

**The University of Chicago**  
**Human Rights 3: Contemporary Issues in Human Rights**  
**Fall Quarter 2007**

(HMRT 20300/30300; Law 57900; History 29500/39500; CIR/INRE 57900;  
 GSHUM 28900/38900; LLSO 27200)

Lecture - Tuesday 3:00 – 4:20 p.m. – Discussion sections Thursday 3:00 or 4:30 p.m.  
 (depending on student schedules and room availability)

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Teaching assistants: Mona Mehta (Political Science); Jennifer Amos (History)

**Syllabus: March 15, 2009**

This course will examine the contemporary human rights system, including international, regional and national legal conventions, in relation to selected contemporary human rights problems. We will examine the origins of the current regime, the uses and limitations of the international treaty system, and the relationship between international obligations and domestic implementation. Problems of rights enforcement will be related to issues of sovereignty, justiciability, culture, and foreign and domestic politics. We will use contemporary cases to examine such topics as torture, women's rights, the conflict between universalism and cultural relativism, and economic, social & cultural rights including the right to health care and the right to development. We will integrate a review of the roles of major actors in the violations and protection of human rights into the topical material; such actors will include official human rights monitoring bodies and tribunals, non-governmental organizations (NGOs), national and local governments, religious bodies, photographers and film-makers, and lawyers and doctors, as well as individual victims and their families. .

The course will consist of a 1 ½ hour weekly lecture and discussion with the entire class on Monday, followed by 1 ½ hour weekly discussion sections on Wednesday. Lectures will be delivered according to the attached syllabus. In addition to the listed readings, students should read the *New York Times* or a major international paper on a daily basis and bring current issues to class.

**Required books:**

Carol Anderson, Eyes Off the Prize, Cambridge University Press, 2003

Center for the Study of Human Rights, Columbia University, Twenty Five-Plus Human Rights Documents (a/k/a "The Little Red Book"), 2001;

John Conroy, Unspeakable Acts, Ordinary People, 1999

Mary Ann Glendon, A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights, Random House, 2001

**Recommended books (background reading):**

Susan Sontag, Regarding the Pain of Others, Picador Press, 2003

### **Course requirements:**

All students will be required to attend class and discussion section on a regular basis. *Each student will be required to bring a news story concerning a human rights issue related to the week's theme to each discussion group meeting.* Repeated absences will result in a lowered grade. Each student will complete a midterm paper of 3 – 5 pages which will serve as a topic proposal for the final paper of 15 – 18 pages (College students); 18 – 22 pages (graduate and professional students). A guide to selecting and researching human rights papers will be distributed in class prior to the mid-term assignment.

### **Week 1, March 31 – April 2 – Introduction to human rights for U.S. students**

**Tuesday, March 31 - class:** A major theme of this course throughout the term will be the work of human rights non-governmental organizations and other civil society groups active in human rights advocacy. Each student is encouraged to look at one of the following websites of a contemporary human rights organization and be prepared to explain its mission, priorities, and a current campaign to the class. While we will not have time for every student to present about his or her organization, we will begin to develop a “map” of major themes in contemporary human rights advocacy.

#### **Suggested organizations or agencies (you are not restricted to this list):**

All of these organizations have websites: Amnesty International (U.S., U.K. and other countries); B'Tselem (Israel); the Center for Constitutional Rights (U.S.); Center for Economic, Social, and Cultural Rights (U.S.); Center for Victims of Torture (U.S.); Centre on Housing Rights and Evictions (Switzerland and multiple sites); Comision Mexicana para la Promocion y Defensa de los Derechos Humanos (Mexico); Global Rights (U.S.); Human Rights First (U.S.); Human Rights Watch (U.S. and U.K.); Kovler Center for Survivors of Torture (U.S.); Medicins San Frontieres (Doctors without Borders - France), Minnesota Advocates for Human Rights; Physicians for Human Rights; PRODESC (Mexico); U.S. Human Rights Network.

