

IGA-304: Human Rights and International Politics

Fall 2008
(updated 9/3/08)

Instructor: Mathias Risse
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209 Rubenstein
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Office Hour: Tuesday 3-4

Location: Land Auditorium

Class Days and Time: Tuesday & Thursday, 11:40am – 1pm

Course Description:

This course provides an introduction to human rights and the role they have come to play in international politics. The goal is to provide a basic “human rights literacy” and to put students in a position to participate in the many debates that, in some way or another, turn on questions about human rights and the dilemmas that arise about them. The course is also designed to make it easier for students to benefit from other human rights courses that are more specifically focused on certain aspects of the human rights field. We will address the following questions: How have such rights come to be acknowledged? Why would individuals have human rights? Do human rights treaties, and does the human rights rhetoric, make a difference, or are they merely window dressing? Why do states sign human rights treaties? Who has duties and responsibilities to realize human rights? Topics will also include the Israeli-Palestinian conflict, the Kosovo conflict, torture, terrorism, counter-terrorism, the role of NGO’s and transnational corporations in the realization of human rights, American Exceptionalism, and different ways of addressing past violations. Readings range from case specific studies to historical, legal, philosophical, and social-scientific readings. Emphasis is placed on human rights as an ethical and political framework for public policy, rather than as a system of international law.

Prerequisites:

The course is open to all students. Some familiarity with history, political theory or philosophy, comparative politics, and international relations will be helpful, but not required. No specific previous human rights experience or knowledge is required. Required, however, is a willingness to engage with texts of different genres, including texts from different academic disciplines.

Course Requirements:

Students are required to come to class prepared to discuss the week's readings.

Class participation counts for 15% of the final grade.

Short Written Assignments: For each class meeting, a written exercise will be posted on the course web-page, and if you choose to complete this assignment, you must submit it within a week of its posting. You are required to satisfactorily complete **three** such assignments. They should not exceed 750 words. These assignments count for 40% of your course grade. There must be at least two weeks between submission of any two assignments, to assure a reasonable distribution across topics.

Long Written Assignment: Students with the required background and appropriate interests may write one 20-page paper substituting for both the short papers and the take-home exam. Permission of instructor is required for this option!!

Final Take-home Examination: The final exercise, which counts for 45% of your course grade, will consist of essay questions that are to be answered in no more than 2,000 words in total. Examinations will be available on December 5, 2008, and are due in Mathias Risse's office on December 19. Examinations may be returned by mail or courier, but emailed or faxed submissions are not acceptable. Late examinations will not be accepted.

Students with appropriate backgrounds are invited to volunteer to give *presentations* of about 10 min. If accepted, these would then substitute for one of the three short papers.

Grading:

The KSG Academic Council has issued recommendations on grading policy, which include the following curve: A (10-15%), A- (20-25%), B+ (30-40%), B (20-25%), B- (5-10%).

Reading and Assignments:

Required readings: course packet. The packets are available for purchase at the Course Materials Office.

Required for purchase (and available at the Coop) are also the following two books:

Peter Baehr. 2001. *Human Rights: Universality in Practice*. Palgrave

David Forsythe. 2006. *Human Rights in International Relations* (2nd edition). Cambridge

Unless a link is listed or it is otherwise noted, the readings are either chapters from these two books or else included in the course reader. Note that many of the readings are recommended, not required. These recommended readings are included for those with

deeper interests in these topics and have been selected because they are important and interesting.

Tuesday, September 9: Shopping Day

A very sketchy introduction to this course in 30 min

1. Thursday, September 11: Human Rights in International Relations

An overview of the current “human rights regime” and its origins

Required:

Baehr, chapter 1 (**Book**)

Baehr, Appendix (the Universal Declaration) (**Book**)

Forsythe, chapter 1 (**Book**)

Recommended:

Johannes Morsink, *The Universal Declaration of Human Rights*, Chapter 1 (“The Drafting Process Explained”, 1999). (**Packet**)

2. Tuesday, September 16: Rights, Natural Rights, and Human Rights

Different views of what rights are, what human rights are, and why it does matter profoundly where rights “come from”

