

# Human Rights in Theory and Practice: Political Science 4028

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Summer "B" Term, July 7 - August 7, 2009

Class Meets: MUEN E417, Monday-Friday, 11:00am - 12:35pm

Instructor: Eamon Aloyo

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Office Hours: Monday and Wednesday 12:35-1:35pm

Office: Ketchum 5B

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Human rights are increasingly the contested language through which claims of justice are made, victims denounce wrongs, and practitioners pursue reform. Despite the pervasive use of human rights discourse, the concept of human rights, and its attempted implementation, are still deeply controversial. This class provides an introduction to and explores two broad aspects of those controversies. The first examines some of the leading theories and theoretical dilemmas of human rights while the second turns to applications. It aims to introduce the main debates concerning how human rights are theoretically conceived, if they can truly be universal given cultural diversity, how and why they are criticized, and whose responsibility it is to secure them. Applications include foreign policy, humanitarian intervention, global poverty, women's rights, LGBTQ rights, environmental issues, punishment, and international law. Some of the main causes of abuses of human rights, who benefits from these abuses, and which are intentional or unintentional, will be examined.

There are thus four main goals to this class, including

1. Critically examining theories of human rights
2. Critically examining some important contemporary human rights issues
3. Gaining a better understanding of the human costs of abuses of human rights
4. Improving your writing skills

## **Expectations and Grading**

Readings and Reading Quizzes: You are expected to have carefully read all assigned readings before each class. The reading load is heavy, so be prepared to spend probably at least three hours every day, outside of class, on class related work. There will be brief reading quizzes sporadically throughout the semester, accounting for 20% of your final grade, and these can be given any day without notice.

Journals: You are expected to keep a journal for every day we have a reading assignment due, and these are explained in more detail in another document.

Journals amount to 20% of your final grade. These will only be accepted in hard copy handed in during class, and will not be accepted late or via email.

Class Participation: You are expected to participate regularly. Much of the class will be discussions of the readings, and the 20% of the final grade that is allocated to discussion is based on quality as much as quantity.

Final Paper: An 8-10 page final paper is due in class on our last day, and at least a 5 page draft is due one week before. This is 40% of your total grade. In this paper you would ideally offer an original argument, though you may also critically assess any area of human rights that interests you. Before beginning to write, you must clear your paper topic with me. Throughout the class I suggest keeping in mind which topic(s) seem most interesting or problematic so you can more easily choose a topic, and you may even want to jot down ideas for the paper as they come to you. More specific guidelines will later be provided.

Attendance: Attendance is mandatory, though everyone is permitted one absence without penalty. Because reading quizzes, journals, and class participation (totaling 60% of your grade) can only be earned by attending class, the more classes you miss the worse your final grade will be.

## **Readings**

All readings that are not required books will be distributed via the internet. Additionally, a reserve copy of Patrick Hayden's (Ed.) *The Philosophy of Human Rights* is available at Norlin Library. You should bring each day's assigned readings to class.

### Required Books

1. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice, 2<sup>nd</sup> Edition*. Cornell University Press
2. Kidder, Tracy. 2003. *Mountains Beyond Mountains, The Quest of Dr. Paul Farmer, a Man Who Would Change The World*. Random House: New York

### Optional Books:

1. Hayden, Patrick (Ed.). 2001. *The Philosophy of Human Rights*. Paragon House: St. Paul
2. Levi, Primo. 1958. *If This is a Man (aka Survival In Auschwitz)*. Multiple Publishers
3. Pogge, Thomas. 2008. *World Poverty and Human Rights, 2<sup>nd</sup> Edition*. Polity Press: Cambridge
4. Power, Samantha. 2002. *"A Problem From Hell": America and the Age of Genocide*. Basic Books: New York

## Readings and Due Dates

Levi, Primo. 1958 [2000]. *If This Is A Man*. Everyman's Library: London. **6 pages / day**

Kidder, Tracy. 2003. *Mountains Beyond Mountains, The Quest of Dr. Paul Farmer, a Man Who Would Change The World*. Random House: New York. **9 pages / day**

- 1. Introduction, Syllabus and Journal Review, Tuesday July 7**
- 2. Introduction to Human Rights and the Importance of Writing, Wednesday, July 8**
  - a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 1, "The Concept of Human Rights"
  - b. Orwell, George. 1946. "Why I Write."  
[http://www.orwell.ru/library/essays/wiw/english/e\\_wiw](http://www.orwell.ru/library/essays/wiw/english/e_wiw)
  - c. Orwell, George. 1945-6. "Politics and the English Language."  
[http://www.orwell.ru/library/essays/politics/english/e\\_polit](http://www.orwell.ru/library/essays/politics/english/e_polit)
  - d. Glover, Jonathan. 1999. *Humanity: A Moral History of the Twentieth Century*. Yale University Press: New Haven. Chapters 1, "Never Such Innocence Again" and 2, "Nietzsche's Challenge"
- 3. Rights and Human Rights: What are They and Why do they Matter?, Thursday July 9**
  - a. Feinberg, Joel. 1970. "The Nature and Value of Rights" in Hayden (Ed.)
  - b. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 3, "Equal Concern and Respect"
  - c. Beitz, Charles. 2003. "What Human Rights Mean," *Daedalus*. 132, No. 1 (Winter). p. 36-46
- 4. Capability and Institutional Accounts of Human Rights, Friday July 10**
  - a. Nussbaum, Martha. 1997. "Capabilities and Human Rights" in Hayden (Ed.)
  - b. Pogge, Thomas. 2008. *World Poverty and Human Rights*. Polity Press: Cambridge. Chapter 2, "How Should Human Rights Be Conceived?"
- 5. The Universal Declaration Model and Its Justification, Monday July 13**

