This course examines the different ways people have thought about, advocated for, and contested the political, ethical and legal foundation for making claims about human rights and human wrongs. Exploring debates that have shaped the human rights tradition, we look at how scholars and activists have employed human rights discourse in engaging on issues such as the space for dissent, land rights and sex worker rights.

The course text is *The Human Rights Lexicon* by Susan Marks and Andrew Clapham. This is available at the NYU bookstore and Bobst Reserve. Other readings are filed in the ‘Resources’ section of NYU classes.
COURSE OBJECTIVES/LEARNING GOALS
Through the course of the semester students should develop familiarity with different perspectives on human rights, including the debates that have been central to the study of the human rights field. They should also develop the ability to critically analyze the varied ways in which human rights discourse is invoked, negotiated, and contested, and the stakes these engagements may hold for different agendas for social change.

REQUIREMENTS/GRADING

Grade Distribution:
Participation: 20%
Debates: 20%
Reading Responses: 20%
Term papers: 40% (20 each)

Format for Papers: Papers should be in times font, double-spaced with one-inch margins.

1. PARTICIPATION
Punctual attendance and active participation is key to your success in the course. Come to class having read and critically reflected on the assigned article, case, story or film so that you can contribute to the seminar discussion. Reading a text critically also requires that you read it generously so that you engage fully with how it may reinforce, challenge or complicate the human rights framework. Unexplained absences impact your grade; If you cannot attend because of illness or other emergency, email me.

2. DEBATE
Each student team will help take the lead in 3 debates (one per month until thanksgiving) where participants aim to address the issues, lay out a strong theoretical basis for their position and support their arguments with reference to the issues. Additional research is not expected and the debaters can rely entirely on the readings already assigned for that week - Typically the Tuesday readings offer the background conceptual framework and the Thursday readings focus on the specific issues up for debate. Team solidarity encouraged! There will be no debates for Weeks 1, 7, 8, 13, 14 and 15. The schedule is as follows:

1. Human Rights Universalism
   September 10: Debate on the Right to Democracy

2. Individual and Collective Rights
   September 17: Debate on the Indigenous Rights

3. Human Rights and Inequality
   September 24: Debate on Property Rights

4. Human Rights and Dissent
   October 1: Debate on the Right to Protest
5. *The Status of Economic and Social Rights*  
   October 8: Debate on the Right to Food

6. *Human Rights and Capitalism*  
   October 29th: Debate on Labor Rights

7. *Human Rights and State Power*  
   November 5: Debate on the Rights of Non-Citizens

8. *Human Rights and the Body*  
   November 12: Debate on Sex Worker Rights

9. *Human Rights and Imperial Legacies*  
   November 19: Debate on the Rights to Reparations for Slavery

3. **RESPONSE PAPERS**
   The primary aim of this assignment is to give you an opportunity to critically reflect on the readings assigned for Tuesday of that week so that your contribution to class discussion will be thoughtful and informed. Each paper should be 1-2 pages in length and should offer a brief summary of each of the readings; You do not need to summarize human rights instruments such as the UDHR. Response papers should be submitted before Tuesday’s class each week. Papers should be emailed as word documents or pdf. documents. You do not need to submit response papers for Weeks 1, 7 and 15

4. **TERM PAPERS**
   Term papers should be anchored in course readings. The assignments for the two term papers are noted below. A PDF should be submitted through ‘turnitin’ on NYU Classes and emailed to me.

**Term Paper I** (Due Friday October 16th)
Analyze the debate with Nicholos Kristoff referenced by Teju Cole’s tweets about the Kony video in Teju Cole, “The White-Savior Industrial Complex”, *The Atlantic*, March 2012 (NYU Classes). Respond in engagement with any of the material that we have completed in the first half of the class (i.e. until fall break). If it is helpful you could also bring Makau Mutua’s article on SVS into this conversation – see Makau Mutua, “Savages, Victims and Saviors”, *Harvard Int’l Law Journal* 42:1, p 201-45 (2001)

**Term Paper II** (Due Tuesday December 15th)
Does human rights offer a compelling framework for the claims of those in the Black Lives Matter movement, those in the Jubilee movement for sovereign debt relief and those seeking asylum for migrants fleeing war and poverty to cross into Europe and North America. What are the stakes of framing these issues in terms of international human rights? Respond in engagement with any of the material that we have completed in this class, with particular attention to material we encountered in the second half of the class.

