideration for others.

Critical Response to Readings and Peer Response (Canvas discussion board)

One critical response to the readings will be completed during the session. Once you have read the assigned reading for the module, think about the information presented and topics that sparked your interest. **You must demonstrate a thorough understanding of the material.** It is abundantly clear when a student has not adequately read and studied the material. The critical response should address the prompt that you can see at the top of the discussion thread in Canvas. Please ensure that your initial post is at least 500 words (not including citations) and, ideally, not more than 750.

Each student must respond to at least two of their classmates' critical responses on the Canvas discussion board. Responses to classmates' critical responses to the readings should be discussion based and at least 100 words. Students may respond to aspects of the post that intrigued them, highlight aspects they would like more clarification on, continue the development of a thought/argument, etc. Comments may be based on opinion and do not need to, but may contain, empirical support.

The Critical Response assignment post is due on Sunday at 11:59 pm and the 2 responses to classmates' posts are due the following Wednesday at 11:59 pm. After the discussion board closes, no additional posts will be accepted.

Class Participation

This course includes several participation assignments that are graded on a pass/fail basis. The objective of these exercises is to put your learning into practice and make space for reflecting on what you're learning, along with your classmates.

Choice of Assignment

30% of your grade will be based upon completing two additional assignments, each worth 15% of your final grade. You can choose from three options and should complete two different assignments on two different topics: an advocacy action, interview or oral presentation. You should be able to relate the issue you focus on to the material covered in the course, including references and citations. Your choice assignments can be focused on any of these topics covered in this course (or any specific subtopic under each):

- Universalism and Cultural relativism
- International human rights law and protection
- National Security and Human Rights
- Vulnerable groups
- Economic rights
- Political rights
- Cultural rights
- Globalization and International NGOs

Option #1: Advocacy Action

You are free to design, plan, and execute an advocacy action that makes sense in the context of a human rights issue you are passionate about. It can be small or big, instrumental (tangible) or expressive (symbolic). You may do something on your own, team up with other students, or join an existing campaign, as long as you have a specific role to play (ie: it is not sufficient to simply attend an event; however, it would count to be part of the event planning team and volunteer there). Your action's effectiveness or impact will not affect your grades. What I am looking for is your thoughtful reflection on the extent to which your action was effective.

There are numerous action ideas in the resources below. You can also find an organization that is working on your issue and look at what they are asking people to do. Some of these things may fulfill the requirements of this assignment. If you have an idea but you are not sure about it, ask me. (None of the things described in [this video](#) satisfy the requirements.)

Your action needs to take at least two hours to execute, and it must go beyond your existing commitments for this or other classes. However, it can be an extension of a project or activity that you are already involved in for other reasons.

Getting more informed on an issue, even if that includes spending much time and effort, does not constitute an "action" for the purpose of this assignment. However, actively participating in an event, as opposed to merely attending it, satisfies the requirements of this assignment. Examples include helping organize and plan the event, participating in rallies, speaking up in a public hearing of your university/city/state to express your opinion on the issue discussed, etc.

For the assignment, turn in an overview of your action and reflection. Describe what you did and provide evidence that you completed the action ie: documents, photos, etc.

Provide a critical analysis of the strategy that you chose for your action. To what extent was it effective in advancing the goal and making progress on this issue? What kind of action would you take in the future based on this experience?

The write-up should be at least 500 words and you should attach evidence of completing the action (ie: photos, handouts, volunteer event logs, etc.).

Online Resources on Advocacy and Activism

- <https://actipedia.org/> - a community-generated wiki to document, share, and inspire Creative Activism
- <http://beautifultrouble.org/case/> - a web toolbox of creative and effective actions
- http://nvdatabase.swarthmore.edu/browse_methods - the Global Nonviolent Action Database
- <http://www.amnestyusa.org/get-involved/take-action-now> - action ideas by Amnesty International
- www.commoncause.org/take-action/find-elected-officials - a tool to find your representatives
- http://reclaimdemocracy.org/effective_letters_editor/ - how to write an effective “letter to the editor”

Option #2 - Oral Presentation

For this assignment, summarize and analyze the core content of the week's materials in an engaging presentation. The presentation needs to include essential background on the topic covered in the module of your choice. Presentations need to be five (5) minutes long, without the use of any audio-visual aids, such as photos, videos or slides. You may refer to notes, but you should not be reading the presentation. It is strongly recommended that you practice your talk a few times before recording.

