

POU44062 – Human Rights

Roman-Gabriel Olar

Module Code: POU44062

Module Name: Autocracy 2019-2020

ECTS Weighting: 5

Semester/Term Taught: Hilary Term

Contact Hours:

Monday, 4-6 PM (TBC)

Office 6.01*, 3 College Green

Department of Political Science

Trinity College Dublin

*Follow the signs towards the Secretary Conference Room. The office is located above the admin office of the Department of Political Science.

This course examines the politics of human rights and repression. It aims to provide students with a greater understanding of the concept of human rights. The first part of Hilary term approaches the concept of human rights in a comparative perspective, discussing universal and cultural conceptualizations of human rights, their importance in international politics, ways to measure and quantify human rights. The second part of the term explores explanations of human rights violations and repression, the actors who engage in this process and ways to improve human rights practices in countries around the world. At the end of this class, students should be able to answer the following questions: What are human rights and where do they come from? Why do governments protect or violate them? How do we improve human rights? Besides a substantive understanding of the topic of human rights and repression, students will develop an ability to engage in informed debates about human rights and have an improved ability to make logical, convincing oral and written arguments.

Learning Outcomes

On successful completion of this module students should be able to:

- Understand the origin of human rights and debate their universality and specificity for various cultural backgrounds
- Examine the role of international institutions and norms in promoting human rights
- Explore various approaches in quantifying human rights
- Analyse the determinants of repression and the actors involved in human rights violations
- Understand mechanisms to improve human rights practices around the world
- Be able to critique readings, analyse evidence and construct informed arguments.

Module Learning Aims

The module aims to introduce students to the fundamental concepts and prominent approaches in the empirical human rights. Students will gain a thorough understanding of the main theoretical and empirical debates in the discipline, and be able to discuss and evaluate theoretically and empirically explanations of human rights performance.

Assessment Details

The grade for this course will be calculated as follows:

1. **Class participation (10%)** – students will receive points based on their class participation. The class participation is based on doing the reading and engaging in the discussion of the weekly subjects.
2. **Analytical essay (30%)**: Students will be provided with several subjects on human rights. Each student will select one topic and will engage in a critical and analysis review of the empirical literature on the topic. Students need to summarize the main arguments and findings in the literature, and engage in a critical analysis of the literature. The essay are NOT a mere summary of the literature, but rather the student needs to offer a critique of the literature and (ideally) a way forward/solution to the problem(s) identified in the literature. Examples of such would be e critical evaluation of research design and suggestions to overcoming limitations, discussion of the assumptions of a theoretical approach and possible extensions of a theory, and/or critical evaluation of an empirical analysis.

***Important note:** The word count of the essay is 2,000 words (including title, footnotes and references). The essay is due on 8th March 2019 at 6 PM. The 10% +/- rule on word count does NOT apply. Essays exceeding the word count will be penalized.*

3. **Final exam (60%)**: Students will sit a 90 minutes examination during which they will need to answer two essay style questions.

Readings:

The reading list is divided between three different types of readings:

- (1) **Required readings** – these readings are mandatory to all students participating in class. They will form the starting point for the class discussion, it will build on the main arguments from the reading(s) and all exam questions will find their logic in these reading(s).
- (2) **Selected readings** – these readings will add more nuance and substance to the class discussion. Every week, 2-3 students, will do one of these readings and they will be responsible for summarizing and explaining to their peers how the selected reading complements the required reading. Students will be assigned the required readings at least a week in advance so that they can prepare accordingly.

- (3) **Additional readings** – these readings will be an extension of the required and selected readings. These reading are all within the topic of the week and will provide further avenues for students looking to gain a more in-depth understanding of the subject.

Key Readings:

1. Donnelly, Jack. 2013. *Universal Human Rights in Theory and Practice*. 3rd ed. Ithaca: Cornell University Press.
2. Goodhart, Michael, ed. 2013. *Human Rights: Politics & Practice*. 2nd ed. New York: Oxford University Press.
3. Carey, Sabine C., Mark Gibney, and Steven C. Poe. 2010. “The Politics of Human Rights: The Quest for Dignity.” Cambridge University Press.
4. Glendon, Mary Ann. 2001. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. New York: Random House

Week 1- Introduction

Eric Posner (2014). *The case against human rights*, The Guardian. Available at: <https://www.theguardian.com/news/2014/dec/04/-sp-case-against-human-rights>

Week 2 – What are human rights? Where do they come from?

Required reading:

Shestack, J. J. (2017). The philosophic foundations of human rights. In *Human Rights* (pp. 3-36). Routledge. (1998 article from *Human Rights Quarterly* as an alternative).

