



**Name of School**      **School of Social Sciences**  
Academic Year 2014/5 and Term 1

**COURSE CODE**      **POSC315**  
**COURSE TITLE**      **HUMAN RIGHTS IN INTERNATIONAL RELATIONS**

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**PRE-REQUISITE/ CO-REQUISITE/ MUTUALLY EXCLUSIVE COURSE(S)**

*Nil*

**COURSE DESCRIPTION**

This module is a 300-level multidisciplinary course of political science and international law, covering the main literature and debates in human rights in international relations. It includes 1) the origin of contemporary human rights concepts in political theory, 2) the evolution of human rights in public international law since the 1948 Universal Declaration of Human Rights, 3) international and regional human rights mechanisms, 4) domestic implementation of human rights and 5) human rights in foreign policy in the post-war international relations. Numerous case studies are introduced for class discussions. Each week introduces one topic in human rights in international relations, followed by student presentations and Q&As. The module also runs simulations of the United Nations Human Rights Council on given topics.

**COURSE GOALS**

By the end of the course, students should be able to:

1. identify the basic concepts and evolution of human rights in international politics and utilise the terminology in academic writing and oral presentation;
2. critically analyse human rights issues in the post-war international politics and develop persuasive political arguments; and
3. practically think and prioritise major issues pertaining to human rights in contemporary international relations and produce quality academic paper.

**ASSESSMENT METHODS**

Participation	Every week	10%
Model UN	Week 13	5%
Critical Review Presentation	Chosen week	15%
<b>Research Proposal</b>	<b>Week 3, by 1200 on 3 September</b>	<b>10%</b>
<b>Individual Draft</b>	<b>Week 11, by 1200 on 29 October</b>	<b>20%</b>
<b>Final Group Report</b>	<b>Week 13, by 1200 on 12 November</b>	<b>10%</b>
Final Exam	3 December 2014	30%

Participation (10%) constitutes intellectual contribution to classroom and Facebook discussions and active involvement in Q&As after each student presentation as well as the Writing Workshop, which is planned after the research proposal submission. For the model United Nations Human Rights Council, students are expected to represent state officials, which will be evaluated separately (5%).

For Critical Review Presentation (15%), students are paired to introduce new concepts, incorporate theories and present their 'critical review' of a chosen article from the reading list. A paired students are given ten minutes to present their critical review that must go beyond the summary of the chosen article. The detailed Presentation Evaluation Form will be explained in the first class and uploaded to e-Learn. Visual aid such as PowerPoint or Prezi is compulsory whereas reading from prepared texts is highly discouraged.

Research Paper (40% in total) is in a progressive writing manner, which is composed of a proposal (10%), an individual draft (20%) and a final group report (10%) in Week 3, 11 and 13, respectively. It is a free topic within the subject of 'Human Rights in International Relations' but preferably issues in Asia. A research paper MUST include original research and a case study. Only approved proposals can go ahead to the next level of drafting a paper. A Research and Writing Workshop will be conducted by the instructor. The important thing to note is that the draft paper is individually graded but the final paper is a group assessment. Students with similar topics will have to combine their individual papers and submit a group final report. Late submission, unless documented emergency, will be penalised by 1 point per day from the final grade. Word limit for the individual draft is 4,000, excluding footnotes/endnotes and references. No bibliographies are needed. Any word exceeding 4,000 will not be read. For the final group report, additional 1,000 words are given, on top of individual 4,000 word limit, to write an introduction and conclusion as a group. There is "zero tolerance" for plagiarism (i.e. an F grade). See the SMU 'Guidelines to prevent Academic Dishonesty' which is available on e-Wise.

The final exam (30%) is composed of short-answer and application questions, using the basic knowledge of human rights concepts and international legal mechanisms, acquired from the module. Cases for application questions will be selected from the news shared in the class's Facebook group. Sample questions will be given during the final class.

## **INSTRUCTIONAL METHODS AND EXPECTATIONS**

Students are expected to read the weekly materials before coming to the class for active and meaningful discussions. Writing a research paper is a considerable portion of this module, which takes up 40% of the evaluation. This module is for those who would like to conduct original research on human rights and improve their academic writing skills. Rigorous training for searching primary sources, interviews or survey analyses will be required.

## **CONSULTATIONS AND TEACHING ASSISTANTS**

For consultation, students must make an appointment in advance via emails. The Teaching Assistant is Alson TAY Ming Quan [alson.tay.2012@socsc.smu.edu.sg] who will help find reading materials, sign up for presentations and provide advice for writing essays.

## **CLASS TIMINGS**

Class meets at SOSS Seminar Room 2.10 on Wednesdays at 1200-1515.

## **RECOMMENDED TEXT AND READINGS**

There is no textbook for this module. Students are required to read the weekly assignments listed below. The UN Office of the High Commissioner for Human Rights provides most comprehensive sources of information about international law, human rights instruments, treaty-based bodies, charter-based special mechanisms and country profiles.