Required:

Michael Ratner and Ellen Ray, *Guantanamo – What the World Should Know* (2004), pp 1-6, 12-29. (**Packet**)

Richard Wasserstrom, “Rights, Human Rights, and Racial Discrimination,” *Journal of Philosophy* (1964), No. 20, pp 628-641. (**Online**)

David Miller, “Human Rights: Setting the Global Minimum,” Chapter 7 of Miller, *National Responsibility and Global Justice* (2007). (**Packet**)

Recommended:

James Griffin, “Human Rights: the Incomplete Idea”, and “First Steps in an Account of Human Rights,” chapters 1 and 2 in Griffin, *On Human Rights* (2008). (**Packet**)

Joshua Cohen, "Minimalism About Human Rights: The Best We Can Hope for?" *Journal of Political Philosophy*, 12, 2 (2004): 190-213. **(Online)**
<http://www.blackwell-synergy.com.ezpl.harvard.edu/toc/jopp/12/2>

3. Thursday, September 18: Genocide in the 20th Century

The different episodes of genocide throughout the 20th century have motivated the genesis of a human rights regime, but also capture enormous failures in its realization.

Required:

Adam Jones, *Genocide: A Comprehensive Introduction* (2006), Chapter 1 ("The Origins of Genocide") and Chapter 6 ("The Jewish Holocaust"). **(Online Only)**
<http://www.genocidetext.net/> (Click on "Text Excerpts" for Chapters 1 and 6.)

Recommended:

Cherif Bassiouni, "Crimes Against Humanity," in Roy Gutman and David Rieff (eds.), *Crimes of War: What the Public Should Know* (1999), pp 107-108. **(Online)** <http://www.crimesofwar.org/thebook/crimes-against-humanity.html>

Diane Orentlicher "Genocide," in Roy Gutman and David Rieff (eds.), *Crimes of War: What the Public Should Know* (1999), pp 153-157. **(Online)**
<http://www.crimesofwar.org/thebook/genocide.html>

Eric Weitz, *A Century of Genocide: Utopias of Race and Nation* (2003), Chapter 5 ("National Communism: Serbia and the Bosnian War"). **(Packet)**

Johannes Morsink, *The Universal Declaration of Human Rights* (1999), Chapter 2 ("World War II as Catalyst"). **(Packet)**

Christopher Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (1992), pp. 159-89. **(Packet)**

4. Tuesday, September 23: Universalism vs. Relativism

Does it make sense to speak of "universal" rights, or is not all morality and law "relative"?

Required:

James Rachels, "The Challenge of Cultural Relativism," Chapter 2 in Rachels, *The Elements of Moral Philosophy*, 2nd edition (1993). **(Packet)**

T.M. Scanlon, "Human Rights as a Neutral Concern, chapter 6 of Scanlon, *The Difficulty of Tolerance* (2003). **(Packet)**

Recommended:

Baehr, chapters 2 and 3 (**Book**)

Jack Donnelly, *Universal Human Rights* (2003), chapter 5. (**Packet**)

Simon Caney, "Universalism," Chapter 2 of Caney, *Justice Beyond Borders* (2005). (**Packet**)

Kwasi Wiredu, "An Akan Perspective on Human Rights", in Patrick Hayden, *The Philosophy of Human Rights* (2001), pp. 298-314. (**Packet**)

Dalai Lama, "Human Rights and Universal Responsibility", in Hayden, pp. 291-297. (**Packet**)

Khaled Abou El Fadl, "Democracy and Human Rights," Chapter 9 of *The Great Theft: Wrestling Islam from the Extremists* (2005). (**Packet**)

5. Thursday, September 25: Translating Human Rights into Local Practice

Human rights are supposed to be universal, but they still have to be "translated" into local law and customs

Required:

Sally Engle Merry, *Human Rights and Gender Violence* (2006), Chapters 1 and 3. (**Packet**)

6. Tuesday, September 30: Assessing the Impact of Human Rights Treaties

Do human rights treaties actually make a difference? Why or why not, and how?