Selected readings:

Makau Savages, M. (2001). Victims and Saviours: The Metaphor of Human Rights’. *Harvard International Law Journal*, 42, 201.

Carey, Gibney, Poe (2010) Chapter 1 and 2.

Additional readings:

Donnelly 2013, Chapter 1.

Glendon 2001, Chapters 3-5.

Carey, Gibney, Poe (2010) Ch.3, and Ch.4

Nadelmann, E. A. (1990). Global prohibition regimes: The evolution of norms in international society. *International Organization*, 44(4): 479-526.

Week 3 – Human Rights and International Law

Required reading:

Smith 2013, “Human Rights in International Law” – from Goodhart 2013.

Selected readings:

Hathaway, O. A. (2002). Do human rights treaties make a difference?. *The Yale Law Journal*, 111(8), 1935-2042.

Hathaway, O. A. (2007). Why do countries commit to human rights treaties?. *Journal of Conflict Resolution*, 51(4), 588-621.

Moravcsik, A. (2000). The origins of human rights regimes: Democratic delegation in postwar Europe. *International Organization*, 54(2), 217-252.

Donnelly 2013, Chapters 2.

Additional readings:

Lowe, A. (2013). Customary International Law and International Human Rights Law: A Proposal for the Expansion of the Alien Tort Statute. *Ind. Int'l & Comp. L. Rev.*, 23, 523.

Donnelly 2013, Chapters 4

Abbott, K. W. (1999). International relations theory, international law, and the regime governing atrocities in internal conflicts. *American Journal of International Law*, 93(2), 361-379.

Universal Declaration of Human Rights (UDHR): <http://www.un.org/en/documents/udhr/>

International Covenant on Civil & Political Rights (ICCPR): <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Optional Protocol to the ICCPR: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCCPR1.aspx>

Second Optional Protocol to the ICCPR: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/2ndOPCCPR.aspx>

International Covenant on Economic, Social, & Cultural Rights (ICESCR): <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

Optional Protocol to the ICESCR: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCESCR.aspx>

Week 4 – Universalism and Relativism

Required reading:

Donnelly, J. (1984). Cultural relativism and universal human rights. *Human Rights Quarterly*, 6(4): 400-419.

European Court of Human Rights Decision on “Osmanoglu and Kocabas v. Switzerland – compulsory mixed swimming lessons and religious convictions”:

<http://www.documentcloud.org/documents/3259368-Judgment-Osmanoglu-and-Kocabas-v-Switzerland.html>

Selected readings:

Kalev, H. D. (2004). Cultural rights or human rights: The case of female genital mutilation. *Sex roles*, 51(5-6): 339-348.

Prochnau, W. and Parker L. (2007). Trouble in paradise. *Vanity Fair* (December).

Additional readings:

Droogers, A., An-baím, A. A., & Gort, J. D. (1995). Cultural Relativism and Universal Human Rights?. *Human Rights and Religious Values: An Uneasy Relationship?*, 8, 78.

Donnelly 2013, Chapters 6 and 7.

Franck, Thomas. “Are Human Rights Universal?” *Foreign Affairs* (January/Feb. 1997)

Sigali Samuel (2018). Banning Muslim Veils Tends to Backfire – Why Do Countries Keep Doing It?. *The Atlantic*:

<https://www.theatlantic.com/international/archive/2018/08/denmark-burqa-veil-ban/566630/>

Week 5 – Conceptualization and measurement of HR

Required reading:

Landman, T. (2004). Measuring human rights: Principle, practice, and policy. *Human Rights Quarterly*, 26: 906-931.

Selected readings:

Wood, R. M., & Gibney, M. (2010). The Political Terror Scale (PTS): A re-introduction and a comparison to CIRI. *Human Rights Quarterly*, 32: 367-400.

Cingranelli, D. L., & Richards, D. L. (2010). The Cingranelli and Richards (CIRI) human rights data project. *Human Rights Quarterly*, 32, 401-424.

Fariss, C. J. (2014). Respect for human rights has improved over time: Modelling the changing standard of accountability. *American Political Science Review*, 108(2), 297-318.

Additional readings:

Fukuda-Parr, S., Lawson-Remer, T., & Randolph, S. (2009). An index of economic and social rights fulfillment: concept and methodology. *Journal of Human Rights*, 8(3): 195-221.

Todd Landman and Edzia Carvalho (2009) *Measuring Human Rights*, London: Routledge.

Brysk, Allison. 1994. "The Politics of Measurement: The Contested Count of the Disappearance in Argentina" *Human Rights Quarterly*, 16(4):676-692.

Ball, P., Asher, J., Sulmont, D., & Manrique, D. (2003). How many Peruvians have died. *Washington, DC: American Association for the Advancement of Science*.