#### **Reading: Two leading U.S. human rights practitioners assess the state of human rights advocacy:**

Douglas Johnson, “The Need for New Tactics,” in *The New Tactics Workbook*, 2004, [www.newtactics.org](http://www.newtactics.org); this article is in .pdf on the Chalk site (6 pp.)

Ken Roth, “Human Rights Organizations: A New Force for Social Change,” in Samantha Power & Graham Allison, Eds., *Realizing Human Rights: Moving from Inspiration to Impact*, St. Martin's Press, 2000 (on Chalk), (23 pp.)

#### **Reading for next week,** I would like students to read the following:

Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, Random House, 2001; pages xv – 78 (Preface & Chapters 1 – 5); and Chapter 10; and

Carol Anderson, *Eyes Off the Prize*, Cambridge University Press, 2003; Preface and Chapters 1 & 2, pp. 1 – 112.

**Thursday, April 2 - discussion sections:** Another goal of this course will be our efforts to keep abreast of current developments in human rights as they relate to themes of the course. For the Thursday discussion group, please bring a news story about a current or recent human rights issue, whether U.S. or international. Recent stories which would be suitable would include Attorney General Eric Holder’s revelation of new Bush administration memos justifying the use of torture in interrogations or the indictment of Sudanese President Omar Al-Bashir in the International Criminal Court.

**This assignment is mandatory. Every student is required to bring in a news item. Duplication of items (i.e. several students share the same story) is O.K. That’s how news travels.**

## **Week 2 – (April 7 & 9) Perspectives on human rights history; approaches to human rights advocacy**

### **Tuesday class –**

An understanding of various perspectives on the origins of the modern human rights movement will help ground the discussion of the particular human rights issues which take up the bulk of this course. This week’s lecture and discussion will analyze several perspectives on the Universal Declaration on Human Rights and the role of the U.S and other countries in its development, as well as the principal differences between the American concepts of civil rights and the international standards of human rights.

### **Readings –**

Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, Random House, 2001; pages xv – 78 (Preface & Chapters 1 – 5); and

Carol Anderson, *Eyes Off the Prize*, Cambridge University Press, 2003; Chapters 1 & 2, pp. 8 – 112.

### **Thursday discussion groups –**

Each discussion group will have a unique short reading to add to Tuesday’s readings.

## **Weeks 3-6 – Understanding, investigating and overcoming the use of torture**

Over the next four weeks, we will examine the issue of torture, public attitudes in the past and present, as well as domestic and international cases. Questions for discussion over the next four weeks will include:

- What constitutes torture, as well as the “cruel, inhuman, and degrading treatment,” prohibited by the Convention Against Torture?
- Are coerced confessions inherently unreliable? If so, why do police and military forces use torture when they think the practice will escape detection or be tolerated?

- Should the absolute prohibition on the use of torture in interrogation be suspended during crisis periods or states of exception? What constitutes a “state of exception?”
- How are allegations of torture regarded in international legal fora? How can the U.S. courts be utilized to obtain justice for victims of torture in the U.S. or in other countries? What has been the experience of torture victims (and their torturers) in various post-conflict reconciliation processes?

**Week 3 - Wednesday, April 15 – SPECIAL EVENT – THIRD ANNUAL ROBERT KIRSCHNER, M.D. MEMORIAL LECTURE - 6:00 p.m. International House**

Dr. Robert Kirschner was a world-renowned forensic pathologist and a founder of the University of Chicago Human Rights Program. From 1997 until just before his death in 2002, he co-taught this course. Dr. Kirschner worked on investigations of massacres and torture in Chicago, Latin America, the Middle East, and Africa; he was one of the authors of the United Nations Istanbul Protocols for the diagnosis of torture. His family and the Human Rights Program present a lecture in his honor each year. For more information on Bob Kirschner’s life and career, see:

[http://humanrights.uchicago.edu/pdf/events/RHK\\_Lecture\\_Program\\_Final.pdf](http://humanrights.uchicago.edu/pdf/events/RHK_Lecture_Program_Final.pdf)