To submit your presentation, record video and upload the file to Canvas. If you need technical assistance, contact the SJSU audiovisual department.

Option #3 - Interview

For this assignment, you will conduct an informal interview with someone working in the field of human rights, for instance someone at a government agency or an NGO. You should anticipate the interview to last 45 minutes to an hour and it is important to stress to this person that the information gathered will only be used for a class assignment – this is not research. Your goal is to get a sense from this person of (a) what their organization does, (b) what role they serve? and (c) how they are advancing human rights. You could explore their perspective on what it looks like for theory to meet practice on the ground and the successes and limitations on enforcing international human rights.

In advance of the interview, draft your questions. During the interview, take notes on the responses from your interview subject. For the assignment, you will turn in a single document that includes:

- The organization and title of the individual you interviewed
- Your questions
- The interview notes with your subject's responses.
- 300-500 words of your takeaways and reflection on the interview

Final Research Paper

In your final research paper, you should demonstrate a clear understanding of the complex and interrelated issues addressed in this course and how they affect individuals and societies. Select a topic of interest and conduct additional research, drawing upon resources from this course, as well as your own research. See the rubric in Canvas for more detail. Your paper must contain, at a minimum, the following elements:

1. A description of the human rights issue: Its extent, who it affects, its causes, its history, and any other information that is relevant for your analysis.
2. A human rights framework: Which rights are being violated? Which international human rights treaties/mechanisms are applicable, and how (give specific examples)?
3. A list of 15+ references. Use as many sources as needed for the development of your argument. These should include peer-reviewed journal articles; human rights reports by non-governmental organizations (NGOs), government agencies, or international governmental organization (IGOs); legal sources (ie: convention, treaty, declaration, law, court case, etc.); and course readings.

Technical Requirements for Paper

1. Final paper length: 2,000-2,500 words of your original writing. Word count excludes references, headings, etc.
2. Always include: paper title, your name, course name/number, date, and page numbers.
3. You may format the paper as you see fit. However, references must adhere to APA citation style.
 4. Late submissions will not be graded. If you cannot meet a deadline, discuss this with me ASAP.
 5. Plagiarism, including self-plagiarism, would result in a grade of zero

University Policies (Required)

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>"

You are responsible for university policies regarding, but not limited to, drop deadlines, plagiarism, and academic integrity.

Justice Studies Department Reading and Writing Philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.

JS 271-01, Int. Human Rights (Online)/ Fall, 2018, Course Schedule

The schedule is subject to change with fair notice and the notice will be made available by email.

Key Resources

We will be referring back to three key human rights instruments throughout the course. I'd recommend printing these out and keeping them to hand for reference:

- [Universal Declaration of Human Rights](#)
- [International Covenant on Economic, Social and Cultural Rights](#)
- [International Covenant on Civil and Political Rights](#)

This is useful for links to the primary human rights instruments and this has an overview of the key treaty bodies.

- Review the full [HR Learning Module 1](#) in depth.

Modules

For each week, there is a module to work through that includes both readings and multimedia material. Do the readings first, then complete working through the week's slide deck with additional required videos and resources. Videos are linked in the presentation.