Landman, T., Kernohan, D., & Gohdes, A. (2012). Relativizing Human Rights. *Journal of human rights*, 11(4), 460-485.

Week 6 – The Political Science of Human Rights

Required reading:

Todd Landman (2016) 'Rigorous Morality: Norms, Values and the Comparative Politics of Human Rights,' *Human Rights Quarterly*, 38 (1): 1-20.

Selected readings:

Landman, T. (2005). The political science of human rights. *British Journal of Political Science*, 35(3), 549-572.

Hill, Daniel W., and Zachary M. Jones (2014). An empirical evaluation of explanations for state repression. *American Political Science Review* 108(3): 661-687.

Poe, S. C., & Tate, C. N. (1994). Repression of human rights to personal integrity in the 1980s: A global analysis. *American Political Science Review*, 88(4), 853-872.

Richards, D. L., Webb, A., & Clay, K. C. (2015). Respect for physical-integrity rights in the twenty-first century: Evaluating Poe and Tate's model 20 years later. *Journal of Human Rights*, 14(3), 291-311.

Recommended readings:

Poe, S. C. (2004). The decision to repress. *Understanding human rights violations: new systematic studies*. Aldershot: Ashgate, 16-42.

Englehart, N. A. (2009). State capacity, state failure, and human rights. *Journal of Peace Research*, 46(2), 163-180.

Poe, S. C., Tate, C. N., & Keith, L. C. (1999). Repression of the human right to personal integrity revisited: A global cross-national study covering the years 1976–1993. *International studies quarterly*, 43(2), 291-313.

(Reading Week 2-9th March 2019)

Week 7 – Dissent and Repression

Required reading:

Davenport, C. (2007). State repression and political order. *Annual Review of Political Science*, 10: 1-23.

Selected readings:

Ritter, E. H., & Conrad, C. R. (2016). Preventing and responding to dissent: The observational challenges of explaining strategic repression. *American Political Science Review*, 110(1), 85-99.

Moore, W. H. (2000). The repression of dissent: A substitution model of government coercion. *Journal of conflict resolution*, 44(1): 107-127.

Davenport, C. (1995). Multi-dimensional threat perception and state repression: An inquiry into why states apply negative sanctions. *American Journal of Political Science*, 683-713.

Sullivan, C. M. (2016). Undermining resistance: Mobilization, repression, and the enforcement of political order. *Journal of Conflict Resolution*, 60(7), 1163-1190.

Additional readings:

Sullivan, C. M. (2016). Political repression and the destruction of dissident organizations: Evidence from the archives of the Guatemalan national police. *World Politics*, 68(4), 645-676.

Moore, W. H. (1998). Repression and dissent: Substitution, context, and timing. *American Journal of Political Science*, 851-873.

Nordås, Ragnhild, and Christian Davenport. 2013. "Fight the youth: Youth bulges and state repression." *American Journal of Political Science* 57(4): 926-940.

Week 8 – Institutional Explanations of repression

Required reading:

Conrad, C. R., & Moore, W. H. (2010). What stops the torture?. *American Journal of Political Science*, 54(2), 459-476.

Gronke, P., Rejali, D., Drenguis, D., Hicks, J., Miller, P., & Nakayama, B. (2010). US public opinion on torture, 2001–2009. *PS: political science & politics*, 43(3), 437-444.

Selected readings:

Mason, T. David and Krane. 1989. The Political Economy of Death Squads: Toward a Theory of the Impact of State-Sanctioned Terror. *International Studies Quarterly*, 33(2): 175-198.

Conrad, C. R., Hill Jr, D. W., & Moore, W. H. (2018). Torture and the limits of democratic institutions. *Journal of Peace Research*, 55(1), 3-17.

Additional readings:

Cingranelli, David, and Mikhail Filippov (2010). Electoral rules and incentives to protect human rights. *The Journal of Politics* 72(1): 243-257.

Abouharb, M. R., Moyer, L. P., & Schmidt, M. (2013). De facto judicial independence and physical integrity rights. *Journal of Human Rights*, 12(4), 367-396.

Davenport, C. (2007). *State repression and the domestic democratic peace*. Cambridge University Press.

Pereira, A. W. (2005). *Political (in) justice: authoritarianism and the rule of law in Brazil, Chile, and Argentina*. University of Pittsburgh Press.

Week 9 – Principals and agents of repression

Required reading:

Cingranelli, David, Paola Fajardo-Heyward, and Mikhail Filippov (2014). "Principals, agents and human rights." *British Journal of Political Science* 44(3): 605-630.

