

Franklin & Marshall College
Department of Government Spring 2002
Gov475: Human Rights/Human Wrongs

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Goethean Hall Room 204
Office Hours: T/Th: 2:00-3:30pm
Wed.: 4:30-5:00pm (or by appointment)

Course Description:

This course is a senior seminar course on human rights. No prior knowledge of human rights is required, although courses in international politics and developing countries would be helpful. A major component of this course will involve Service Learning. Students will be required to work on a major political asylum case with *CIRCLE*, (Coalition for Immigrants' Rights at the Community Level) a non-profit organization based in York County, PA. In the first week of the semester, you will be introduced to a series of political asylum cases at York County Prison. You will be trained by *CIRCLE* staff on how to put together an immigration court-ready document for your political asylum detainee. You will need to travel to York County prison, to interview your political asylum detainee and gather evidence for his/her case. Students will work in groups of two.

In addition to the service-learning component of this course, students will also be introduced to the theory and practice of human rights, not only by the examination of human rights documents, but also special guest lectures by human rights activists.

Required Texts:

- Amnesty International (1999) *Lost in the Labyrinth: Detention of Asylum-Seekers* (New York: AI).
- Brown, Seyom (2000) *Human Rights in World Politics*. (New York: Addison Wesley Longman, Inc.).
- Kassinja, Fassiya (1998) *Do They Hear You When You Cry?* (New York: Random Books)
- Rabben, Linda (2001) *A Fierce Legion of Friends: A History of Human Rights Campaigns and Campaigners* (Hyattsville, MD: Quixote Center).
- Rogat Loeb, Paul (1999) *Soul of a Citizen: Living With Conviction in a Cynical Time* (New York: St. Martin's Griffin).
- United Nations Development Program (UNDP) (2000) *Human Development Report 2000* (New York: Oxford University Press).
- *Reserve Readings*: Available in the S-F Library

Important Internet Resources:

- Amnesty International web site: <http://www.amnesty.org/>
- Human Rights Watch web site: <http://www.hrw.org/>
- U.S. Department of State web site: <http://www.state.gov/>
- *CIRCLE* web site: <http://www.hometown.aol.com/circleyork/index.html>
- INS web site: <http://www.ins.usdoj.gov/graphics/>
- Asylum case law: <http://www.asylumlaw.org/>
- World Organization Against Torture: <http://www.woatusa.org>

Important Contact Information:

- Write an entry after each visit. If you can't write a full entry, jot down random thoughts, images, etc. which you can come back to a day or two later and expand into a colorful verbal picture

Participation

Because this is a seminar course, active participation is essential. This means that you must read the assigned readings before class to allow for rich discussion and debate. Unannounced quizzes on the reading material will be held periodically. Students will be allowed one excused or non-excused absence. Any absences thereafter will result in a 5% grade point drop in your final grade.

Course Outline and Reading Schedule:

Week 1: What is Service Learning? & The Logistics to the Political Asylum Projects

(January 16th)

- **Guest Speakers:** Kathleen Lucas, Executive Director, Circle York, and Barbara Whitmore, paralegal, Circle York.
- Wolfe, Alan and Jytte Klausen, "Other People," *Prospect*, December 2000, pp. 28-33 (**on reserve**) (AE, Comparative Politics)

Week 2: Immigration Law & Political Asylum in America

(January 23rd)

- Rogat Loeb, Paul (1999) *Soul of a Citizen*, (entire book)
- "Should Immigration to the United States and other Developed Countries be Curtailed?" *Taking Sides: Global Issues*, pp. 188-211.

