

UNIVERSITÉ SAINT-PAUL

FACULTÉ DE PHILOSOPHIE



SAINT PAUL UNIVERSITY

FACULTY OF PHILOSOPHY

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EPE 6303 Ethics and Human Rights Winter 2010

Professor: Mahmoud Masaeli
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Course Description

This interdisciplinary seminar-style course provides a specialized opportunity to graduate students to undertake studies at an advanced level in the field of ethics and international human rights. The course starts with a critical examination of theories of human rights followed by a critical examination of international regimes of human rights and global application of human rights norms. It also covers most important issues such as human rights and intervention, human rights and crime against humanity, human rights and promotion of justice in ICC, human rights and cultural relativism, economic rights and development, and global human rights movements.

Objectives

- a. to comparatively evaluate the widespread doctrines of human rights
- b. to critically analyse the current regimes of human right
- c. to identify the main factors affecting the global regimes of human rights
- d. to explore the extent to which human rights might constrain the autonomy of states
- e. to understand ethical dilemmas in politics both internally and internationally, and
- f. to be more prepared to make ethical choices in politics.

Textbooks and Readings

1. Jack Donnelly, *Universal Human Rights in Theory and Practice*, Second Edition, (Ithaca and London, Cornell University Press, 2003).

2. Makau Mutua, *Human Rights: A Political and Cultural Critique* (Philadelphia: University of Pennsylvania Press, 2002).
3. Tony Evans, *The Politics of Human Rights* (London; Ann Arbor, MI: Pluto Press, 2005).
4. Extra readings are assigned during the term as well.

Organization of the Course

The delivery method of this course will be composed mainly of lectures and interpretations, individual projects and presentations, self-directed research, self-study and self-directed learning, and critiques.

1. All classes, except three first sessions, contain two parts: The first part is covered by 90 minutes analytical/interpretive lecture of instructor on issue in question followed by a short break (15 minutes). The second part is dedicated to your critical presentation. You are required to read the related sections from the textbooks or the assigned materials in order to be prepared to participate in debates.

2. You should sign-up for the topic and the date of your presentation. You are required to give a critical analysis of the topic that you choose for your presentation and provide at least three thought-provoking questions for the entire class for further discussion. Please forward the outline of your presentation and the questions through e-mail to all participants and the instructor at least forty eight hours before the time of presentation. The questions must show evidence of intellectual effort. Presentation's length would be of maximum 30 minutes followed by 30 minutes of discussions and questions.

* You are assisted with your project through individual meeting. All necessary guidelines will be provided in class.

3. You are expected to write an analytical research essay addressing a topic related to 'ethics and human rights'. This essay can be 1) an interpretive effort on philosophy of human rights; 2) a critical analysis of a specific issue related the current regimes of human rights; 3) an analytical evaluation of a case related to one of the issues of human rights. The research essay must be developed in light of a theoretical framework, and must not exceed 12-pages long (double-spaced, with 1-inch margins, excluding the bibliography). Additional directions will be given in class. This essay is due on March 28th.

* Your essay must follow proper essay style and structure, and must use a recognized referencing style (the referencing style must be correct and consistent).

Grading

Attendance and participation	20%,
Presentation (Critical evaluation of the topic with ethical questions)	30%
Research essay	50%

Other important information:

Late Assignments: Extensions beyond the original due date will only be granted in the case of exceptional circumstances (a doctor's note, or another legitimate reason for lateness).

Essays submitted after the due date and time will be counted as late and will have one grade point deducted. After this, one additional grade point per day will be deducted for late submission.

Office Hours and E-mail: Please make use of my office hours if you have questions about either the themes that we cover in the course or about your presentation and essay.

Course Schedule

Week 1 Ethics and Human Rights: An Introduction

Readings:

- Mutua, "Human Rights as a Metaphor," pp. 10-38.
- David P. Forsythe, "Establishing Human Rights Standards," in Forsythe *Human Rights in International Relations* (Cambridge: Cambridge University Press, 2006), book on reserve.
- R.J. Vincent, "The Idea of Rights in International Ethics," in *Traditions of International Ethics*, Terry Nardin and David R. Maple ed. (Cambridge: Cambridge University Press, 2002), JX 1255 T72N27 1994, book on reserve.

Week 2: 1) Special Features of Human Rights 2) Theories of Human Rights: A Comparative Approach

Readings:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Chapter one, pp. 7-21.
- Micheline Ishay, "What are Human Rights? Six Historical Controversies", *Journal of Human Rights* 3, no. 3 (2004), electronic access.

Week 3: An Analysis of the Universal Model of Human Rights 2) Equal Concern and Respect

Readings:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Chapters 2 & 3.
- Mutua, "Human Rights as an Ideology," pp. 39-70.
- Jack Donnelly, "The Relative Universality of Human Rights," *Human Rights Quarterly* 29 (2007): 281-306, electronic access.

- Ellen Messer, "Pluralist Approaches to Human Rights," *Journal of Anthropological Research* 53, no. 3, (Autumn, 1997): 293-317, electronic access.

