

PSCI 3307A
The Politics of Human Rights

Thursday 08:35-11:25 am

Please confirm location on Carleton Central

Professor Keith Haysom
Office: Loeb B645
Phone: 613-520-2600 x1657 (no voicemail)
Hours: Thursday, 12:00-13:30 or by appointment
Email: khaysom@connect.carleton.ca

General Objectives:

In this course, we will examine the cause of human rights as both a political project and a site for political conflict and contestation. Our goal here is neither to celebrate nor dismiss human rights, but rather to problematize them: to explore beneath the surface of their rhetoric for their conceptual, historical and political underpinnings, and the questions that these *specific* foundations raise for those political projects with *universal* aspirations that place human rights at the forefront of their agenda.

Specific Objectives

In a first approach to the issue, we examine both the philosophical origins and historical-political origins of our contemporary human rights regimes and discourses. Concerning the former we will begin with an examination of not only the liberal and/or republican origins of human rights, but also Marxist and conservative criticisms that the political project of human rights amounts to either a fiction meant to obscure material relations of power, or a rationalist fallacy whose logical end-point is tyranny. How do contemporary defenders of human rights respond to these critiques? Concerning its more material origins, we examine the dynamics of the spread of human rights in contemporary international politics, and the question of whether the reality of unequal power relations therein necessarily delegitimizes the project of global human rights.

Having sharpened our teeth on such fundamental questions, we can then proceed to examine more specific controversies concerning human rights. First, we examine the social science literature concerning the most effective ways of either measuring or supporting human rights. Second, we examine the question of the relationship between civil and political rights and social and economic rights, and whether economic globalization has increased the former at the expense of the latter. Third, we consider feminist critiques of human rights and whether women's rights are a sub-category of, or competitor to, human rights as such. Fourth, we examine conflicts over the proper scope of human rights and its application (e.g. the nation vs. the globe) and doubts concerning the universality of the human rights project itself, particularly the question of how universal human rights can be consistent with cultural diversity, and which should take precedence over the other should they conflict. Fifth, we consider the problems attendant

upon both punishing those who have committed crimes against humanity, and restoring the rights of those who fall victim to such crimes. Sixth, we return to question of international power relations when we consider the imperatives for and dangers of humanitarian intervention. In our final weeks we investigate Canada's own human rights regime and ask whether human rights must inevitably bow before security concerns in an era of international terrorism. Is a compromise possible between rights and security? Can the Canadian Human Rights Commission's mission to eliminate discrimination and inequality be squared with the preservation of basic liberties, such as the freedom of speech? Finally, at the conclusion of the course, we assess the overall power and effectiveness of the rights discourse in achieving its larger goals: the prevention of abuses of power and preservation of human dignity. Are there other means to these ends that transcend the struggle for rights?

Reading Materials:

Diligent reading is necessary for successful completion of this course. Class notes will only prepare you so much for your various assignments. Moreover, to the extent that class participation is an important element of your final mark, you will need to have read the assigned course readings in order to fully participate in class discussions.

There is one course textbook, which is mandatory: ***Human Rights: An Interdisciplinary Approach*** by **Michael Freeman**. This book can be purchased at the Carleton University Bookstore

There is also **one course pack**, which is **also mandatory**, containing all required reading materials for the course that fall outside the Freeman text. It will be available for purchase at either Allegra Print & Imaging (1069 Bank St.) or Mother Tongue Books (1067 Bank St.)

Materials for panel presentations will be available on 24 hr. reserve at the library.

Course Requirements:

Attendance – 10%

Comparative Analysis – 30%

Group Report / 2nd Comparative Analysis– 30%*

Final Take-Home Exam – 30% (Due: December 22)

Class Participation – up to 2 bonus marks

Attendance – Attendance is mandatory. Every class an attendance sheet will be sent around. Mark your initials on it by your name. We have 12 classes throughout the term, so each class will be worth 1/12th of the attendance mark, or 0.83% of the final mark.