- a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 2, "The Universal Declaration Model"
- b. UN Universal Declaration of Human Rights. 1948.  
<http://www.un.org/en/documents/udhr/>
- c. Power, Samantha. 2002. *"A Problem From Hell": America and the Age of Genocide*. Basic Books: New York. Chapter 3, "The Crime With a Name"
- d. Film: "The Fog of War," with Robert McNamara by Errol Morris. 2003. Selections (12)

#### **6. Explaining Violations of Human Rights, Tuesday July 14**

- a. Carey, Sabine C. and Poe, Steven C. (Eds.). 2004. *Understanding Human Rights Violations: New Systematic Studies*. Ashgate Publishing. Selections
- b. Pogge, Thomas. 2008. *World Poverty and Human Rights, 2<sup>nd</sup> Edition*. Polity Press: Cambridge. Selections (Introduction, Chapter 4)
- c. Jaggard, Alison M. 2005. "'Saving Amina'- Global Justice for Women and Intercultural Dialogue." *Ethics and International Affairs*. Vol. 19, No. 3 (December), pp. 55-75

#### **7. Universalism and Cultural Relativism, Wednesday July 15**

- a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 6, "Cultural Relativism and Universal Human Rights"
- b. Talbott, William. 2005. *Which Rights Should Be Universal?* Oxford University Press: Oxford. Chapter 3, "Cultural Relativism About Human Rights"

#### **8. Challenges to Rights and Human Rights, Thursday July 16**

- a. Marx, Karl. 1844. "On The Jewish Question." In Hayden (Ed.)
- b. Bentham, Jeremy. 1843. "Anarchical Fallacies." In Hayden (Ed.)
- c. Brown, Chris. 1999. "Universal Human Rights: A Critique." In *Human Rights in Global Politics*. Tim Dunne and Nicholas J. Wheeler (Eds.). Cambridge University Press: Cambridge. pp. 103-27

#### **9. Film, Friday July 17**

- a. To be announced

#### **10. Types of Human Rights, Monday July 20**

- a. Shue, Henry. 1996. *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy, 2<sup>nd</sup> Edition*. Princeton University Press: Princeton. Chapter 1, "Security and Subsistence"

- b. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 4, "Markets, States, and 'the West'"
- c. Pogge, Thomas. 2008. *World Poverty and Human Rights*. Polity Press: Cambridge. Selections

**11. Duties and Obligations, Tuesday July 21**

- a. Singer, Peter. 1972. "Famine, Affluence, and Morality." *Philosophy and Public Affairs*. Vol. 1, No. 1 (Spring). pp. 229-243  
<http://www.utilitarian.net/singer/by/1972----.htm>
- b. Shue, Henry. 1996. *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy, 2<sup>nd</sup> Edition*. Princeton University Press: Princeton. Chapter 2, "Correlative Duties"

**12. Primo Levi and Tracy Kidder Discussion, Wednesday July 22**

- a. Be prepared to discuss the first half of both books
- b. Bring to class at least five questions for each book

**13. Genocide, Humanitarian Intervention and Human Rights, Thursday July 23**

- a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 14, "Humanitarian Intervention Against Genocide"
- b. Power, Samantha. 2002. *"A Problem From Hell": America and the Age of Genocide*. Basic Books: New York. Introduction, Chapters 10, "Rwanda: 'Mostly in Listening Mode'"
- c. Mill, J.S. 1859. *On Liberty*. Chapter 1, paragraph 9, Chapter 3, paragraphs 1-2. <http://www.bartleby.com/130/>

**14. Sudan Case Study, Friday July 24**

- a. Guest Lecture by Scott Wisor. Readings to be announced.