This year’s speaker will be Juan Mendez, Argentine attorney, former political prisoner, one of the founders of Human Rights Watch, former Commissioner and Special Rapporteur on Migration for the InterAmerican Commission for Human Rights, former Professor and Director of the Human Rights Program at Notre Dame Law School, and former Special Representative of Secretary General Kofi Annan for the Prevention of Genocide. Mendez is now the President of the International Center for Transitional Justice in New York. IN week 6, we will read a short piece by Mendez about his own imprisonment in Argentina in the 1970s – “Torture in Latin America,” in *Torture*, edited by Kenneth Roth and Minky Worden, Human Rights Watch, 2005, pp. 56-68 (on Chalk site)

**Week 3 (April 14 & 16) Tuesday, April 14 - Torture: what is it?**

The first week of lecture and discussion will consider changing norms and attitudes about torture and the use of images to move people to action.

**Readings:**

Ariel Dorfman, “The Tyranny of Terror: Is Torture Inevitable in Our Century and Beyond?” in *Torture: A Collection*, edited by Sanford Levinson, Oxford University Press, 2004, pp. 3- 18 (on Chalk site as .pdf file)

John Conroy, *Unspeakable Acts, Ordinary People*, Chap. 4 “History & Method”, pp. 27 - 38

Michel Foucault, “Torture: the Body of the Condemned” from *Discipline and Punish*, pp. 3 – 31, available as .pdf file on Chalk site

Atul Gawande, “Annals of Human Rights: Hellhole,” *The New Yorker*, March 30, 2009; on Chalk or at:

[http://www.newyorker.com/reporting/2009/03/30/090330fa\\_fact\\_gawande?currentPage=all](http://www.newyorker.com/reporting/2009/03/30/090330fa_fact_gawande?currentPage=all)

Susan Sontag, “On Regarding the Pain of Others,” 2003, (students who do not wish to buy the book can read an excerpt at:

<http://www.susansontag.com/regardingpainexcerpt.htm> (For a recorded interview with

Susan Sontag and a gallery of the photos in “Regarding the Pain of Others,” go to:  
[http://www.onpointradio.org/shows/2003/05/20030508\\_b\\_main.asp](http://www.onpointradio.org/shows/2003/05/20030508_b_main.asp))

Susan Sontag, “On Regarding the Torture of Others,” 2004  
<http://donswaim.com/nytimes.sontag.html>

### **Legal instruments prohibiting torture and cruel, inhuman, and degrading treatment**

U.N. Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, (in the Red Book) or  
[www.unhcr.ch/html/menu3/b/h\\_cat39.htm](http://www.unhcr.ch/html/menu3/b/h_cat39.htm)

### **Additional images of torture and cruel, inhuman and degrading treatment**

Hilton Als, James Allen, et al. *Without Sanctuary*, an on-line photography exhibit about lynching in America; we recommend you watch the flash movie (approx. 5 minutes) but be warned that many of the images are quite disturbing:

<http://withoutsanctuary.org/main.html>

Matthew Moore, “The Photos America Doesn’t Want to See,” *Sydney (Australia) Morning Herald*, February 15, 2006

<http://smh.com.au/news/world/the-photos-america-doesnt-want-seen/2006/02/14/1139890737099.html>

### **Thursday, April 16 – Discussion groups**

We will focus on the above readings and visual materials with one additional reading: Elaine Scarry, *The Body in Pain*, Chapter 1, on Chalk as .pdf

### **Week 4: (April 21 & 23) Torture and states of exception/ states of emergency**

Are human rights universal and apply to everyone, everywhere, all the time? What is a state of emergency? Are some human rights “derogable” during states of emergency? What happens to human rights in wartime? Are some individuals, by virtue of their status or conduct, not protected by human rights? Is torture absolutely prohibited? This week examines cases studies from Algeria, Israel, and the U.S. The parameters for limiting civil liberties and human rights during times of crisis can be found at Article 4 of the International Covenant on Civil and Political Rights:

Article 4. 1 . In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

Article 4.2. No derogation from articles 6, 7 [prohibition against torture], 8 (paragraphs I and 2), 11, 15, 16 and 18 may be made under this provision.