---

*Academic Integrity Policy*: “As a Gallatin student you belong to an interdisciplinary community of artists and scholars who value honest and open intellectual inquiry. This relationship depends on mutual respect, responsibility, and integrity. Failure to uphold these values will be subject to severe sanction, which may include dismissal from the University. Examples of behaviors that compromise the academic integrity of the Gallatin School include plagiarism, illicit collaboration, doubling or recycling coursework, and cheating. Please consult the Gallatin Bulletin or Gallatin website ([www.gallatin.nyu.edu/academics/policies/policy/integrity.html](http://www.gallatin.nyu.edu/academics/policies/policy/integrity.html))"
CLASS PLAN

Week 1. Introduction
Sept. 3:
• Eduardo Galeano, *The Right to Dream* http://newint.org/blog/2015/04/13/galeano-right-to-dream/
• *Universal Declaration of Human Rights*

Week 2. Human Rights Universalism
September 8:
• Marks and Clapham, *Universality* p. 385-98.
• Charles Taylor, “A World Consensus on Human Rights”, *Dissent*, Summer 1996 (NYU Classes)
• *International Covenant on Social, Economic and Cultural Rights*
• *International Covenant on Civil and Political Rights*

September 10: Debate on the Right to Democracy
• Marks and Clapham, *Democracy* p. 61-70.
• African (Banjul) *Charter on Human and Peoples' Rights* (NYU Classes).

Week 3. Individual and Collective Rights
September 15:
• Kwasi Wiredu, *An Akan Perspective on Human Rights* (NYU Classes)
• “Duty Based Social Order” from Alston and Goodman, *International Human Rights*, p. 509-530 (NYU Classes). Includes:
  o Robert Cover, *Obligations: A Jewish Jurisprudence of the Social Order*
  o Jomo Kenyatta, *Facing Mount Kenya: The Tribal life of the Gikuyu*
  o Comment on *Comparisons Between Rights and Duties in the African Charter and Other Human Rights Instruments*
  o Makau Mutua, *Human Rights and the African Fingerprint*
  o Henry Steiner, *Some Characteristics of the Liberal Political Tradition*
• “Rights Holders” from David Boersema, *Philosophy of Human Rights*, (Westview 2011) p. 103-116 (NYU Classes). Includes:
  o Carol Gould, *Group Rights and Social Ontology*
  o Edmund Wall, *Problems with the Group Rights Thesis*
• African (Banjul) *Charter on Human and Peoples' Rights* (NYU Classes).
• *International Covenant on Civil and Political Rights*
September 17: Debate on the Indigenous Rights
  • Melanie Riccobene Jarboe, *Collective Rights to Indigenous Land in Carcieri v. Salazar* (NYU Classes)
  • John Locke, *The Second Treatise of Government* (NYU Classes)
  • *American Convention on Human Rights*
  • Benedict Kingsbury, *Five Competing Conceptual Structures of Indigenous People’s Claims in International and Comparative Law* (NYU Classes) (Optional)

**Required:** Eyal Weizman @ 7 p.m. The Jerry H. Labowitz Theatre; Gallatin

**Week 4. Human Rights and Inequality**

September 22:
  • Karl Marx, *On the Jewish Question* (NYU Classes)
  • Mary Wollstonecraft, *A Vindication of the Rights of Woman* (NYU Classes)
  • Martii Koskenniemi, Human Rights Mainstreaming as a Strategy for Institutional Power, *Humanity,* Volume 1, Number 1, Fall 2010 (NYU Classes)
  • Duncan Kennedy, *The Critique of Rights in Critical Legal Studies* (NYU Classes)

September 24: Debate on Property Rights

**Week 5. Human Rights and Dissent**

September 29:
  • Marks and Clapham, *Protest*
  • Marks and Clapham, *Terrorism*
  • Nelson Mandela, Speech at Rivonia Trial (NYU Classes)
  • International Covenant on Civil and Political Rights

**Required:** *Antigone at 7:30 p.m., BAM Harvey Theater, 651 Fulton Street, Brooklyn.*

October 1: Debate on the Right to Protest
  • Edward Snowden, *Statement to human rights groups,* Moscow’s Sheremetyevo airport, July 12 (NYU Classes)
  • Reuters in Geneva, “Edward Snowden should not face trial, says UN human rights commissioner” theguardian.com, Wednesday 16 July 2014 (NYU Classes)
  • George Orwell, *1984,* Part I, Chapter I (NYU Classes)
  • Marks and Clapham, *Media* (Optional)
• Marks and Clapham, *Privacy* (Optional)

**Week 6. The Status of Economic and Social Rights**

October 6:
- *International Covenant on Social, Economic and Cultural Rights*
- *Vienna Declaration and Programme of Action*

October 8: Debate on the Right to Food
- Thomas Pogge, *World Poverty and Human Rights*
- Anne Lappe, “Who Says Food is a Human Right? Olivier De Schutter, the UN’s special rapporteur on the right to food, makes the case in this Q&A.” *The Nation*, Sept. 14 (2011)