Group Report – On 10 different occasions throughout the semester, a group of between 3 and 4 students will make a presentation to the class on the subject of additional readings on the topic of that week's class. Students should decide which group they want to be part of within the first week of class and then sign up for it – a sign up sheet will be posted on my office door and be available in class. Members of groups will be assigned a collective mark for the entire group, but it is **imperative** that each member of the panel present some aspect of the group discussion. In most cases, panel members will have to divide between them a number of articles by different authors concerning the same topic. The articles listed below for each panel are not absolute in their number, but can be added to or subtracted from to reflect the size of the panel. However, the panels themselves will have an absolute limit of 4 students.

Panel members will be responsible, collectively, for the following tasks:

- 1) summarizing the additional reading materials for the benefit of the class
- 2) relating this additional material to the required readings
- 3) offering relevant analysis, critique and general discussion of the readings and the topic in general
- 4) putting together **either** hard-copy handouts, **or** Powerpoint presentations that allows the class to view the **salient** points

Important Note: Panel presentations should be approximately 45 minutes long in total, not including class discussion. Depending on the size of panels, individual presentations should be between 7-10 minutes. There will be a premium on concision, and a penalty for long-windedness. Individual presenters will lose 2.5 marks (or ½ a grade point) off their mark for every 5 minutes they exceed their allotted time.

***Important Note:** Those students who do not wish to participate in a group report presentation will have the option of writing a second comparative analysis (see below) instead. Student who wish to take this option will **have to declare their intentions** in the first few weeks, and **cannot change their minds thereafter** – moreover students who sign up for a group report cannot back out at the last minute by opting to write a second comparative analysis instead.

Comparative Analysis – A 7-10 page analytical comparison of one or more **required readings** on a single topic (i.e. for a single week) that reveals the similarities and differences among writings (e.g. argument, supporting evidence) and presents an argument as to what position/analysis is more compelling. **There are two options for writing a comparative analysis, September 30th and November 18th.** See the reading schedule below for more details on the individual assignments. In keeping with the policy explained above, students who have opted to participate in a Group Report need only write one comparative analysis, for either date; **students who have opted not to participate in a Group Report are required to write both comparative analyses, for both dates.**

Important Note: There are three crucial rules regarding comparative analyses:

- 1) **You cannot write a comparative analysis on any other week's readings but September 30th and November 18th without express approval from the professor.** These weeks have been selected because of the argumentative and comparative nature of the required readings on those weeks; students attempting to write comparative analyses for other readings would find it difficult to fulfill the mandate of the assignment.
- 2) **It is essential that you submit your paper at the beginning of the class in which the material is to be discussed – e.g. September 30th and/or November 18th.** This is so I can be sure that everyone comes to the material fresh, without the assistance of class discussion to guide their writing.
- 3) **You cannot have as your topic for the short paper the same topic as you are scheduled to present on for your group report.** Students who sign up for the September 30th Group Report will therefore have to prepare comparative analyses for November 18th, and vice versa.

Final Take Home Exam – The final take-home exam will be handed out in class on November 18th, and must be returned by December 22nd, by 4:30 at the latest, to my office in Loeb B645. It will consist of two sections, one theoretical and the other empirical. Each section will consist of three essay questions. You will be required to answer **one question in each section.** Answers can vary in length, but should be between 3 and 5 pages in length. Each question will be worth half of the total for the exam, or 15% of your final mark. The questions will test not only your knowledge of the course materials, but also your ability to critically analyze those materials and develop an independent understanding of and point of view about them.

Penalties

Late papers will be penalized at a rate of -10% a day, weekend days included. Papers that are late within the same day will be penalized at -5%. Class presentations cannot be made up, and thus absence for a scheduled presentation will be penalized at -100%, except where inability to attend is professionally documented and the professor is alerted at least one day in advance.