Course Schedule

Week	Date	Topics, Readings, Assignments, Deadlines	
1	8/23	<p>Introduction to Human Rights History and Theory What is the theoretical foundation for human rights? How did this idea evolve and get enshrined in international law and practice? What's the relationship between international and domestic legal developments? What are the roles of the different bodies involved in enforcing human rights? Can human rights ever be effectively enforced? Why or why not?</p> <p><i>Donnelly - Chapters 1 and 2</i></p> <p>Scan through and save the "Key Resources" above to reference throughout this class.</p> <p>Canvas Modules:</p> <ul style="list-style-type: none"> Intro to Human Rights 	<p>Optional: Sign up for the Human Rights Watch Daily Briefing and Amnesty International emails to keep up with the latest news related to human rights and get action alerts.</p> <p>Class participation #1</p> <ul style="list-style-type: none"> Click on Discussion and post your response to Introductions
2	8/30	<p>Political, Economic and Social Rights What different kinds of rights are included in the UDHR and how are political, economic and social rights dependent upon each other?</p> <p><i>Donnelly - Chapters 3, 4 and 14</i></p> <ul style="list-style-type: none"> Richards, David, Ronald Gelleny and David Sacko. 2001. "Money with a Mean Streak? Foreign Economic Penetration and Government Respect for Human Rights in Developing Countries." <i>International Studies Quarterly</i> 45 (2): 219-239. Trading Human Rights: How Preferential Trade Agreements Influence Government Repression <p>Canvas Modules:</p> <ul style="list-style-type: none"> Economic Rights Social and Cultural Rights 	<p>Class participation #2</p> <ul style="list-style-type: none"> Complete the survey: "How is San Jose doing on human rights?" The survey is not embedded in Canvas, but I receive your submissions directly and will log your participation within a week of completion. <p>Critical response - Due Sunday by 11:59 p.m., Focusing on material covered in first two weeks</p> <p>Peer responses by Weds. at 11:59 p.m.</p>
3	9/6	<p>International Law and the Protection of Human Rights What is the basis of our "responsibility" to citizens of other states? Should some states take the lead where others cannot? Why do some states actively protect human rights in their policies, while others do not?</p>	

		<p>What are the incentives that lead even liberal democracies astray from human rights goals?</p> <p><i>Donnelly - Chapters 11 and 15</i></p> <ul style="list-style-type: none"> • Harold Koh, “Why Do Nations Obey International Law?” Yale Law Journal 106:8 (1997): 2599-659 • Wood, William (1996). From humanitarian relief to humanitarian intervention: victims, interveners and pillars. Political Geography, 15(8):671. • Alan J. Kuperman (2008) The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans. International Studies Quarterly, Vol. 52, No. 1 (Mar., 2008), pp. 49-80 • Bellamy, A. J. (2005). Responsibility to protect or Trojan horse? The crisis in Darfur and humanitarian intervention after Iraq. Ethics & International Affairs, 19(2), 31-54. <p>Canvas Module:</p> <ul style="list-style-type: none"> • Human Rights in International Law <p><i>Optional:</i></p> <ul style="list-style-type: none"> • Andrew Moravcsik. The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe. International Organization, Vol. 54, No. 2. (Spring, 2000), pp. 217-252. • Davenport and Armstrong (2004) – “Democracy and the Violation of Human Rights: A Statistical Analysis from 1976 to 1996.” American Journal of Political Science <p>Optional, but recommended: E-team and The White Hats - documentaries available on Netflix</p>	
4	9/13	<p>Universalism/ Relativism of Human Rights</p> <p>Are human rights truly universal? Is the human rights movement a contemporary version of Western imperialism? How do you balance international norms with state sovereignty and the rights to culture and religion?</p> <p><i>Donnelly - Chapters 5, 6, 7 and 8</i></p> <ul style="list-style-type: none"> • <u><i>THAROOR: ARE HUMAN RIGHTS UNIVERSAL? – WORLD POLICY JOURNAL – WORLD POLICY INSTITUTE</i></u> 	<p>Choice Assignment #1 Due - <i>Could be a presentation, interview or action</i></p>

