

Columbia University  
**Department of Political Science**  
**HR/PS V3001x, INTRODUCTION TO HUMAN RIGHTS**

Fall 2004

312 Math, MW 10:35-11:50

Prof. Andrew J. Nathan  
Office Hours: Wednesday, 2-3, and by appointment  
714 IAB

[ajn1@columbia.edu](mailto:ajn1@columbia.edu)

Prof. Danielle Celermajer  
Office Hours: Monday 12:10 – 1:10, and by appointment  
931 IAB

[dandc@bway.net](mailto:dandc@bway.net)

Teaching Assistants:

Xi Chen  
Thania Sanchez  
Xiaohong Yu

[xc48@columbia.edu](mailto:xc48@columbia.edu)  
[ts2058@columbia.edu](mailto:ts2058@columbia.edu)  
[xy2007@columbia.edu](mailto:xy2007@columbia.edu)

**Purposes.** Human rights is a powerful idea in our time, but it is also the focus of numerous controversies: it is not only an ideal but also a political tool, which different forces try to bend to their own ends. This course looks at selected intellectual controversies and political puzzles involved in human rights theory and practice. It explores the central institutions of the human rights regime. And it analyzes the challenges of contemporary human rights advocacy.

**Requirements.** The course grade will be based on two take-home examinations and two essays. The examinations will include identification items and essay questions. The essays should be 5-7 pages long and may be of the following kinds:

EITHER (a) A policy paper, which recommends a human rights-related policy in some specific domain or with respect to some specific issue, for some specific actor (a government, NGO, multinational organization, etc.). Here the websites listed (or others) may be useful, as may the course reading or sources that you find elsewhere.  
OR (b) An exploration into a topic inadequately covered in the course, again using websites or outside reading. We do not want to receive merely an informational paper. You should explain why the issue is important and what conclusions you have provisionally drawn from the information you have gathered, and, as appropriate, you should criticize the biases or inadequacies of the information sources that you used. Due dates are as follows: midterm is handed out Oct. 20 and due back Oct. 25; essays due on Oct. 27 and Nov. 22; final exam handed out Dec. 13 and due Dec. 17.

**Participation in College Writing Program.** The Undergraduate Writing Program sponsors a Writing Center in 310 Philosophy Hall that offers tutoring services to students enrolled in Columbia University courses. The Writing Center is staffed by advanced

graduate students who have had significant training in tutoring writing, and these tutors will work with you at any stage in the writing process. This fall, the staff will include three tutors who are graduate students in political science: John Kastellec, Mary McCarthy, and Dessie Zagorcheva. We will keep them informed about the assignments for this course, and we encourage you to consult with them as you work on your papers. To see a tutor, visit the Writing Center during open hours or sign up for an appointment. For more information, please email <[uwptutors@columbia.edu](mailto:uwptutors@columbia.edu)> or call 854-3886.

***Readings.*** Books (except for Power and Allison) are in paperback and have been ordered at Labyrinth Books; a book list is included at the end of this syllabus. One book (entitled *25+ Human Rights Documents*) can be purchased slightly more cheaply directly from Columbia's Center for the Study of Human Rights (11<sup>th</sup> Floor, International Affairs Building) but is also available at Labyrinth. Books are on reserve at the Lehman Library Reserve Desk and some of them at Barnard. They can also be found at the Human Rights Reading Room, about which further information can be found at [www.columbia.edu/cu/humanrights/hr\\_reading\\_room.htm](http://www.columbia.edu/cu/humanrights/hr_reading_room.htm).

Articles can be found in a course pack available for purchase from Broadway Copy Center, 3062 Broadway (between 121<sup>st</sup> and 122<sup>nd</sup> Street), and some can be obtained online (online addresses are indicated in the syllabus). For those students who do not wish to purchase the course pack, articles (along with copies of chapters from books not available for purchase) have also been placed on reserve and can be found by going to the Columbia University library system's online services, going to the Lehman Library website, and clicking on the instructors' names and the course.

We recommend that you subscribe to the listserv for press releases from Human Rights Watch. Go to the organization's main webpage ([www.hrw.org](http://www.hrw.org)) and in the left-hand corner, look for "Free Email Newsletter." Click on that and you'll be given a choice of lists; click on "Weekly Digest" and it will create an email message to the list serve manager. Send that and later, reconfirm it. You'll then be added to the list.

## CLASS SCHEDULE

### September 8. INTRODUCTION

#### Lecture by Staff

Showing and discussion of a short film by Human Rights Watch, "Sudan: Darfur Destroyed."

### Week of September 13. INTELLECTUAL HISTORY OF THE IDEA

#### Lectures by Professor Nathan

Jack Donnelly, *Universal Human Rights in Theory and Practice*, Second Ed. (Ithaca: Cornell University Press, 2003), Chs. 1-3.

Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen* (Philadelphia: University of Pennsylvania Press, 1998), Chs. 1, 2.

Samantha Power and Graham Allison, eds., *Realizing Human Rights: Moving from Inspiration to Impact* (NY: St Martin's Press, 2000), Introduction and essays by Henkin, Wei, Goldstone, Roth.

Week of September 20. **HUMAN RIGHTS AS LAW**

**Guest lecturer,** September 22: Dinah Pokempner, General Counsel, Human Rights Watch.

**Lecture by** Prof. Celermajer.

John R. Bolton, "Is There Really 'Law' in International Affairs?" *Transnational Law and Contemporary Problems* 10 (2000), pp. 1-47.

Lakhdar Brahimi, "The Rule of Law at Home and Abroad," The 2002 Dag Hammarskjöld lecture, Dag Hammarskjöld Foundation, Uppsala, Sweden, 2002, <http://www.dhf.uu.se/pdf/ffiler/Lakhdar.pdf>

Donnelly, *Universal Human Rights*, Chs. 8-10, 14.

Week of September 27. **THE UDHR AND COVENANTS: WHAT DO THEY SAY?**

**Lectures by** Profs Celermajer and Nathan

Lauren, *Evolution*, Ch. 7.

Center for the Study of Human Rights, Columbia University, *25+ Human Rights Documents* (NY: CSHR, 2001) - read the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights*, and the *International Covenant on Economic, Social and Culture Rights*.

Charles Beitz, "What Human Rights Mean," *Daedalus* 132, No. 1 (Winter 2003): 36-46.

Please log on to and study the website on the UDHR compiled by Peter Danchin for the Columbia Center for the Study of Human Rights: <http://www.ccnmtl.columbia.edu/projects/mmt/udhr>.

Week of October 4. **INTERNATIONAL HUMAN RIGHTS: NORMS OR POLITICS?**

**Lectures by** Prof. Nathan

Ann Marie Clark, *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms* (Princeton: Princeton University Press, 2001), Chs. 2, 3. Power and Allison, *Realizing*, essays by Neier, Williams, Mendez.

Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, eds., *The Power of Human Rights* (Cambridge, UK: Cambridge University Press, 1999), Chs. 3, 6, 7.

Wang Juntao, "June 4th and Human Rights in China," *China Rights Forum*, No. 2, 2004, March 2004, pp. 53-58.

Week of October 11. **HUMAN RIGHTS AS VALUES**

**Lectures by** Prof. Nathan and Celermajer

Donnelly, *Universal Human Rights*, Chs. 4-7.

Joanne R. Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999), Chs. 1-3, 5-9.

Bilahari Kausikan, "Asia's Different Standard," and Aryeh Neier, "Asia's Unacceptable Standard," *Foreign Policy* (Fall 1993), pp. 24-41 and 42-51.

Week of October 18. **GENOCIDE AND HUMANITARIAN INTERVENTION**

**Lectures by Prof. Celermajer**  
 Genocide convention from 25+ *Documents*.  
 Gareth Evans and Mohamed Sahnoun, "The Responsibility to Protect," *Foreign Affairs*, November/December 2002, pp. 99-110.  
 Power and Allison, *Realizing*, essay by Annan.  
 Samantha Power, "A Problem from Hell": *America and the Age of Genocide* (NY: Basic, 2002), Preface, Chs. 2-4, 10, Rwanda, Conclusion.

**MIDTERM TO BE HANDED OUT OCTOBER 20.**

Week of October 25 and November 3. **GLOBAL JUSTICE AND SOCIAL AND ECONOMIC RIGHTS**

**Lectures by Profs. Nathan and Celermajer**  
 Charles R. Beitz, "Does Global Inequality Matter?" *Metaphilosophy* 32:1/2 (January 2001), 95-111.  
 Jagdish Bhagwati, *In Defense of Globalization*, Chs. 5-7, 10, 17-18.  
 Scott Greathead, "Global Trade and Labor Rights: Uneasy Bedfellows," *China Rights Forum*, No. 1 (2003), pp. 27-29, and also articles in this issue on "Corporate Citizenship and Human Rights," pp. 43-67.  
 Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge, UK.: Polity Press, 2002), General Introduction, Chs. 1, 4, 8.  
 Kenneth Roth, "Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization," *Human Rights Quarterly* 26 (2004), pp. 63-74.