## WEEKLY LESSON PLANS

### WEEK 1—What are Human Rights?

This introductory class begins with the history of the creation of the Universal Declaration of Human Rights (UDHR) in 1948. It explains how the UDHR was created in the immediate post-war international environment and why states were committed to the protection and promotion of human rights. The lecture will cover some of the basic concepts and contents of international human rights. For the actual contents of the UDHR, please go to the following official UN website:

<http://www.un.org/en/documents/udhr/index.shtml>

UDHR: History of Human Rights at <http://www.universalrights.net/main/creation.htm>

A Short History of Human Rights at

<http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-1/short-history.htm>

Eleanor Roosevelt and the Universal Declaration of Human Rights at

<http://www.nps.gov/archive/elro/teach-er-vk/lesson-plans/er-and-udhr.htm>

Song, J. (2010) *Human Rights Discourse in North Korea: Post-colonial, Marxist and Confucian Perspectives*, Chap 1 'The Evolution of International Human Rights', pp.13-53.

### WEEK 2— Human Rights and Western Liberalism

This week reviews human rights in liberal theories starting from John Locke. It covers medieval natural rights theorists such as Thomas Aquinas as well as modern and contemporary liberal scholars like Tuck, Rorty, Rawls or Donnelly.

Donnelly, J. (1998) *Universal Human Rights in Theory and Practice*, Chaps 1, pp.7-21.

Rawls, J. (1993) 'The Law of Peoples' in Shute and Hurley eds, *On Human Rights: The Oxford Amnesty Lectures*, pp.41-82.

### WEEK 3—Critics of Human Rights: Conservatives, Marxists and Neoliberals

Week 3 discusses some of the critics of human rights, starting from British conservatives such as Hobbes or Burke. Marx and contemporary Marxists such as Lukes, Nordhal or Buchanan are sceptical about the normative notion of human rights. Contemporary neo-liberals such as Shapiro are critical against the notion of individual human rights and more prone to a communitarian approach.

Waldron, J. ed. (1987) *Nonsense upon stilts: Bentham, Burke and Marx on the rights of man*, Chap 5.

Nordahl, R. (1992) 'A Marxian Approach to Human Rights', in Abdullahi Ahmed An-Na'im (ed.), *Human Rights in Cross-Cultural Perspectives. A Quest for Consensus*, pp.162-87.

Brown, C. (1999) 'Universal human rights: a critique', in Tim Dunne and Nicholas J. Wheeler eds., *Human Rights in Global Politics*, pp.103-27.

### WEEK 4—Research and Writing Workshop

The special Research and Writing Workshop is planned this week after the students' submission of their research proposals. Various research methodologies are introduced at the workshop led by the instructor herself. Methodologies and topics were discussed in groups with similar subjects. This will help write the individual draft and the final GROUP report.

## WEEK 5—Universalism and Cultural Relativism: the Asian Values debate

This week covers the heated debate on the universality of human rights and its critic, cultural relativism. It also reviews the third aspect emerging as a cross-cultural dialogue, 'differentiated universalism' or 'non-ethnocentric universalism'. It introduces the most well known political and intellectual debate between the former Singapore Prime Minister, Lee Kuan Yew, and the former late South Korean President, Kim Dae Jung, on Asian values and the relation to democracy and human rights.

- Zakaria, F. (1994), 'A Conversation with Lee Kuan Yew', *Foreign Affairs* and Kim Dae Jung (1994), 'Is Culture Destiny? The Myth of Asia's Anti-Democratic Values', *Foreign Affairs*.
- De Bary, W. T. (1998) *Asian Values and Human Rights: A Confucian Communitarian Perspective* (Cambridge, Massachusetts: Harvard University Press), pp.1-16.
- Leong, L. W-T. (2008) 'From "Asian Values" to Singapore Exceptionalism', in Avonius, L. and D. Kingsbury, *Human Rights in Asia* (New York: Palgrave), pp.121-39.

## WEEK 6—Freedom and Subsistence: ICCPR and ICESCR

This lecture introduces one of the first human rights debates in international politics: civil-political vs. socio-economic rights, (the first- vs. the second- generation human rights, or negative vs. positive rights). It will cover the conceptual foundations of both rights and the monitoring and implementation in the two international covenants.

All UN human rights treaties can be found here:

<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

International Covenant on Civil and Political Rights (ICCPR)

International Covenant on Economic, Social and Cultural Rights (ICESCR)

- Cranston, M. 1983,. "Are There Any Human Rights?," *Daedalus* 112(4), pp. 1-17
- Sen, A. (2000) *Development as Freedom*, Intro and Chap 11, pp.3-11, 249-98.
- Shue, H (1980; 1996). 'Security and Subsistence,' *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, pp. 13-34.

## WEEK 7—UN Human Rights Mechanisms

Week 7 introduces the UN human rights mechanisms such as the charter-based mandates of the Human Rights Council or the treaty-based committees to review periodic reports submitted by governments. The Universal Periodic Review is a relatively new mechanism through which all states are reviewed by their peers on their human rights situations regularly, compared to the country-specific special procedures with which only a few concerned countries' human rights situations are focused. The lecture is followed by a model UNHRC.

