Violations of human rights are insidious. While there are many strategies for protecting human rights, people living everywhere are repressed in a variety of different ways. This research seminar is designed to prepare graduate students in international affairs and public policy to analyze the causes of human rights abuses and the effectiveness of various policy interventions and strategies for human rights promotion. It applies insights from a variety of disciplines to explore conflicts among peoples competing for power, resources, and autonomy in various contexts. Attention will be focused on developing the tools to evaluate the design, implementation, and effectiveness of human rights policy, including international laws, democracy and elections, development, trade and investment, social movement advocacy and social networks. We will consider core intellectual arguments and puzzles as they concern various forms of violations—including civil and political, economic, social and cultural—against various groups—including children, enemy combatants, minorities, voters, women and workers. We will consider these arguments in the context of specific cases and places—including Chile, China, Egypt, Indonesia, Iraq, Mexico, Senegal, Sudan, Syria, Tunisia, the United States, Vietnam and Zimbabwe. The course emphasizes the development of critical thinking, analytical writing and presentational skills.
**Course requirements:** Attendance is mandatory. This is a seminar: all students are required to come to class prepared to discuss the assigned readings and will be called on to share their views. Class participation, 3 memos (2-3 double spaced pages each), in-class presentations and a final paper (10-15 double spaced pages) are required. This course is reading, writing and speaking intensive; we will work to build your critical thinking skills and sharpen your analytical and presentational skills.

**Reading Assignments:** Approximately 150 pages per week. To help you focus your preparation for the in-class discussion, this syllabus lays out questions for every session. You should come to class prepared to discuss these questions.

**Course Materials:** All course materials are on reserve or are available electronically. Students will be given a free copy of *Making Human Rights a Reality* on the first day of class.

**Grading:** Final grades will reflect individual class participation (30%), in-class group presentations (25%), 3 individual memos (20%) and a final paper in lieu of a final exam (25%).

**Memos** are due by email (to: s2carlson@ucsd.edu) 5pm the day before class and should be carefully edited. They are not to exceed 3 double spaced pages, with one-inch margins. Memos must follow all conventions of attribution and notation. Quotes and paraphrasing must be explicitly cited. Violation of these rules is plagiarism.

**Group Presentation:** In addition, each student will be responsible for developing two (or more) short group presentations on one of the case studies and then leading a class discussion (20 minutes total). Signups for this task will occur on Wednesday, April 1st. The presentation should not be a summary of the assigned material. Rather, the presenters should outline how the case should be considered within the analytical approaches described in the unit’s theoretical readings and then pose a few central questions for class discussion. All presenters must see me in advance to discuss their assignment and approach.

**Final Paper:** The final paper (10-15 double-spaced pages) is a policy memo to the organization of your choice analyzing the effectiveness of the international human rights system to address a specific human rights problem of your choice and recommending a specific policy strategy to protect human rights in the country of your choice. The memo must focus on one type of human rights violation (such as torture, discrimination, poverty or political imprisonment) and one country. Papers are due on Friday, June 5th, 2015, at 12:00pm to: s2carlson@ucsd.edu

Papers also need to be submitted to turnitin.com by deadline on the day it is due. Turnitin.com will not allow you to submit late papers.

**Writing and Analytical Development:** Written work will be graded for substance as well as for quality of writing. Students are highly encouraged to set appointments with our writing coach and course assistant, Kristy Pathakis: kpathakis@ucsd.edu.
Monday, March 30th: Distribution of the Syllabus and Overview of the Course

UNIT ONE - AN INTRODUCTION TO HUMAN RIGHTS

Wednesday, April 1st: An Introduction to Human Rights: Law, Policy and Politics
Case Study 1: Women and the Veil
Case Study 2: The Asian Values debate


The Universal Declaration of Human Rights


UN experts call on Sudan to stop threatening women with flogging, United Nations News Center. 6 Nov. 2013.

France defends full-face veil ban at European human rights court, Al-Jazeera, 27 Nov. 2013.

The Concept of Asian Values, BBC World Service.

Discussion Questions:

1. What is a “human right”? What does it mean that human rights are “universal”? Are they?

2. Why are human rights increasingly institutionalized in international relations? Are they a way to “legitimize power”? Spread norms? Shape behavior? Create peace?

3. Are all human rights equally important to protect, or do some human rights trump others in importance? Which are most important? Why?

4. Might there ever be trade offs between different types of human rights? If so, what does that mean for their indivisibility?

5. Is there too much emphasis on civil and political rights and not enough on economic, social and cultural rights? If so, why? Which rights are most/least emphasized? Why?

6. Are human rights ever culturally relative? What, according to Ayton-Shenker, are the dangers of this perspective?

(Discussion questions continue on next page)
7. Ayton-Shenker claims that “the legal standard adopted through the United Nations represent the hard-won consensus of the international community, not the cultural imperialism of any particular region or set of traditions.” Do you agree?

8. During the past decade, several leaders and intellectuals in East Asia have challenged the notion that human rights are universal. Instead, they argue that human rights privilege Western values and are not well suited for Asia. Many voices from within Asia disagree. Why have Asian countries been vocal in claiming that human rights must be considered in the context of national and regional historical, cultural and religious backgrounds? Do supposedly universal human rights documents and treaties actually privilege Western values to the detriment of Asian values?

9. What kinds of policies are most effective in stopping human rights abuses?

10. Should the international community disregard claims to state sovereignty when gross violations of human rights are at issue? How? Why? To what effect?