Reading Schedule

September 9th – **Introduction: Human Rights and Human Rights Violations**
Required Reading: Freeman, chapter 1/Course Pack: James Nickel, *Making Sense of Human Rights*, chapters 1 & 2; Costas Douzinas, *The End of Human Rights*, chapter 6

Movie Presentation: “While America Watched”

September 16th – **Philosophical Origins and Classic Debates**
Required Reading: Freeman, chapter 2 / Course Pack: Costas Douzinas, *The End of Human Rights*, chapters 4 & 5

Movie Presentation: “Moral Combat”

September 23rd – **WWII, the Holocaust and the Post-War Human Rights System**
Required Reading: Freeman, chapters 3 & 7 / Course Pack: Debra L. Delaet, *The Global Struggle for Human Rights*, chapters 8 & 11

Group Report:

1. Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders*, chapters 1&3
2. Tony Evans, *The Politics of Human Rights*, chapter 2
3. Michael Ignatieff, “Human Rights as Politics” in *Human Rights as Politics and Idolatry*
4. Wendy Brown, “‘The Most We Can Hope For...’ Human Rights and the Politics of Fatalism” in *The South Atlantic Quarterly*, Vol. 103, No. 2/3

September 30th – **Contemporary Arguments [Comparative Analysis Due]**
Required Reading: Course Pack: Judith Shklar, “The Liberalism of Fear”; Jurgen Habermas, “On the Internal Relation Between the Rule of Law and Democracy”; Will Kymlicka, “The New Debate Over Minority Rights”

Group Report:

1. Hannah Arendt, *Origins of Totalitarianism*, chapter 9
2. Costas Douzinas, “Identity, Recognition, Rights, or What Can Hegel Teach Us About Human Rights?”, in *Journal of Law and Society*, Vol. 29, No. 3
3. Etienne Balibar, “Is a Philosophy of Human Civic Rights Possible? New Reflections on Equaliberty”, in *The South Atlantic Quarterly*, Vol. 103, No. 2/3
4. Jean-Francois Lyotard, “The Other’s Rights” in *The Politics of Human Rights*, 1999, Obrad Savic (ed.)

October 7th – **The Social Science of Human Rights**

Required Reading: Freeman, chapter 5 / Course Pack: Todd Landman, “Measuring Human Rights”; Christian Davenport, “Political Democracy and State Repression”

Group Report:

1. James Nickel, *Making Sense of Human Rights*, chapters 4-6
2. Amartya Sen, *Development as Freedom*, chapter 2 & 6

Movie Presentation: “Globalization: Winners and Losers”

October 14th – **Contested Rights: Social/Economic Rights vs. Civil/Political Rights**

Required Reading: Freeman, chapter 8/ Course Pack: The Onion, “What The Hell Am I Supposed To Do With All These Constitutional Rights?”; Amartya Sen, *Development as Freedom*, chapters 1 & 4

Group Report:

1. Tara Smith, “On Deriving Rights to Goods from Rights to Freedom” in *Law and Philosophy*, Vol. 11, No. 3. (1992)
2. James Nickel, *Making Sense of Human Rights*, chapters 8 & 9
3. Amartya Sen, *Development as Freedom*, chapter 5
4. Thomas Pogge, “The Priorities of Global Justice” in *Metaphilosophy*, Vol. 32, Nos. 1/2, January 2001

Movie Presentation: “The Vienna Tribunal: Women’s Rights Are Human Rights”

October 21st – **Contested Rights: The Rights of Women**

Required Readings: Course Pack: Debra L. Delaet, *The Global Struggle for Human Rights*, chapter 7; Charlotte Bunch, “Women’s Rights as Human Rights”

Group Report:

1. Fiona Robinson, “The Limits of a rights-based approach to international ethics” in *Human Rights 50 Years On*, Tony Evans (ed), 1998
2. V. Spike Peterson and Laura Parisi, “Are women human? It’s not an academic question” in *Human Rights 50 Years On*, Tony Evans (ed), 1998
3. Martha Nussbaum, “Women’s Capabilities and Social Justice” in *Journal of Human Development*, Vol. 1, No. 2, 2000
4. Wendy Brown, “Suffering Rights as Paradoxes” in *Constellations*, Vol. 7, No. 2, 2000

