

BOSTON UNIVERSITY
DEPARTMENT OF HISTORY

HISTORY OF INTERNATIONAL HUMAN RIGHTS
CAS HI346 / CAS IR348 / GRS HI746
Spring 2014

Class meetings: MW 2:00–3:30pm
Room: CAS 237

Professor Simon Payaslian

Office hours: M 3:30–5:00, W 4:00–5:30, or by appointment

Office: 508 @ 226 Bay State Road

phone: (617) 353–8313

email: payas@bu.edu

Unless otherwise noted, your instructor checks his emails at least once a day.

COURSE DESCRIPTION

We live in a world of great prosperity and rapid social, economic, cultural, and technological advances. Yet, we also live in a world of egregious human rights violations and humanitarian crises, in many cases with little hope for improvement. One of the main objectives of this course is to enable the student to assess the extent to which national, regional, and international institutions promote and protect human rights as premised upon the fundamental principles of basic human dignity, individual rights, and just society, on the one hand, and national sovereignty and security, on the other.

This course introduces the student to the history of international human rights from the late eighteenth century to the present. We begin the course by exploring the philosophical foundations of human rights, the origins and sources of human rights, their enforcement and justifications, and various conceptions of rights in modern times, such as the “three generations of human rights.” The evolution of the modern concept of human rights, which emerged as an expression of universal values, paralleled or reflected prevailing political, social, economic, and cultural conditions and the development of various strands in the history of philosophy at least since the Enlightenment.

Next, we examine the successes and failures of humanitarian intervention, the role of the League of Nations in addressing the consequences of war and genocide, and the post-WWI refugee crises. We then analyze in some detail the internationalization or universalization of human rights since the Second World War, as demonstrated by sovereign nation-states’ recognition of rights as part of positive international law, with particular attention to the UN Charter, the Universal Declaration of Human Rights, and related standard setting instruments of international human rights law—eg, International Covenant on Civil and Political Rights, International Covenant on Economic, Social, and Cultural Rights. We evaluate cultural, political, economic, and geopolitical issues related to the promotion and protection of human rights, the universal applicability of international human rights standards and law under various political and cultural conditions and in different parts of the world, the legal and moral obligations assumed by states under international customary law and as parties to inter-

national conventions, and the clash between the principles of national sovereignty and human rights as well as the clash between competing human rights.

All national constitutions promise protection and promotion of human rights in compliance with international human rights law. Yet, clearly, many governments routinely violate human rights, are engaged in arbitrary arrests and cruel and inhuman punishment, and infringe upon citizens' physical security and privacy. Such governments show little respect for the right to vote, freedom of thought, assembly, speech, press, and religion, and the right to fair and impartial trials. Moreover, despite protections guaranteed under national and international human rights laws, women and children continue to suffer discrimination and exploitation, social and economic inequities, and unsafe and unsanitary working and living conditions.

We discuss the extent to which non-governmental organizations such as Human Rights Watch, Amnesty International, and the World Council of Churches have and can serve as mechanisms to promote and to protect human rights. We conclude the course with a discussion concerning the implications of the rights to economic development, ecological integrity, and a nuclear-free world, and review the issues involved in globalization and international human rights in the early twenty-first century.

REQUIRED TEXTS

The following books are available for purchase at the BU bookstore:

Forsythe, David. *Human Rights in International Relations*. 3rd ed. Cambridge University Press, 2012.

Lauren, Paul Gordon. *The Evolution of International Human Rights: Visions Seen*. 3rd ed. University of Pennsylvania Press, 2011.

Rodogno, Davide. *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815–1914: The Emergence of a European Concept and International Practice*. Princeton University Press, 2012.

Smith, Rhona K.M. *Textbook on International Human Rights*. 5th ed. Oxford University Press, 2012.