11. Some people believe that banning headscarves is a violation of religious freedom. Others believe that the practice of mandatory self-covering is a violation of women’s rights. Should the French National Assembly have banned the wearing of Islamic veils in state schools? Is wearing the head scarf a voluntary right or, as some argue, a form of discrimination and inequality enforced upon women?

Signup for in class presentations.
Monday, April 6th: Fact-finding and Data on Human Rights Abuse


For data sources, visit:
http://www.state.gov/g/drl/rls/hrrpt/2009/frontmatter/135934.htm
http://ciri.binghamton.edu/ Click on FAQ and DOCUMENTATION.
http://www.freedomhouse.org/ Click on PUBLICATIONS.

Discussion Questions:

1. Where does information on human rights abuse come from? How do sources affect the legitimacy or accuracy of the information?

2. Why does the US government collect information and print annual reports on human rights around the world? Why does Amnesty International, a leading NGO? Is one source more credible or accurate than the other? Why? How do you know?

3. In what ways do the reports produced by the US State Department on human rights abuse differ from reports produced by Amnesty International? Why do they differ? What are the implications of these differences?

4. In what ways do reports produced by Amnesty International differ from reports produced by Freedom House, another leading NGO? Is one source more credible or accurate than the other? Why? How do you know?

5. What drives NGO agendas? Are western-based private human rights organizations, like Amnesty International, part of western cultural imperialism? Should they appreciate the political context within which governments take decisions that impact human rights? How?


7. Where do “data” on human rights violations come from? How do scholars translate reports into numbers? Are the numbers objective facts? What are the possible sources of bias?

8. What are some of the problems associated with using a standards-based (as opposed to an event data) approach to measuring human rights violations?
UNIT TWO – THE CAUSES OF HUMAN RIGHTS ABUSE

Wednesday, April 8th: Economic, Political and Social Contexts.

Case Study: War in Syria


Botelho, Greg. “What can the United States do against ISIS in Syria -- and could it work?” Cnn.com


Discussion Questions:

1. What are the main structural causes that motivate human rights abuse (i.e., under what conditions are abuses most likely)? How do these conditions motivate repression?

2. Which structural motivations are the most important? Where? For which rights? Which people?

3. Which structural motivations can most easily be remedied? How?

4. Are there trade offs involved in trying to remedy different structural motivations? What are the implications for public policy?

5. What is happening in Syria that is leading to so much violence? Why are there so many human rights violations? Who is committing them? Why? What structural factors are playing a role?


7. What is feasible that would help?

8. Navi Pillay, the U.N. High Commissioner for Human Rights, has repeatedly called for Syria to be referred to the International Criminal Court to hold government officials accountable for "crimes against humanity" committed by security forces against opposition members. The crimes included shelling civilians, executing deserters and torturing detainees. Should Syria be referred to this Court? Why?

9. Should governments arm the Syrian rebels?
Monday, April 13th: Psychological Rationales.  
**Case Study: Abu Ghraib Prison, Iraq (2003)**


Assignment: [Take the slide show](#)

Assignment: Watch: [US Woman Soldier Unrepentant Over Abu Ghraib. BBC Video, 13 August 2009](#)

**Discussion Questions:**

1. What are the main lessons of the Stanford Prison Experiment?

2. In 2003 U.S. soldiers abused Iraqi prisoners held at Abu Ghraib, 20 miles west of Baghdad. The prisoners were stripped, made to wear bags over their heads, and humiliated while the guards laughed and took photographs. How are these events similar to or different from what took place in the Stanford prison and Milgram experiments?

3. What are the psychological factors that prompt human rights abuse? How could intelligent, mentally healthy, "ordinary" men and women become perpetrators of evil so quickly in the prison study? In Abu Ghraib? Are these lesions applicable in other circumstances? Which?

4. Can the psychological factors that motivate human rights abuse be changed? Which can be changed? How would you design a public policy to change them?

5. Do the psychological and contextual causes of abuse relate to each other? How? What are the implications for public policy?

6. Who, if anyone, should be held responsible for Abu Graib? Why? How would you design a policy of accountability?

**1st Memo Assignment, due Sunday, April 12th by 5pm to** s2carlson@ucsd.edu: You are an expert on the causes of human rights abuse. Watch the BBC video, US woman soldier unrepentant over Abu Ghrab. Write a 2-3 page double spaced policy memo addressed to Attorney General of the United States, Eric Holder, analyzing why the repression at Abu Ghrab happened. Consider the various explanations for repression that are covered in the reading for this and last week and related them to what happened in Abu Graib. Conclude your memo with a recommendation of who, if anyone, should be held responsible for the abuses in Abu Graib and why. Cite your references. Come to class prepared to discuss your memo: you will be called upon to present your views.
UNIT THREE – INTERNATIONAL LEGAL TOOLS

Wednesday, April 15th: The International Human Rights System.
Case study 1: Indonesia and the Ratification of Human Rights Treaties
Case study 2: Sudan and the ICC


Discussion Questions:

1. Why did states build the international human rights system? What role do non-state actors play in this system?

2. How is international criminal law different from international human rights law?

3. When states consent to human rights treaties, is this a sincere commitment that they are sometimes unable to implement in specific situations? Or hypocrisy? Why do states join the international criminal legal system? Are the motives the same as other treaties?

4. Why do some governments refuse to join human rights treaties when they protect those rights anyway? Why does the US government refuse to join the Rome treaty establishing the ICC? Should the US join the ICC? Why? What would happen if it did?

5. Why do some governments join treaties even though they abuse human rights? Should those governments be encouraged to join more treaties? Why? What would happen?