Selected readings:

Neil Mitchell, Sabine Carey and Christopher Butler. (2014). "The Impact of Pro Government Militias on Human Rights Violations." *International Interactions*: 40(5): 812-836.

Ong, L. H. (2018). Thugs and Outsourcing of State Repression in China. *The China Journal*, 80(1).

Singer, P. W. (2007). The dark truth about Blackwater. *Salon com*, October, 2nd.

Additional readings:

Butler, Christopher K., Tali Gluch, and Neil Mitchell. 2007. "Security Forces and Sexual Violence: A Cross-National Analysis of a Principal-Agent Argument." *Journal of Peace Research* 44 (6): 669-687

Sabine Carey, Michael Colaresi and Neil Mitchell. 2015. "Governments, Informal Links to Militias, and Accountability." *Journal of Conflict Resolution*. 59(5): 850-876.

Berkowitz, J. M. (2018). Delegating Terror: Principal-Agent Based Decision Making in State Sponsorship of Terrorism. *International Interactions*, 44(4), 709-748.

Mitchell, N. (2004). *Agents of atrocity: Leaders, followers, and the violation of human rights in civil war*. Springer.

Downes, A. B. (2006). Desperate times, desperate measures: The causes of civilian victimization in war. *International Security*, 30(4), 152-195.

Week 10 – International intervention and Human Rights

Required reading:

Krain, M. (2005). International intervention and the severity of genocides and politicides. *International Studies Quarterly*, 49(3): 363-387.

Selected readings:

Kelly Kate Pease and David P. Forsythe. "Human Rights, Humanitarian Intervention, and World Politics." *Human Rights Quarterly* 15(1): 290-314.

Louis Henkin. "Kosovo and the Law of 'Humanitarian Intervention'." *The American Journal of International Law* 93(4): 824-828.

Akbarzadeh, S., & Saba, A. (2018). UN paralysis over Syria: the responsibility to protect or regime change?. *International Politics*, 1-15.

Additional readings:

Carey, Gibney, Poe (2010). Chapter 6

DeMeritt, J. H. (2015). Delegating death: Military intervention and government killing. *Journal of Conflict Resolution*, 59(3): 428-454.

Adam Roberts "Humanitarian War: Military Intervention and Human Rights." *International Affairs* 69(3): 429-449.

Karim, Sabrina and Kyle Beardsley. 2016. "Explaining Sexual Exploitation and Abuse in Peacekeeping Missions." *Journal of Peace Research* 53 (1): 100-115.

Week 11 – NGOs and Human Rights

Required reading:

Murdie, A. M., & Davis, D. R. (2012). Shaming and blaming: Using events data to assess the impact of human rights INGOs. *International Studies Quarterly*, 56(1), 1-16.

Selected Readings:

Ausderan, J. (2014). How naming and shaming affects human rights perceptions in the shamed country. *Journal of Peace Research*, 51(1), 81-95.

Davis, D. R., Murdie, A., & Steinmetz, C. G. (2012). Makers and shapers: human rights INGOs and public opinion. *Human Rights Quarterly*, 34, 199.

Hill Jr, D. W., Moore, W. H., & Mukherjee, B. (2013). Information Politics Versus Organizational Incentives: When Are Amnesty International's "Naming and Shaming" Reports Biased?. *International Studies Quarterly*, 57(2), 219-232.

Additional readings:

Hendrix, Cullen S., and Wendy H. Wong. 2013. "When is the Pen Truly Mighty? Regime Type and the Efficacy of Naming and Shaming in Curbing Human Rights Abuses." *British Journal of Political Science* 43(3): 651-672.

Bell, Clay, and Murdie 2012. Neighborhood Watch: Spatial Effects of Human Rights INGOs. *The Journal of Politics*, 74(2): 354-368.

Krain, Matthew (2012). J'accuse! Does naming and shaming perpetrators reduce the severity of genocides or politicides?. *International Studies Quarterly*, 56(3): 574-589.

Meernik, James, Aloisi, R., Sowell, M., & Nichols, A. (2012). The impact of human rights organizations on naming and shaming campaigns. *Journal of Conflict Resolution* 56(2): 233-256.

Risse, T., Ropp, S. C., & Sikkink, K. (Eds.). (2013). *The persistent power of human rights: From commitment to compliance* (Vol. 126). Cambridge University Press.

Barry, C. M., Chad Clay, K., & Flynn, M. E. (2013). Avoiding the spotlight: Human rights shaming and foreign direct investment. *International Studies Quarterly*, 57(3), 532-544.

Murdie, Amanda and Tavishi Bhasin. 2011. "Aiding and Abetting? Human Rights INGOs and Domestic Anti-Government Protest" *Journal of Conflict Resolution*. 55(2): 163-191.