Specific chapters are assigned from the following books:

Williams, Melissa S., Rosemary Nagy, and Jon Elster, eds. *Transitional Justice*. New York University Press, 2012. (Online access via Mugar Library)

Lyons, Gene M., and James Mayall, eds. *International Human Rights in the 21st Century: Protecting the Rights of Groups*. Rowman and Littlefield, 2003. (On reserve at the Mugar Library).

The following books are on reserve at the Mugar Library. They are optional readings for *undergraduate students*, and required readings for *graduate students*.

Ishay, Micheline R., ed. *The Human Rights Reader: Major Political Writings, Essays, Speeches, and Documents from the Bible to the Present*. 2nd ed. Routledge, 2007.

Stearns, Peter N. *Human Rights in World History*. Routledge, 2012.

COURSE REQUIREMENTS

The final grade for the course will be assessed on the basis of the following:

Undergraduate students:

Book review	15%	1,000 words
Term paper	25%	4,000–4,500 words
Midterm exam	25%	
Final exam	35%	

Graduate students:

Book review	15%	1,000 words
Two analytical essays	40%	(20% each) 1,500 words each
Term paper	45%	7,000–7,500 words

Book Review Essay [1,000 words] (15%)

Students are required to submit a book review. A book review guide appears at the end of this syllabus, but in general a book review examines the author's approach to the topic, his/her analytical framework and methodology, ideological orientation, and interpretations. Full bibliographical information of the book reviewed should appear at the end of the paper. If you do use other sources, be sure to include documentation in footnotes or endnotes. There is no need for footnotes/endnotes for the book being reviewed; instead, insert references (in parentheses) in the text of your paper—for example, (Meron 50).

Term Paper

Undergraduate students:	25%	4,000–4,500 words
Graduate students:	45%	7,000–7,500 words

The research paper examines in some detail a specific aspect of the history of the history of international human rights. The research paper must integrate material from primary sources if the student wishes to receive an "A" on the paper. This means four or five short quotes—in addition to usual references to primary sources. Students should discuss their paper topics with the instructor as soon as possible. The paper topic is due on Wednesday, February 5, and a preliminary paper outline and bibliography are due on Wednesday, March 19.

The term paper requires proper documentation (that is, footnotes or endnotes) and a bibliography—for example, see Kate Turabian's *Manual for Writers of Term Papers, Theses, and Dissertations*. Before submitting the final draft of your paper, you should reserve sufficient time to reread and revise it. Students are encouraged to become familiar with Mary Lynn Rampolla's *A Pocket Guide to Writing History* and the classic handbook, *The Elements of Style*, by William Strunk Jr. and E.B. White. These manuals are not "required texts" for this course, but they should remain on your desk during your college education and long thereafter.

Written assignments must be typed in 12 font size and double-spaced, with 1 inch margins on all sides.

Undergraduate Students:

Midterm Exam, 25% / Final Exam, 35% [total 60%]

Both the midterm and the final are in-class exams. They cover the material presented in lectures and the readings. Each exam contains identifications/definitions and essay questions. A week in advance, your instructor will hand out a study guide consisting of a list of terms/names and sample essay questions, some of which may appear on the exam.

Graduate Students:

Two analytical essays, 1,500 words each [20% each essay, total 40%]

Graduate students are required to write two analytical essays instead of the in-class exams. These analytical essays will focus on a specific aspect of international human rights covered in the texts and class discussions. About a week or so before the due date, your instructor will hand out three or four questions. Students will write on one of them. The essays, each 1,500 words in length, must be typed and double-spaced. No outside research is necessary for these essays; however, if you do use sources other than the assigned readings in this course, be sure to include proper documentation (eg, footnotes or endnotes).

Note on Extensions & University Academic Conduct Code

Extensions for written assignments are strongly discouraged and will be allowed in extremely urgent emergencies only and with adequate documentation. Otherwise, 10 points will be subtracted from the grades for each day delayed after the scheduled due dates.

Students must adhere to all university standards of academic conduct. Please consult the Boston University Code of Academic Conduct. Plagiarism and other forms of academic misconduct will not be tolerated. Students violating the rules of academic conduct will automatically fail the course.