Article 4.3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the

intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation

**Tuesday, April 21 - Film showing *The Battle of Algiers***

**Thursday, April 23 discussion of readings:**

Giorgio Agamben, "A Brief History of the State of Exception," from *State of Exception*, <http://www.press.uchicago.edu/Misc/Chicago/009254.html>

Conroy, *Unspeakable Acts, Ordinary People*, Chap. 8 "Torturers," pp. 88 - 122

David Luban, "Eight Fallacies about Liberty and Security," in *Human Rights in the 'War on Terror'*, Richard Wilson, ed., Cambridge University Press, 2005, (on Chalk)

**Legal instruments and court decisions:**

Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, (in the Red Book) or [www.unhchr.ch/html/menu3/b/h\\_cat39.htm](http://www.unhchr.ch/html/menu3/b/h_cat39.htm);

European Convention on Human Rights, Article 3 (Little Red Book)

Human Rights Watch, "Summary of International and U.S. Law Prohibiting Torture and Other Ill-treatment of Persons in Custody," May, 2004, at: <http://hrw.org/english/docs/2004/05/24/usint8614.htm>

Office of the High Commissioner of Human Rights, United Nations, "Terrorism and Human Rights," <http://www.unhchr.ch/terrorism/index.html> - link to Digest of Jurisprudence of the United Nations and regional organizations on the Protection of Human Rights while Countering Terrorism

**Optional background reading on the French in Algeria:**

Charles Paul Freund, "The Pentagon's Film Festival: A primer for The Battle of Algiers." Aug. 27, 2003, [www.slate.com](http://www.slate.com) (on Chalk);

Derek Malcolm, "Gillo Pontecorvo: The Battle of Algiers," July 20, 2000, [http://film.guardian.co.uk/Century\\_Of\\_Films/Story/0,,345300,00.html](http://film.guardian.co.uk/Century_Of_Films/Story/0,,345300,00.html)

Rita Maran, *Torture: the Role of Ideology in the French-Algerian War*, Praeger, 1989: "Introduction," pp. 1-35 (on Chalk)

Marie-Monique Robin, "Counterinsurgency and Torture: Exporting Torture Tactics from Algeria and Indochina to Latin America," *Torture*, pp. 44-54 (on Chalk)

**Week 5 (April 28 & 30) Torture and U.S. law: striking the balance between security and rights in Guantanamo and beyond**

Following the attacks on the World Trade Center and the Pentagon of 9/11, the Bush administration re-conceptualized torture by:

- reframing the severity of the harm ("stress and duress");
- utilizing the issue of location ("extraterritoriality");
- distinguishing treatment based on citizenship, and

- inventing the term “enemy combatant” to distinguish the status of those not covered by the Geneva Conventions.

How was this done, and can it be “undone” now? What sort of “justice” should the Obama administration invoke against those who designed and carried out policies of torture.

This week the class will examine the rationale surrounding the most infamous of the anti-terrorism programs created since 9/11 - the establishment of the prison for “enemy combatants” at Guantanamo Bay, Cuba. Having signed an Executive Order in his first week in office to close Guantanamo, President Obama now faces the complex question of what to do with the present inmates.

### Readings:

#### 1) Setting up Guantanamo:

Sec. of Defense Donald Rumsfeld in: *Afghan Detainees at Gitmo Bay will not be granted POW status*, FOX News, January 8, 2002 at [www.foxnews.com/story/0,2933,44084,00.html](http://www.foxnews.com/story/0,2933,44084,00.html) (lots of other documents are linked to this website);

Memorandum for Alberto R. Gonzales, Counsel to the President, from Assistant Attorney Jay S. Bybee, *Re: Standards of Conduct for Interrogation under 18 U.S.C. Sec. 2340-2340A*, (August 1, 2002), at [www.washingtonpost.com/wp-rv/nation/documents/dojinterrogationmemo20020801.pdf](http://www.washingtonpost.com/wp-rv/nation/documents/dojinterrogationmemo20020801.pdf)  
*Action Memo for Secretary of Defense*, from William J. Haynes, General Counsel, *Counter-Resistance Techniques*. 27 November 2002. Approved by Secretary of Defense Donald Rumsfeld, 2 December 2002, at [www.defenselink.mil/news/Jun2004/d20040622doc5.pdf](http://www.defenselink.mil/news/Jun2004/d20040622doc5.pdf)

