



Saint Louis University

Madrid Campus

POLS 2930 (Special Topic):

The Theory and Practice of Human Rights

Fall 2015 – Monday and Wednesday, 17:30-18:45

(Wednesday, 2nd September – Wednesday, 9th December)

(Mid-term exam: Wednesday, 14th October;

Final paper: Wednesday, 16th December).

Instructor: Simona Rentea, Ph.D. [rentease@slu.edu]

Office hours: Monday and Wednesday, 11:00 — 13:00



POLS 2930: The Theory and Practice of Human Rights critically examines the validity and purchase of “humankind’s most noble aspirations” for us today. The course examines the historical and intellectual evolution of human rights, the different approaches and interpretations as well as their contemporary practice. The first part uncovers the idea of human rights in their historical and intellectual contexts of emergence. The second part focuses on contemporary issues of human rights, such as modern slavery, human trafficking, the rights of children, gender-based violence, torture, and immigration and the rights of refugees. In this part, relevant documents, contemporary ethical conundrums and institutional frameworks pertaining to the various aspects of human rights practice will be discussed in detail. The concluding section looks at the practice of human rights today by engaging a series of themes and case studies; it is centered around individual student presentations of research projects.

Course aims. The aims of the course are:

1. To provide a broad overview of the development of the idea of human rights before 1948;
2. To examine the ideas and theories contained in the Universal Declaration of 1948;
3. To outline the analytical and normative framework of contemporary human rights debates;
4. To investigate the politics of human rights through a series of issues pertaining to contemporary human rights practice.

Learning outcomes. After completing the course the student should be able to:

1. Critically evaluate the intellectual and historical emergence of the idea of human rights;
2. Identify and assess the ideas presented in the Universal Declaration and the Human Rights Regime emerging after 1948;
3. Compare and contrast different approaches to human rights;
4. Analyse the politics of human rights through a set of cotemporary case studies.

Arts & Sciences Grading Scale can be accessed at: <http://www.slu.edu/x6352.xml>

Grade Points:	Grade Components:	Course Credits: 3
A 4.0	93%-100%	25% Mid-Term Exam
A- 3.7	90%-92%	10% Paper Proposal
B+ 3.3	87%-89%	40% Final Paper
B 3.0	83%-86%	15% Participation
B- 2.7	80%-82%	10% Presentation
C+ 2.3	73%-79%	
C 2.0	67%-72%	
C- 1.7	60%-66%	
D 1.0	50%-59%	
F 0.0	0-49%	

Grading: Students will be graded on the basis of their class participation and performance in the debates (15%), a written mid-term examination (25%), a three-page paper proposal of the final paper (10%), a final course paper (40%), and one individual presentation of your final paper/project (10%).

Last Day to Drop a Class without a Grade of "W" and/or to Add a Class: 14th September

Last Day to Choose Audit (AU) or Pass/No Pass (P/NP) Options: 14th September

Last Day to Drop a Class and Receive a Grade of "W": 29th October

Classroom Philosophy:

- You are required to attend all sessions prepared to participate and think critically during lecture and discussion sessions. You are expected to read up on issues covered during class from **the textbook or the materials uploaded on Blackboard** (as specified in this syllabus).
- I trust that you will be able to sustain a mutually respectful classroom atmosphere by treating all classmates as equals.
- Tardiness is at best a rude disruption to your fellow classmates who are punctual. Except for legitimate reasons (doctor's letter certifying illness for example), you are expected to attend all sessions. If you have any reasons for your absence, **an email should be sent to the tutor in advance of the class.**
- **Laptops will not be allowed in class except for taking notes** and in a manner that would not disrupt your engagement with the class and your colleagues' efforts to concentrate. **Phones are not allowed in the classroom under any circumstances.**
- All required assignments are to be submitted on time. Essays or assignments that are handed in late will be **marked down by 5% a day** for every day that they are late.

Clarification on assessment:

In this class, students will be expected to cover the required reading before class and be prepared to discuss in detail the ideas emerging from the text and their own reflections on the text and topic of the day.

1. Your *classroom participation* mark (15%) will reflect:

- The frequency of attendance and commitment to the course. Lateness and unexcused absences will be reflected in the final participation mark, **dropping 10% after every three absences.**
- Your ability to contribute questions in class and show an interest in taking an active role in classroom discussions.
- Your consistency in covering the required reading material and ability to extract the most relevant information for the classroom discussion.
- Participation in debates.
- The completion of class assignments.

