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PSC 495.01: Human Rights and Development

Olatunde Ojo

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University of Montana
Political Science Department
PSC 495 - Human Rights and Development
Fall 1995

Professor: Olatunde Ojo

Office: LA 354

Office phone: 243-4418

Office Hours: MT 1:10-2:40 PM or by appointment

Class meets: LA 337

TTh 3:40-5 PM

COURSE DESCRIPTION

This course introduces students to the ways in which states and other international actors -- intergovernmental and non-governmental -- have addressed human rights both historically and in contemporary times. The objective is to stimulate thinking about how and why violation of human rights is so ubiquitous, why, in spite of this, human rights remain only a small part of international relations, and what can and cannot be done about these through international action.

UN efforts to promote and protect human rights will be discussed, with a focus on the kinds of issues typically addressed and the perspectives that have been commonly adopted as epitomized in the current (September 1995) Beijing conference on the rights of women. The role of regional inter-governmental organizations as well as national and international non-governmental organizations (NGOs) in the promotion and protection of human rights will also be examined.

Substantial attention will be paid to the domestic politics of human rights. This will be discussed comparatively and in terms of individual versus group (racial, gender, religious, linguistic and indigenous or minority) rights in the context of the principle of equal treatment.

Substantial attention will also be focused on the relationship of human rights to development, with emphasis on the Third World in general and Africa in particular. It is in the Third World region that the worst cases of human rights abuses currently occur. It is also there that exist the concepts and conceptions of human rights which the West has not found entirely palatable. We seek understanding of the differences, the underlying causes and how these bear upon Western States' foreign policies and on global and regional international relations. Accordingly, we address such issues as: the nature, substance and sources of human rights; the evolution of the concept over time and space; the place of human rights in the contemporary international society of states and the theoretical and practical challenges posed to the very idea of international human rights policy by arguments of cultural relativity and cultural imperialism or realpolitik. We also explore the literature on the debate over the right to development; whether enjoyment of human rights is a prerequisite for development or whether it is the other way around.

The course will be organized as a discussion seminar. After the initial preliminaries, students will take turns leading discussions on key issues, concepts and themes from the assigned readings for the relevant class sessions. The discussion leader

launches the discussion by presenting a summary of the readings and posing the key issues. Discussion leaders are not expected to answer all questions in their presentations; their task is to identify important issues and areas of controversy for discussion. Meaningful discussion and rewarding class sessions can only occur if we all faithfully do the assigned readings when due; otherwise we would only be exchanging ignorance and have boring sessions. Everyone is therefore responsible for the material assigned for each session. The oral summary by the discussion leader is only a convenient way of launching the discussion, not a substitute for a careful reading of the materials.

EVALUATION

There will be three components to the course evaluation. The first component comprising 30% will be based on your classroom performance, including the quality of class discussions you lead, and your general contributions to other class sessions. Obviously, regular attendance is essential. The second component, also 30%, will be quizzes -- announced and unannounced -- and a mid-term exam. The third component will be based on a term paper (for 40%).

The paper is expected to break new ground, i.e. go beyond the assigned class readings and discussions. It may cover topics left out or insufficiently covered in the course, e.g. the human rights of refugees or specific aspects of human rights of Native Americans. Or it may examine the human rights policy of a great power in a specific country or region/sub-region, the role of a particular NGO in the promotion/protection of a specific human right in a particular country or region/sub-region, or the state of human rights in a particular country or sub-region. It may deal with the position of a country or group of countries on particular human rights issues at the UN. Or it may critically look at Zionism and apartheid as allies in violation of human rights in their respective areas. The possibilities are unlimited.

Presentation of the papers in class will begin about mid-November and will follow essentially the same format as the earlier oral presentations. The final draft incorporating relevant comments and suggestions from the class discussion will be due not later than the day and time scheduled for the final exam of this course. There will be no final exam.

THE TEXTS

The basic texts are: David P. Forsythe, Human Rights and World Policies (Lincoln: Univ. of Nebraska Press, 1989); Joseph Wronka, Human Rights and Social Policy in the 21st Century, (Lanham: Univ. Press of America, 1992); and Danielsen and Karen Engle, After Identity: A Reader in Law and Culture (New York: Routledge, 1995). There is also a Faculty Pack with our course title, comprising six articles that elucidate issues barely touched upon by the regular texts.

