

Human Rights and Wrongs
Legal 375
Online Synchronous Tuesday,
Asynchronous Options

Fall 2020
TTh 2:30-3:45PM

Professor Jamie Rowen
Email: jrowen@umass.edu
Office Hours: By Zoom, Thursdays 12-2pm

Teaching Assistant Catie Fowler
Email: catherinefow@umass.edu
Office Hours: Fridays 10-12pm, Calendly for scheduling

Course Webpage: moodle.umass.edu
Technology: Zoom, google docs, Kanopy, Flipgrid, Youtube, Calendly

Course Description

During the course of the twentieth century, there has been an incredible transformation in the international sphere. States have become increasingly willing to bind themselves to treaties that undermine their own sovereignty and in doing so have become more and more deeply entrenched in the international human rights system. But, despite the fact all states claim to uphold human rights, in reality, they are frequently ignored with little to no consequences for the violators.

This course is an introduction to the concepts, laws and debates surrounding the international human rights system. In the first part of the course, we look at where the idea of human rights came from and how those ideas turned into an international system to uphold them. We then turn to some of the difficulties that a commitment to human rights creates. How are they enforced in practice? Do states actually follow the human rights agreements that they sign? And more fundamentally, who is included and excluded in the international human rights system? In the third section of the course, we explore responses to human rights violations, both at the individual, societal and international level. This section will look at the various ways in which human rights actors frame human rights violations, and how they try to redress them. The final section of the course takes an in-depth look at the War on Terror.

By fulfilling the Gen Ed. integrative experience requirement, this course is designed to enhance your ability to:

- reflect on and integrate your learning and experience from General Education courses and their major
- practice General Education learning objectives such as oral communication, collaboration, critical thinking, and interdisciplinary perspective-taking
- engage in a shared learning experience for applying prior knowledge to new situations, challenging questions, and real-world problems

By the end of this class, you will be able to identify the major documents in the international human rights law regime and understand how and why they developed. You will be able to identify human rights abuses that are ongoing, and think about how your previous knowledge informs your understanding of these new situations. You will be able to reflect on the experiences of those who have survived human rights abuses, and think about how individuals make sense of these challenging and overwhelming situations. You will be able to identify both international and domestic law that protects human rights, and how law can also foster human rights abuses.

Texts and Materials

There is one book that you can find as an ebook in the library: Jane Mayer (2009) *The Dark Side*, Picador Press: New York. You may also see about purchasing the book if you wish.

The remaining readings will be posted online on our Moodle course page.

We will also have movie assignments, available on Moodle, to supplement the readings and lectures. I will also be available to show movies during our Thursday class time.

Assessments and Evaluations

Unless otherwise indicated, follow the Chicago Manual of Style for all citations.
https://www.chicagomanualofstyle.org/tools_citationguide/citation-guide-2.html

Reflections (30%)

You will turn in three reading reflections (each worth 10%) over the course of the semester. Each reflection will answer the following question: *Drawing on the past two weeks of readings and movies, explain the potential and the limits of international human rights law to improve human well-being.* The purpose of this assignment is to learn how new information informs your opinion. With the same prompt, you will have different insights over the course of the semester. Since this is an IE course, you are encouraged to draw on materials from previous classes to help answer the question.

You should aim for 3-4 double spaced pages. These papers will be evaluated along the following rubric:

A range: describing details from the readings and your thoughts on them, integrating previous class materials and current class discussions. Good to excellent organization.

B range: incorporating some observations from the reading, some of your own thoughts but not drawing from previous course materials or in class discussions. Somewhat organized.

C range: recounting information from the readings with none of your own thoughts, or only your thoughts and none of the readings. Not very organized.

You should include a brief discussion of every reading since the previous reflection was due (9/10, 10/15), with varying levels of depth given space constraints. You will lose points if you leave off more than one reading.

Weekly Discussion Board (20%)

Every Thursday, we will have a discussion board for the movie. Usually, I will be available to watch the movie with you, and will screen share via Zoom with the chat box open and a question posed that connects the week's readings and the movie. If you are able to participate in the live chat session, you will earn discussion board points that way. If you watch the movie on your own, you will be expected to comment on the Moodle discussion board with at least four sentences that answer the week's discussion board question.

