

The Sociology of Human Rights

Soc 595 – Spring 2005

Professor Daniel Levy

Tuesday 5:20 – 8:20 (N-405)

Office Hours (Room S-435): Tuesday 4:15-5:15 (and by appointment)

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Course Description:

Since the end of the Second World War we observe the consolidation of a Human Rights Regime that manifests itself along three central dimensions: through the formation of nation-transcending legislation (e.g. International Tribunals and the institutionalization of supra-national Courts); a politics of restitution that seeks to compensate former victims; and the institution of truth and reconciliation commissions. The latter modes of coming to terms with difficult national pasts, are particularly salient to states facing transitional conditions, but can also be found in the context of established democracies.

Based on those developments, this is a course for advanced graduate students with an interest in: the sociological significance of Human Rights norms and their various effects on international and domestic politics. The aforementioned proliferation of Human Rights Regimes and their institutionalization will serve as an analytic prism to explore their relative impact on: Migration patterns, War Crime Tribunals, Genocide prevention and the monitoring of Ethnic Cleansing and other aspects of restitution politics. We will also analyze how these developments relate to the potential reconfiguration of state-society relations, and the role both non-state actors (such as NGOs, INGOs, TSMs) as well as supranational organizations play in this emerging constellation.

Course Requirements:

In addition to your active participation, you are expected to write short analytic reaction papers on the reading materials. Your final project will take the form of a research paper on a Human Rights subject of your choice. Your final grade is composed of 15% for the reaction papers, 15% for participation and 70% for the final paper.

Required Books:

Jack Donnelly (2003) *Universal Human Rights in Theory and Practice* Cornell University Press.

Tim Dunne and Nicholas J. Wheeler (eds.) (1999) *Human Rights in Global Politics* Cambridge University Press.

Alison Brysk (ed.) (2002) *Globalization and Human Rights* University of California Press.

All books are available at Stony Books and the University Book Store. The other readings will either be placed in a folder in the reading room, for you to Xerox (X) or can be accessed on-line (E). The required books are also on Reserve at the Melville Library.

A) Conceptual and Historical Agenda

I. INTRODUCTION: THE SOCIOLOGY OF HUMAN RIGHTS (1/25)

II. HUMAN RIGHTS THEORIES (2/1)

Jack Donnelly (2003) "The Concept of Human Rights" in *Universal Human Rights in Theory and Practice* (1-21)

Malcolm Waters (1996) "Human Rights and the Universalisation of Interests", *Sociology*, 30(3): 593-600 (E)

Bryan Turner (1997) "A Neo-Hobbesian theory of Human Rights: A Reply to Malcolm Waters", *Sociology*, 31(3): 565-571 (E)

Ken Booth (1999) "Three Tyrannies" in *Human Rights in Global Politics* (31-70)

III. HUMAN RIGHTS IN HISTORICAL PERSPECTIVE (2/8)

Jack Donnelly (1999) "The social construction of international human rights" in *Human Rights in Global Politics* Tim Dunne and Nicholas J. Wheeler (eds.) (71-102)

Daniel Levy and Natan Sznaider (2004) "The Institutionalization of Cosmopolitan Morality: The Holocaust and Human Rights" *Journal of Human Rights* 3(2): 143-157 (E)

Jack Donnelly (2003) "The Universal Declaration Model" (23-37)

Jack Donnelly (2003) "Cultural Relativism and International Human Rights" (57-123)

B) Institutional and Political Dimensions

IV. LEGAL DIMENSIONS OF HUMAN RIGHTS (2/15)

Geoffrey Robertson (2002) "Introduction" in *Crimes Against Humanity* (xxi-xxxiv) (X)

Judith Goldstein, M. Kahler, R. Keohane, and A.M. Slaughter (2000) "Introduction: Legalization and World Politics" in *International Organization* 54 (3): 1-15 (E)

Menno T. Kamminga (2001) "Lessons Learned from the Exercise of Universal Jurisdiction in Respect of Gross Human Rights Offenses" *Human Rights Quarterly* 23: 940-965 (E)

Jack Donnelly (2003) "Humanitarian Intervention against Genocide" (242-260)

Richard Falk (2002) "Reframing the Legal Agenda of World Order in the Course of a Turbulent Century" in *Reframing the International* Richard Falk, Lester Edwin Ruiz, R.B.J. Walker (eds.) (46-69) (X).