PSC 495 - Human Rights and Development
Course Outline

WEEK 1

- Sept. 5 Introduction
Sept. 7 The concept and nature of human rights
Readings: Joseph Wronka chp, pp 21-31 of chp 2;
Forsythe chp 1

WEEK 2

- Sept. 12 Hierarchy of Human Rights
Readings: Charles R. Beitz, "Human Rights and Social Justice" and Henry Shue, "Rights in the Light of Duties," both in Faculty Pack; and Forsythe chp 2
Sept. 14 Source or justification of human rights: theory of rights in the Judeo-Christian and Graeco-Roman world to the Renaissance
Readings: Wronka chp 2, pp 31-60

WEEK 3

- Sept. 19 Evolution of the concept and justification of human rights: from the Age of Enlightenment to the Age of Industrialization
Reading: Wronka chp 2, pp 60-84
Sept. 21 The western and African conceptions of human rights: a comparison
Readings: Jack Donnelly, "Human Rights and Human Dignity: An Analytic Critique of Non-Western Conceptions of Human Rights;" and Lakshman Marasinghe, "Traditional Conceptions of Human Rights in Africa" both in Faculty Pack

WEEK 4

- *SEPT. 25 IS LAST DAY TO ADD CLASS
Sept 26 Multilateral politics of human rights: monitoring and enforcing human rights under global and regional regimes
Readings: Wronka chp 3; Forsythe chp 3
Sept 28 Cultural relativism and universal human rights: a false debate?

WEEK 5

- Oct. 3 The domestic politics of human rights
Readings: Wronka chp 4; and Forsythe chp 5.
Suggested reading: Laura Garnick and Carol Twitchett, "Human Rights and a Successor to the Lome Convention," International Relations 6, 3(May) 1979: 540-557 - ask the instructor for a copy
Oct. 5 NGOs and the protection of human rights
Reading: Forsythe chps 4 and 6

WEEK 6

*OCT. 9 IS LAST DAY TO DROP CLASS OR CHANGE GRADING OPTION

- Oct. 10 Human rights and development trade-off
Reading: Donnelly, "Human Rights and Development: Complimentary or Competing Concerns?" in Faculty Pack.
Suggested Reading: Sylvian Ann Hewlett, "Human Rights and Economic Realities: Trade-offs in Historical Perspectives," Political Science Quarterly 94 (fall), 1979 - Ask instructor for a copy.
- Oct. 12 The Right to development debate; is there such a right?
Reading: Donnelly, "How not to Link Human Rights and Development" in Claude Welch and Ronald I. Meltzer (eds.), Human Rights and Development in Africa (Albany: State University of New York Press, 1984): 261-283, in Faculty Pack. A longer, more comprehensive but equally readable version appears as "In Search of the Unicorn: The Jurisprudence and Politics of the Right to Development;" see instructor for a copy.

WEEK 7 Equal rights without distinction as to sex

- Oct. 17 Law and the sexualization of the female body: prostitution and violence
- Oct. 19 Female circumcision and the right to sexual and corporal integrity
Reading: Danielsen and Engle chp 11

WEEK 8 Women's Human Rights, continued

- Oct. 24 Women's rights through international institutional framework - The UN and discrimination against women
Readings: Elizabeth Friendman, "Women's Rights: The Emergence of a Movement" Faculty Pack; Danielsen and Engle chp 10
- Oct. 26 Global campaign for women's human rights: Beijing and after
Readings: Friedman, "Women's rights: The emergence of a movement," Faculty Pack; Danielsen and Engle chp 10

WEEK 9

- Oct. 31 Equal rights without distinction as to sexual orientation? The gay and lesbian experience
Readings: Danielsen and Engle chps 2 and 14
- Nov. 2 MID-TERM EXAM

WEEK 10

- Nov. 7 Equal rights without distinction as to race: the dilemma over affirmative action
- Nov. 9 Distinction as to race and language: school integration, participation in government, etc.

WEEK 11
Nov. 14 Individual rights and the rights of indigenous peoples
 Readings: Daniels and Engle chp 7.
Nov. 16 Presentation of term papers begin

WEEK 12
Nov. 21 Presentation of term papers continue
Nov. 23 THANKSGIVING HOLIDAY

WEEK 13
Nov. 28 Presentation of term papers
Nov. 30 Presentation of term papers

WEEK 14
Dec. 5 Presentation of term papers
Dec. 7 Presentation of term papers

WEEK 15
Dec. 12 Presentation of term papers
Dec. 14 Conclusion: Prospects for Universal Human Rights
 Reading: Forsythe chp 8
Dec. 21 Final draft of term paper due not later than 5 PM