

Political Science 378/International Relations 352
Spring Semester 2018 - EPC Room 205
TR 11:00-12:15

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International Human Rights: Applying Human Rights in Africa

The purpose of this course is to assist students in understanding the origins, content, applications, and ongoing development of human rights principles and doctrines in both international and national politics. The idea that a respect for human dignity should constrain the actions of governments has influenced political activity for centuries, but it was not until comparatively recently that a movement sought to codify the principles of human rights in documents that could be enforced internationally. Although the first human rights treaties were developed in the mid-nineteenth century, it was the Second World War that inspired the modern human rights movement and led to the adoption of a number of human rights treaties, conventions, and protocols. These documents serve as a basis for an emerging area of international law that affects both how governments relate to their populations and how countries relate to one another.

Despite the substantial popular support that they have gained over the past six decades, human rights principles remain highly contested. Human rights doctrines directly challenge the principle of national sovereignty, the idea that governments are free to do as they choose within their own borders, among the main pillars of the international system of states for several centuries. Yet in the past several decades, even as human rights treaties were being adopted, the international community has failed spectacularly to halt major human rights abuses. Governments have frequently been reluctant to enforce human rights doctrines, as they seek to promote their own security and economic concerns. Furthermore, conflicts over the application of human rights doctrines abound. Some people challenge the claim that human rights principles are universal, asserting, for example, that the emphasis on individuals rather than on communities reflects a Western cultural bias. Tensions also exist between individual versus group rights and political and civil versus economic, social, and cultural rights. Meanwhile, demands for the recognition of additional rights continue to emerge, for example, for gays and lesbians, and most recently for transgendered individuals. In short, while a framework for human rights principles has emerged during the past half-century, the future direction of human rights enforcement remains unclear.

In this course, we study the historical development of human rights principles, exploring the roots of modern human rights documents in past religious, moral, and political movements. We also look extensively at human rights documents themselves, analyzing their content and implications. A major focus of the course is on how human rights doctrines are applied in specific contexts, drawing examples and cases from the African continent. This regional focus provides continuity to our analysis and allows us to gain a better grounding for analyzing how human rights principles are being debated and implemented.

Course Goals

After taking this course, students should:

- Understand the historical development of human rights principles and doctrines, including the religious and philosophical ideas that have contributed to their development.
- Understand the reasons for shifting from moral movements for human rights and national human rights doctrines to the codification of international human rights law.
- Be familiar with the major human rights documents and how they are applied.
- Understand the work of governments, multilateral, and international and local non-governmental organizations in the enforcement of human rights laws.
- Understand the major debates in the field of human rights, including debates over the limits of sovereignty, universality versus relativism, individual versus group rights, and first, second, and third generation rights.
- Understand the specific application of human rights principles in the African context.
- Be able to defend particular political positions using human rights doctrines and principles.
- Have stronger written and verbal communication skills and critical thinking skills.

Course Requirements

This course will mix lectures with more interactive activities that provide students a chance to engage with the topic and offer their input. Students are expected to read assigned texts in advance of their treatment in class and to come to class prepared to participate in discussion.

The course will have a mid-term and final examination, with a mix of short answer and essay questions. Essays will be graded based on the student's demonstrated knowledge of the subject, understanding of key concepts, familiarity with course readings, lectures, and discussions, ability to present and defend an argument, critical thinking skills, and originality. The mid-term and final are each 35 percent of the grade.

Each student will be assigned to a team that will design and implement a human rights campaign on a specific African issue. Your team can pick a particular country on which to focus or a specific issue within a country or an issue that affects multiple countries. You will need to work together to research your chosen topic and develop a means of raising public awareness about the topic. You should provide the professor with a written background report that includes references to the research on which your campaign is based and copies of or access to any pamphlets, websites, videos, prezis, or other tools you are using for your campaign. Your team should work closely with the teaching fellow on developing the campaign. Your project counts for 30 percent of the course grade. Project grades are figured through both peer assessment and assessment of the overall project.

Course Materials

Required Texts:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Cornell University Press, 3rd edition, 2013.
- Peter Uvin, *Human Rights and Development: Translating Rights-Based Approaches from Theory into Practice*, Hartford: Kumarian Press, 2004.
- Mahmood Mamdani, *Saviors and Survivors: Darfur, Politics, and the War on Terror*, New York: Pantheon Books, 2009.
- Kathryn Sikkink, *Evidence for Hope: Making Human Rights Work in the 21st Century*, Princeton: Princeton University Press, 2017.

In addition, you should familiarize yourself with the following websites and consult them periodically during the semester:

Human Rights Watch: www.hrw.org

Amnesty International: www.amnesty.org

International Crisis Group: www.crisisweb.org

Mo Ibrahim Foundation: <http://mo.ibrahim.foundation>

United Nations High Commission for Human Rights: <http://www.ohchr.org/english>

Course Calendar

I. General Introduction: What are Human Rights?

January 22 – Introduction

January 24 – Defining Human Rights

- Donnelly, Introduction and Chapter 1.