Week 4: 1) Western Sources of Human Rights
2) Non-Western Conception of Human Rights

Readings:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Chapters 4 & 5.
- R. J. Vincent, 'Chapter 2: Human Rights in Western Political Thought' in R. J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), JC 571 .V554 1986, Ottawa or Carleton Universities.
- Mutua, "Human Rights and the African Fingerprint," pp. 71-93.
- David R. Penna and Patricia J. Campbell, "Human Rights and Culture: Beyond Universality and Relativism," *Third World Quarterly* 19, no 1, (1998): 7-27, electronic access.

Week 5 & 6: 1) Cultural Relativism and Universal Human Rights,
2) Non-western Traditions and the Asian Values,

Readings:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Chapters 6 & 7.
- Jack Donnelly, "Human Rights and Human Dignity: An Analytic Critique of Non-Western Conceptions of Human Rights," *The American Political Science Review* 76, no. 2, (Jun., 1982): 303-316, electronic access.
- Fred Dallmayr "Asian Values and Global Human Rights," *Philosophy East and West* 52, no. 2, (Apr., 2002), pp. 173-189, electronic access.
- Mutua, "Human rights Religion, and Proselytism," pp. 94-111 & Mutua, "The African State, Human Rights, and Religion," pp. 112-125.
- Terry Nardin, "The Problem of Relativism in International Ethics," *Millennium: Journal of International Studies* 18, no. 2 (1989): 149-161, electronic access.

Week 7 1) International Human Rights
2) Human Rights Regimes and Foreign Policy Objectives

Readings:

- Jack Donnelly, *Universal Human Rights in Theory and Practice*, Chapters 8 & 9.
- R. J. Vincent, 'Chapter 7: Human rights and the Theory of International Relations' in R. J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), JC 571 .V554 1986, Ottawa or Carleton Universities.
- Tony Evans, 'Chapter 3: International Human Rights Law and Global Politics' in *The Politics of Human Rights* (London; Ann Arbor, MI: Pluto Press, 2005).

**Week 8: February 16th-22nd
Study Week, no class**

**Week 9: 1) Human Rights and Democracy
2) Group Rights and Human Rights**

Readings:

- Jack Donnelly, *Human Rights in Theory and Practice*, chapters 11 & 12.
- Peter Jones, "Human Rights, Group Rights, and Peoples' Rights," *Human Rights Quarterly* 21, issue 1, (Feb. 1999): 80-107, electronic access.
- Tony Evans, 'Chapter 5: Globalization, Democracy and Human Rights' in *The Politics of Human Rights*.

Week 10 Human Rights, Genocide, and Humanitarian Intervention,

Readings:

- Jack Donnelly, *Human Rights in Theory and Practice*, chapter 14.
- Richard Falk, "The Challenge of Genocide and genocidal Politics in an era of Globalization," in Tim Dunne and Nick Wheeler, eds., *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), pp. 177-199, JC 571 .H769524 1999.
- Rhoda E. Howard-Hassmann, "Genocide and State-Induced Famine: Global Ethics and Western Responsibility for Mass Atrocities in Africa," *Perspectives on Global Development and Technology* 4, issue 3-4 (2005): 487-516, electronic access.
- International Commission on Intervention and State Sovereignty, 'The Responsibility to Protect', December, 2001, Parts 1 and 2 (available at <http://www.iciss.ca>)

Week 11: Human Rights and Global Civil Society

Readings:

- Thomas Risse and Kathryn Sikkink, 'The socialization of international human rights norms into domestic practices: Introduction' in Thomas Risse, Stephen C. Ropp and Kathryn Sikkink, eds., *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999).
- Bob Clifford, 'Globalization and the Construction of Human Rights Campaigns', in Alison Brysk, ed., *Globalization and Human Rights* (Berkeley: University of California Press, 2002), JC 571 .G584 2002, Ottawa or Carleton Universities.

- Mary Kaldor, 'Transnational Civil Society', in Tim Dunne and Nick Wheeler, ed., *Human Rights and Global Politics* (Cambridge: Cambridge University Press, 1999), Ottawa or Carleton Universities.

**Week 12: 1) Human Rights in a Global Age
2) Non-State Actors, and Social Movements**

Readings:

- Jack Donnelly, 'Human Rights, Globalizing Flows and State Power' in Alison Brysk, ed., *Globalization and Human Rights* (Berkeley: University of California Press, 2002), Ottawa or Carleton Universities.
- Chris Jochnick, "Confronting the Impunity of Non-State Actors: New Fields for the Promotion of Human Rights," *Human Rights Quarterly* 21, no. 1, (1999), electronic access.
- Andrew Clapham, Chapter 1. 'Old Objections and New Approaches', in Andrew Clapham, *Human Rights Obligations of Non-State Actors* (Oxford: Oxford University Press, 2006), JC 571 .C576 2006, Ottawa or Carleton Universities..

Week 13: International Criminal Court and the Culture of Accountability,

Readings:

- Chandra Jeet, "International Criminal Justice: Issues and Perspectives," *International Studies* 44, no. 3 (2007): 253-63, electronic access.
- Michael Struett, "The Meaning if International Criminal Court," *Peace Review* 16, no. 3 (September 2004): 317-321, electronic access.