Human Rights
GOVT 445-001, Fall 2017
George Mason University
Schar School of Policy and Government
Tuesday & Thursday 3:00-4:15 PM in Founders 468
Professor: Joseph Kochanek (email: jkochane@gmu.edu)
Office Hours: To Be Announced

Nearly every element of human rights is the subject of significant controversy, whether in the academy or in public discourse. Human rights as an academic subject tends to transcend the conventional disciplinary boundaries found in the social sciences and humanities. Even when considered more narrowly in the context of a single field - politics - human rights implicates core concerns within differing subfields, including international relations, political theory, and comparative politics. More generally, human rights often seems, even to its advocates, to be a galling example of the gap between rhetoric and reality. To others, the worth of human rights, or even the existence of human rights, are open questions, and the substance of human rights is contested by those that otherwise agree in general terms about their worth and existence.

There are, then, many contested questions that must be faced by those interested in human rights. This course does not seek to settle them once and for all. This course does seek to arm students with as much knowledge as possible, to allow them to think independently about these questions. This course addresses two main topics, corresponding to the two halves of the course. The first concerns the content and character of human rights. The second concerns the possibility of enforcement of human rights through international institutions.

Four books for this course have been ordered by the George Mason Bookstore, and are on reserve at the Arlington Campus Library. Other readings on this syllabus will be available either through the course website or through the George Mason Library Website. Books available at the bookstore:


Course Requirements:
1) Well-informed participation in class. Classes will be balanced between lecture and discussion. I expect each member of the class to be prepared to speak about the readings in each class. Discussion questions will be available each week, to help you understand the reading, and to prepare you for class. I encourage you to bring your own questions to class as well.
2) Weekly Assignments. A brief writing assignment will be handed out once per week, to be completed at the beginning of class. Students that complete the reading and prepare for class by consulting the discussion questions will typically be well-prepared for these writing assignments.
3) Two papers of 1800-2200 words. These papers will be due October 19 and November 21. Topics will be assigned for these papers two weeks before they are due.
4) Final Exam. The final exam is scheduled for Thursday, December 14, at 1:30 PM. The exam will consist of four essays. One essay will specifically address material treated in the last three weeks of the course. The final exam will be closed-book, with no notes allowed.
Course Schedule:

**Week One: Course Introduction**
Debates about human rights are often grounded in older debates about different conceptions of rights. What are rights? What is at stake in thinking of rights as political rights, or natural rights? How might these modes of thinking about rights inform our conception of human rights? How, in the most general sense, do the theory and practice of human rights bear upon our understanding of international relations?

- **Lecture, Tuesday, August 29:** Introductory Lecture.
  **Reading Assignment:**
  - Donnelly, chapters 1-2, pages 3-35.

- **Lecture, Thursday, August 31:** Rights: The Historical Background.
  **Reading Assignment:**
  - Moyn, prologue and ch. 1, pp.1-43.

**Week Two: Locke, Revolution, and Political Rights in the United States**
What is the character of natural right, and what rights do we retain after we leave the state of nature, according to Locke? What, if anything, is authoritative about nature, such that one might think about rights in terms of ‘natural law’? What was the status of rights in the eyes of those involved in creating the United States Government? How did Lincoln use the language of rights to argue against slavery?

- **Lecture, Tuesday, September 5:** Locke, Rights, and Revolution.
  **Reading Assignment:**

- **Lecture, Thursday, September 7:** The American Revolution, Rights, and Slavery.
  **Reading Assignment:**
  - Declaration of Independence of the United States of America.
  - United States Constitution and Bill of Rights.
  - Federalist 84.
  - Brutus, Essay II, November 1, 1787.
  - Lincoln, Speech at Springfield, Illinois, July 17, 1858.

**Week Three: Growing Pains: Human Rights in the Mid-20th Century**
What is the place of politics in our conception of human rights? Does politics sustain human rights, or threaten to usurp the priority of human rights? What is the relationship between the concepts of human rights and collective self-determination? In what context did human rights become an important goal of international institutions?