II. The Development of Modern Human Rights Discourse

January 29 - Religious Foundations of Human Rights

- Selected readings from the Old and New Testaments

January 31 – Philosophical and Political Foundations of Human Rights

- Selected philosophical writings and political documents.
- Donnelly, Chapter 5

February 5 – The Laws of War

- Geneva Conventions I-IV, Protocols I and II (skim the documents, with particular attention to the common articles at the beginning of each. Read Protocol II more carefully).

February 7, 12 – The Development of Human Rights Documents

- Sikkink, Chapter 3 and 4.
- Donnelly, Chapters 2 and 11.
- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- Convention against Torture and Other Cruel, Degrading, or Inhuman Punishment

February 14 – Applying Human Rights Principles: The Democratic Republic of Congo

No class Tuesday, February 19 – Substitute Monday

III. The Question of Universalism

February 21, 26 – The Argument for Universalism

- Donnelly, Chapters 4, 6, 7, 9, & 10.
- Makau Mutua, “Human Rights in Africa: The Limited Promise of Liberalism,” *African Studies Review*, April 2008.

February 28, March 5 – Debating Universalism in Context: Rwanda, Darfur, and the Genocide Treaty

- Convention on the Prevention and Punishment of the Crime of Genocide
- Samantha Power, “Bystanders to Genocide,” *The Atlantic Monthly*, September 2001.
- Eric Reeves, “Genocide by Attrition: Agony in Darfur,” *Dissent*, Winter 2005.
- Mamdani, *Saviors and Survivors*, entire book.

Thursday, March 7 – In-Class Midterm

Spring Break March 9-17

IV. Second Generation Rights

March 19 – The Roots of Economic, Cultural, and Social Rights

- Selected Philosophical Readings
- Donnelly, Chapter 3 (section on economic rights), 13, and 14.
- International Covenant on Economic, Cultural, and Social Rights

March 21 & 26 – Applying Second Generation Rights

- Uvin, entire book.

V. Expanding the Human Rights Agenda

March 28 – Group Rights

- Donnelly, Chapter 3 (section on group rights).
- The African Charter on Human and People’s Rights
- Felix Mukwiza Ndahinda, “Marginality, Disempowerment, and Contested Discourses on Indigenesness in Africa,” *International Journal on Minority and Group Rights*, (2011) 479-514.

April 2 – Women’s Rights

- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- J Oloka-Onyango and Sylvia Tamale, “‘The Personal is Political’ or Why Women’s Rights are Indeed Human Rights: An African Perspective on International Feminism,” *Human Rights Quarterly*, 17,4 (November 1995) 690-731.

April 4 – Gay and Lesbian Rights

- Donnelly, Chapter 16.
- Amar Wahab, “‘Homosexuality/Homophobia is UnAfrican?’: Unmapping Transnational Discourses in the Context of Uganda’s Anti-Homosexuality Bill/Act,” *Journal of Homosexuality*, January 2016.
- Human Rights Watch, “Uganda: Police Raid Queer Kampala Film Festival,” New York: HRW, December 15, 2017.

VI. Human Rights Enforcement

April 9 – Governments and The United Nations

- Donnelly, Chapter 11 (review) & 12.
- Timothy Longman and Natalie Zähringer, “Explaining State Responses to Human Rights,” in James P Muldoon, Joann Fagot Aviel, Richard Reitano, and Earl Sullivan, eds., *The New Dynamics of Multilateralism: Diplomacy, International Organizations, and Global Governance*, Westview Press, 2011, pp. 129-147.

April 11 – Human Rights Organizations and Activism

- Laurie S. Wiseberg, “Human Rights Nongovernmental Organizations,” in Richard Pierre Claude and Burns H. Weston, eds., *Human Rights in the World Community*, Philadelphia: University of Pennsylvania Press, 1992, pp. 372-390.
- Alex de Waal, “Human rights organizations and the political imagination: how the West and Africa have diverged,” *Journal of Human Rights*, December 2003.

April 16 – Effectiveness of Human Rights Work

- Sikkink, chapters 5 and 6

April 18 – Promoting women’s rights? Quotas and the Case of Senegal

- Amanda Gouws, “Changing Women’s Exclusion from Politics: Examples from Southern Africa,” *African and Asian Studies*, 2008.
- Alice Kang, “The Effect of Gender Quota Laws on the Election of Women: Lessons from Niger,” *Women’s Studies International Forum*, 2013.

Group project background reports due Thursday, April 18

April 23 & 25 – Group Project Presentations

April 30 – Transitional Justice

- International Center for Transitional Justice, “What Is Transitional Justice?”
- Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter, “The Justice Balance: When Transitional Justice Improves Human Rights and Democracy,” *Human Rights Quarterly*, 2010.
- Duncan McCargo, “Transitional Justice and Its Discontents,” *Journal of Democracy*, April 2015.
- Kirsten Ainsley, “The International Criminal Court on trial,” *Cambridge Review of International Affairs*, September 2011.

May 2 – Course Wrap Up

- Sikkink, Chapter 7.

Final Exam during Exam Period