

Columbia University
Graduate School of Arts and Sciences
Spring 2009
W 4:10-6:00 p.m.
311 Fayerweather

Prof. George Andreopoulos
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G4820 Human Rights and International Organizations

Course Description

This course will examine the role of international organizations in the promotion and protection of internationally recognized human rights norms. In particular, the course will survey contending approaches on the importance of international organizations in world politics; explore the constitution, history and function of various international organizations for the promotion/protection of human rights and study the way in which the human rights discourse has been increasingly intersecting with the peace and security and the sustainable development discourses in the work of these organizations; provide an overview of the growing interaction between international organizations and NGOs; and assess the record of these organizations' monitoring and enforcement mechanisms in the area of human rights.

Outline

Part I of the course provides an overview of the evolution of international human rights norms, of the role of international organizations, and of different schools of thought (realism/neorealism, liberal institutionalism, constructivism, international society, international legal process, e.t.c.) on the importance of international organizations in world politics.

Part II will focus on the United Nations System, and in particular on the role of charter-based and treaty-based institutions and mechanisms for the promotion and protection of international human rights.

Part III will examine regional arrangements with particular emphasis on the European, Inter-American and African systems, as well as on the work of the Organization for Security and Cooperation in Europe (OSCE).

Part IV will discuss the work of specific United Nations agencies, and the role of regional organizations and NGOs in addressing issues relating to women's rights, refugee protection, peace enforcement, peacekeeping, peacebuilding, and human development.

Part V will briefly examine the debate on the role of international justice mechanisms in the prevention and punishment of human rights violations, and assess the prospects for more effective proactive institutional initiatives.

Bibliography

The following books have been ordered and are available at the Columbia University Bookstore:

1. Craig Murphy, *The United Nations Development Programme. A Better Way?* Cambridge University Press, 2006.
2. Rachel Murray, *Human Rights in Africa: From the OAU to the African Union.* Cambridge University Press, 2004.
3. Joel Oestreich, *Power and Principle. Human Rights Programming in International Organizations.* Georgetown University Press, 2007.
4. Victor Peskin, *International Justice in Rwanda and the Balkans.* Cambridge University Press, 2008.
5. Balakrishnan Rajagopal, *International Law from Below. Development, Social Movements and Third World Resistance.* Cambridge University Press, 2003.
6. Wayne Sandholtz and Kendall Stiles, *International Norms and Cycles of Change.* Oxford University Press, 2009.
7. Henry Steiner, Philip Alston and Ryan Goodman, *International Human Rights in Context. Law, Politics, Morals.* Oxford University Press, 2008.
8. Daniel C. Thomas, *The Helsinki Effect. International Norms, Human Rights and the Demise of Communism.* Cornell University Press, 2001.

There will be a series of additional readings which are available on the internet, or will be distributed in class.

Course requirements.

A 20-25 page paper to be chosen after consultation with the instructor (80% of the grade). Oral presentations and class participation will count for 20% of the grade. The final paper is due one week after the last class and it should be submitted in hard copy. No email submissions.

Course outline.

Week I

What are human rights? The evolution and normative framework of international human rights.

Henry Steiner, Philip Alston and Ryan Goodman, *International Human Rights in Context*, pp. 475-516; Michael Ignatieff, "The Attack on Human Rights," *Foreign Affairs* (November-December 2001), pp. 102-116; Susan Waltz, "Universal Human Rights: The Contribution of Muslim States," *Human Rights Quarterly*, vol. 26(4), pp. 799-844.

Week II

International Organizations in World Politics. Promises and Challenges.

Michael Barnett and Martha Finnemore, *Rules for the World*, pp. 1-44 (to be distributed); John Mearsheimer, "The Failed Promise of International Institutions," *International Security*, vol. 19(3), pp. 5-49; Robert Keohane and Lisa Martin, "The Promise of Institutional Theory," *International Security*, vol. 20 (1), pp. 39-51.

Week III

International Organizations (continued). Ideas and Norms in World Politics.

Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization*, vol. 52(4), pp. 887-917; Wayne Sandholtz and Kendall Stiles, *International Norms and Cycles of Change*, pp. 1-26; Daniel Thomas, *The Helsinki Effect*, pp. 3-23; Joel Oestreich, *Power and Principle*, pp. 1-25.

Week IV

Early international efforts and the contribution of international law. The emergence of global norms.

Steiner, Alston and Goodman, pp. 58-148; Balakrishnan Rajagopal, *International Law from Below*, pp. 9-23; Tony Evans, "International Human Rights Law as Power/Knowledge," *Human Rights Quarterly*, 27(2005), pp. 1046-1068; Sandholtz and Stiles, pp. 29-54 and pp. 169-203.

Week V

The United Nations System: Charter-Based Institutions and Treaty Bodies.