Week 3: Political Asylum in America (cont'd)

(January 30th)

- **Movie:** *A Well-Founded Fear*
- **Guest Lecture:** *Political Asylum detainee granted political asylum in the United States*
- Fallows, Jams (1983) "Immigration: How It's Affecting Us," *The Atlantic Monthly*, digital edition, << <http://www.theatlantic.com/politics/immigrat/fallowf.htm> >>
- Amnesty International (1999) *Lost in the Labyrinth: Detention of Asylum-Seekers* (New York: AI).
- INS Guidelines < <http://www.ins.usdoj.gov/graphics/>>
- Benach, Andres C., Esq., "Asylum Research on the Internet: How to Get Started", 13 December 1999, << <http://www.ilw.com/mehta/a-239.htm>>>

Week 4: The INS and Political Asylum in America (Post-September 11th)

(February 6th)

- **Special Guest Lecture:** Layli Miller Bashir, Esq., Executive Director of the Tahrir Center for Justice.
- *Kassindja, Fauziya and Layli Miller Bashir (1998) Do They Hear you When you Cry?* (New York: Dell Publishing). (entire book)
- Kelson, Gregory A., "Gender-Based Persecution and Political Asylum: The International Debate for Equality Begins", 6 *Texas Journal of Women and the Law* 181, (electronic version), <<http://www.law-lib.utoronto.ca/Diana/fulltext/kels.htm>>>
- Newspaper article packet (**on reserve**)

Week 5: What are Human Rights?: The Main Documents

(February 13th)

- Brown, Seyom (2000) Chapter #1: "Introduction," in *Human Rights in World Politics* (New York: Addison Wesley Longman), pp. 1-20.
- *Universal Declaration of Human Rights*, <<http://www.unhchr.ch/udhr/lang/eng.htm>>
- Fact Sheet No. 2 (Rev.1), *The International Bill of Human Rights, Universal Declaration of Human Rights* (art.1), adopted by General Assembly resolution 217 A (III) of 10 December 1948 << <http://www.unhchr.ch/html/menu6/2/fs2.htm>>>
- *International Covenant on Civil and Political Rights*, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976, in accordance with Article 49, <http://www.unhchr.ch/html/menu3/b/a_ccpr.htm>
- *International Covenant on Economic, Social and Cultural Rights*, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 3 January 1976, in accordance with article 27. << http://www.unhchr.ch/html/menu3/b/a_cescr.htm>>
- *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984, entry into force 26 June 1987, in accordance with article 27 (1) << http://www.unhchr.ch/html/menu3/b/h_cat39.htm >>
- Fact Sheet No. 18 (Rev. 1), *Minority Rights*, <<http://www.unhchr.ch/html/menu6/2/fs18.htm>>
- *Convention of the Elimination of all Forms of Discrimination Against Women*, << gopher://gopher.un.org/00/ga/cedaw/convention >>

Week 6: Civil and Political Liberties

(February 20th)

- **Guest Lecture** by Dr. Rhoda E. Howard-Hassman, (**Monday, 18 February, 2001**)
- **Field Trip to York County Prison (York, PA) (Master Calendar hearing)**
- Brown, Chapter #2, "Human Rights in Contemporary World Politics: Claims and Counterclaims," in *Human Rights in World Politics*, pp. 21-39.
- Brown, Chapter #3, "Philosophical Issues and Insights," in *Human Rights in World Politics*, pp. 40-71.
- *The Economist*, "The Politics of Human Rights," 18th August, 2001, pp. 9, 18-20. (**on reserve**)
- *The Economist*, "The World Is Watching: A Survey of Human Rights Law," 5 December 1998 (**on reserve**)
- Howard, Rhoda (1983) "The Full-Belly Thesis: Should Economic Rights Take Priority over Civil and Political Rights? Evidence from Sub-Saharan Africa," *Human Rights Quarterly*, Vol. 5, No. 4, pp. 467-490 (**on reserve**).

Week 7: Social and Economic Rights

(February 27th)

- UNDP (2000) "Human Rights and Human Development, *Human Development Report 2000*." New York: Oxford University Press, pp. 19-26, (Chapter 1).
- UNDP (2000) "Inclusive Democracy Secures Rights," *Human Development Report 2000*, pp. 56-71, (Chapter 3).
- UNDP (2000), "Rights Empowering People in the Fight Against Poverty," *Human Development Report, 2000*, pp. 73-88, (Chapter 4).
- Donnelly, Jack (1984) "Human Rights and Development: Complementary or Competing Concerns?" *World Politics*, Vol. XXXVI, No. 2, January, pp. 255-283. (**on reserve**)

Week 8: Spring Break

(March 6th)

(no classes)

Week 9: The Past and Present of Human Rights in America

(March 13th)

- **Guest Lecture: Lancaster Attorney, Melvin Hess, ACLU lawyer**
- Rabben, Linda (2001) *A Fierce Legion of Friends: A History of Human Rights Campaigns and Campaigners*. (Hyattsville, MD: Quixote Center) (entire book)
- Cox, Katherine E. (1999) "Should Amnesty International Expand its Mandate to Cover Economic, Social and Cultural Rights?" *Arizona Journal of International and Comparative Law*, Vol. 16, pp. 261-281.