- **Lecture, Tuesday, September 12:** Without the Sword: Human Rights in the Absence of Politics.
  **Reading Assignment:**
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o Lecture, Thursday, September 14: The Creation of the Universal Declaration of Human Rights.
  Reading Assignment:
  ▪ The Universal Declaration of Human Rights, in Hayden, pp. 353-358.
  ▪ Moyn, ch. 2, pp. 44-83.

Week Four: Theories of Human Rights after 1948
What is at stake in the question of the universality of human rights? Should human rights be conceived with respect to what is possible, or with respect to what is ideal? How did the politics of decolonization shape approaches to human rights?

o Lecture, Tuesday, September 19: What Do We Mean by Human Rights? Two Important Distinctions.
  Reading Assignment:
  ▪ Donnelly, ch. 3, pp. 37-55 (brief in-class handouts will accompany this reading).

  Reading Assignment:
  ▪ Moyn, ch. 3, pp. 84-119.

Week Five: Poverty and Human Rights
In what sense, if at all, is severe poverty a human rights violation? What duties fall upon those in a position to render aid, if we presume that severe poverty is a human rights violation? How should we understand human rights in the context of the economic and social forces that animate globalization?

o Lecture, Tuesday, September 26: Human Rights, Severe Poverty, and Global Distributive Justice.
  Reading Assignment:

o Lecture, Thursday, September 28: Does Globalization Undermine Human Rights, or Sustain Them?
  Reading Assignment:
  ▪ Donnelly, ch. 14, pp. 219-233.

Week Six: Critical Approaches to Human Rights
How (if at all) is the public/private distinction relevant to human rights? Can the distinction be morally or philosophically justified? Is moral philosophy even the right mode of justification? How stable (or useful) is philosophy as a ground for human rights? Are there alternatives?
o Lecture, Tuesday, October 3: Is the Public-Private Distinction Harmful to Human Rights?
Reading Assignment:

Reading Assignment:

Week Seven: Human Rights and International Institutions
What has the role of transnational advocacy been in fostering human rights? What is the role of the United Nations in fostering human rights, and how has it changed? What have regional human rights accomplished to the end of realizing human rights?

o Lecture, Thursday, October 12: International Institutions and NGO's: Mobilizing Public Opinion.
Reading Assignment:
- Donnelly, ch. 5-7, pp. 77-111; ch. 10-11, pp. 149-164.
- Moyn, ch. 5, pp. 176-211.

Week Eight: Human Rights and Foreign Policy
Should states pursue human rights goals through their foreign policy? Would this be effective? Is it even possible? Or is it dangerous? Quite apart from ethical claims, separate from politics, is there a long-term congruence between values such as human rights and the national interest?

o Lecture, Tuesday, October 17: Human Rights During the Cold War: When Did Human Rights Become Human Rights?
Reading Assignment:
- Moyn, ch. 4, pp. 120-175.
- Donnelly, ch. 8-9, 113-148.

o Lecture, Thursday, October 19: Stanley Hoffmann: "Moving Beyond Machiavellian Statecraft."
Reading Assignment:

Week Nine: Human Rights in Latin America during and after the Cold War
How did the end of the Cold War shape American and Soviet behavior in Latin America? How did the rise of non-state actors shape the observance of human rights in the last half of the 20th century in Latin America?
Lecture, Tuesday, October 24: Human Rights Violations in the Southern Cone and Central America.

Reading Assignment:
- Donnelly, chapter 4, 57-74.


Reading Assignment:

Week Ten: Human Rights and the Asian Values Debate
What are the “deep, underlying values” identified by Charles Taylor as shared among cultures? Do you believe these values can serve as the trans-cultural ground for a conception of human rights, or do you doubt the possibility of such a trans-cultural foundation? Is the moral primacy of the individual as essential element of human rights?

Lecture, Tuesday, October 31: Can Universal Conceptions of Human Rights Account for Culture?
Reading Assignment:
- Xiaorong Li, “‘Asian Values’ and the Universality of Human Rights,” in Hayden, pp. 397-408.

Lecture, Thursday, November 2: What Were The Students Protesting in Tiananmen Square?
Reading Assignment:
  - "Beijing Spring, April 15–May 17, 1989" (ch. 20, pp. 595-615).

