

Yale University
IHD 519b
Spring 2000
W 10:00-11:50

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INTERNATIONAL HUMAN RIGHTS

The course will address the evolution of international human rights and of the legal instruments designed for their protection. It will study the theoretical foundations of the idea of human rights in various civilizations and cultures, evaluate its legacy within the western and non-western traditions, and examine its meaning and relevance in dealing with major issues in the contemporary world.

The following books have been ordered for the course and are available at Yale Co-op:

1. George Andreopoulos Richard Pierre Claude (eds.), Human Rights Education for the Twenty-First Century. (University of Pennsylvania Press, 1997).
2. Henry Steiner and Philip Alston, International Human Rights in Context. Law, Politics, Morals. (Oxford: Clarendon Press, 1996).
3. Human Rights Watch, Leave None to Tell the Story. Genocide in Rwanda. (New York, 1999).
4. Kimberly Maynard, Healing Communities in Conflict. International Assistance in Complex Emergencies. (New York: Columbia University Press, 1999).

In addition, the following books have been placed on reserve:

1. George Andreopoulos (ed.), Genocide: The Conceptual and Historical Dimensions. (University of Pennsylvania Press, 1994).
2. Jack Donnelly, Universal Human Rights in Theory and Practice. (Cornell University Press, 1989).
3. Abdullahi Ahmed An-Naim, Human Rights in Cross-Cultural Perspectives: A Quest for Consensus. (University of Pennsylvania Press, 1992).
4. Roy Gutman and David Rieff (eds.), Crimes of War. (New York: W.W. Norton, 1999).
5. Elaine Scarry, The Body in Pain. The Making and Unmaking of the World. (New York: Oxford University Press, 1985).

There will be a series of assigned readings, which will be placed on reserve at the library. Moreover, certain documents listed below can be accessed via internet. You must become familiar (if you are not already) with the United Nations' web site (<http://www.un.org>). The following documents are available at <http://www.un.org/Docs/SG/>

1. Secretary-General's Report to the UN Security Council on the causes of conflict and the promotion of durable peace and sustainable development in Africa.
2. Agenda for Development.
3. An Agenda for Peace (A/47/277-S/24111) 17 June 1992.

4. An Agenda for Peace, Supplement (A/50/60-S/1995/1) 3 January 1995.
5. Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/1999/957) 8 September 1999 (it is available at <http://www.reliefweb.int/library/documents/civilian.html>)

Finally, you should visit: (1) the United Nations High Commissioner for Human Rights web site (<http://www.unhchr.ch/>); it includes a wealth of information and reports on human rights issues, and (2) the Consortium for Health and Human Rights web site (<http://www.healthandhumanrights.org/>)

Course requirements.

A 20-25 page research paper on a topic to be chosen after consultation with the instructor (90% of the grade). Class participation will count for 10% of the grade.

Week I

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

Henry Steiner and Philip Alston, International Human Rights in Context, pp. 3-116.

Week II

Philosophical underpinnings of human rights. The institutionalization of human rights in western political thought. The issue of economic and social rights.

Jack Donnelly, Universal Human Rights in Theory and Practice, pp. 9-45; Steiner and Alston, pp. 256-328.

Week III

Human rights in non-western traditions. Universalist vs. cultural relativist perspectives on human rights. The individual and society in non-western thought.

Abdullahi An-Naim (ed.), Human Rights in Cross-Cultural Perspectives, pp. 1-102.

Week IV

Cultural perspectives on human rights (continued).

Steiner and Alston, pp. 166-255. Michael J. Perry, "Are Human Rights Universal? The Relativist Challenge and Related Matters," Human Rights Quarterly, vol. 19, 3 (August 1997) (on reserve); Sandra D. Lane and Robert A. Rubinstein, "Judging the Other.

Responding to Traditional Female Genital Surgeries, Hastings Center Report, (May-June 1996) (on reserve).