Week 10: Minority Rights and Women's Rights

(March 20th)

- **Guest Speaker, Candace Gingrich, Community Gay-Rights Activist (*Human Rights Campaign*)**
- Amnesty International (2001) *Crimes of hate, conspiracy of silence* (London and New York: AI Publications). (**on reserve**)
- Arnold, Kathryn Christine (2001) "Are the Perpetrators of Honor Killings Getting Away with Murder?" *16 American University International Law Review*, pp. 1343-1407. (**on reserve**)

Week 11: Universality of Human Rights versus Cultural Relativism

(March 27th)

- Kidder, Rushworth M., "Universal Human Values: Finding an Ethical Common Ground," *Global Issues*, pp. 176-180. (**on reserve**)
- Donnelly, Jack (1999) "Human Rights, Democracy, and Development," *Human Rights Quarterly*, Vol. 21, pp. 608-632. (**on reserve**)
- McCorquodale, Robert and Richard Fairbrother (1999) "Globalization and Human Rights," *Human Rights Quarterly*, Vol. 21, pp. 735-766. (**on reserve**)
- Monshipouri, Mahmood and Claude E. Welch (2001) "The Search for International Human Rights and Justice: Coming to Terms with the New Global Realities," *Human Rights Quarterly*, Vol. 23, No. 2, May, pp. 370-401. (**on reserve**)

Week 12: How to Deal with International Human Rights Abuses

(April 3rd)

- ❖ **Guest Lecture: The Honorable Judge William Durling (Executive Office for Immigration Review)**
- Waltz, Susan (2001) "Prosecuting Dictators: International Law and the Pinochet Case," *World Policy Journal*, Vol. XVIII, No. 1 Spring, pp. 101-112. (**on reserve**)
- Bass, Gary Jonathan (1998) "Due Processes: Why we need international war crimes trials," *The New Republic*, March 30, pp. 16-19. (**on reserve**)
- Chapman, Audrey R., and Patrick Ball (2001) "The Truth of Truth Commissions: Comparative Lessons from Haiti, South Africa, and Guatemala," *Human Rights Quarterly*, Vol. 23, No. 1, February, pp. 1-43. (**on reserve**)
- "Justice Goes Global (International Criminal Court is Created)," *Global Issues*, Article #30, pp. 156-157. (**on reserve**)
- "Enforcing Human Rights," *Global Issues*, Article #31, pp. 158-162. (**on reserve**)

Week 13: Political Asylum Project Presentations

(April 10th)

- Brown, Chapter #4: “The International Law of Human Rights,” *Human Rights in World Politics*, pp. 72-94.
- Brown, Chapter #5: “Obtaining Justice in the World System,” *Human Rights in World Politics*, pp. 95-108.

Week 14: Political Asylum Project Presentations & Reflections on Service Learning

(April 17th)

• **Reflection journals due**

- Brown, Chapter #6: “*Some Illustrative Human Rights Struggles*,” pp. 109-148.
- United States Institute for Peace, Special Report: “*U.S. Human Rights Policy: A 20-Year Assessment*,” 16 June 1999. **(on reserve)**

Week 15: Conclusions

(April 24th)

- Beitz, Charles R. (2001) “Human Rights as a Common Concern,” *American Political Science Review*, Vol. 95, No. 2, June, pp. 269-282. **(on reserve)**
- Brown, Chapter #7: “Human rights in U.S. Foreign Policy: Persisting Issues and New Dilemmas,” in *Human Rights in World Politics*, pp. 149-160.
- Brown, Chapter #8: “Human Rights and the Future of World Politics,” in *Human Rights in World Politics*, pp. 161-166.