Course Outline

COURSE: LAWS 4604B - International Human Rights Protection

PREREQUISITES: 4th year Honours standing

TERM: Fall 2007

CLASS: Day & Time: Thursdays, 2:35-5:25 pm
Room: 208 University Commons

INSTRUCTOR: Professor Christiane Wilke

CONTACT: Office: D485 Loeb
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Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary letters of accommodation. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations. With regard to accommodations for religious obligations and pregnancy, please see http://www.carleton.ca/law/accommodations.htm.

COURSE OBJECTIVES & CONTENT:

Human rights are constantly invoked, allegedly violated, studied in seminars, protected, and celebrated – but what are human rights and what do they do? How do people think about “their” rights, and how do they use them? How have different human rights movements evolved? How have human rights developed from the rights of white propertied males to the rights of all human persons? And what does it mean to be such a person? This seminar focuses on understanding the strengths and limits of international human rights in three contentious contexts: the enforced disappearances in Argentina, HIV/AIDS in South Africa, and torture and mistreatment in the context of the ‘war on terror.’ We will ask why claims were made in the language of human rights and we will examine the practical and conceptual effects of casting claims about injustice in terms of human rights. The case studies are complemented by theoretical readings and offer examples of contentious issues in contemporary human rights.
COURSE MATERIAL:

The course pack LAWS 4604.B is available from:
A copy of the same course pack is on reserve at the library. You make it out to read and photocopy, but please make sure to put all items back in the same order.

Please note the availability indications in the outline next to the readings. Materials marked [pdf] or [WebCT] are available through WebCT.

EVALUATION PROCEDURES:

- **Class presentation and participation**: 15%
- **Three response papers**: 15% each (45% combined)
- **Final paper**: 40%
- **In order to pass the class, you need to complete all assignments (minus one of the response papers).**

- **Class presentation and participation**: This is a seminar class with challenging readings. Discussing these texts on the basis of short (5 min.) class presentations will allow us reach a better understanding of the theories and their problems. If everyone brings their own critical perspectives on the texts to the table, we will be able to gauge the range of possible interpretations and critiques of the texts. Thus, everyone’s active participation is crucial for the success of the class. Participation presumes, of course, that you have read the texts carefully.

- **Critical response papers** offer a critical analysis of (or response to) key arguments from assigned readings. You choose the readings to which you will respond in about 4-5 pages (double-spaced). Critical response papers are due at the beginning of the class for which the reading is assigned. **No late response papers are accepted.** The first response paper has to be submitted no later than September 27th. The second response paper is due no later than October 25th. The third response paper is due no later than November 22nd. You cannot write a response paper on the same text that you are giving a presentation on.

- **The final research paper** challenges you to develop a more sustained argument about the readings on 12-15 pages (double-spaced). The final paper is due on December 3rd. Over the course of the term, you will have to submit an initial **paper topic** and a **paper draft**. Those are **mandatory** but not graded. **I will not mark research papers from students who have not submitted paper drafts.**
SCHEDULE:

1. September 6th
   **Introduction: Thinking about Human Rights**
   The Universal Declaration of Human Rights (1948)
   The South African Freedom Charter (1955)

2. September 13th
   **The International Human Rights System: Overview**

3. September 20th
   **Human Rights, States, and Citizenship**
   Recommended:

4. September 27th
   **Human Rights and the Human Rights Movement: Resisting Military Dictatorship in Argentina**

Recommended:

[The first response paper has to be submitted in or prior to the class of September 27th]

5. October 4th

**Reporting on Human Rights and Forced Disappearances**

Inter-American Commission on Human Rights, Report on Argentina (28/92):
http://www.cidh.oas.org/annualrep/92eng/Argentina10.147.htm [WebCT]
<http://hrw.org/english/docs/2005/06/14/argent11119.htm>. [WebCT]

Recommended:

6. October 11th

**The Subject(s) of Human Rights: Rethinking Gender and Culture in Human Rights**


Recommended:
Shelley Wright, *International Human Rights, decolonisation and globalisation: becoming human* (London &
7. October 18th

Human Rights in South Africa


Recommended:


[The topic for the research paper has to be submitted in or prior to the class of October 18th]

8. October 25th

Human Rights and Health in South Africa


Minister of Health v. Treatment Action Campaign, Constitutional Court of South Africa, CCT 8/02. [pdf]


Additional resources (from Bora Laskin Law Library, Women’s Human Rights Resources Programme): <www.law-lib.utoronto.ca/diana/TAC_case_study/selectedissues.html>. [WebCT]

Recommended:


9. November 1st

**Human Rights and the Prohibition of Torture**


The Supreme Court of Israel, *Judgement on the Interrogation Methods applied by the GSS*, 6 September 1999. [WebCT]

Tal Kastner, “The Language of the Law and the Tortured Body: The Public Committee Against Torture in Israel v. The State of Israel,” manuscript. [will be posted on WebCT]

**Recommended:**


10. November 8th

**Human Rights and Torture in the War on Terror**


**Recommended:**


[The draft or outline of the research paper has to be submitted in or prior to the class of November 8th]

11. November 15th

**International Human Rights, Globalization, and Violence**


Recommended:

12. November 22nd

**Concluding Reflections & Research Paper Workshop**


Additional readings TBA.

[The third response paper has to be submitted in or prior to the class of November 22nd]

13. November 29th

Class format/readings TBA.

Don’t forget: The research paper is due on Monday, December 3rd.

Note on the assignments: All assignments have to be original work by the student who is submitting them. Collaboration on assignments is not permitted. (The only possible exception to this rule in this course may be joint presentations of two or more students with the specific permission of the instructor.) In addition, students should note Carleton University’s policy on instructional offences, available at [www.carleton.ca/cuuc/regulations/acadregsuniv14.html](http://www.carleton.ca/cuuc/regulations/acadregsuniv14.html). Penalties for academic offences may range from a reprimand to expulsion from the university. The use of outside material without proper references is one of the most common and most easily avoidable instructional offences. Whatever language and ideas you take from other sources needs to be referenced. Make yourself familiar with different citation styles! The Carleton University library has many resources that can help you. See: [www.library.carleton.ca/howdoI/citing.html](http://www.library.carleton.ca/howdoI/citing.html).