6. Should China be encouraged to ratify more treaties? Why? Should the US?

7. Iran is not currently a member of the UN Human Rights Council, though it is seeking a seat. Should Iran be elected a member? Why or why not? Which countries should be elected and on what basis?

8. Is the Human Rights Council a legitimate body or a forum for bad guys?

In-class presentations and discussion on Indonesia and Sudan in the human rights system

Writing Assignment: None

Sign up to meet with Professor Hafner-Burton to discuss second memo assignment and final paper.
Monday, April 20th: How International Law Works (part 1).

Case Study 1: UN Treaty Regulating Global Arms Sales
Case Study 2: Chile’s Transition to Democracy (and the CAT)

Assignment: Read the introduction (pp. 12-17) and Chapter 7 (pp. 256-296).

Hafner-Burton, Emilie M Making Human Rights a Reality, Princeton University Press,
2013. Chapter 5.

Read pp. 2599-2603 and pp. 2635-2659.

MacFarquhar, Neil. “UN Treaty is first aimed at regulating Global Arms Sales.” New
York Times. 2 April, 2013.

Discussion Questions:

1. Why do nations obey international law? Do they ever obey when it is not in their
interest?

2. What do we mean by coercion and persuasion? How do coercion and persuasion
work? How long do they take? Who do they affect and how?

3. Are international human rights laws fair? Is Franck correct that fairness motivates
compliance? What role does legitimacy play? Can coercion ever lead to persuasion?

4. How do the mechanisms of influence in Simmons (agenda setting, litigation,
social pressure) map onto coercion and persuasion? In her model, why do nations break
law?

5. In the Managerial model, what are the three factors that foster a general propensity for
nations to comply? How do they map onto coercion and persuasion? What in this
model explains why nations break the law?

6. What are some of the problem associated with using coercion? When is it justified?
When is it likely to fail? To backfire? What are some of the problems associated with
persuasion?

7. Are all these mechanisms compatible or incompatible? Can they work together? Or do
they involve trade offs? Which is the right model?

8. What does the evidence show about the effectiveness of international human rights
law? Who is least/most likely to be helped by the international human rights regime?
Why? What are the public policy implications?

(Discussion questions continue on next page)
9. Why is it so hard to assess whether laws cause better/worse human rights behavior?

10. The United Nations General Assembly voted in April 2013 to approve a landmark treaty that tries to regulate the enormous global trade in conventional weapons, for the first time linking sales to the human-rights records of the buyers. Is that treaty likely to be effective? Why? What influence will it have? On who?

11. Which mechanism (if any) explains the influence of the Convention Against Torture (CAT) in Chile? In Israel? Are these experiences relevant (and generalizable) to other countries?

12. Do the UN treaties, international criminal courts and regional legal systems all have the same kind and degree of influence on human rights? Why?

In-class presentation and discussion on Chile and the Treaty Banning Arms

Writing Assignment: None
Wednesday, April 22\textsuperscript{nd}: How International Law Works (part 2).

Case Study 1: UN Convention on the Rights of Persons with Disabilities

Case Study 2: Violence in Mexico


\textbf{UN Convention on the Rights of Persons with Disabilities}


\textbf{Human Rights Watch 2014 Country Report on Mexico}


\textbf{Discussion Questions:}

1. Why do Goldsmith and Posner think that the international human rights system is limited in its power to influence human rights? Are they right? How would Koh respond to their arguments? How would Simmons respond? How would Navi Pillay, the U.N. High Commissioner for Human Rights, respond?

2. Would Goldsmith and Posner agree with Mchangama and Verdirame about the danger of human rights proliferation? Are there dangers to human rights proliferation? How serious are they?

3. From the point of view of practitioners, what are the main problems that prevent the full effectiveness of international law? Which present the most severe problems?

4. Can the problems that afflict human rights law be fixed? Which ones? How?

5. What lessons should policymakers draw from this evidence, if any?

\textit{(Discussion questions continue on next page)}
6. Should the US Senate Ratify the UN Convention on the Rights of Persons with Disabilities? Why? What influence will it likely have? Are there any downsides?

7. What human rights treaties has Mexico ratified? Why? Which has Mexico not ratified? Why?

8. Does Mexico hand in its reports on time to the treaty bodies?

9. What does the Heyns and Viljoen analysis of human rights in Mexico suggest about the country’s engagement with the international human rights system? Has that system had much impact on policy in Mexico? On public opinion? Judicial decisions? Advocacy by NGOs? Why? Which of the problems in today’s readings most characterize the situation in Mexico? Why?

10. The Heyns and Viljoen study on Mexico is more than a decade old. Do you have reason to believe that their findings have changed in the last decade?

11. What can be done to encourage Mexico to engage more strongly with the international human rights system? Would more engagement with that system help protect more human rights in Mexico? Why?

In-class presentations and discussion on the ratification of the UN Convention on the Rights of Persons with Disabilities and the impact of the human rights system in Mexico

Writing Assignment:

Memo Assignment, due Tuesday, April 21st at 5pm to s2Carlson@ucsd.edu: Choose one type of violation (e.g., torture, discrimination against women or minorities, etc.) in one country of your choice. Write a 2-3 page double spaced memo to Amnesty International’s International Executive Committee explaining the problem and (1) the conditions under which international law can be helpful in that country in protecting people from the abuse – give concrete examples, (2) the limitations of the law – give examples, and (3) what policies Amnesty International should therefore advocate in their campaign against that abuse in that country. Consider the mechanisms of influence that are covered in the reading and relate them to your argument. Cite your references. Come to class prepared to discuss your memo: you may be asked to present your views.