Steiner, Alston and Goodman, pp. 735-843; Mary Ann Glendon, "Propter Honoris Respectum. Knowing the Universal Declaration of Human Rights," *Notre Dame Law Review*, 73(5), pp. 1153-1181; Paul Gordon Lauren, "'To Preserve and Build on its Achievements and to Redress its Shortcomings': The Journey from the Commission on Human Rights to the Human Rights Council," *Human Rights Quarterly*, 29 (2007), pp. 307-345; Francoise Hampson, "An Overview of the Reform of the UN Human Rights Machinery," *Human Rights Law Review*, vol. 7(1), 2007, pp. 7-27.

Week VI

The promotion and protection of international human rights norms. The role of international institutions. Human Rights Protection and the Security Discourse.

Steiner, Alston and Goodman, pp. 735-843; Oestreich, pp. 26-116; George Andreopoulos, *The Challenges and Perils of Normative Overstretch* (to be distributed in class); Sandholtz and Stiles, pp. 263-288

Week VII

Regional Arrangements. The European Convention System.

Andrew Moravcsik, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe," *International Organization*, vol. 54(2000), pp. 217-252; Steiner, Alston and Goodman, pp. 786-867; Dinah Shelton, "The boundaries of human rights jurisdiction in Europe," *Duke Journal of Comparative & International Law*, vol. 13(1), (Winter 2003), pp. 95-152.

Week VIII

Regional Arrangements (continued). The Inter-American Human Rights Regime.

Steiner, Alston and Goodman, pp. 1020-1062; Tom Farer, "The Rise of the Inter-American Human Rights Regime: No Longer a Unicorn, Not Yet an Ox," *Human Rights Quarterly*, vol. 19(3), 1997, pp. 510-546; Jo M. Pasqualucci, "The Evolution of International Indigenous Rights in the Inter-American Human Rights System," *Human Rights Law Review*, vol. 6(2), 2006, pp. 281-322.

Week IX

Regional Arrangements (continued). The African System.

Steiner, Alston and Goodman, pp. 1062-1083; Rachel Murray, *Human Rights in Africa: From the OAU to the African Union*, pp. 1-115; Obiora Chinedu Okafor, "The African System on Human and Peoples' Rights, Quasi-Constructivism, and the Possibility of Peacebuilding *within* African States," *International Journal of Human Rights*, vol. 8(4), 2004, pp. 413-450.

Week X

Regional Arrangements (continued). The Helsinki Process and the OSCE.

Daniel Thomas, pp. 27-256; Rachel Brett, "Human Rights and the OSCE," *Human Rights Quarterly*, vol. 18(3), 1996, pp. 668-693; Gregory Flynn and Henry Farrell, "Piecing Together the Democratic Peace: The CSCE, Norms, and the "Construction" of Security in Post-Cold War Europe," *International Organization*, vol. 53(3), Summer 1999, pp. 505-535.

Week XI

The framing and diffusion of human rights and humanitarian norms: challenges in and prospects for advancing women's rights and refugee protection.

Barnett and Finnemore, pp. 73-120 (to be distributed); Murray, pp. 134-162 and pp. 185-234; Ann Marie Clarke, Elisabeth J. Friedman, and Kathryn Hochstetler, "The Sovereign Limits of Global Civil Society: A Comparison of NGO participation in UN World Conferences on the Environment, Human Rights, and Women," *World Politics*, vol. 51(1), 1998, pp. 1-35; Brian Barbour and Brian Gorlick, "Embracing the 'Responsibility to Protect': A Repertoire of Measures Including Asylum for Potential Victims;" *International Journal of Refugee Law* (to be distributed); Sandholtz and Stiles, pp. 237-262.

Week XII

Can International Organizations learn? The evolution of development ideology in international law. The ongoing challenge of human development.

Rajagopal, 24-161; Craig Murphy, *The United Nations Development Programme*, pp. 1-169, and pp. 199-262; Murray, pp. 235-266; Oestreich, pp. 156-182.

Week XIII

The quest for accountability. The promises and perils of international justice.

Steiner, Alston and Goodman, pp. 1243-1384; Jack Snyder and Leslie Vinjamuri, "Trials and Errors: Principle and Pragmatism in Strategies of international Justice," *International Security*, vol. 28(3), 2003/2004, pp. 5-44; International

Council on Human Rights Policy, *Universal Jurisdiction*, (<http://www.ichrp.org>); Victor Peskin, *International Justice in Rwanda and the Balkans*, pp. 1-148.

Week XIV

International justice (continued). Do international norms and institutions matter?
Concluding remarks.

Peskin, pp. 151-257; Murphy, pp. 331-356; Oestreich, pp. 183-209; Rajagopal, pp. 165-271; Sandholtz and Stiles, pp. 323-338.