#### 2) Guantanamo during the Bush administration:

Human Rights Watch, *Guantanamo: Detainee Accounts*, 2004, <http://www.hrw.org/legacy/backgrounders/usa/gitmo1004/gitmo1004.pdf>

UN Commission on Human Rights, *Situation of Detainees at Guantanamo Bay*, 15 Feb 2006, Chapter 3 “Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment,” *See especially pp. 21-27*  
<http://www.unhchr.ch/hurricane/hurricane.nsf/0/52E94FB9CBC7DA10C1257117003517B3?opendocument>

Commentary on the June 2006 Supreme Court ruling *Hamdan v. Rumsfeld*: Nina Totenberg on National Public Radio (audio link): <http://www.npr.org/templates/story/story.php?storyId=5521923>

Human Rights Watch, *Locked up Alone: Detention Conditions and Mental Health at Guantanamo*, 2008, <http://www.hrw.org/en/reports/2008/06/09/locked-alone-0>

#### 3) Current dilemmas:

Center for Constitutional Rights, “Abandoned at Guantanamo,” <http://ccrjustice.org/refugees>

“Obama should reconsider new position on Guantanamo detainees,” Human Rights Watch press release, March 13, 2009, <http://www.hrw.org/en/news/2009/03/13/us-obama-should-reconsider-new-position-guantanamo-detainees>

**Legal instruments and NGO reports (in general):**

International Covenant on Civil and Political Rights, Article 4 (and articles mentioned therein), in the “Red Book”

Protocol Additional to The Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977, Art. 43-56  
<http://www.unhchr.ch.html/menu3/b/93.htm>

Convention Against Torture and Other Cruel, inhuman, and Degrading Treatment (Red Book)

**Week 6 (May 5 & 7) : Representations of Justice: Tactics and Remedies: Argentina and Chicago cases considered**

**Note:** There are two case studies presented in these materials. Students will be assigned to read all the materials for one or the other. Please read at least one of the narratives for the other. Of course, you are encouraged to read all the material for both cases. While the scale of these two cases are vastly different, one may draw comparisons regarding issues such as official denial, impunity, the role of civil society and the interplay between international and domestic actors.

**Argentina’s Dirty War** In the 1970s in Argentina, a military dictatorship engaged in the brutal practices against critics or opponents of the regime – journalists, students, union leaders. It is estimated that 30,000 people (mostly young men and women) were “disappeared,” tortured, and murdered by the military. The U.S. government had previously considered Argentina’s military leaders to be friendly to its economic interests in the region, but later the Carter administration began to put diplomatic pressure on the junta. Groups such as the Madres de la Plaza de Mayo played an important role the quest for justice. Ultimately, the Argentine people themselves tossed out their rulers and reinstated the rule of law. Over the past two decades, Argentine society has supported a long, slow process of justice and reconciliation.

**Chicago police torture cases:** In the 1980s, over 100 African American men and women were tortured as part of routine interrogation practices at the Area 2 Chicago Police Department district station, only two miles from the University of Chicago campus. The revelations of torture committed as routine practice ultimately lead to the moratorium on the death penalty in Illinois. A number of individuals successfully sued the responsible police in civil rights cases in federal court, others have had criminal convictions reversed due to findings of coerced confessions, and others received pardons from then-Governor George Ryan. The responsible district commander (Jon Burge) was ultimately fired, but no one has ever been charged with a crime and no higher level officials have been held responsible.

**Film showing:**

Peter Kuttner's "The End of the Nightstick" Students can see this 44 minute film documentary about the Area 2 torture cases which will be shown at several times during the week.