Please become familiar with the University's Code of Academic Conduct by visiting the following page: <http://www.bu.edu/academics/resources/academic-conduct-code/>.

COURSE OUTLINE

In case we need to make any changes in the schedule for reading assignments below, your instructor will announce them in class.

(*) Indicates books on reserve at the Mugar Library
Undergraduate Students: Optional readings
Graduate Students: Required readings

Wednesday, Jan 15, Classes Begin

Jan 15 INTRODUCTION TO THE COURSE

Monday, Jan 20, Classes suspended

Jan 22 GENERATIONS OF HUMAN RIGHTS: PHILOSOPHICAL FOUNDATIONS

Lauren, Ch. 1, pp. 1–42

Forsythe, Ch 1, pp. 3–36

Smith, Ch. 1, pp. 1–4

(*) Ishay, Introduction & Part II, Chs. 5–7, pp. xxi–xxviii, 95–188

(*) Stearns, Chs. 1–2, pp. 1–53

Jan 27 / 29

INDUSTRIALIZATION, EMPIRES, & HUMAN RIGHTS IN THE NINETEENTH CENTURY

Lauren, Ch. 2, pp. 43–78

Rodogno, Introduction, Chs. 1–2, pp. 1–62

Smith, Ch. 2, pp. 5–25

(*) Ishay, Part III, Chs. 8–10, pp. 189–283

(*) Stearns, Chs. 3–4, pp. 54–123

Feb 3 / 5

NATIONAL SOVEREIGNTY, MODERNIZATION, AND INTERNATIONALIZATION
IN EARLY TWENTIETH CENTURY

Lauren, Ch. 3, pp. 79–108

Rodogno, Ch. 3–5, pp. 63–140

(*) Ishay, Part IV, Ch. 11, pp. 283–332

Wednesday, Feb 5, Paper topic due

Feb 10 / 12

WARS, GENOCIDES, AND HUMAN RIGHTS: FROM THE LEAGUE OF NATIONS
TO THE UNITED NATIONS

Rodogno, Ch. 6–10, pp. 141–245

Lauren, Chs. 4–5, pp. 109–164

Smith, Ch. 3, pp. 26–36

Monday, Feb 17, Classes suspended / Wednesday, Feb 19, scheduled as Monday

Feb 19 UNIVERSAL HUMAN RIGHTS REGIMES: THE DECLARATION OF HUMAN RIGHTS

Lauren, Chs. 6–7, pp. 165–225

Forsythe, Ch. 2, pp. 37–69

Smith, Ch. 4, pp. 37–51

Feb 24 / 26 GLOBAL APPLICATION OF HUMAN RIGHTS
 Lauren, Ch. 8, pp. 227–265
 Forsythe, Ch. 3, pp. 71–116
 Smith, Chs. 5 & 10, pp. 52–85, 153–180
 (*) Stearns, Ch. 5, pp. 124–160

Monday, Mar 3, Undergraduate Students: Midterm exam
Graduate Students: Analytical Essay I due

W Mar 5 TRANSITIONAL JUSTICE
 Forsythe, Ch. 4, pp. 117–154
 Webber, Ch. 3, “Forms of Transitional Justice,” & Satz, Ch. 4,
 “Countering the Wrongs of the Past,” in Williams et al.,
 Transitional Justice, pp. 98–128, 129–150

Spring Recess, Saturday, Mar 8–Sunday, Mar 16

Mar 17 / 19 REGIONAL HUMAN RIGHTS REGIMES
 Forsythe, Ch. 5, pp. 155–196
 Smith, Chs. 6–9, pp. 86–95, 98–118, 119–136, 137–152