Required:

Emilie Hafner-Burton and Kiyoteru Tsutsui, "Justice Lost! The Failure of International Human Rights Law to Matter Where Needed Most." *Journal of Peace Research*, 44/4 (2007), pp 407-425. (**Online**) http://ft.csa.com.ezp-prod1.hul.harvard.edu/ids70/resolver.php?sessid=ij0gmr99e089g8503fse9m0j4&server=csaweb114v.csa.com&check=c6779b565e78b37db0e65386f79f2ae6&d b=sagepol-set-c&key=0022-3433%2F10.1177_0022343307078942&mode=pdf

Thomas Risse and Kathryn Sikkink, "The Socialization of International Human Rights Norms into Domestic Practices", introduction to Risse, Stephen Kopp, and

Sikkink (eds.), *The Power of Human Rights: International Norms and Domestic Change* (1999). **(Packet)**

Recommended:

The remainder of the articles above

Andrew Moravcsik, “The Origins of Human Rights Regimes: Democratic Commitment in Postwar Europe,” *International Organization*, vol. 54, no. 2 (spring 2000), pp. 217-52. **(Online)**
<http://www.princeton.edu/~amoravcs/library/origins.pdf>

Jack Goldsmith and Eric Posner, *The Limits of International Law* (2005), chapter 4 (“Human Rights”). **(Packet)**

Oona Hathaway, Do Human Rights Treaties Make a Difference?, *Yale Law Journal* (2002) 111(8), pp. 1935-1962, 1989-2002, 2020-2027. **(Online)**
http://yalelawjournal.org/111/8/1870_oona_a_hathaway.html

7. Thursday, October 2: Torture

Eradicating torture is a major goal of the human rights regime, but in recent years, as part of the “war on terror,” the legitimacy of torture has come in for much debate

Required:

Henry Shue, “Torture”, *Philosophy and Public Affairs* 7 (1978): 124-143.
(Online) <http://links.jstor.org.ezp1.harvard.edu/sici?sici=0048-3915%28197824%297%3A2%3C124%3A%3E2.0.CO%3B2-O>

David Sussman, “What’s Wrong with Torture?”, *Philosophy and Public Affairs* 33, no. 1 (January 2005). **(Online)**
<http://www3.interscience.wiley.com.ezp-prod1.hul.harvard.edu/cgi-bin/fulltext/118691034/PDFSTART>

Very Highly Recommended:

John Conroy, *Unspeakable Acts, Ordinary People: the Dynamics of Torture* (2000), chapter 8 (“Torturers”). **(Packet)**

Michael Walzer, “Political Action: The Problem of Dirty Hands”, *Philosophy and Public Affairs* 2 (1973), pp 160-180. **(Online)**
<http://links.jstor.org.ezp1.harvard.edu/sici?sici=0048-3915%28197324%292%3A2%3C160%3A%3E2.0.CO%3B2-7>

Recommended:

Joseph Lelyveld, "Interrogating Ourselves," *The New York Times Magazine*, June 12, 2005. **(Online)**

[http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD\(Interrogating+Ourselves\)+AND+DATE+IS+06/12/2005](http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD(Interrogating+Ourselves)+AND+DATE+IS+06/12/2005)

Michael Kinsley, "Torture for Dummies." **(Online)**

<http://www.slate.com/id/2132195/>

Darius Rejali, "Torture's Dark Allure." **(Online)**

http://dir.salon.com/story/opinion/feature/2004/06/18/torture_1/index.html

Peter Brookes, "The Rule of Pain." **(Online)**

<http://www.heritage.org/Press/Commentary/ed051004b.cfm>

8. Tuesday, October 7: Torture, Cont.

More on torture

Required:

Supreme Court of Israel, "Judgment Concerning the Legality of the of the General Security Service's Interrogation Methods", in Sanford Levinson (ed.), *Torture: A Collection* (2004), pp 165-181. **(Packet)**

Alan Dershowitz, "Tortured Reasoning", in Levinson, pp 257-280. **(Packet)**

Florian Jessberger, "Bad Torture, Good Torture? What International Lawyers May Learn from the Recent Trial of Police Officers in Germany." *Journal of International Criminal Justice* 3 (2005), pp 1059-1073. **(Online)**