		<ul style="list-style-type: none"> ● NYT Magazine: The Art of Social Change ● David Kennedy, “The International Human Rights Movement: Part of the Problem?” Harvard Human Rights Journal 14 (2002): 101-26 (Collab) ● Lila Abu-Lughod (2002) Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others. <i>American Anthropologist</i>, Vol. 104, No. 3, pp. 783-790. ● Richard Falk - <i>False Universalism and the Geopolitics of Exclusion: The Case of Islam</i> 	
5	9/20	<p>Globalization and NGOs</p> <p>To what extent do NGOs represent collective interests? To what extent do they represent their own? What is the power of networks or non-state actors? How can we think about their power vis-à-vis states? To whom are NGOs accountable? Is this an important concern, and why? What are the impediments to NGO success? What are the enablers?</p> <ul style="list-style-type: none"> ● NYT: How the Human Rights Movement Failed ● NYT: Rethinking America’s Approach to the World ● Elizabeth Ferris, “The Role of Nongovernmental Organizations in the International Refugee Regime” ● Civicus. State of Civil Society Report, 2015. Civicus Essay. 7 Bob, Clifford. 2002. “Merchants of Morality.” Foreign Policy 129: 36-45. ● Amanda Murdie. 2012. “There’s No Place like Home: Explaining International NGO Advocacy.” <p>Optional (useful resource): Peter A. Gourevitch, David Lake, Janice Gross Stein, eds., <i>The Credibility of Transnational NGOs: When Virtue is Not Enough</i>(2012) <i>This book is available digitally via SJSU library.</i></p>	<p>Class Participation #3:</p> <ul style="list-style-type: none"> ● Discussion: Human rights in the news

6	9/27	<p>Security, Torture and Human Rights</p> <p>Does security always trump human rights? When does it not? What is American exceptionalism and how does it play out in the arena of human rights?</p> <p><i>Donnelly - Chapter 12</i></p> <ul style="list-style-type: none"> • Conrad, Courtenay R. and Emily Hencken Ritter. 2013. "Treaties, Tenure, and Torture: The Conflicting Domestic Effects of International Law." <i>Journal of Politics</i> 75 (2): 397-409. <p>Canvas Modules:</p> <ul style="list-style-type: none"> • Human Rights in the U.S. • Human Rights, National Security and the Convention on Torture <p>Read before completing slide deck:</p> <ul style="list-style-type: none"> • Chap 11 of Human Rights in our Own Backyard (HRIIOB) - "Erosion of Political and Civil Rights after 9/11" • Ignatieff - American Exceptionalism • <u>Online: "Why Human Rights are More Important than National Security", Jane Smiley</u> <p>Read while going through slide deck (referenced there):</p> <ul style="list-style-type: none"> • <u>Handout: 2014 Senate Intelligence Committee Report on CIA torture</u> • <u>Issue Brief - Trump Executive Order on Refugees and Travel Ban (Migration Policy Institute)</u> 	<p>Choice Assignment #2 Due - Could be a presentation, interview or action</p>
7	10/4	<p>Vulnerable Groups</p> <p>Do certain vulnerable populations need to have additional protections? How should minority populations be protected?</p> <p><i>Donnelly - Chapter 16</i></p> <p>Canvas Modules:</p> <ul style="list-style-type: none"> • Racial Discrimination • Vulnerable Groups <p>Vulnerable Groups</p> <p><i>Discrimination against Women</i></p> <p><i>Sexual Orientation and Gender Identity</i></p>	<p>Research Paper Due</p>

		<p>Readings:</p> <ul style="list-style-type: none"> ● Read Reichert Chap 5 on Vulnerable Groups ● <i>Online resource:</i> Amnesty International CEDAW Fact Sheet ● <i>Online resource:</i> GENDER: For U.S., Lessons in CEDAW From San Francisco ● <i>Online:</i> Asian Americans Crowdsource Open Letter to Families: ‘Black Lives Matter To Us, Too’ <ul style="list-style-type: none"> ○ <i>Online:</i> Read the letter <p>Racial Discrimination</p> <p>Readings:</p> <ul style="list-style-type: none"> ● Ella Baker and Models of Social Change ● <i>Online:</i> Malcolm X: The Ballot or the Bullet ● <i>Online:</i> Black Lives Matter Is Not a Civil Rights Movement ● PICO Principles ● Race and Discrimination Glossary Handout ● Matrix of oppression <p>Recommended (but optional): Documentaries “The 13th,” China Blue and The Pearl of Africa, all available on Netflix</p>	
	10/9	End of class	<p>Class participation #4</p> <ul style="list-style-type: none"> ● Join the discussion with final reflections on the course.