Week of November 8. **WOMEN'S RIGHTS AS HUMAN RIGHTS**

**Guest lecturer**, November 8: Charlotte Bunch, Director, Center for Women's Global Leadership  
**Lecture by Prof. Celermajer**  
 Charlotte Bunch, with Peggy Antrobus, Samantha Frost and Niamh Reilly, "International Networking for Women's Human Rights," in Michael Edwards and John Gaventa, eds., *Global Citizen Action* (Boulder, CO: Lynne Rienner, 2001), pp. 217-229.  
 25+ *Documents*, read the *Convention on the Elimination of All Forms of Discrimination Against Women*.  
 Julie Peters and Andrea Wolper, eds., *Women's Rights Human Rights: International Feminist Perspectives*. (N.Y.: Routledge, 1995), Chs. 1-3, 15, 21.  
 V. Spike Peterson and Laura Parisi, "Are Women Human? It's Not an Academic Question," in Tony Evans, ed., *Human Rights Fifty Years On: A Reappraisal* (Manchester, UK: Manchester University Press, 1998), pp. 132-160.

Week of November 15. **ARE HUMAN RIGHTS NEGOTIABLE? TERROR, TORTURE, AND AMERICAN EXCEPTIONALISM**

**Lecture by Prof. Celermajer**

**Guest lecturer**, November 17: Susan Rosenberg, former US political prisoner  
All readings available on Courseworks.

“Decision re application of the Geneva Convention on Prisoners of War to the Conflict with Al Qaeda and the Taliban,” Memorandum to President Bush from Alberto R. Gonzales (1/25/02); <http://www.msnbc.msn.com/id/4999148/site/newsweek/>

“Humane Treatment of Al Qaeda and Taliban Detainees,” Memorandum from President George Bush (2/7/02); <http://www.washingtonpost.com/wp-srv/nation/documents/020702bush.pdf>

“Re: Standards of Conduct for Interrogation under 18 USC 2340-2340A,” Memorandum from Jay Bybee, Assistant Attorney General in the Department of Justice to Albert R Gonzales, Counsel to the President (08/01/02);

<http://www.washingtonpost.com/wp-srv/nation/documents/dojinterrogationmemo20020801.pdf>;

“Counter-resistance strategies,” Memorandum from Diane E Beaver, Staff Judge Advocate at the US Army, reviewing requested interrogation techniques for legality (10/11/02); [http://www.npr.org/documents/2004/dod\\_prisoners/20040622doc3.pdf](http://www.npr.org/documents/2004/dod_prisoners/20040622doc3.pdf)

“Legal Review of Aggressive Techniques”, Memorandum from Dianne E Beaver for Commander, Joint Task Force, (10/11/02);

[http://www.npr.org/documents/2004/dod\\_prisoners/20040622doc3.pdf](http://www.npr.org/documents/2004/dod_prisoners/20040622doc3.pdf)

Memorandum from Defense General Counsel Haynes signed by Donald Rumsfeld (11/27/02);

[http://www.npr.org/documents/2004/dod\\_prisoners/20040622doc5.pdf](http://www.npr.org/documents/2004/dod_prisoners/20040622doc5.pdf)

“Torture at Abu Ghraib” Seymour Hersh, the New Yorker, April 30, 2004; [http://www.newyorker.com/fact/content/?040510fa\\_fact](http://www.newyorker.com/fact/content/?040510fa_fact);

“Article 15-6 Investigation of the 800<sup>th</sup> Military Police Brigade” (the “Taguba Report”), 02/26/04, pp. 15-20 only;

[http://www.npr.org/iraq/2004/prison\\_abuse\\_report.pdf](http://www.npr.org/iraq/2004/prison_abuse_report.pdf)

Anthony Lewis, “Making Torture Legal” *New York Review of Books*, July 15, 2004 (<http://www.nybooks.com/articles/17230>)

*Week of November 22.* **ACTIVIST DILEMMAS: HUMAN RIGHTS NGOS AND THEIR WORK**

**Lectures by** Profs. Nathan and Celermajer

Philip Alston, “Conjuring Up New Human Rights: A Proposal for Quality Control,” *American Journal of International Law* 78 (1984), pp. 607-621.

Carnegie Council on Ethics in International Affairs, *Human Rights Dialogue*, issue on “Human Rights for All? The Problem of the Human Rights Box,” Series 2, Number 1 (Winter 2000), <http://www.carnegiecouncil.org/viewMedia.php/prmID/599>, articles by Bauer, Odalinku, Cox, Hassan, Ross.

David Kennedy, “The International Human Rights Movement: Part of the Problem?” *Harvard Human Rights Journal* 15 (Spring 2002), pp. 245-267.

Arthur and Joan Kleinman, “The Appeal of Experience, the Dismay of Images: The Cultural Appropriation of Suffering in our Times,” *Daedalus* 125: 1 (1997), pp. 1-23.

David Rieff, “The Precarious Triumph of Human Rights,” *The New York Times Magazine* (August 12, 1999), pp. 36 – 41.