October 28th – **Culture, Universality and Minority Rights**

Required Readings: Freeman, chapter 6; Course Pack: James Nickel, *Making Sense of Human Rights*, chapter 11

Group Report:

1. Adamantia Polis & Peter Schwab, “Human Rights: A Western Construct with Limited Applicability” in *Human Rights: Cultural and Ideological Perspectives* (Polis/Schwab, 1979)
2. Heiner Bielefeldt, “Western vs. Islamic Human Rights Conceptions? A Critique of Cultural Essentialism in Human Rights Discussions” in *Political Theory*, Vol. 28, No. 1. (Feb., 2000)
3. Seyla Benhabib, *Another Cosmopolitanism*, “The Philosophical Foundations of Cosmopolitan Norms”
4. Seyla Benhabib, *Another Cosmopolitanism*, “Democratic Iterations: The Local, The National, The Global”

Movie Presentation: “Confronting the Truth”

November 4th – **Transitional Justice**

Required Readings: Course Pack: Geoffrey Robertson, *Crimes Against Humanity*, chapter 6; Debra L. Delaet, *The Global Struggle for Human Rights*, chapter 10

Group Report:

1. Geoffrey Robertson, *Crimes Against Humanity*, chapter 7
2. Geoffrey Robertson, *Crimes Against Humanity*, chapter 8
3. Geoffrey Robertson, *Crimes Against Humanity*, chapter 9
4. Geoffrey Robertson, *Crimes Against Humanity*, chapter 10

Movie Presentation: “The Peacekeepers”

November 11th – **Humanitarian Intervention**

Required Readings: Course Pack: Alan J. Kuperman, “Humanitarian Intervention”; Geoffrey Robertson, *Crimes Against Humanity*, chapter 11; Joe Sacco, *Safe Area Gorazde: The War in Eastern Bosnia 1992-1995*, selections

Group Report:

1. Martha Finnemore, “Constructing Norms of Humanitarian Intervention” in *The Culture of National Security*
2. Peter Nyers, “On Humanitarian Violence: ‘Humanity and the Logic of Sovereignty’” in *(Dis)placing security : critical re-evaluations of the boundaries of security studies*
3. Michael Ignatieff, “The Humanitarian as Imperialist”, *Empire Lite*

4. Alex J. Bellamy, "Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq" in *Ethics & International Affairs*; 2005, Vol. 19 Issue 2

November 18th - **Rights vs. Security** [*Comparative Analysis Due*]

Required Readings: Course Pack: Michael Ignatieff, "Could We Lose the War on Terror? Lesser Evils"; William F. Schulz, "Torture"; Costas Douzinas, "Freedom in an Biopolitical Setting"

Group Report:

1. Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror*, ch. 1
2. Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror*, ch. 2
3. Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror*, ch. 5
4. Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror*, ch. 6

November 25th – **The Canadian Human Rights Regime**

Required Readings: Course Pack: Reeta Tremblay et al., *Understanding Human Rights*, chapters 8 & 9

Group Report:

1. Evelyn Kallen, *Ethnicity and Human Rights in Canada*, chapter 8
2. Ezra Levant, *Shakedown: How Our Government is Undermining Democracy in the Name of Human Rights*, chapters 1&2
3. Ezra Levant, *Shakedown: How Our Government is Undermining Democracy in the Name of Human Rights*, chapters 3&4
4. Mark J. Freiman, "Trial by Anecdote", review of *Shakedown* in *Literary Review of Canada*, June 2009

December 2nd – **Rights Re-Assessed and Re-Imagined**

Required Readings: Freeman, chapter 9 / Course Pack: Costas Douzinas, "The End of Human Rights"; Jacques Ranciere, "Who is the Subject of Rights?"