2. *Mid-term Exam* (25%) held on **Wednesday, 14th October 2015** in the normal class time:

- The midterm examinations will be written on the respective date. **No alternative examination dates will be scheduled** except in cases of excused medical absences.
- A review sheet with the topics and questions covered, bibliography and the format for the exam will be provided prior to the examinations.
- A revision session will also be scheduled.

3. *Paper proposal* (10%) **due on Monday, 16th November 2015.** This consists of a three-page outline of the paper to include a research question, literature review, hypotheses, tentative research design, and a bibliography.

- A document outlining the requirements and expectations for the project proposal will be uploaded on Blackboard and sent by email. It will contain information on how it will be marked.

4. Presentation (10%) describing the research process and analysing the initial results of the individual projects in the workshop sessions at the end of the course: **12 minutes, followed by questions.**

There is a list of suggested topics included later on in the syllabus but other topics are welcome. The topics for the presentations should be coordinated with the topics for the final paper and paper proposal for a synergy of effort and a more personal contribution.

- Do not go over your time: going over the limit allocated will bring your mark down.
- Do not read your presentation, by practicing and reading you will feel confident enough to present without reading it.
- You are presenting your topic, its relevance, your research question, methodology and initial findings:
 - Why is this topic important?
 - What are the different perspectives in the study of this topic?
 - What is your question and specific take on it?
 - What are you attempting to research and how?
- Make the presentation dynamic, try to engage the audience, make frequent eye contact.
- I am evaluating your knowledge of the topic, your ability to make your points clearly, develop a unique angle and present an argument.
- Failure to present on the day you have committed to will result in a mark of 0.

5. Written project report of the research project/ final essay (40%): 3,000 words plus a bibliography due **Wednesday, 16th December 2015.**

Accommodation Statement

In recognition that people learn in a variety of ways and that learning is influenced by multiple factors (e.g., prior experience, study skills, learning disability), resources to support student success are available on campus. Students who think they might benefit from these resources can find out more about:

- Course-level support (e.g., faculty member, departmental resources, etc.) by asking your course instructor.
- University-level support (e.g., tutoring/writing services, Disability Services) by visiting the Academic Dean's Office (San Ignacio Hall) or by going to http://spain.slu.edu/academics/learning_resources.html.

Students who believe that, due to a disability, they could benefit from academic accommodations are encouraged to contact Disability Services at +34 915 54 58 58, ext. 204, send an e-mail to counselingcenter-madrid@slu.edu, or to visit the Counseling Office (San Ignacio Hall). Confidentiality will be observed in all inquiries. Course instructors support student accommodation requests when an approved letter from Disability Services has been received and when students discuss these accommodations with the instructor after receipt of the approved letter.

Information regarding the collection of student work for assessment

Saint Louis University - Madrid Campus is committed to excellent and innovative educational practices. In order to maintain quality academic offerings and to conform to relevant accreditation requirements, we regularly assess our teaching, services, and programs for evidence of student learning outcomes achievement. For this purpose we keep on file

anonymized representative examples of student work from all courses and programs such as: assignments, papers, exams, portfolios, and results from student surveys, focus groups, and reflective exercises. *Thus, copies of your work for this course, including any exams, oral presentations, assignments, submitted papers and/or portfolios may be kept on file for institutional research, assessment and accreditation purposes. If you prefer that Saint Louis University-Madrid Campus does not keep your work on file, you will need to communicate your decision in writing to your professor.*

Academic Honesty

The University is a community of learning, whose effectiveness requires an environment of mutual trust and integrity, such as would be expected at a Jesuit, Catholic institution. As members of this community, students, faculty, and staff members share the responsibility to maintain this environment. Academic dishonesty violates it. Although not all forms of academic dishonesty can be listed here, it can be said in general that soliciting, receiving, or providing any unauthorized assistance in the completion of any work submitted toward academic credit is dishonest. It not only violates the mutual trust necessary between faculty and students but also undermines the validity of the University's evaluation of students and takes unfair advantage of fellow students. Further, it is the responsibility of any student who observes such dishonest conduct to call it to the attention of a faculty member or administrator.