Suggested Resources for Reference and Research

- Ishay, M. (2008). *The history of human rights: from ancient times to the Globalization Era*. Berkeley, CA: University of California Press.
- Lauren, P. (2011). *The evolution of international human rights: visions seen (3rd edition)*. Philadelphia, PA: University of Pennsylvania Press.
- Soohoo, C., Albisa, C. & Davis, M. F. [Eds.]. (2008). *Bringing human rights home*. Westport, CT: Praeger.
- Steiner, H. J., Alston, P. & Goodman, R. [Eds.]. (2007). *International human rights in context: law, politics, morals (3rd edition)*. New York, NY: Oxford University Press.
- Weissbrodt, D. & de la Vega, C. (2007). *International human rights law: an introduction*. Philadelphia, PA: University of Pennsylvania Press.

- Human Rights Review and Human Rights Quarterly - the two leading academic peer reviewed journals dedicated to human rights issues. Available electronically through the library's website.

Online Resources for Reference and Research

You are also encouraged to use the Internet – discerningly. Some useful, but by no means exhaustive, websites include:

- <http://www.ciaonet.org/> . Columbia International Affairs Online – designed to be a very comprehensive source for theory and research in international affairs and publishes a wide range of scholarship from 1991 onwards.
- <http://www.hrw.org/> Human Rights Watch – excellent reports on human rights situations in different countries and also on various issue areas.
- <http://www.aegistrust.org/> The Aegis Trust – campaigns to prevent genocide worldwide
- <http://www.icc-cpi.int/> International Criminal Court
- <http://www.un.org/law/icc/> Rome Statute of the ICC
- <http://www.un.org/icty/> International Criminal Tribunal for the Former Yugoslavia
- <http://www.un.org/icttr/> International Criminal Tribunal for Rwanda
- <http://www.iccnw.org/> / Coalition for the International Criminal Court - a global network of over 2,000 NGOs advocating for a fair, effective and independent ICC. Excellent resources related to all aspects of the ICC.
- <http://www.crimesofwar.org/> Crimes of War Project - a collaboration of journalists, lawyers and scholars dedicated to raising public awareness of the laws of war and their application to situations of conflict.
- <http://www.globalpolicy.org/> Global Policy Forum – aims to monitor policy making at the United Nations, promote accountability of global decisions, educate and mobilize for global citizen participation, and advocate on vital issues of international peace and justice.
- www.ceip.org Carnegie Endowment for International Peace www.sipri.se The Stockholm International Peace Research Institute.
- www.psa.ac.uk/www/international_relations.htm Political Studies Association's IR pages, which contain links to hundreds of further sites dealing with security issues. www.icg.org The International Crisis Group
- <http://ccrjustice.org/> Centre for Constitutional Rights - a US group of lawyers dedicated to advancing and protecting the rights guaranteed by the US Constitution and the Universal Declaration of Human Right.
- www.un.org/en/rights - The United Nations Human Rights Portal
- www.ohchr.org - The United Nations High Commissioner for Human Rights
- www.ohchr.org/EN/ProfessionalInterest/Pages/UniversalHumanRightsInstruments.aspx - A list of UN-level human rights instruments (treaties, conventions, declarations, protocols, etc.), arranged by topic.
- www.amnesty.org/en/human-rights - Browse Amnesty International's website by country or issue, or search their report library
- www.hrw.org/en/publications - Reports by Human Rights Watch
- www.state.gov/g/drl/rls/hrrpt - The U.S. State Department Country Reports on Human Rights Practices, which cover most countries in the world (but not the U.S. itself)
- www.huriresearch.org - A search engine dedicated to human rights documents
- www1.umn.edu/humanrts - The University of Minnesota Human Rights Library - contains thousands of human rights documents
- www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-5/6_glossary.htm - Glossary of terms