Human Rights Watch, "Enduring Freedom", Abuses by US Forces in Afghanistan", March 2004, Vol. 16, No. 3C;  
<http://www.hrw.org/reports/2004/afghanistan0304/afghanistan0304.pdf>

Week of November 29. **RECONCILIATION OR PUNISHMENT? TRUTH COMMISSIONS AND INTERNATIONAL TRIBUNALS**

**Lectures by Prof. Celermajer**  
 Rajeev Bhargava, "Restoring Decency to Barbaric Societies" in Rotberg and Thompson, *Truth versus Justice*. (Princeton: Princeton University Press, 2000), pp. 45-67.  
 John R. Bolton, "The Risks and the Weaknesses of the International Criminal Court from America's Perspective," *Virginia Journal of International Law* 41 (2000), pp. 186-203.  
 Priscilla Hayner, *Unspeakable Truths: Confronting State Terror and Atrocity* (New York: Routledge, 2001), Chaps. 1, 2, 3, and 13.  
 Henry Kissinger, "The Pitfalls of Universal Jurisdiction," *Foreign Affairs* (July/August 2001).  
 Kenneth Roth, "The Case for Universal Jurisdiction," *Foreign Affairs* (September/October 2001).  
 Chibueze, Remigius. United States objection to the International Criminal Court: a paradox of "Operation Enduring Freedom". 9 Ann. Surv. Int'l & Comp. L. 19-54 (2003).

Week of December 6. **INDIGENOUS RIGHTS AND INTERNATIONAL LAW**

**Guest lecturer,** December 6: John Scott, Deputy Director of Secretariat, UN Permanent Forum on Indigenous Issues  
**Lecture by Prof. Celermajer**  
 S. James Anaya, *Indigenous Peoples in International Law* (New York: Oxford University Press, 1996), Ch. 3.  
 Michael Dodson, "The End in the Beginning; Re(de)finding Aboriginality," *Australian Aboriginal Studies*, Volume 1, 1994, pp. 2-13.  
 Donnelly, *Universal Human Rights*, Ch. 12, Secs. 1-3 and 7.  
*Draft Declaration on the Rights of Indigenous Peoples*; and Working paper from the Permanent Forum on Indigenous Issues, "Indigenous Peoples: A New Priority."  
 Patrick Thornberry, *Indigenous Peoples and Human Rights* (Manchester, UK: Manchester University Press, 2002), Chapter 1.  
 UNDP, *Human Development Report 2004: Cultural Liberty in Today's Diverse World*, <http://hdr.undp.org/reports/global/2004>, selection, assignment to be announced.

December 13. **HUMAN RIGHTS AS A CAREER**

**Guest Lecture:** Aryeh Neier, Founding Director, Human Rights Watch; President, Open Society Institute.  
 Aryeh Neier, *Taking Liberties: Four Decades in the Struggle for Rights* (New York: PublicAffairs, 2003), Introduction, pp. 147-173, 287-302.

## SELECTED WEBSITES

Amnesty International: [www.amnesty.org](http://www.amnesty.org)  
 Columbia University, Center for the Study of Human Rights, “Human Rights Portal”: [www.humanrights.columbia.edu](http://www.humanrights.columbia.edu)  
 Department of State annual human rights reports:  
[www.state.gov/www/global/human\\_rights/index.html](http://www.state.gov/www/global/human_rights/index.html)  
 Freedom House: [www.freedomhouse.org](http://www.freedomhouse.org)  
*Human Rights Dialogue*, Carnegie Council on Ethics and International Affairs:  
[www.carnegiecouncil.org](http://www.carnegiecouncil.org)  
 Human Rights Working Papers: [www.du.edu/humanrights/workingpapers](http://www.du.edu/humanrights/workingpapers)  
 Human Rights Quarterly: [www.press.jhu.edu/press/journals/hrq/](http://www.press.jhu.edu/press/journals/hrq/)  
 Human Rights Watch: [www.hrw.org](http://www.hrw.org)  
 Human Rights in China: [www.hrichina.org](http://www.hrichina.org)  
 International Crisis Group: [www.crisisweb.org](http://www.crisisweb.org)  
 National Commission on International Religious Freedom: [www.uscirf.gov](http://www.uscirf.gov)  
 NGO Watch: <http://www.ngowatch.org/>  
 Office of the High Commissioner for Human Rights: <http://www.unhchr.ch/>  
 Universal Declaration of Human Rights website compiled by Peter Danchin for the Columbia CSHR: <http://www.ccnmtl.columbia.edu/projects/mmt/udhr/>  
 UN: [www.un.org](http://www.un.org)  
 United States Commission on International Religious Freedom:  
[www.uscirf.gov/index.php3](http://www.uscirf.gov/index.php3)  
 Women’s Human Rights Resource: [www.law-lib.utoronto.ca/diana](http://www.law-lib.utoronto.ca/diana)