Examples of academic dishonesty would be copying from another student, copying from a book or class notes during a closed-book exam, submitting materials authored by or editorially revised by another person but presented as the student's own work, copying a passage or text directly from a published source without appropriately citing or recognizing that source, taking a test or doing an assignment or other academic work for another student, tampering with another student's work, securing or supplying in advance a copy of an examination without the knowledge or consent of the instructor, and colluding with another student or students to engage in an act of academic dishonesty.

Where there is clear indication of such dishonesty, a faculty member or administrator has the responsibility to apply appropriate sanctions most often leading to an "F" grade and even possible expulsion from the University.

Investigations of violations will be conducted in accord with standards and procedures of the school or college through which the course or research is offered. Recommendations of sanctions to be imposed will be made to the dean of the school or college in which the student is enrolled. Possible sanctions for a violation of academic integrity include, but are not limited to, disciplinary probation, suspension, and dismissal from the University. The complete SLU Academic Honesty Policy can be found at the following link: http://spain.slu.edu/academics/academic_advising/docs/Academic_integrity.pdf

**POLS 2930: The Theory and
Practice of Human Rights**
Monday and Wednesday, 17:30-18:45

Course schedule:

Textbook: Callaway, R. L. and Harrelson-Stephens, J. (2007), *Exploring International Human Rights: Essential Readings*. Colorado: Lynne Rienner.

In addition to the textbook, the instructor will be providing electronic versions of other required reading which will be uploaded on the course page on Blackboard.

1. Wednesday, 2nd September

Introduction to the Course

Course description, presentation of syllabus, readings materials, assignments and schedule.

Part I: The History and Theory of Human Rights

2. Friday, 4th September

Thinking about Human Rights

- Reading: Douzinas, C.: 'Human Rights: A Short History of an Idea', in *Human Rights and Empire*, pp. 15- 33, Blackboard.
 - Optional: Foucault, M.: 'Nietzsche, Genealogy, History', in *Language, Counter-Memory, Practice*, pp. 1-14, Blackboard.

3. Monday, 7th September

Natural Law in Classical Times

- Reading: Douzinas, C.: 'Classical Beginning of Natural Law', in *The End of Human Rights*, pp. 23- 45, Blackboard.

4. Wednesday, 9th September

From Natural Law to Natural Right: the Legacy of Christian Thought

- Reading: Douzinas, C.: 'From Natural Law to Natural Right', in *The End of Human Rights*, pp. 56- 68, on Blackboard.

5. Monday, 14th September

Individual Natural Rights

- Reading: Douzinas, C.: 'Natural Right in Hobbes and Locke', in *The End of Human Rights*, pp. 68 – 84, on Blackboard.

6. Wednesday, 16th September

The Age of Revolutions and the Rights of Men and Citizens

- Reading: Douzinas, C.: ‘The Rights of Men, Citizens and a Few Others’, pp. 85- 100, Blackboard.
- *American Declaration of Independence*,
http://www.archives.gov/exhibits/charters/declaration_transcript.html
- *French Declaration of the Rights of Men*,
http://avalon.law.yale.edu/18th_century/rightsof.asp

7. Monday, 21st September

The Triumph of Humanity? From Natural to Human Rights

- Reading: Douzinas, C.: ‘The Rights of Men, Citizens and a Few Others’, pp. 100- 106, Blackboard.
- Arendt, H.: ‘The Decline of the Nation State and the End of Human Rights’, from *The Origins of Totalitarianism*.

8. Wednesday, 23rd September

Taking Liberties (90’, documentary on the erosion of civil liberties, with a historic view of key rights and liberties; Chris Atkins, 2007).

- Rendition Project, <http://www.therenditionproject.org.uk/index.html>
- Also read up on *Spain’s New Security Law*, known as *Ley Mordaza*, 1915.

9. Monday, 28th September

Taking Liberties (cont.) + completion of class assignment (details to be sent out by email).

10. Wednesday, 30th September

Institutionalising Human Rights

- Reading: Michael Freeman, *Human Rights: ‘1945: a New Age for Human Rights: section 1’*, pp. 32-48, on Blackboard;
- Roosevelt, F.D., ‘Four Freedoms Speech’, State of the Union Address 1941, <http://www.youtube.com/watch?v=QnrZUHcpoNA>
- Text of the 1948 *Universal Declaration of Human Rights*, <http://www.un.org/en/documents/udhr/index.shtml>

11. Monday, 5th October

Human Rights and Cultural Relativism

- R. Callaway and J. Harrelson-Stephens, *Exploring International Human Rights*: pp. 109- 140, as well as individual research to collect examples and evidence for your case.