<http://jicj.oxfordjournals.org.ezp-prod1.hul.harvard.edu/cgi/reprint/3/5/1059>

Very Strongly Recommended:

The Association of the Bar of the City of New York Committee on International Human Rights, Committee on Military Affairs and Justice's Report: "Human Rights Standards Applicable to the United States' Interrogation of Detainees", in Karen Greenberg and Joshua Dratel, *The Torture Papers: The Road to Abu Ghraib* (2005), pp 557-614. **(Packet)**

[This is a wonderful summary of the legal and moral issues that arise about Guantanamo.]

Jamie Mayerfeld, "In Defense of the Absolute Prohibition of Torture." *Public Affairs Quarterly* 22 (2008), pp 109-128. **(Packet)**

Recommended:

Don Van Natta, "Questioning Terror Suspects in a Dark and Surreal World," *New York Times*, March 9, 2003, A1. **(Online)**
[http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD\(Questioning+Terror+Suspects\)+AND+DATE+IS+03/09/2003](http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD(Questioning+Terror+Suspects)+AND+DATE+IS+03/09/2003)

Editorial, "Is Torture Ever Justified?" *Economist*, Jan 11, 2003. **(Online)**
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=8879484&site=ehost-live&scope=site>

Richard Bernstein, "Kidnapping has Germans Debating Police Torture", *New York Times*, April 10, 2003, A, p 3. **(Online)**
[http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD\(Kidnapping+Has+Germans\)+AND+DATE+IS+04/10/2003](http://www.lexisnexis.com.ezp1.harvard.edu/us/lnacademic/api/version1/sr?shr=t&csi=6742&sr=HLEAD(Kidnapping+Has+Germans)+AND+DATE+IS+04/10/2003)

9. Thursday, October 9: Terrorism

Traditional just war doctrine distinguishes between combatants and non-combatants, where it is understood that combatants are forfeiting many of their rights; terrorism is at odds with this distinction. Can this be justified?

Required:

Michael Walzer, *Just and Unjust Wars* (2006), pp. 197-206. **(Packet)**

Jessica Stern, *Terror in the Name of God: Why Religious Militants Kill* (2003), chapter 2 ("Humiliation"). **(Packet)**

Osama bin Laden, "To the Americans," in Bruce Lawrence (ed.), *Messages to the World: The Statements of Osama bin Laden* (2005), pp 160-172. **(Packet)**

Recommended:

Michael Walzer, "Terrorism: A Critique of Excuses," in Walzer, *Arguing about War* (2004), pp 51-66. **(Packet)**

Michael Walzer, "After 9/11: Five Questions About Terrorism," in his *Arguing About War*, pp 130-42. **(Packet)**

Frantz Fanon, *The Wretched of the Earth* (1963), "Concerning Violence", pp 35-86. **(Packet)**

10. Tuesday, October 14: Due Process and Counter-Terrorism

How far can states go in reacting to terrorism?

Required:

Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror* (2004), pp 25-53. **(Packet)**

Ronald Dworkin, "Terror and the Attack on Civil Liberties," *New York Review of Books*, 50/17 (November 6, 2003), pp 1-17. **(Online)**
<http://www.nybooks.com.ezp-prod1.hul.harvard.edu/articles/16738>

Recommended

Jack Goldsmith, *The Terror Presidency* (2007), Preface (pp 9-13) **(On KSG Reserve Only)**, and Chapter 3 **(Packet)**.

11. Thursday, October 16: Statehood and Humanitarian Intervention

Self-determination of states, in the eyes of many, is a high value, and our global order is committed to it. Under what conditions can it be set aside?