**15. Foreign Policy and the Challenge of Westphalian Sovereignty, Monday July 27**

- a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 9, "Human Rights and Foreign Policy"
- b. Power, Samantha. 2002. *"A Problem From Hell": America and the Age of Genocide*. Basic Books: New York. Chapter 1, "Race Murder"

**16. International Law, The International Criminal Court (ICC), and Human Rights, Tuesday July 28**

- a. Power, Samantha. 2002. *"A Problem From Hell": America and the Age of Genocide*. Basic Books: New York. Chapter 13, "Lemkin's Courtroom Legacy"

- b. Altman, Andrew and Wellman, Christopher Heath. 2004. "A Defense of international Criminal Law." *Ethics*. Vol. 115, (October). pp. 35-67

**17. Punishment Dilemmas For Abuses of Human Rights, Wednesday July 29**

- a. Drumbl, Mark. 2007. *Atrocity, Punishment, and International Law*. Cambridge University Press: Cambridge. Chapter 1, "Extraordinary Crime and Ordinary Punishment: An Overview"
- b. Gourevitch, Phillip. 1998. *We Wish To Inform You That Tomorrow We Will Be Killed With Our Families: Stories From Rwanda*. Picador: New York. Selections (Chapters 16 and 20)

**18. Women and Human Rights, Thursday July 30**

- a. Guest lecture by Ozge Celik. Readings to be announced.

**19. LGBTQ Issues and Human Rights, Friday July 31**

- a. **Paper Draft Due.** Peer review of paper draft (at least 5 pages is required)
- b. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 13, "Nondiscrimination for All: The Case of Sexual Minorities"
- c. Nussbaum, Martha. 1996. "Lesbian and Gay Rights." In Hayden (Ed.)

**20. Democracy, the Environment, and Human Rights, Monday August 3**

- a. Donnelly, Jack. 2003. *Universal Human Rights in Theory and Practice*. Cornell University Press: Ithaca. Chapter 11, "Democracy, Development, and Human Rights"
- b. Gould, Carol. 2004. *Globalizing Democracy and Human Rights*. Cambridge University Press: Cambridge. Chapters 8, "Are Democracy and Human Rights Compatible in the Context of Globalization?" and 9, "The Global Democratic Deficit and Economic Human Rights"
- c. Hayward, Tim. 2007. 'Human Rights Vs. Emissions Rights'. *Ethics and International Affairs*. Vol. 21, No. 4

**21. Labor and Human Rights, Tuesday August 4**

- a. Alston, Philip. 2005. *Labour Rights as Human Rights*. Oxford University Press: Oxford. Chapter 1, "Labour Rights as Human Rights: The Not So Happy State of the Art"
- b. Young, Iris Marion. 2007. *Global Challenges: War, Self-Determination and Responsibility for Justice*. Chapter 9, "Responsibility, Social Connection, and Global Labor Justice"

**22. Torture and Human Rights, Wednesday August 5**

- a. Rejali, Darius. 2007. *Torture and Democracy*. Princeton University Press: Princeton. Chapter 21, "Does Torture Work?"
- b. Wolfendale, Jessica. 2009. "The Myth of 'Torture Lite.'" *Ethics and International Affairs*. Vol. 23, No. 1 (Spring)
- c. Sussman, David. 2009. "'Torture Lite': A Response". *Ethics and International Affairs*. Vol. 23, No. 1 (Spring)

**23. Reforms, Thursday August 6**

- a. Pogge, Thomas. 2008. *World Poverty and Human Rights*. Polity Press: Cambridge. Chapter 8, "Eradicating Systematic Poverty: Brief for a Global Resources Dividend"
- b. Instead of a journal, write and bring to class a single spaced one page proposal for individuals, NGOs, corporations, states, international organizations, or another actor that would realistically better defend human rights and explain how this would work and why.

**24. Primo Levi and Tracy Kidder Discussion, Friday August 7**

- a. Be prepared to discuss all of both books
- b. Bring to class at least five questions for each book
- c. **Final Paper Due**

## **University of Colorado Policies**

If you qualify for accommodations because of a disability, please submit to me a letter from Disability Services in a timely manner so that your needs may be addressed. Disability Services determines accommodations based on documented disabilities. Contact: 303-492-8671, Willard 322, or [www.Colorado.EDU/disabilityservices](http://www.Colorado.EDU/disabilityservices).

Students and faculty each have responsibility for maintaining an appropriate learning environment. Students who fail to adhere to such behavioral standards may be subject to discipline. Faculty have the professional responsibility to treat all students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which they and their students express opinions. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender variance, and nationalities.

Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at <http://www.colorado.edu/policies/classbehavior.html> and at [http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student\\_code](http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code).

All students of the University of Colorado at Boulder are responsible for knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include: cheating, plagiarism, aid of academic dishonesty, fabrication, lying, bribery, and threatening behavior. All incidents of academic misconduct shall be reported to the Honor Code Council ([honor@colorado.edu](mailto:honor@colorado.edu); 303-725-2273). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Other information on the Honor Code can be found at <http://www.colorado.edu/policies/honor.html> and at <http://www.colorado.edu/academics/honorcode/>.

The University of Colorado at Boulder policy on Discrimination and Harassment (<http://www.colorado.edu/policies/discrimination.html>), the University of Colorado policy on Sexual Harassment and the University of Colorado policy on Amorous Relationships applies to all students, staff and faculty. Any student, staff or faculty member who believes s/he has been the subject of discrimination or harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about the ODH and the campus resources available to



assist individuals regarding discrimination or harassment can be obtained at <http://www.colorado.edu/odh>.