UN, 'The United Nations Human Rights System: How to Make It Work For You,' at [http://www.un-ngls.org/IMG/pdf/Final\\_logo.pdf](http://www.un-ngls.org/IMG/pdf/Final_logo.pdf)

Clearing House Review Journal of Property Law and Policy. 2011. 'Using Human Rights Mechanisms of the United Nations to Advance Economic Justice at <http://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/Clearinghouse%20Article.pdf>

## WEEK 8—No class

## WEEK 9—Ethnic Minorities and Children: CERD and CRC

Are rights possessed by individuals only? Can a group or community have rights? The United Nations have developed the system of international human rights to protect human rights of vulnerable people over the past few decades. Human rights of ethnic minorities, women and children were already covered by major international law. Migrant workers' convention came in 1990. The Convention of the Rights of Persons with Disabilities was adopted in December 2006. ILO Convention on domestic workers passed in 2011. What next? The following two lectures cover some case studies of these group rights.

All UN human rights treaties can be found here:

<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

International Convention on the Elimination of All Forms of Racial Discrimination (1965)

Farget, Doris. 2012. "Defining Roma Identity in the European Court of Human Rights," *International Journal on Minority & Group Rights* 19(3), pp. 291-316.

Mochmann, Ingwill C.; Lee, Sabine. 2010. "The Human Rights of Children Born of War: Case Analyses of Past and Present Conflicts," *Historical Social Research* 35(3), pp. 268-298.

## WEEK 10—Women and Migrant Workers: CEDAW and MWC

All UN human rights treaties can be found here:

<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

The Convention on the Elimination of All Forms of Discrimination against Women (1979)

Tan, Eugene K. B. 2010. "Managing Female Foreign Domestic Workers in Singapore: Economic Pragmatism, Coercive Legal Regulation, or Human Rights?," *Israel Law Review* 43(1), pp. 99-125.

Lee, June J. H. 2005. "Human Trafficking in East Asia: Current Trends, Data Collection, and Knowledge Gaps," *International Migration* 43(1/2), pp. 165-201.

## WEEK 11—Regional Human Rights Mechanisms

This week's lecture will cover regional human rights mechanisms in Europe, Africa and America, including the Inter-American Commission on Human Rights, the African Commission on Human and People's Rights and the European Court of Human Rights. We will look at some of the case studies brought to the courts.

ESRC-Net: [http://www.esrc-net.org/resources/resources\\_show.htm?doc\\_id=425896](http://www.esrc-net.org/resources/resources_show.htm?doc_id=425896)

Amnesty International, Regional Mechanisms: <http://www.amnesty.org/en/campaigns/protection-mechanisms-state-regional-and-international/regional-mechanisms>

Asia Pacific Forum, Regional Mechanisms: <http://www.asiapacificforum.net/services/international-regional/regional-mechanisms>

Interights: <http://www.interights.org/database-search/index.htm>

*Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers*, Chap 3 The Major Regional Human Rights Instrument and the Mechanisms for their Implementation, pp. 71-111. Also from

<http://www.ohchr.org/Documents/Publications/training9chapter3en.pdf>

Ortuoste, Maria Consuelo C. 2008. "From an Elite- to a People-Centered Regionalism; from an Illiberal Peace to a Human Rights Regime? The Prospect of Human Rights in Southeast Asia," *International Studies Association. Annual Meeting*, pp. 1-52.

VanderZee, Lenore. 2009. "Green Jurisprudence? The Human Right to a Healthy Environment in the European, Inter-American and African Regional Systems," *Midwestern Political Science Association. Annual Meeting*, pp. 1-34.

### **WEEK 12—Human Rights and Foreign Policy**

This week, the lecture will focus on human rights and foreign policy, in particular that of the US, China and Asian countries.

Forsythe, D. P. (1995) 'Human Rights and US Foreign Policy: Two Levels, Two Worlds', in Beetham, D., *Politics and Human Rights* (Oxford: Blackwell Publishers), pp.111-30.

Wachman, A. (2001) 'Does the Diplomacy of Shame Promote Human Rights in China?', *Third World Quarterly* 22 (2), pp.257-81.

### **WEEK 13—New Human Rights and Model UN HRC**

In this final lecture, students will be introduced to the newly being created human rights but yet to be included in international human rights law such as LGBT rights, the rights of the people with HIV/AIDS or the rights of the elderly. We focus on LGBT rights and run a simulation of the United Nations Human Rights Council.

Sabatello, Maya. 2011. "Advancing Transgender Family Rights through Science: A Proposal for an Alternative Framework," *Human Rights Quarterly* 33(1), pp. 43-75.

Human Rights Watch, "Lesbian, Gay, Bisexual, and Transgender Rights," at <http://www.hrw.org/topic/lgbt-rights>

Freedom House, "Southeast Asian LGBT Rights Advocates: "We Want to Live our Lives Without Persecution", " at <http://www.freedomhouse.org/article/southeast-asian-lgbt-rights-advocates-we-want-live-our-lives-without-persecution>