NOTE: this is an especially important memo because it serves as the basis for your final paper. You MUST meet with Professor Hafner-Burton to discuss prior to submission.
UNIT FOUR: POLICY SOLUTIONS

Monday, April 27th: Reforming the Human Rights System
In-class Discussion Topic: Should Repressive States Sit on the Human Rights Council?


Spielman, Peter “Syria, Iran Bid For UN Human Rights Council Seats Met With Understandable Incredulity” The World Post. 10 Feb 2014.

Discussion Questions:

1. What reforms (if any) would help to fix the human rights system and better protect human rights?

2. Who would undertake these reforms? How would they do it?

3. Who would be helped by these reforms?


5. Should the laws be universal, open to all governments? Why or why not?

6. Is it helpful to create more international courts in an effort to boost enforcement? Where? Who would they help? Are there any dangers?

7. Would you recommend to Congress and the Obama administration that the US change policy and join more UN human rights laws? Why or why not? Should the US push other governments to join more laws? Which governments?

8. Can nongovernmental actors successful attain legal reform? Why or why not?

9. Is the UN Human Rights Council capable of being reformed? What reforms would make the Council more effective?

(Discussion Assignment on next page)
**Discussion Assignment:** The human rights system needs reform, but reformers do not agree on how the system should change. Some advocate for inclusion: the system’s expansion of new members and voluntary participation by all. Others warn against including repressive governments in the system and argue for some standards for participation. This debate is currently playing out in the UN Human Rights Council, where Syria and (until recently) Iran were candidates to join the 47-nation body, along with other often-criticized nations such as Cuba, Saudi Arabia, Algeria, Chad, Vietnam and Russia. Should countries with poor human rights records the likes of Iran, Russia and Saudi Arabia be allowed to run for a seat on the Human Rights Council—the main body global responsible for the promotion and protection of human rights? Pick and side and come to class prepared to make your case.
Wednesday, April 29th: Regime Change, Democratization and Military Intervention.

**Case study 1: the Responsibility to Protect (R2P) in the Central African Republic (CAR)**

**Case study 2: North Korea**


**Understanding R2P. International Coalition for the Responsibility to Protect**


**UN official: North Korean regime must be 'dismantled' for human rights to thrive.** Foxnews.com 2015.

**Lankov, Andrei.** “How Human rights are improving in North Korea.” NKnews.org 2015.


**Discussion Questions:**

1. Are democracies more likely to protect human rights than other types of governments? Why or why not? How? All of them? Do any non-democratic countries protect human rights? Why?

2. Do “all steps lead to peace”? What does it mean that the relationship between democracy and the violation of human rights is non linear? Why is this the case? How should this conclusion shape human rights policy?

3. What is the difference between democracy and democratization when it comes to protecting human rights?

4. Is democratization through military intervention a good policy to improve protections for human rights? Why or why not? Where? What are some examples? Alternatives?

5. Is there such a thing as a policy of democratization without military intervention? What would that policy look like? Can you think of any real examples?

(Discussion questions continue on next page)
6. Peksen argues that military intervention contributes to the rise of state repression, yet a core pillar of the new norm—R2P—is based on the idea that governments have a responsibility to intervene to prevent atrocity. Who is right?

7. Why did a collation of governments and civil society actors create R2P? Why has it become so popular?

8. R2P was used to mediate the post-election crisis of violence in Kenya in 2008. How did the process work? Has it been used elsewhere to the same effect? Where?

9. David Rieff, a journalist who specializes in humanitarian issues, wrote in the New York Times Magazine in 2008: "Use any euphemism you wish, but in the end these [R2P] interventions have to be about regime change if they are to have any chance of accomplishing their stated goal.” Do you agree? Is it possible to protect without regime change? Must the regime change bring about greater democracy?

10. The Central African Republic (CAR) is facing a situation of widespread human rights violations and abuses such as have never been witnessed before in the country, due to widespread inter-religious clashes and reprisal attacks. The primary responsibility to protect its populations lies with the CAR authorities, but as they have neither the capacity to protect populations nor the ability to exercise control over armed elements, the international community is debating whether to take concrete measures to assist the state to stop human rights abuses and protect the population. Is there an R2P in the Central African Republic? Whose responsibility is it and how can they implement a policy of protection?

11. Is regime change necessary to improve protections for human rights in North Korea? Are there any alternatives? Is regime change feasible? How?

In-class presentation and discussion on R2P in the CAR and human rights in North Korea

Writing Assignment: None
Monday, May 4th: Elections.

Case Study 1: 2014 Parliamentary Elections in Bangladesh
Case Study 2: 2015 Parliamentary Elections in Burma/Myanmar


Discussion Questions:

1. Constitutional liberalism has led to democracy, but democracy does not seem to bring constitutional liberalism. Why? Why are there so many “illiberal democracies”? What problems do these regimes present for protecting human rights?

2. Are the problems that Fareed Zakaria identifies more prevalent in some regions than others? Where? Why?

3. What role does ethnicity play, according to Zakaria, in this problem? Is he correct? Why?

4. Under what conditions do elections bolster human rights protections? Under what conditions, according to Zakaria and Hafner-Burton et al., do they incite human rights violations? What can be done to reduce the chances of election violence?

5. Should elections be encouraged everywhere? Are there some places where holding elections is not a desirable policy for promoting human rights? Where?

6. Should

7. What are the implications of Zakaria’s argument for policy on democratization? Hafner-Burton et al’s?

8. Is there a way to ensure that elections – as part of democratic government – do not undermine human rights?

9. What policies if any should foreign actors adopt toward Zimbabwe to stop the cycles of election violence? Could they have done anything to prevent the 2009 election violence in Iran? Why?