Required:

Baehr, chapters 5 and 8. **(Book)**

Michael Walzer, *Just and Unjust Wars* (2000), chapter 6 ("Interventions"). **(Packet)**

Recommended:

J. L. Holzgrefe, "The Humanitarian Intervention Debate," chapter 1 in L. Holzgrefe and Robert Keohane, *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (2003). **(Packet)**

Jefferson McMahan, "The Ethics of Humanitarian Intervention," in *Political Realism and International Morality*, (1987) edited by Kenneth Kipnis and Diana T. Meyers, 75—101. **(Packet)**

12. Tuesday, October 21: Humanitarian Intervention – A Case Study: Kosovo

The intervention in Kosovo was illegal by the relevant standards. Was it legitimate?

Required:

Marie-Janine Calic, "Kosovo in the 20th Century: A Historical Account," in Albrecht Schnabel and Ramesh Thakur (eds.), *Kosovo and the Challenge of Humanitarian Intervention* (2000). **(Packet)**

Jules Lobel, "Benign Hegemony? Kosovo and Article 2(4) of the UN Charter," excerpts reprinted in Oona Hathaway and Harold Hongju Koh (eds.), *Foundations of International Law and Politics* (2005), pp 314-324. **(Packet)**

Fernando Teson, "The Liberal Case for Humanitarian Intervention," chapter 3 in J. L. Holzgrefe and Robert Keohane, *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (2003). **(Packet)**

Recommended:

David Luban, "Just War and Human Rights," *Philosophy and Public Affairs* (1980). **(Online)**
<http://links.jstor.org.ezp1.harvard.edu/sici?sici=0048-3915%28198024%299%3A2%3C160%3AJWAHR%3E2.0.CO%3B2-U>

13. Thursday, October 23: When Rights of Self-Determination Clash: The Israeli-Palestinian Conflict

Hardly any other current conflict preoccupies as many people around the world as the Israeli-Palestinian conflict.

Required:

Oz, Amos, *How to Cure a Fanatic*, (Princeton: Princeton University Press © 2002), "Between Right and Right", pp. 3-35. **(Packet)**

Rashid Khalidi, *Palestinian Identity: The Construction of Modern National Consciousness* (New York: Columbia University Press, 1997): Chapter 2: "Contrasting Narratives of Palestinian Identity," pp. 9-34. **(Packet)**

14. Tuesday, October 28: The Israeli-Palestinian Conflict, Continued

Required:

Benny Morris, "Arab-Israeli War," in Roy Gutman and David Rieff, *Crimes of War: What the Public Should Know* (1999), pp 28-38. **(Online)**
<http://www.crimesofwar.org/thebook/arab-israeli-war.html>

David S. Wyman, *The Abandonment of the Jews: America and the Holocaust 1941-1945* (New York: Pantheon, 1984), pp. 311-40. **(Packet)**

Recommended:

Noam Chomsky, "A Radical Perspective," in his *Middle East Illusions* (2003).
(Packet)

Amira Hass, "A Tax on Being Alive," Chapter 6 of *Drinking the Sea at Gaza: Days and Nights in a Land under Siege*. **(Packet)**

15. Thursday, October 30: Social and Economic Rights

These rights used to be very controversial, but nowadays much of the human-rights debate is in their terms.

Required:

Baehr, chapter 4. **(Book)**

Maurice Cranston, "Human Rights, Real and Supposed," *Political Theory and the Rights of Man* (Bloomington: Indiana University Press, 1967), pp. 43-53, 138. [Reprinted in Patrick Hayden, *The Philosophy of Human Rights*, pp 163-174.]
(Packet)

R. Howard, "The Full-Belly Thesis -- Should Economic Rights take priority?" 1983, *Human Rights Quarterly* 5: 467-90. **(Online)**
<http://links.jstor.org.ezp1.harvard.edu/sici?sici=0275-0392%28198311%295%3A4%3C467%3ATFTSER%3E2.0.CO%3B2-N>

Recommended:

Henry Shue, *Basic Rights: Subsistence, Affluence and U.S. Foreign Policy* (1996), chapter 1. **(Packet)**

Paul Farmer, *Pathologies of Power: Health, Human Rights, and the New War on the Poor* (Berkeley: University of California Press, 2004), pp. 213-46. **(Packet)**

Amartya Sen, *Development as Freedom* (1993), pp. 3-11, 282-98. **(Packet)**

16. Tuesday, November 4: If Rich Countries Have Duties, What are they?

What specifically ought to be done?