**Optional reading on human rights advocacy, in general:**

Douglas Johnson, "The Need for New Tactics," in *The New Tactics Workbook*, 2004, [www.newtactics.org](http://www.newtactics.org) ; this article is in .pdf on the Chalk site

**Readings:**

**I. Argentina:**

**A. Narrative:**

Juan E. Mendez, "Torture in Latin America," in *Torture*, edited by Kenneth Roth and Minky Worden, Human Rights Watch, 2005, pp. 56-68 (on Chalk site)

Hector Timmerman, "Torture: A Family Affair," in Roth, ed., pp. 71-78 (on Chalk site)

**B. Advocacy:**

Mothers of the Plaza de Mayo – during the 1970s and 1980s a group of mothers of disappeared young people; the Madres de la Plaza de Mayo, were a brave and an important voice against repression. For an overview of their activities, see the summary by the Dutch International Institute for Social History at:

<http://www.iisg.nl/collections/madres.html> Note that this website also includes links to a history of the Madres and to the websites of the two current factions of the Madres (in Spanish) [www.madres.org/index.htm](http://www.madres.org/index.htm) and [www.madres-lineafundadora.org/](http://www.madres-lineafundadora.org/).

Kathryn Sikkink, "Human Rights, principled issue-networks, and sovereignty in Latin America," in *International Organization*, summer 1993 – for class, please read the section on Argentina, pp. 423-428 and the Conclusion, pp. 435-441 (on Chalk)

Mark Osiel, "The Mental State of Torturers: Argentina's Dirty War," in Levinson, ed., pp. 129 – 141 (on Chalk)

**C. Official findings:**

Argentine National Commission on the Disappeared, *Nunca Mas: Report of the Argentine National Commission on the Disappeared*, English language edition, Farrar Straus Giroux, 1986 - Introduction by Ron Dworkin (17 pages), Prologue to the report by Commission Chair Ernesto Sabato, (5 pages) (on Chalk)

**II. Chicago:**

**A. Narrative:**

John Conroy, *Unspeakable Acts, Ordinary People*, University of California Press, 2000, Chapter 3 : "Chicago: Getting Confessions," Chapter 7, "Chicago: The Pain Stays in Your Head;" Chapter 11, "Chicago: Informants;" and Chapter 15, "Chicago: The Public is not Aroused."

John Conroy, "Tools of Torture," Chicago Reader, February 4, 2005 (posted on Chalk)

**B. Advocacy:**

**1) Websites of three local organizations which have worked on the cases:**

Citizens Alert, a non-profit dedicated to addressing police abuse; the website has not been updated since 2004, although the organization is still active. See: <http://www.citizensalert.org/>

Center for Wrongful Convictions, Northwestern University Law School; students worked to publicize the issue of innocent men on Illinois' Death Row -See, generally: [www.law.northwestern.edu/depts/clinic/wrongful](http://www.law.northwestern.edu/depts/clinic/wrongful), and for a summary of the Area 2 torture cases:

<http://www.law.northwestern.edu/depts/clinic/wrongful/documents/PoliceTorture.htm>

Peoples Law Office: a law firm of civil rights and criminal defense lawyers whose work on the Chicago cases brought the torture practices to light:

<http://www.peopleslawoffice.com/> (follow the links in the left-hand margin to the Aaron Patterson case and the Ford Heights Four)

2) **Article summarizing the legal advocacy on the police torture cases:**

Flint Taylor, "The Case of the Ford Heights Four," *Police Misconduct and Civil Rights Law Report*, August-September, 1999, at

<http://www.peopleslawoffice.com/Ford%20Heights%204.pdf>

**C. Official findings**

Human Rights Watch – this 1997 report contains a compilation of some of the official findings by Illinois and federal courts in civil rights cases and criminal appeals, as well as the Chicago Police Office of Professional Standards decision on the dismissal of Jon Burge, former Commander of Area 2 <http://www.hrw.org/reports98/police/uspo53.htm>

InterAmerican Commission for Human Rights – findings the Chicago police torture cases – petition (on Chalk)

**Week 7 (May 12 & 14) Women's rights as human rights: cultural relativism and universalism**

Weeks 7, 8 and 9 10 will be dedicated to a range of inter-related questions regarding the rights of women as human rights, as well as principles of universalism versus cultural relativism. We will examine the following questions:

- 1) How are women's rights regarded in the international human rights world?
- 2) How is the control over women's bodies a human rights issue?
- 3) How do traditional cultures clash with modern conceptions of individual rights? How has that debate developed in the last 50 years?
- 4) Why is it that women's rights are the locus of much of the discussion of universalism versus cultural relativism?
- 5) What are the boundaries of "human rights"? Do they apply in the domestic/ private sphere as well as in the public sphere?
- 6) Can non-state actors violate human rights? What is the obligation of the state to prevent human rights "violations" by private parties?
- 7) Is domestic violence a human rights issue?