Wednesday, Mar 19, Paper outline and bibliography due

Mar 24 / 26 HUMAN RIGHTS AND FOREIGN POLICY
 Forsythe, Ch. 6, pp. 197–239

Mar 31 / Apr 2 NGOS AND INTERNATIONAL HUMAN RIGHTS
 Forsythe, Ch. 7, pp. 240–276

Apr 7 / 9 DEMOCRACY, GROUP RIGHTS, AND DEVELOPMENT
 Forsythe, Ch. 8, pp. 277–316
 Smith, Chs. 11, 17–22, pp. 181–194, 285–383
 Jackson-Preece, “Human Rights and Cultural Pluralism,” & Hanum,
 “Indigenous Rights,” in *International Human Rights in the 21st*
 Century, ed. Lyons and Mayall, pp. 49–71, 72–99

Apr 14 / 16 DEMOCRACY, GROUP RIGHTS, AND DEVELOPMENT (continued)

Monday, Apr 21, Classes suspended / Thursday, Apr 24, scheduled as Monday

Apr 23 / 24 CONFLICTS OF RIGHTS IN THE AGE OF GLOBALIZATION
 Lauren, Ch. 9, pp. 267–288
 Smith, Chs. 12–16, pp. 195–284
 (*) Ishay, Part V, Chs. 12–13, pp. 333–436
 (*) Stearns, Ch. 6, pp. 161–186

Apr 28 HUMAN RIGHTS AND REMEDIES FOR VIOLATIONS IN THE 21ST CENTURY
 Forsythe, Ch. 9, pp. 317–344
 Vermeule, Ch. 5, “Reparations as Rough Justice,” & Nalepa, Ch. 11,
 “Reconciliation, Refugee Returns, and the Impact of
 International Criminal Justice,” in Williams et al., *Transitional
 Justice*, pp. 151–165, 316–359
 (*) Ishay, Ch. 14, pp. 437–473

Monday, Apr 28, Term Papers Due [Undergraduate & Graduate Students]

Apr 30 AN ASSESSMENT OF INTERNATIONAL HUMAN RIGHTS
Last day Lauren, Ch. 10, pp. 289–315
of class Rodogno, Epilogue, pp. 247–276
 Smith, Ch. 23, pp. 384–394
 (*) Stearns, Ch. 7, Conclusion, pp. 187–191

Undergraduate Students: Final Exam: Thursday, May 8 / Time: 3:00– 5:00p.m.

Graduate Students: Analytical Essay II due: Thursday, May 8

Study period: Friday, May 2 – Monday, May 5

Final Exams period: Tuesday, May 6 – Saturday, May 10

Commencement Weekend: Friday, May 16 – Sunday, May 18, 2014

Book Review Guide

The purpose of a book review essay is to write a critical analysis of a book. Unlike “book reports” (which merely summarize its contents), the review essay examines the author’s approach to specific issues presented in the book, the author’s analytical framework and methodology, and his/her ideological orientation toward and interpretations of events and personalities examined in the book.

The following is to guide you in preparing your outline:

I. Introduction

- 1) What is the book about?
- 2) What is the author’s purpose in writing the book? Usually, but not always, this is clearly stated in the preface or in the introduction. Who is the intended audience—for example, the general public, university students/scholars?
- 3) What are the principal theses presented in the book?

II. Analysis

- 1) What are the major components of the book—for example, how many chapters (mention some examples of chapter titles), maps, charts, and tables? If the author does include maps, charts, and tables, are they useful? Are they consistent with the material presented in the text?
- 2) How does the book support the theses? This is done by answering the following:
 - What are some of the major arguments regarding specific issues, events, etc.?
 - What evidence does the author present to support his/her theses?
 - What type of primary sources does the author rely on—for example, government archives, personal papers, interviews? And secondary sources?
 - Does the author mention other authors’ works that confirm or refute his/her arguments and findings?
- 3) What is the general mode of analysis used by the author—descriptive, explanatory?

III. Conclusion

- 1) After reading the book, how successful was it in accomplishing what the author promised in the preface or introduction?
- 2) How useful do you think is the book—for example, for the general public, university students/scholars? Would you recommend them to others? Why or why not? Explain.