Required:

Jeffrey Sachs, *The End of Poverty: Economic Possibilities for Our Time* (2005): pp 288-308. **(Packet)**

Nancy Birdsall, Dani Rodrik, and Arvind Subramanian, "How to Help Poor Countries," *Foreign Affairs*, 84/4 (July/August 2005), 136-152. **(Online)**
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=17327842&site=ehost-live&scope=site>

Peter Singer, "Famine, Affluence, and Morality," *Philosophy and Public Affairs* 1 (1972), pp 229-243. **(Online)**
<http://links.jstor.org/ezip1.harvard.edu/sici?sici=0048-3915%281972%291%3A3%3C229%3AFAAM%3E2.0.CO%3B2-3>

Recommended:

Martha Finnemore, "Norms and Development: The World Bank and Poverty," chapter 4 of Finnemore, *National Interests in International Society* (1996). **(Packet)**

Elhanan Helpman, "Institutions and Politics," chapter 7 of *The Mystery of Economic Growth* (2004). **(Packet)**

17. Thursday, November 6: A Human Right to Pharmaceuticals?

[readings to be assigned later]

Tuesday, November 11: NO CLASS – Veterans' Day

18. Thursday, November 13: The United Nations Organs

Has the UN played a successful role in the realization of human rights?

Required:

Baehr, chapter 6. **(Book)**

Forsythe, chapter 3 **(Book)**

Paul Kennedy, *The Parliament of Man: The Past, Present, and Future of the United Nations* (2006), chapter 6 ("Advancing International Human Rights"). **(Packet)**

Recommended:

Michael Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations* (2006), chapters. 1 (pp. 1-26) and 4 (144-196). **(Packet)**

Ending the “Human Rights” Farce, *The National Review*, op ed, February 13, 2006. **(Online)**

<http://www.nationalreview.com/editorial/editors200602131102.asp>

19. Tuesday, November 18: American Exceptionalism

The US plays a rather peculiar, and unique, role as far as human rights are concerned.

Required:

Jeremy Rabkin, “American Independence and the Opinions of Mankind,” Chapter 9 of *Law Without Nations* (2005). **(Packet)**

Ignatieff, Michael, “Introduction: American Exceptionalism and Human Rights,” in Ignatieff (ed.), *American Exceptionalism and Human Values* (2005). **(Packet)**

Harold Hongju Koh, “America’s Jekyll-and-Hyde Exceptionalism”, in Ignatieff, *American Exceptionalism and Human Values* (2005). **(Packet)**

Recommended:

The remaining contributions to the Ignatieff volume (not in reader)

20. Thursday, November 20: Global Civil Society and NGO’s

Non-governmental actors play an ever increasing role in the realization of human rights.

Required:

Baehr, chapter 10. **(Book)**

Forsythe, chapters 7 and 8. **(Book)**

Recommended:

Kenneth Roth, “Human Rights Organizations: A New Force for Social Change,” in Samantha Power and Graham Allison, *Realizing Human Rights*, (New York: St Martin’s Press, 2000) pp. 225-248. **(Packet)**

David Forsythe, “The Red Cross as Transnational Movement,” *International Organization* 30/4 (1976): 607-630. **(Online)**

[http://links.jstor.org/ezp1.harvard.edu/sici?sici=0020-](http://links.jstor.org/ezp1.harvard.edu/sici?sici=0020-8183%28197623%2930%3A4%3C607%3ATRCATM%3E2.0.CO%3B2-8)

[8183%28197623%2930%3A4%3C607%3ATRCATM%3E2.0.CO%3B2-8](http://links.jstor.org/ezp1.harvard.edu/sici?sici=0020-8183%28197623%2930%3A4%3C607%3ATRCATM%3E2.0.CO%3B2-8)

Morton Winston, "Assessing the Effectiveness of International Human Rights NGO's: Amnesty International," Chapter 1 in Claude Welch (ed.), *NGOs and Human Rights* (2001). **(Packet)**

21. Tuesday, November 25: Transnational Corporations and Human Rights

Do Transnational Corporations Have to Support Human Rights? What can be Done to Make them do so?