(Discussion questions continue on next page)
10. Does election violence work to keep people in power? How? Always? Can you think of any examples where violence has failed to consolidate power?

11. In January of 2014 Bangladesh witnessed extreme violence over its elections—many were killed. What could have been done to prevent—or lessen—the violence?

12. The party of Burmese pro-democracy leader Aung San Suu Kyi said recently that it will field candidates in parliamentary elections in 2015. The government has previously met efforts at political competition with extreme repression and the elections could provoke more repression. What can be done to prevent—or lessen—the violence?

Assignment: see next page
Complete 1 of the follow 2 Memo Assignments, due Sunday, May 3rd at 5pm to s2carlson@ucsd.edu.

(1) In January of 2014, Bangladesh held national legislative elections. The Awami League, which has ruled since 2009 under the Prime Minister, Sheikh Hasina Wajed, won a majority of seats. Prime Minister Sheikh Hasina's refused to heed opposition demands to step down and appoint a neutral caretaker to oversee the election. The Bangladesh Nationalist Party (BNP), the main opposition in the poverty-stricken country of 150 million people, thus boycotted the election, effectively meaning that results in more than half of the constituencies were decided before voting had even started. Hundreds of thousands of armed police, paramilitaries and troops were deployed to keep order during voting. Police fired at protesters and opposition activists torched more than 100 polling stations. At least 18 people were killed in election-related violence.

You work for the Carter Center (http://www.cartercenter.org/peace/democracy/index.html) as an election observer. Write a 2-3 page double spaced memo to Secretary of State, John Karey, explaining what could have been done to protect human rights in Bangladesh during the 2014 legislative election. Consider the potential legal and democracy solutions that are covered in the reading for this and the previous unit and explain to Secretary Karey why each policy would or would not apply in this case. Cite your references. Come to class prepared to discuss your memo: you will be asked to present your views.

Or

(2) The military rulers of Myanmar have jailed thousands of people in their continuing efforts to crush all dissenting views. Most prominent of those detained was Daw Aung San Suu Kyi, the Nobel Peace Prize laureate who was released on November 13, 2010 and has been the beacon of hope and change for nearly two decades in Myanmar, the Southeast Asian nation formerly known as Burma The party of Burmese pro-democracy leader Aung San Suu Kyi said recently that it will field candidates in parliamentary elections in 2015 even if a constitutional measure barring her from running for president is not amended. The 2008 constitution was drawn up under the country’s former military regime to ensure its continuing influence in government. The NLD considers it undemocratic because of clauses allocating a mandatory 25 percent of parliamentary seats to the military and disqualifying Suu Kyi from running for president. The current government is guilty of mass human rights violations, including arbitrary arrests, torture, political imprisonment and killing. The elections could be violent.

You work for the Carter Center (http://www.cartercenter.org/peace/democracy/index.html) as an election observer. Write a 2-3 page double spaced memo to Secretary of State, John Karey, explaining what can be done to protect human rights in Myanmar during the upcoming 2015 legislative election. Consider the potential legal and democracy solutions that are covered in the reading for this and the previous unit and explain to Secretary Karey why each policy would or would not apply in this case. Cite your references. Come to class prepared to discuss your memo: you will be asked to present your views.
Wednesday, May 6th: International Trade.

In-class Discussion Topic: U.S. Economic Relations with China


Discussion Questions:


2. Who supports the use of trade protections for human rights? Who opposes them? Why? How do these views shape the policy of trade protections for human rights? How do trade partners react to this policy?

3. What are the benefits of using trade policy for human rights? What are the problems and trade offs?

4. What trade strategy should human rights promoters follow in China engagement or conditionality?

5. What trade strategy, if any, should human rights promoters follow in other countries that are guilty of abusing human rights? Why?

6. Which countries are the most likely to be responsive to trade pressures to protect human rights? Why? Which are the least likely? Why?

7. All European agreements on trade or cooperation with non EU countries contain a human rights clause. The EU has imposed sanctions for human rights breaches on a variety of countries. Why do you think the EU created this policy? How might it work?

8. Most US trade agreements also contain a human rights clause. Why do you think the US created this policy? How might it work? How might it differ from the EU?

(Discussion questions continue on next page)
9. In April 2013 the European Union lifted the last of its trade, economic and individual sanctions against Burma/Myanmar in response to its political reform program. Days after, the US moved to boost trade ties. Was that a good idea? Did the sanctions achieve their goal? Will improved trade ties help promote human rights?


Discussion Assignment:

Some policy makers contend that U.S. engagement with China has failed to produce meaningful political reform and improvements in human rights conditions—they argue for a tougher approach that places human rights conditions upon the bilateral relationship, including the use of trade and other economic sanctions and high import tariffs. Other experts argue that engagement has helped to advance economic and social change in China, to develop social and legal foundations for democracy and human rights, and to open channels through which to directly communicate U.S. concerns—trade and related economic tools cannot and/or should not be used to punish for human rights violations. The question is: Should the United States use its economic leverage—including trade and aid related measures—as a strategy to encourage China to protect human rights? How? Pick a side and come to class prepared to make your case.
Monday, May 11th: Multinational Corporations and Foreign Investment.

Case Study 1: Rana Plaza Disaster, Bangladesh
Case Study 2: International Legally Binding Instrument on Transnational Corporations and Other Business Enterprises


Visit: The United Nations Global Compact.


Discussion Questions:

1. Are certain corporate behaviors “detrimental to internationally recognized norms of human rights,” as Monshipouri et al. claim? Which behaviors? Why? Are Monshipouri et al. correct that corporations are often the “wrong doers”?