Academic Accommodations

For students with Disabilities: Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (500 University Centre) for a formal evaluation of disability-related needs. Registered PMC students are required to contact the centre (613-520-6608) every term to ensure that the instructor receives your request for accommodation. After registering with the PMC, make an appointment to meet with the instructor in order to discuss your needs **at least two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations**. If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **November 15 2010 for December examinations and March 11 2011 for April examinations**.

For Religious Observance: Students requesting accommodation for religious observances should apply in writing to their instructor for alternate dates and/or means of satisfying academic requirements. Such requests should be made during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist, but no later than two weeks before the compulsory academic event. Accommodation is to be worked out directly and on an individual basis between the student and the instructor(s) involved. Instructors will make accommodations in a way that avoids academic disadvantage to the student. Instructors and students may contact an Equity Services Advisor for assistance (www.carleton.ca/equity).

For Pregnancy: Pregnant students requiring academic accommodations are encouraged to contact an Equity Advisor in Equity Services to complete a *letter of accommodation*. Then, make an appointment to discuss your needs with the instructor at least two weeks prior to the first academic event in which it is anticipated the accommodation will be required.

Plagiarism: The University Senate defines plagiarism as “presenting, whether intentional or not, the ideas, expression of ideas or work of others as one’s own.” This can include:

- reproducing or paraphrasing portions of someone else’s published or unpublished material, regardless of the source, and presenting these as one’s own without proper citation or reference to the original source;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings;
- failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs.

Plagiarism is a serious offence which cannot be resolved directly with the course’s instructor. The Associate Deans of the Faculty conduct a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They include a mark of zero for the plagiarized work or a final grade of "F" for the course.

Oral Examination: At the discretion of the instructor, students may be required to pass a brief oral examination on research papers and essays.

Submission and Return of Term Work: Papers must be handed directly to the instructor and will not be date-stamped in the departmental office. Late assignments may be submitted to the drop box in the corridor outside B640 Loeb. Assignments will be retrieved every business day at **4 p.m.**, stamped with that day’s date, and then distributed to the instructor. For essays not returned in class please attach a **stamped, self-addressed envelope** if you wish to have your assignment

returned by mail. Please note that assignments sent via fax or email will not be accepted. Final exams are intended solely for the purpose of evaluation and will not be returned.

Grading: Assignments and exams will be graded with a percentage grade. To convert this to a letter grade or to the university 12-point system, please refer to the following table.

Percentage	Letter grade	12-point scale	Percentage	Letter grade	12-point scale
90-100	A+	12	67-69	C+	6
85-89	A	11	63-66	C	5
80-84	A-	10	60-62	C-	4
77-79	B+	9	57-59	D+	3
73-76	B	8	53-56	D	2
70-72	B-	7	50-52	D-	1

Approval of final grades: Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by an instructor may be subject to revision. No grades are final until they have been approved by the Dean.

Course Requirements: Failure to write the final exam will result in a grade of ABS. FND (Failure No Deferred) is assigned when a student's performance is so poor during the term that they cannot pass the course even with 100% on the final examination. In such cases, instructors may use this notation on the Final Grade Report to indicate that a student has already failed the course due to inadequate term work and should not be permitted access to a deferral of the examination. Deferred final exams are available **ONLY** if the student is in good standing in the course.

Connect Email Accounts: All email communication to students from the Department of Political Science will be via Connect. Important course and University information is also distributed via the Connect email system. It is the student's responsibility to monitor their Connect account.

Carleton Political Science Society: The Carleton Political Science Society (CPSS) has made its mission to provide a social environment for politically inclined students and faculty. Holding social events, debates, and panel discussions, CPSS aims to involve all political science students in the after-hours academic life at Carleton University. Our mandate is to arrange social and academic activities in order to instill a sense of belonging within the Department and the larger University community. Members can benefit through numerous opportunities which will complement both academic and social life at Carleton University. To find out more, please email carletonpss@gmail.com, visit our website at poliscisociety.com, or come to our office in Loeb D688.

Official Course Outline: The course outline posted to the Political Science website is the official course outline.