**Week 7. Special Sessions**

October 13:
- Legislative Day – Regular Tuesday classes will not meet; Monday classes will meet on Tuesday

October 15:
- Spring registration process with First Year Class Advisor, Yevgeniya Traps

**Week 8. Human Rights and Globalization**

October 20:
- Marks and Clapham, *Globalization*
- Martha Nussbaum, *Capabilities and Human Rights* (212-240)

October 22: In-class film: *Life as Debt*
- Open Society Justice Institute, *The European Debt Crisis and Human Rights*
- OHCHR, Human Rights and Foreign Debt
- European Convention for the Protection of Human Rights and Fundamental Freedoms

**Week 9. Human Rights and Capitalism**

October 27th:
- V. I. Lenin, Declaration of Rights of the Working And Exploited People (NYU Classes)
• OWS NYCGA, Declaration of the Occupation of New York City (NYU Classes)
• CAJA, Kiobel v. Shell – Light Dims on Human Rights Claims in the US (NYU Classes)
• Slavoj Zizek, First as Tragedy, Then as Farce, RSA Video: https://www.youtube.com/watch?v=hpAMbpQ8J7g#t=15

October 29th: Debate on Labor Rights
• Marks and Clapham, Wokers
• A. Kaminer et. al., Workers at N.Y.U.’s Abu Dhabi Site Faced Harsh Conditions, NY Times, 18 May, 2014 (NYU Classes)
• Human Rights Watch, Work Fast or Get Out, Report Summary and Recommendations (NYU Classes)
• Corporate Watch, What’s Wrong with Corporate Social Responsibility: The Arguments Against CSR (NYU Classes)

Week 10. Human Rights and State Power
November 3:
• Marks and Clapham, Detention
• Marks and Clapham, Fair Trial
• Marks and Clapham, Torture
• Samuel Moyn, “Torture and Taboo”, The Nation, February 2013
• International Covenant on Civil and Political Rights

Required: Incident at Vichy at 7:30 p.m. Signature Theater, Pershing Square, 480 West 42nd Street.

November 5: Debate on the Rights of Non-Citizens
• Center for Constitutional Rights, Guantanamo and Illegal Detentions (NYU Classes)
• Bonnie Honig, “Natives and Foreigners: Switching the Question” in Democracy and the Foreigner (2001)
• Marks and Clapham, Racism

Week 11. Human Rights and the Body
November 10:
• Marks and Clapham, Women
• Marks and Clapham, Sexuality
• Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

November 12: Debate on Sex Worker Rights
• Asia Pacific Network of Sex Workers, “As sex workers we welcome Amnesty’s policy – it will help empower us”, The Guardian, August 2015 (NYU Classes)
• Amnesty International, My Body, My Rights Campaign
• Nancy Fraser, “How Feminism Became Capitalism’s Hand Maiden and How to Reclaim it”, The Guardian, October 2013 (NYU Classes) (Optional)
• Katherine Franke, Dating the State: The Moral Hazards of Winning Gay Rights (NYU Classes) (Optional)

**Week 12. Human Rights and Imperial Legacies**
November 17:
• Anthony Pagden, “Human Rights, Natural Rights, and Europe's Imperial Legacy” in Jeffrey Wasserstrom et. al., ed.s, Human Rights and Revolutions (Rowman & Littlefield 2007) (NYU Classes)
• Greg Grandin, “Human Rights and Empire’s Embrace: A Latin American Counterpoint” (NYU Classes)

November 19: Debate on the Rights to Reparations for Slavery
• Ta-Nehisi Coates, “The Case for Reparations,” The Atlantic, 21 May 2014 (NYU Classes)
• Oscar Brown Jr., “Forty Acres and Mule” from Mr. Brown Goes to Washington (NYU Classes)

**Week 13. Human Rights in Times of War**
November 24:
• Marks and Clapham, International Crimes p. 223-36
• Martii Koskeniemi, Between Impunity and Show Trials, Max Planck Yearbook of UN Law, Vol. 6, 2002, 1-35 (NYU Classes)
• Catharine A. MacKinnon: “Rape, Genocide, and Women’s Human Rights.” (NYU Classes)

**Week 14. Human Rights Histories, Human Rights Futures**
December 1:

December 3:
• Jacques Derrida: “Wears and Tears (Tableau of an Ageless World.)”
• Gil Scott Heron, The Revolution Will Not be Televised
• Albert Camus, The Myth of Sisyphus (NYU Classes)

**Week 15. No classes because of required attendance at additional course activities on Sept. 17th, 29th & Nov. 3rd**