Week Eleven: Politics and International Intervention in Rwanda
What is the significance of the use of chapter VII of the UN Charter in the international intervention in Rwanda? What did this crisis reveal about the ability of UNSC intervention to foster human rights? What is at stake in thinking of rights in terms of peoples? What alternative loci are there for rights, other than peoples? More generally, what is the status of group rights?

Lecture, Tuesday, November 7: Rights of Peoples and Rights of Groups: Do They Augment or Detract From Human Rights?
Reading Assignment:

Lecture, Thursday, November 9: Rwanda and the Perils of Avoiding Intervention.
Reading Assignment:

Week Twelve: Human Rights, the U.N., and Kosovo
What was the legal status of the intervention in Kosovo? What is at stake in the distinction between legality and legitimacy? How does growing acceptance of the legitimacy of human rights shape ideas about conventional state sovereignty?

Lecture, Tuesday, November 14: Assessing the Legality and Morality of the Kosovo Intervention.
Reading Assignment:
- Rebecca West, Black Lamb and Grey Falcon (brief excerpts to be announced)

Lecture, Thursday, November 16: Assessing the Legality and Morality of the Kosovo Intervention.
Reading Assignment:

Week Thirteen: The Responsibility to Protect
How do the authors of Responsibility to Protect define sovereignty? What are the implications of this definition for human rights? If adopted in full by the international community, how, specifically, would the Responsibility to Protect help foster the protection of human rights?

Lecture, Tuesday, November 21: Sovereignty and Non-Intervention: Enduring Truths or Archaic Norms?
Reading Assignment:

Weeks Fourteen and Fifteen: Human Rights in the 21st Century
How will the next generation of human rights scholars analyze recent events in Syria, North Korea, and Yemen? How would the Responsibility to Protect doctrine shape decisions about intervention in these crises? What events or concepts might we expect to animate or shape human rights in the 21st century?
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- **Lecture, Tuesday, November 28:** The Crisis in Syria: What is to be Done?
  - **Reading Assignment:**

- **Lecture, Thursday, November 30:** The Crisis in North Korea: What is to be Done?
    - “How One Korea Became Two” (ch. 4, pp. 61-71).
    - “How a Civil War Became Global” (ch. 5, pp. 72-89).
    - “Human Insecurity and the Duty to Protect” (ch. 7, pp. 113-133).

- **Lecture, Tuesday, December 5:** The Crisis in Yemen: What is to be Done?

- **Lecture, Thursday, December 7:** Conclusion: Human Rights in the 21st Century.
  - **Reading Assignment:**
    - Donnelly, ch. 15, 235-249.

**Grading Breakdown:**
- Class Participation: 10%
- Paper One: 20%
- Paper Two: 20%
- In-Class Assignments: 10%
- Final Exam: 40%

**Academic Ethics:** GMU is an Honor Code university; please see the Office for Academic Integrity for a full description of the code and the honor committee process. The principle of academic integrity is taken very seriously and violations are treated gravely. What does academic integrity mean in this course? Essentially this: when you are responsible for a task, you will perform that task. When you rely on someone else’s work in an aspect of the performance of that task, you will give full credit in the proper, accepted form. Another aspect of academic integrity is the free play of ideas. Vigorous discussion and debate are encouraged in this course, with the firm expectation that all aspects of the class will be conducted with civility and respect for differing ideas, perspectives, and traditions. When in doubt (of any kind) please ask for guidance and clarification.
Electronic Devices: Laptops and similar devices may be used for taking notes or for consulting assigned texts in electronic format. Please do not use cellular phones or similar devices in the classroom.

Email: Mason uses only Mason e-mail accounts to communicate with enrolled students. Students must activate their Mason e-mail account, use it to communicate with their department and other administrative units, and check it regularly for important university information including messages related to this class.

Disability resources: If you are a student with a disability and you need academic accommodations, please see me and contact the Office of Disability Services at 703.993.2474 or ods.gmu.edu. All academic accommodations must be arranged through that office.

Important deadlines for this semester: Students are responsible for verifying their enrollment in this class. Schedule adjustments should be made by the deadlines published in the Schedule of Classes.
Last Day to Add: September 5, 2017
Last Day to Drop: September 29, 2017

After the last day to drop a class, withdrawing from this class requires the approval of the Dean and is only allowed for non-academic reasons.