Week V

The United Nations and the internationalization of human rights standards.

Steiner and Alston, pp. 347-455; Jonathan Mann, Lawrence Gostin, Sofia Gruskin (and others) "Health and Human Rights," Health and Human Rights, vol. 1(1), 1994; Virginia Leary, "The Right to Health in International Human Rights Law," Health and Human Rights, vol. 1(1), 1994 (both articles can be accessed at <http://www.hri.ca/partners/fixbcenter/journal/>)

Week VI

Regional instruments and institutions for the protection of human rights.

Steiner and Alston, pp. 563-639; Tom Farer, "The Rise of the Inter-American Human Rights Regime: No Longer a Unicorn, Not Yet an Ox," vol. 19, 3(August 1997), (on reserve).

Week VII

Regional instruments and institutions (continued).

Steiner and Alston, pp. 640-705.

Week VIII

Past and contemporary challenges to the promotion and protection of international human rights.

George Andreopoulos, Genocide: The Conceptual and Historical Dimensions, pp. 1-63; Elaine Scarry, The Body in Pain. The Making and Unmaking of the World, pp. 27-59; Vincent Iacopino, "Human Rights: Health Concerns for the Twenty-First Century," in S.K. Majumdar, L.M. Rosenfeld, Nash and A.M. Audet (eds.), Medicine and Health Care Into the Twenty-First Century. (Philadelphia: Pennsylvania Academy of Science, 1995) (on reserve).

Week IX

Past and contemporary challenges (continued).

Helen Fein, "Genocide by Attrition 1939-1993: The Warsaw Ghetto, Cambodia and Sudan," Health and Human Rights, vol. 2(2), 1997 (on reserve); L. Torsten and C. Pross,

“Caught Between Conscience and Complicity: Human Rights Violations and Health Professionals,” Medicine and Global Survival, vol. 2(2), 1995 (on reserve).

Week X

Human Rights in the post-cold war period.

An Agenda for Peace; An Agenda for Peace, Supplement; Agenda for Development; Secretary-General’s Report to the UN Security Council on the causes of conflict and the promotion of durable peace and sustainable development in Africa (all these documents can be accessed at the web sites indicated above).

Week XI

Human rights in the post-cold war period (continued). The challenges of fractured societies.

Kimberly Maynard, Healing Communities in Conflict, pp. 3-122; Human Rights Watch, Leave None to Tell the Story. Genocide in Rwanda.

Week XII

Humanitarian Emergencies. Health consequences of humanitarian and human rights law violations.

Maynard, pp. 125-213; Roy Gutman, and David Rieff, Crimes of War (visit the group’s website www.crimesofwar.org); A. Zwi and A. Ugalde, “Towards an Epidemiology of Political Violence in the Third World,” Social Science and Medicine, 28(7), 1989 (on reserve).

Week XIII

Humanitarian emergencies (continued). Strategies of human rights promotion: the role of human rights education.

M. J. Toole and R. J. Waldman, “Refugees and Displaced Persons: War, Hunger and Public Health,” JAMA, 270(5), 1993 (on reserve); R. Falk, “The Failures of “Intervention from Above”- Is there an Alternative Model for Humanitarian Intervention?” Medicine and Global Survival, 1(4), 1994 (on reserve); George Andreopoulos and Richard Pierre Claude, Human Rights Education for the Twenty-First Century, pp. 3-50, and pp. 278-333.

Week XIV

The role of human rights education (continued). Concluding remarks.

Andreopoulos and Claude, pp. 334-373; Read the special issue of Health and Human Rights dedicated to the fiftieth anniversary of the Universal Declaration of Human Rights (vol. 3, no.2, 1998) and in particular the commentary by Gro Harlem Brundtland, The UDHR: Fifty Years of Synergy Between Health and Human Rights, and the piece by Richard Claude and Bernardo Issel, Health, Medicine and Science in the UDHR.