V. CASE STUDIES (2/22)

Movie: Gacaca, Living Together Again In Rwanda? (55')

Movie: "The Trials of Henry Kissinger" (80')

VI. INTERNATIONAL POLITICS (3/1)

Miles Kahler (2000) "Conclusion: The Causes and Consequences of Legalization" *International Organization* 54(3): 277-299. (E)

Jack Donnelly (2003) "Human Rights and International Action" (127-181)

James Rosenau (2002) "The Drama of Human Rights in a Turbulent, Globalized World" in *Globalization and Human Rights* (148-170)

VII. DOMESTIC POLITICS AND CHANGING STATE-SOCIETY RELATIONS (3/8)

a) Sovereignty Revisited?!

Thomas Risse and Kathryn Sikking. (1999). "The socialization of international Human rights norms into domestic practices: introduction" in *The Power of Human Rights*. Thomas Risse, S. Ropp and K. Sikking (eds.) (1-38) (X)

Allan Rosas (1995). "State Sovereignty and Human Rights: towards a Global Constitutional Project" (61-78) in *Politics and Human Rights*, D. Beetham (ed) (X)

b) Politics of Restitution

John Torpey (ed.) (2003). "Introduction: Politics and the Past" *Politics and the Past. On Repairing Historical Injustices*. (1-36) (X)

Elazar Barkan (2003) "Restitution and Amending Historical Injustices in International Morality" *Politics and the Past. On Repairing Historical Injustices*. (91-102) (X)

c) (Anti)-Terrorism and Human Rights

Michael Ignatieff (2002) "Defining and responding to terrorism. (International Justice, War Crimes, and Terrorism: The U.S. Record)" *Social Research*, Winter 2002 V 69 (4): 1135-1158 (E)

Michael Ignatieff "Lesser Evils" *New York Times*, 2 May 2004 (E)

“Anti-Terror Campaign Cloaking Human Rights Abuse” (Human Rights Watch Press release, January 16, 2002) (E)

C) Project Presentations

VIII. Student Research Projects (3/15)

IX. Student Research Projects continued (3/29)

D) Sociological Dynamics: Economic, Social and Cultural Dimensions of Human Rights

X. Economic Dimensions of Human Rights (4/5)

Richard Falk (2002) “Interpreting the Interaction of Global Markets and Human Rights” in Alyson Brisk *Globalization and Human Rights* (61-76)

Raul C. Pangalangan (2002) “Sweatshops and International Labor Standards: Globalizing Markets, Localizing Norms” in Alyson Brisk *Globalization and Human Rights* (98-114)

Joseph Stiglitz (2002) *Globalization and Its Discontents* (23-52) (X)

Jagdish. Bhagwati (2004) *In Defense of Globalization* (122-134) (X)

Movie: “Globalization and Human Rights” (56’)

XI. New Social Movements and Human Rights (4/12)

Guest Lecture: Rachel V. Kutz-Flamenbaum “Broad Agendas and Inclusive Frames: The case for ‘Women’s Rights’ as ‘Human Rights’”

Mary Kaldor (1999) “Transnational civil society” in *Human Rights in Global Politics* Tim Dunne and Nicholas J. Wheeler (eds.) (195-213)

Martha Finnemore and Kathryn Sikkink. 1998. “International Norm Dynamics and Political Change.” *International Organization* 52:887-917. (E)

Jackie Smith and Ron Pagnucco with George A. Lopez (1998) “Globalizing Human Rights: The Work of Transnational Human Rights NGOs in the 1990s” *Human Rights Quarterly* 20.2: 379-412. (E)

XII. Media and Human Rights (4/19)

Martin Shaw (1999) "Global voices: civil society and the media in global crisis" in *Human Rights in Global Politics* Tim Dunne and Nicholas J. Wheeler (eds.) (214-232)

Birgitta Hoijer (2004) "The discourse of global compassion: the audience and media reporting of human suffering" *Media, Culture & Society* Vol. 26(4): 513–531 (E)

Birgitta Hoijer, Stig Arne Nohrstedt, Rune Ottosen (2002) "The Kosovo War in the Media - Analysis of a Global Discursive Order" *Conflict & Communication online*, Vol. 1, No. 2: 1-18 (E)

Movie: "Seeing is Believing" (60 minutes).

XIII. Migration, Gender and Human Rights (4/26)

Arthur C. Helton, Lou Henkin, Oscar Schachter, Anne Bayefsky (2000) "Protecting the World's Exiles: The Human Rights of Non-Citizens" *Human Rights Quarterly* 22.1: 280-297 (E).

Yasemin Soysal (2000) "Citizenship and identity: living diasporas in post-war Europe?" *Ethnic and Racial Studies* V.23(1): 1-15 (E)

Jack Donnelly (2003) "Group Rights and Human Rights (204-221)

Isabel Coleman (2004) "The Payoff from Women's Rights" *Foreign Affairs* May/June: 80-95 (E)

E) Final Projects

XIV. Final Research Presentations (5/3)