12. Wednesday, 7th October

Debate Session I: Are Human Rights Universal?

13. Monday, 12th October

Spain’s National Day (University Closed).

14. Wednesday, 14th October

Mid-term Exam, 17:30 - 18:45

Part II: Contemporary Issues in Human Rights**15. Monday, 19th October***Human Rights and Poverty (coinciding with the International Day for the Eradication of Poverty 17 Oct.)*

- Callaway, R. and J. Harrelson-Stephens, *Exploring International Human Rights*, pp. 248- 260.
- Child Poverty in Spain, <http://www.thinkspain.com/news-spain/23875/one-in-three-children-in-spain-lives-in-poverty-says-save-the-children>
- Look up organizations such as *UNICEF*, *Save the Children Spain*, *Stop Desahucios/PAH* to note their efforts in combating poverty and child poverty in Spain, <http://afectadosporlahipotecamadrid.net/>

16. Wednesday, 21st October*The Human Rights of Children*

- Reading: Callaway, R. and J. Harrelson-Stephens, *Exploring International Human Rights*, pp. 201- 233.
- *The State of World's Children (UNICEF 2014)*, <http://www.unicef.org/sowc2014/numbers/>
- *Convention on the Rights of the Child (1989)*, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- Documentary Film (*Arna's Children 70'*; 2004), in class.

17. Monday, 26th October*Violence Against Women and Human Trafficking*

- Reading: Callaway, R. and J. Harrelson-Stephens, *Exploring International Human Rights*, pp. 177- 197.
- *1979 Convention on the Elimination of All Forms of Discrimination* <http://www.un.org/womenwatch/daw/cedaw/>

18. Wednesday, 28th October*Guest speaker session: Dr. Robin Redhead, Leeds.***19. Monday, 2nd November***Human Rights and Immigration*

- Reading: Callaway, R. and J. Harrelson-Stephens, *Exploring International Human Rights*, pp. 84- 89.
- Raciere, J. (2004), 'Who is the Subject of Human Rights', *South Atlantic Quarterly*, Blackboard.

20. Wednesday, 4th November

Debate Session II: Is the current international legal framework on refugees sufficient to protect the human rights of those fleeing war and persecution?

- 1951 Convention on Refugees + 1967 Protocol,
<http://www.unhcr.org/pages/49da0e466.html>

21. Monday, 9th November

Nuestra Señora de la Almudena Holiday (University Closed).

22. Wednesday, 11th November

Human Rights in the “War on Terror”

- R. Callaway and J. Harrelson-Stephens, *Exploring International Human Rights*, pp. 228- 233 and pp. 287 – 297.
- *Third* (1949) *Geneva Convention on the Treatment of PoW*,
<https://www.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/6fef854a3517b75ac125641e004a9e68>
- Documentary film: *You Don't Like the Truth: Four Days Inside Guantanamo* (Luc Cote, 2010), in class.

**** Paper Proposal due Monday,
16th November at the start of the class ****

23. Monday, 16th November

Torture and the Human Rights Framework

- Blakeley, R. (2011), ‘Dirty Hands, Clean Conscience’, *Journal of Human Rights* 10.
- Rendition project website, <http://www.therenditionproject.org.uk/>
- *1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*,
http://www.unhchr.ch/html/menu3/b/h_cat39.htm

Part III: Human Rights in Practice

The remaining sessions will be based on student presentations of individual research of topics and case studies, based on your research papers. A list of suggested topics is listed below but you can also choose a topic not mentioned on this list. There are chapters on all of these in Callaway, R. and J. Harrelson-Stephens. Read the relevant chapter; develop a plan for further research that goes beyond the chapter in the textbook in exploring the ideas and finding relevant case studies. Formulate a paper structure and proposal (to be submitted by 16 November) and present it to class. You will be asked to commit to one of the slots. Failing to present in the chosen session will result in penalties for the presentation mark.

24. Wednesday, 18th November

Gender-based Violence; Human Trafficking

25. Monday, 23rd November

Human Rights and Immigration + Rights of Refugees

26. Wednesday, 25th November

Modern Slavery

(http://www.disposablepeople.org/27_Million_Slaves.html)

27. Monday, 30th November

Human Rights and Poverty; Right to Health; Right to Education

28. Wednesday, 2nd December

Inmaculada Concepción Holiday (University Closed).