Movie Review (25% + 5% choice)

This assignment asks you to write a review of a movie about human rights abuses. Each paper will be 6-7 pages, double-spaced, **focusing on a human rights theme from the movie that strikes you.**

You will be evaluated in equal parts on the following four components:

Your research into the **human rights violations that are taking place in the country** where the movie takes place. You can use academic sources, as well as advocacy websites, newspaper articles, etc. You should have at least eight academic sources or policy reports about the country where the violence is taking place

Your details about the **personal experience** described in the movie, and your reflections on them. This is where you will pick up a particular theme from the movie (perhaps the survivor's religion, gender, the type of violence, the response of the international community). In this reflection, be sure to use the materials from your previous courses to inform your analysis. You should tie the personal story with the human rights abuses taking place in the country.

Your conclusions, which are up to you. You will be evaluated on **how much reflection is in the conclusions.** Again, in your conclusions, think about what you have learned in your time at UMass. What most impressed you from reading an autobiography that catalogues human rights abuses? How does what we learned from class apply to this story? How does it not apply? How does what you have learned from other courses help deepen your understanding, or are there things you realize you wish you learned more about?

Organization, meaning the writing must be organized with an introduction and conclusion, properly edited to avoid spelling and grammar mistakes, and properly cited in Chicago Manual of Style throughout.

You will be graded along the same rubric as for the reflections:

A range: describing details from the readings and your thoughts on them, integrating previous class materials and current class discussions. Good to excellent organization.

B range: incorporating some observations from the reading, some of your own thoughts but not drawing from previous course materials or in class discussions. Somewhat organized.

C range: recounting information from the readings with none of your own thoughts, or only your thoughts and none of the readings. Not very organized.

I strongly suggest that you meet to discuss the paper with the TA or me. You will choose your movie for review by Sept. 25. No more than two students can review the same movie, so sign up early. On Sept. 25, you will also provide a one-page (single or double spaced) explanation for why you are choosing that movie. It can relate to a personal experience, and interest in the country, and interest in the person who is writing it.

Newspaper Presentation (10%)

Every Tuesday, five students (we will go in alphabetical order) will be responsible for a 1 minute presentation on an article about a recent event involving human rights abuses, with an additional minute for question and answer. No slides are necessary, you must provide information about the following:

1. date and source
2. country
3. perpetrators and victims
4. reason for abuse
5. potential solutions.

We will begin class each Tuesday by going over the article. If you are unavailable for in person Tuesday presentations, you will record a video that we can share with the class. Those presenting by video must also be available for questions about their article on the discussion board.

Attendance/Participation (10%)

We will have at least one synchronous class a week (usually Tuesday), with opportunities for break out groups to work on a shared document or other “in class” activity. Students will share their findings with the class. For those unable to participate in group work, you will have the opportunity to respond to the same prompt and turn in a 1 page, single spaced, response by Thursday at midnight. For those unable to participate in discussion sections, you will also be able to turn in written answers to the questions posed for the week. Your participation grade will be equally weighted between class and discussion section participation.

A Note on Grades:

Please come to your TA with any questions or problems you may have with the class material. If you have concerns regarding your grade at any point, please see your TA as soon as possible to help find ways to improve. The sooner you contact your TA regarding concerns, the more we can do for you. We will not be able to accommodate students who contact us at the end of the

semester with concerns about their grades. Extra credit is not offered for grade improvement. Late assignments will be penalized half a grade per 24 hours late starting at the due time.

Calendar of Major Assessments

Movie Choice (5%)	September 25 at midnight.
Movie Review (25%)	Nov. 30 at midnight.
Newspaper Presentation (10%)	Rolling alphabetically
Weekly Discussion Board (20%)	Due Sundays at midnight
Reflection Papers (30%)	9/10, 10/15, 11/12 at midnight
Participation (10%)	Rolling

Special Needs

Both I and the University of Massachusetts Amherst are committed to providing an equal educational opportunity for all students. If you have a documented physical, psychological, or learning disability on file with Disability Services (DS), Learning Disabilities Support Services (LDSS), or Psychological Disabilities Services (PDS), you may be eligible for reasonable academic accommodations to help you succeed in this course. If you have a documented disability that requires accommodation, please notify me within the first two weeks of the semester so that we may make appropriate arrangements. You may also find it helpful to contact the Disability Services Center, 231 Whitmore, ds@edu.umass.edu if you have questions about campus policies and services.