Required:

John Ruggie, "Business and Human Rights: The Evolving International Agenda," *American Journal of International Law* 101/4 (2007), pp. 819-840. **(Online)**
<http://www.heinonline.org.ezp-prod1.hul.harvard.edu/HOL/Page?handle=hein.journals/ajil101&id=1&size=2&collection=journals&index=journals/ajil>

Iris Young, "Responsibility and Global Labor Justice," *Journal of Political Philosophy* 12 (2004), pp 365-387. **(Online)**
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=14860447&site=ehost-live&scope=site>

Recommended:

Human Rights Council (2008), "Promotion and Protection of all Human Rights, Civil, Political, Economic, and Cultural Rights, Including the Right to Development. Protect, Respect, and Remedy: A Framework for Business and Human Rights." **(Packet)**

David Weissbrodt and Mura Kruger, "Norms on the Responsibility of Transnational Corporations and Other Business Enterprises with Regard to Human Rights," *American Journal of International Law* (2003). **(Packet)**

Thursday, November 27 – NO CLASS – Thanksgiving

22. Tuesday, December 2: Past Violations: War Crime Tribunals

How should one deal with past violations? War crime trials are one way.

Required:

Baehr, chapter 9. **(Book)**

Forsythe, chapter 4. **(Book)**

Hannah Arendt, *Eichmann in Jerusalem*, pp. 3-20, pp. 257-298. **(Packet)**

Recommended:

Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (1998), chapter 3 (“Trials”). **(Packet)**

Gary Jonathan Bass, *Stay the Hand of Vengeance: the Politics of War Crimes Tribunals* (Princeton: Princeton University Press, 2001), 3-36. **(Packet)**

Robert H. Jackson, “Nuremberg in Retrospect: Legal Answer to International Lawlessness,” *American Bar Association Journal*, vol. 35 (October 1949), pp. 813-816 and 881-887. **(Online)**

<http://www.heinonline.org.ezp1.harvard.edu/HOL/Page?handle=hein.journals/abaj35&id=1&size=2&collection=journals&index=journals/abaj>

David Rieff, “Court of Dreams: A Nice Idea that Won’t Work,” *The New Republic*, September 7, 1998. **(Online)**

<http://proquest.umi.com.ezp1.harvard.edu/pqdlink?index=6&did=33517281&SrcHMode=3&sid=2&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1184790890&clientId=11201&aid=3>

John R. Bolton, “The Global Prosecutors: Hunting War Criminals in the Name of Utopia,” *Foreign Affairs*, January-February 1999, pp. 157-164. **(Online)**

<http://proquest.umi.com.ezp1.harvard.edu/pqdlink?index=20&did=37683632&SrcHMode=3&sid=3&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1184791174&clientId=11201&aid=4>

23. Thursday, December 4: Past Violations: Truth Commissions

Truth commissions are an alternative to trials as a way of dealing the past.

Required:

Todd Landman, “The Social Science of Truth Commissions,” Chapter 7 of Landman, *Studying Human Rights* (2006). **(Packet)**

Pricillia B. Hayner, “Fifteen Truth Commissions-1974-1994: A Comparative Study,” *Human Rights Quarterly* (1994) 16, pp. 597-634, 652-655. **(Online)**

<http://links.jstor.org.ezp1.harvard.edu/sici?sici=0275-0392%28199411%2916%3A4%3C597%3AFTCT1A%3E2.0.CO%3B2-2>

Recommended:

Joanna R. Quinn and Mark Freeman, "Lessons Learned: Practical Lessons Gleaned from Inside the Truth Commissions of Guatemala and South Africa," *Human Rights Quarterly* 25/4 (2003): 1117-1149. **(Online)**
http://muse.jhu.edu.ezp1.harvard.edu/journals/human_rights_quarterly/v025/25.4/quinn.pdf

Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (1998), chapter 4 ("Truth Commissions"). **(Packet)**

24. Tuesday, December 9: Conclusion