8) Do human rights play a role in the design of family law systems governing marriage, divorce, marital property, and child rearing?

In week 7, we will look at the development of women's rights as a human rights concern.

**Required readings (to be revised):**

Bunch, Charlotte, and Samantha Frost, "Women's Human Rights: An Introduction," *Routledge International Encyclopedia of Women*, Routledge 2000.

[www.cwgl.rutgers.edu/globalcenter/whr.html](http://www.cwgl.rutgers.edu/globalcenter/whr.html)

Radhika Coomaraswamy, "Different but Free: Cultural Relativism and Women's Rights as Human Rights" (on Chalk)

Mary Ann Glendon, "Universality Under Siege," chapter 12, *A World Made New*, pp.221 – 235 (on Chalk)

Donna Sullivan, "Women's Human Rights and the 1993 World Conference on Human Rights," *American Journal of International Law*, Vol. 88, No. 1, January 1994  
[www.jstor.org/view/00029300/di981851/98p0543b/0?config=jstor&frame=noframe&userID=80873b7c@uchicago.edu/018dd55340005012747ef&dpi=3](http://www.jstor.org/view/00029300/di981851/98p0543b/0?config=jstor&frame=noframe&userID=80873b7c@uchicago.edu/018dd55340005012747ef&dpi=3)

**Legal instruments:**

Convention on the Elimination of all forms of Discrimination Against Women (in your Red Book and at [www.un.org/womenwatch/daw/cedaw/](http://www.un.org/womenwatch/daw/cedaw/))

Human Rights Watch, Women's Rights Project and their campaign for the U.S. ratification of CEDAW <http://www.hrw.org/campaigns/cedaw/>

**Thursday discussion group exercise: Ford Foundation focus group**

You will meet for 30 minutes in small groups to develop a response to the following exercise. Appoint a spokesperson to deliver your group's conclusions to the class. We will discuss each group's conclusions.

The Ford Foundation is going to launch a five-year multi-million dollar initiative to fund projects to promote the human rights of women and girls in the U.S. and two other countries. You have been invited to be part of a focus group of young American university students who will assist the Ford Foundation in developing priorities for this initiative. Ford is also holding sessions over the next six months in eight different countries and including a diverse range of people, both male and female.

Your group has been asked to develop a list of the top four human rights issues confronting each of the two following groups: 1) Young women (defined as age 15 – 25) in the U.S., and 2) Women of all ages in a country to be determined by your group. Please select a country in which someone in your group has experience living, working, traveling, or through family ties.

**Week 8 (May 19 & 21) Women's rights as human rights in the Soviet and post-Soviet world - Jennifer Amos, PhD student in History**

The class will examine some of the questions surrounding early Soviet conceptions of women's rights and the attempted re-design of the public and private sphere to reconfigure the role of women in society. We will also look at how, in the post-Soviet period, the reassertion of traditional notions of women's rights and roles has impacted the issue of domestic violence as a "rights issue" in contemporary Russia and other former Soviet states.

**Readings TBD**

**Week 9 (May 26 & 28) Women's rights as human rights in contemporary India –  
Mona Mehta, PhD student in Political Science**

The class will examine some of the questions which arise in contemporary India regarding law and social customs concerning family and personal issues. As India struggles with legacies of colonialism, British liberalism, separation of church and state, and the preservation of the customs and practices of distinct religious communities, what does international human rights contribute to our understanding of India's dilemma?

**Readings TBD**

**Week 10 (Tuesday, June 2 only)**

**Wrap up course themes and lecture-discussion:**

**“What are human rights? What can one do with them?”**