Academic Integrity

Academic dishonesty of any form will not be tolerated in this course. The University of Massachusetts Amherst defines academic dishonesty as: “the attempt to secure unfair advantage for oneself or another in any academic exercise.” This includes cheating, fabrication, plagiarism or facilitating dishonesty. Please familiarize yourself with the university’s policies at, http://www.umass.edu/dean_students/codeofconduct/acadhonesty/

All papers will be submitted electronically through Moodle to be scanned by Turnitin. Turnitin scans all papers for possible plagiarism and is very good at detecting phrases borrowed from sources without attribution, or from other students. If you have any questions about what constitutes academic misconduct, you should ask me. Better to be safe than sorry!

Copyright in Instructional Settings

Students wishing to record lecture or other course material in any way are required to ask the instructor’s explicit permission, and may not do so unless permission is granted. This includes tape recording, filming, photographing PowerPoint slides, Moodle materials, etc. Such permission is only for that individual student’s own study purposes and does not include permission to “publish” them in any way.

It is absolutely forbidden for a student to publish an instructor’s notes/course material to a website or sell them in any form without formal permission.

Schedule of Readings and Assignments

Date	Topic	Reading Assignment to Be Completed BEFORE this class	Additional Notes
<p>WK 1 Tues. 8/25</p>	<p>Introduction to the Course</p>	<p>Read Syllabus, be prepared with questions</p> <p>Louis Henkin. 2007. Human Rights: Ideology and Aspiration, Reality and Prospect, in Samantha Powers and Graham Allison (eds.), <i>Realizing Human Rights: Moving From Inspiration to Impact</i>, Palgrave MacMillan, pp. 3-33.</p> <p>In Class Media: Crash Course WWII</p>	<p>Flipgrid introductions</p>
<p>Thurs. 8/27</p>	<p>Human Rights Introduction Continued</p>	<p>Table of Human Rights</p> <p>Movie: The Pianist</p>	<p>Discussion Section Introductions</p>
<p>WK 2 Tues. 9/1</p>	<p>Theoretical Foundations of Human Rights</p>	<p>Lynn Hunt. 1995. The Revolutionary Origins of Human Rights. Stice Lecture, University of Washington, pp. 1-31.</p> <p>In class media: Crash Course French Revolution</p> <p>Debates about the French Declaration of the Rights of Man and Citizen, excerpted from Hunt</p>	<p>Audio Recording by Eleanor Roosevelt</p>

Thurs. 9/3	The Universal Declaration and the Beginnings of the International Human Rights Regime	Mary Ann Glendon. 2001. <i>A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights</i> , Random House, pp. 21-34 Universal Declaration of Human Rights Movie: The Battle of Algiers	Discussion Section on UN Origins and Colonialism
WK 3 Tues. 9/8	Contradictions: Human Rights and Civil Rights	Carol Anderson .2002. <i>Eyes off the Prize</i> , NY: Cambridge University Press, excerpts Movie clip: Rise	Introduction to Library Databases
Thurs. 9/10	Human Rights and Race Relations	Movie: I Am Not Your Negro	Discussion Section on Human Rights, Culture, and Civil Rights Reflection Paper 1 Due
WK 4 Tues. 9/15	The International Human Rights System	Jack Donnelly et al.2007. <i>International Human Rights</i> , Westview Press, pp. 7983, 84-9 and 105-109.	