29. Monday 7th, December

Torture; Balance between Human Rights and Security

30. Wednesday 9th December

Concluding Discussion: Coinciding with the Human Rights Day (10 December)

Reading: Spivak, G., 'Righting Wrongs'

<https://blogs.commonsgorgetown.edu/engl-218-fall2010/files/Righting-Wrongs.pdf>

***** Final Session/Paper submission:
Wednesday, 16th December at 15:30 – 17:30 *****

ADDITIONAL SOURCES

Fiction:

Michael Ondaatje, "Anil's Ghost"

Samantha Power, "Chasing the Flame"

Ayaan Hirsi Ali, "Nomad"

Chris Cleave, "Little Bee"

Philip Gourevitch, "We Wish to Inform You That Tomorrow We Will be Killed With Our Families: Stories from Rwanda"

Jane Mayer, "The Dark Side: Inside story in the War on Terror"

Henry Dunant, "A Memory of Solférino"

Ken Saro-Wiwa, "Africa Kills Her Sun"

Sindiwe Magona, "Mother to Mother"

Ariel Dorfman, "Death and the Maiden"

Cristina Peri Rossi, "Ship of Fools"

Nuruddin Farah, "Gifts"

Film:

Arna's Children (Danniel Danniel 2004).

Battle of Algiers (Gilo Pontecorvo).

The Official Story (Luis Poenzo, 1985).
Road to Guantanamo (Michael Winterbottom, 2005).
Taxi to the Dark Side (Alex Gibney, 2007).
Sometimes in April (Raoul Peck, 2005).
Four Days Inside Guantanamo (Luc Cote, 2010).
No End in Sight (Charles Ferguson, 2007).

Academic texts:

Abouharb, MR & Cingranelli, D (2007), *Human Rights and Structural Adjustments*, Cambridge, Cambridge University Press.

Alston, P & Macdonald, E (2008), *Human rights, Intervention and the Use of Force*, Oxford, Oxford University Press.

Alston, P, Goodman, R and Steiner, H (2007), *Human Rights in Context: Law, Politics, Morals*, Oxford, OUP.

Ashby-Wilson, R (2005), *Human Rights in the War on Terror*, Cambridge, Cambridge University Press.

Campbell, T, Goldsworthy, J and Stone, A (2003), *Protecting Human Rights: Instruments and Institutions*, Oxford, Oxford University Press.

Caney, S (2001) *Human Rights and Global Diversity*, Cass.

Caney S (2006), *Justice Beyond Borders: A Global Political Theory*, Oxford, Oxford University Press.

Chomsky, N & Herman, E (1979), *The Political Economy of Human Rights Vol. 1: The Washington Connection and Third World Fascism*, Spokesman.

Chomsky, N & Herman, E (1979), *The Political Economy of Human Rights Vol. 2: After the Cataclysm: Postwar Indochina and the Reconstruction of Imperial Ideology*, Spokesman.

Costas Douzinas, *Human Rights and Empire* (Routledge, 2007).

Fenwick, H (2002), *Civil Liberties and Human Rights in England and Wales*, Oxford, Oxford University Press.

Fleiner, T (1999), *What are Human Rights?* Blackstone

Hunt, L (2008), *Inventing Human Rights: A History*, New York, Norton.

Ishay, MR (2007), *The Human Rights Reader: Major Political Essays, Speeches and Documents From the Ancient Time to the Present*, New York, Routledge.

Jones, P (1994) *Rights*, London, Palgrave.

Lacquer, W & Rubin, B (1979), *The Human Rights Reader*, Meridian.

Pogge, T (2008), *World Poverty and Human Rights: Cosmopolitanism Responsibilities and Reforms*, Cambridge, Blackwell.

Sontag, S. (2003), *Regarding the Pain of Others*.

Rose, D (2004), *Guantanamo: America's War on Human Rights*, London, Faber and Faber.

Weiss, TG (2004), *Wars on Terrorism and Iraq: Human Rights, Unilateralism, and US Foreign Policy*, London, Routledge.

Woodiwiss, A (2005), *Human Rights*, London, Routledge.

Geoffrey Robertson Q.C. on the History of the Human Rights
http://fora.tv/2009/03/30/Geoffrey_Robertson_on_the_History_of_Human_Rights