2. How do corporate human rights abuses differ from government human rights abuses? What are the implications for effective policy against abuse?

3. Are some companies more likely than others to promote human rights standards? Why? Which ones?

4. If you are a stockholder in a TNC/MNC, do you really want your company to pay attention to human rights if it reduces the return on your investment? Why should American and European owners or consumers be concerned about Asian, African or Latin American workers?

5. What is the “spotlight phenomenon”? Where and how does it work?

6. Are companies like Nike and Reebok engaged in public relations maneuvers by joining a legal code of conduct or do they show a real commitment to the human rights of workers?

7. Can private codes of conduct be effective on TNC/MNC policies? How?

(Discussion questions continue on next page)
8. Is the UN Global Compact a solution to ensure that markets, commerce, technology and finance advance in ways that benefit economies and societies everywhere? Why or why not? How does it work? Who does it affect?

9. What effect will the Guiding Principles have on protections for human rights? How will they work? Why was Ruggie disinclined to negotiate a binding legal text?

10. Given that the ILO has been around for almost a century, why does so much action on labor rights take place outside the procedures of this international organization?

11. Can one make more progress on labor rights by circumventing international law and organizations like the ILO? Or, should we make TNCs/MNCs directly accountable under international law instead? Why?

12. The first prosecutor of the International Criminal Court suggested that he might be inclined to bring indictments against business leaders who are complicit in genocide or other crimes against humanity or major war crimes. For example, in situations like the Democratic Republic of the Congo. Is that a good idea? Why?


In-class presentation and discussion on the 2013 Rana Plaza Disaster in Bangladesh and the proposed International Legally Binding Instrument on Transnational Corporations and Other Business Enterprises

Writing Assignment: None
Wednesday, May 13th: Non-Governmental Organizations (NGOs).

Case Study 1: Tostan and Female Genital Cutting (FMC) in Senegal

Discussion Topic: Foreign Funding of Local NGOs


Discussion Questions:

1. What is the “spiral model” of human rights? How would you explain this model to an educated lay person (say, an activist) in easy to understand language?

2. What are the implications of the spiral model for policy makers? NGOs? How useful is this model for understanding the effectiveness of human rights policy?

3. What is “localization” of policy? How can NGOs localize human rights policy?

4. How can NGOs most help improve protections for human rights?

5. In what ways are NGOs limited in their ability to improve protections for human rights?

6. Are NGOs likely to be more effective in protecting human rights in some places? In some circumstances? Which ones? Why?

7. Can NGOs strengthen the international human rights legal system? Can they help to enforce it? How?

8. Think back to the article by Ron et al. (that we read for class on Monday, April 9th). What lessons do Ron et al. teach us about NGO reporting? How should those lessons shape NGOs’ strategies? Policy makers’?

(Discussion questions continue on next page)
9. Where do NGOs get their funding? Which human rights NGOs are most likely to attract funding? Which rights? How might funding shape their activities?

10. Human rights activities in the Global South and former communist countries heavily dependent on funding from northern foundations, governments, NGOs, and private donors. What are the benefits of foreign funding? Are there any downsides to relying on foreign funding? Should northern governments, the U.N. and other multi-lateral agencies spend more - or less - money on southern human rights groups?

11. Is female genital cutting a violation of human rights or a right to freedom of culture and religion?

12. What made Tostan successful in Senegal? Can that model work in other places? For other rights?

In-class presentation and discussion on the campaign against female genital cutting in Senegal.

Discussion Assignment: Should foreign organizations support local human rights NGOs? Why or why not?

Writing Assignment: None

Monday, May 18th Use class time to work on your final papers
Wednesday, May 20th: National Human Rights Institutions (NHRIs)
Case Study: National Human Rights Institutions in the Asia Pacific


Discussion Questions:

1. What is a NHRI? How do they differ from NGOs?

2. Why have they emerged in every continent, in democratic and undemocratic states alike?

3. How does the accreditation system for NHRIs work? Is it reliable?

4. How do NHRIs work to promote human rights? What are some examples? What is the proper standard for measuring the impact of an NHRI on human rights conditions within a state?

5. Do NHRI’s have any enforcement power? Do they have any channels of influence that exist outside formal enforcement authority and material inducements?

6. How can NHRIs localize human rights policy?

7. What is the relationship between NGOs and NHRIs? Are they always compatible partners? Are they ever at odds? Why?

8. In what ways are NHRIs limited in their ability to improve protections for human rights?

9. Are NHRIs likely to be more effective in protecting human rights in some places? In some circumstances? Which ones? Why?

10. Are NHRIs the solution to a weak international legal system? Can they strengthen that system? Can they help to enforce it? How?

In-class presentation and discussion on the National Human Rights Institutions in the Asia Pacific.

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Monday, May 25th: Memorial Day No class
UNIT FIVE: STRATEGY

Wednesday, May 27th: People Power through Social Networks
Case Study 1: Arab Spring uprisings
Case Study 2: Kony


Revolution 2.0: How Social Network Sites can Move Social Mountains, Department of Internet Studies, Curtin University, 23 April, 2011


Watch: http://invisiblechildren.com/kony-2012/

Discussion Questions:

1. Why do people join social networking sites? How do social network sites empower ‘the voiceless’? What role can they play in promoting human rights? Will the revolution be tweeted?

2. What role did social network sites play in bringing about the “Arab Spring”?

3. Social media has quickly developed into a powerful tool in the grassroots socio-political movement sweeping across the Arab world. Has it been equally powerful everywhere? Why? Where has it had the most impact? Why?