Thurs. 9/17	ECHR, IACHR	<p>Jack Donnelly et al. 2007. <i>International Human Rights</i>, pp. 95-102.</p> <p>Sonia Cardenas. 2010. <i>Human Rights in Latin America, Terror and Hope</i>, University of Pennsylvania Press, pp. 83-101.</p> <p>Movie: Granito, How to Nail a Dictator</p>	Discussion on Accountability through Courts
WK 5 Tues 9/22	Universal Jurisdiction and ICC	<p>David Scheffer. 2001. "Staying the course with the International Criminal Court." <i>35 Cornell International Law Journal</i> 35, pp. 46-62.</p> <p>Jack Goldsmith. 2003. "The Self-Defeating International Criminal Court," <i>The University of Chicago Law Review</i> 70(1), pp 89-104.</p>	
Thurs 9/24	Universal Jurisdiction and the International Criminal Court	Movie: Prosecutor	<p>Discussion on Making an International Organization Successful</p> <p>Due Friday 9/25, choose movie</p>
WK 6 Tues 10/6	Domestic/Hybrid Tribunals	<p>David Luban, et al. <i>Accountability For War Crimes: What Roles For National, International, And Hybrid Tribunals?</i>. Washington: Cambridge University Press, 2004. ProQuest. Web. 4 Aug. 2020.</p>	

Thurs 10/8	Peacebuilding After War	Christopher Isike. 2017. Soft Power and a Feminist Ethics of Peacebuilding in Africa, <i>Peace Review</i> , 29:3, pp. 350-357, Movie: Pray the Devil Back to Hell	Discussion on Trade Offs of Criminal Justice Model
WK 7 Tues. 10/13	Group Rights	Jack Donnelly. 2003. <i>Universal Human Rights and Theory in Practice</i> , Cornell University Press, pp. 204-221. Charlotte Bunch.1990. Women’s Rights as Human Rights.” <i>Human Rights Quarterly</i> , 12, pp. 486-498.	
Thurs. 10/15	Case Study: Female Education	Movie: He Named Me Malala	Reflection Paper 2 Due Discussion on Women’s Rights and Cultural Relativism
WK 8 Tues 10/20	Redressing Human Rights Abuses	Margaret Keck and Katherine Sikkink. 2014. <i>Activists Beyond Borders: Advocacy Networks in International Politics</i> , Cornell University Press, pp. 1-37.	Guest Lecture: Catie Fowler
Thurs 10/22	Domestic Activism	Maria J. Stephan and Erica Chenoweth. 2008. “Why Civil Resistance Works,” <i>International Security</i> , Vol. 33, No. 1, pp. 7–44 Movie: Bringing Down a Dictator	Discussion on Domestic and Transnational Advocacy Strategies

WK 9 Tues. 10/27	Sanctions	Aryeh Neier. 2002. Economic Sanctions and Human Rights. In Samantha Powers and Graham Allison (eds.), <i>Realizing Human Rights: Moving From Inspiration to Impact</i> , Palgrave McMillan, pp. 291-307.	
Thurs. 10/29	Intervention	Macfarlane, S. Neil, Carolin J. Thielking, and Thomas G. Weiss. 2004. "The Responsibility to Protect: is anyone interested in humanitarian intervention?." <i>Third World Quarterly</i> 25, no. 5, pp. 977-992. Movie: No End In Sight	Discussion on Trade-Offs in Human Rights Interventions
WK 10 Tues. 11/3	Human Rights Framing	Joachim Savelsberg. 2015. <i>Representing Mass Violence</i> , Berkeley, CA: University of CA Press, Introduction (skim methods)	
Thurs. 11/5	Humanitarian Aid	Savelsberg, Chapter 1 Movie: Invisibles	Discussion on human rights and humanitarian aid
WK 11 Tues. 11/10	The War on Terror	Jane Mayer. 2008. <i>The Dark Side</i> . Doubleday, chs. 1,2	
Thurs. 11/12	The War on Terror	Mayer (book), chs 3,4 Movie: Taxi to the Dark Side Movie Suggestion: The Report	Reflection 3 Due Discussion on Legal Underpinnings of U.S. Torture
WK 12 Tues. 11/17	Wrap Up	TBD: Current Events on Racial Justice	

Thurs. 11/19	Wrap Up	Movie: Whose Streets?	Discussion on Ensuring Human Rights Abroad and at Home
11/30			Movie Reflection Due