5. Is the role of social media different from other technological innovations in the past (e.g. telephone, print, etc.)?

6. Are social networking sites compatible with government and corporate policy for promoting human rights (such as through military intervention, trade relations, investment practices)? Why?
(Discussion questions continue on next page)

7. Are social networking sites compatible with more structured forms of advocacy, such as through NGOs and NHRIs? Why? Always?

8. Are there drawbacks to this strategy of promotion amplified by social networking sites? What are the drawbacks and who are they most likely to effect?

9. Should human rights factor into your choice of social network site? Why?

10. Should social networking cites even censor content? When?

11. Do outside foreign interests increase or decrease the role for social media in human rights promotion?

12. Is it possible to judge good from bad social media?

13. Will social media become less powerful as a tool for advocacy as people become more exposed to it?


In-class presentation and discussion on the Arab Spring and Kony 2012.
Monday, June 1st: Triage
In-class Discussion Topic: Priorities and Strategies Moving Forward


Discussion Questions:

1. Is the universality of human rights norms, which are the core idea of the Universal Declaration of Human Rights, a tenable guide to human rights promotion? Why?

2. What is the “triage” strategy for promoting human rights? On what basis does this strategy say we should make decisions about the allocation of resources for human rights?

3. How does the triage strategy work? Who could use it? How? Why isn't the triage strategy already in greater use?

4. How important are “national interests”? What are the policy implications of this claim for human rights promotion? For international law? For a triage strategy?

5. What are some of the problems associated with triage?

6. What are some alternative strategies for allocating resources for human rights promotion other than triage? Are they likely to be more effective? Why?

7. What is a “club” strategy for promoting human rights? How does it work? Who could use it? How? Why isn't the club strategy already in greater use?

8. What are some of the problems associated with a club strategy?

9. What are some alternative strategies for allocating resources for human rights promotion other than clubs? Are they likely to be more effective? Why?

10. Are approaches to promoting human rights that rely on international law and legal institutions compatible with approaches that rely on the policies that project state power? Why?

(Discussion assignment on next page)
Discussion Assignment:

According to the UN Vienna Declaration, “All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.”

According to Hafner-Burton, “The universality of human rights norms, which are the bedrock of the international human rights legal system and the core idea of the Universal Declaration of Human Rights, is not a tenable guide to human rights promotion.” To end the course, we will discuss the merits and weakness of the strategy of “triage”, as well as the alternatives for the human rights system moving forward. Drawing up the materials, evidence and cases we have discussed throughout the quarter, please come to class prepared to take a position on how best to promote human rights moving forward.
Wednesday, June 3rd: Advocacy


Discussion Questions:

1. According to David Rieff, “the human rights movement seems adrift.” Is he right? This article is 15 years old—what has changed since its publication?

2. According to Ron, Crow and Golden, human rights “are more ‘toproots’ than grassroots.” Are they right? Is that a bad thing? What are the implications?

3. Why is it so difficult to create effective human rights policy?

4. What can be done to make more governments comply with international legal norms and laws? Are any of the policies we have considered in this course – the creation and support of international law, democratization and the holding of elections, judicial and legal reform, trade conditionality, corporate social responsibility and NGO advocacy – effective?

5. What can be done to help victims in places where the legal system does not much help?

6. Can there be a truly universal approach to the protection for human rights?

7. Should human rights promoting governments try to protect human rights around the world? What policy strategy should they use?

8. What are the biggest impediments to policymaking in the area of human rights?

9. In 20 years from now, what will be the state of human rights worldwide? What kinds of policies will be used to protect human rights? Will the UN still be the global hub for human rights? Will the UN be effective? What will happen to the regional human rights treaty systems?

Writing Assignment: None

We will conclude the course with a final discussion of what you’ve learned in this course. Please come to class prepared to share the most important insight – something that you learned – about human rights during this course.
Tips for Writing a Policy Memo

Know your audience. This most important first step should not be overlooked. Writing a policy memo to a group of subordinates is very different from writing to peers outside an organization or to superiors.

Analyze the problem or issue and concisely state it at the beginning of the memo. This main idea or problem statement is one of the most important aspects of a policy memo.

Explain why the problem exists and why there is a need for a new/different policy. You need to setup your audience for your recommendations. Elaborate on the problem or issue through logical analysis and presentation of relevant background.

Give recommendations. After analyzing the problem, recommend the policy that will alleviate or solve the problem. If there's room, contrast the policy with other solutions and explain why the recommendation you give is the best.

Edit for style and formatting. Memos should not exceed 3 double spaced pages and they should be formatted for easy reading. You may make your main points bold or bulleted. Use active voice. Proofread and edit your memo more than once.

There's no single formula for writing an effective policy memo because every policy is different. However, here are a few guidelines that may help:

Be concise

Being concise does not just mean the memo should be short; it means that it should be no longer than necessary. Being concise does not mean leaving important things out; rather, it means don't write a paragraph when a sentence or two will do.

Focus on results rather than methods

You should focus on what you calculated rather than on how you calculated it. The details can be put in a separate report to be circulated to people interested in the technical issues.

Identify the winners and losers

It's very important to figure out who would be helped and who would be hurt by a proposal. After all, the point of public policy is to solve public problems and thereby make people (at least some people) better off. No policy analysis is really complete until the winners and losers have been identified.
**Anticipate questions and criticism**

Look over your preliminary analysis and try to anticipate what questions a reader would be most likely to ask, or what additional calculations she might want to do to understand your results fully.

**Don't use unnecessary jargon**

Avoiding jargon will make it easier for your results to be understood by a wide range of readers.

**Write for an intelligent nonspecialist**

You'll usually know more about the policy problem and the analytical methods you use than the reader of the memo. That makes it easy to inadvertently write the memo as though the reader were ignorant. The problem is subtle because it usually happens as a result of the best of intentions on your part: in trying to be as clear as possible you end up explaining things that the reader already knows or can easily figure out for herself.

**Allow the reader to reach her own conclusions**

Wherever possible, the memo should include all the facts a policy maker would need to reach her own conclusions. That's true even when the purpose of the memo is for you to present a recommendation.
Final Paper

The final paper is a formal memo to an organization of your choice (for example, the Secretary General of the United Nations, President Obama, the head of Amnesty International). The memo has four parts, (1) a one page executive summary, (2) a section analyzing the effectiveness of the current international human rights system as it relates to your human rights problem, (3) a section recommending a policy strategy on human rights and (4) a conclusion.

You will focus your analysis on your choice of one type of human rights abuse (e.g., political prisoners, discrimination, torture, unlawful killing, censorship, etc.) in one location of your choice.

Part 1: Executive Summary

Your executive summary should encapsulate the problem you are addressing in your country and the solution you are recommending, including your reasoning for the recommendations. It should be concise, clearly written (no jargon) and state a clear argument about the effectiveness of the current legal regime against the abuse you have chosen as your focus in the country and recommendations to the administration to further protect against that abuse in the country. This is a roadmap to the arguments you will elucidate in Parts 2 and 3 of the memo. This section should be no longer than 1 double-spaced page.

Part 2: Effectiveness of the human rights system.

First, briefly bring your audience up to date on the human rights situation, as regards the issue you have chosen, in your country. Briefly describe the relevant international laws and legal tools that pertain to your issue and explain the conditions under which they have or have not been effective in preventing or punishing abuse. Explain why (i.e., relate the mechanisms of legal influence to the cause of the problem at hand). Be sure to explain why the system is or is not effective in your case. Provide evidence and an explanation. This section should be approximately 4 to 5 double-spaced pages.

Part 3. Recommendations

Given your analysis in Part 2, lay out your policy recommendations to the organization. What strategy should human rights advocates—that might include NGOs, legal institutions, states or any other relevant human rights actor—follow in order to increase respect for human rights in your country? Explain how each strategy will work (i.e., relate the mechanisms of influence to the cause of the problem at hand). Analyze the limitations to each strategy and explain why. Finally, provide the organization with an analysis of the politics of your policy recommendations: who is likely to object, who is likely to support your recommendations, and how feasible are your recommendations? If there are trade offs involved in your recommendations, state them clearly and explain why they are necessary and what they will “cost” the human rights movement. This section should be approximately 6 to 7 double-spaced pages.
Part 4. Conclusions

Your conclusion should NOT be a repetition of the executive summary. Rather. It should briefly explain whether or not your recommendations are generalizable to countries in other regions of the world and why or why not. Are you spelling out a coherent policy strategy or a strategy that is only specific to your country? Explain. This section should not exceed 1 double-spaced page.

The paper must include citations to all sources, including course materials and also secondary research materials that you read outside of class. A typical paper will have 20 to 40 credible sources (i.e., not Wikipedia).

Papers are due on Friday, June 5th, 2012, at 12:00pm to: s2carlson@ucsd.edu

It must not exceed 15 double-spaced pages.

The paper is worth 25% of your course grade. Grading criteria include:

• Following directions.
• Clarity of argument.
• Analytical rigor. Do not state your opinions. Rather, argue on the facts.
• Support for your argument, by way of evidence and examples.
• Proper attribution to your sources.
• Clean writing style (i.e., no spelling errors or sloppy mistakes).
• Clean organization of logic.
Presentations:

Wednesday, April 8th: Economic, Political and Social Contexts.
Case Study: War in Syria

Wednesday, April 15th: The International Human Rights System.
Case study 1: Indonesia and the Ratification of Human Rights Treaties
Case study 2: Sudan and the ICC

Monday, April 20th: How International Law Works (part 1).
Case Study 1: UN Treaty Regulating Global Arms Sales
Case Study 2: Chile’s Transition to Democracy (and the CAT)

Wednesday, April 22nd: How International Law Works (part 2).
Case Study 1: UN Convention on the Rights of Persons with Disabilities
Case Study 2: Violence in Mexico

Wednesday, April 29th: Regime Change, Democratization and Military Intervention.
Case study 1: the Responsibility to Protect (R2P) in the Central African Republic (CAR)
Case study 2: North Korea

Monday, May 4th: Elections.
Case Study 1: 2014 Parliamentary Elections in Bangladesh
Case Study 2: 2015 Parliamentary Elections in Burma/Myanmar

Monday, May 11th: Multinational Corporations and Foreign Investment.
Case Study 1: Rana Plaza Disaster, Bangladesh
Case Study 2: International Legally Binding Instrument on Transnational Corporations and Other Business Enterprises

Wednesday, May 13th: Non-Governmental Organizations (NGOs).
Case Study 1: Tostan and Female Genital Cutting (FMC) in Senegal

Wednesday, May 20th: National Human Rights Institutions (NHRIs)
Case Study: National Human Rights Institutions in the Asia Pacific

Wednesday, May 28th: People Power through Social Networks
Case Study 1: Arab Spring uprisings
Case Study 2: Kony
In-class presentations Sign Up:

Please list your top four choices, in your order of preference, for an in-class presentation. We will make every effort to give you one of your preferred topics.

NAME______________________________________________

CHOICE #1__________ #2__________ #3__________ #4__________

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