



School of Social Sciences
CITY UNIVERSITY LONDON

DEPARTMENT OF INTERNATIONAL POLITICS

**International Politics & Human Rights MA,
International Politics MA, Global Political Economy
MA and Diplomacy & Foreign Policy MA, 2013-2014**

IPM029 Human Rights and the Transformation of World Politics



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Office Hours: Tuesday 11:00-12:00 and

Wednesday 11:00-12:00

Lectures & Seminars: Friday 10:00-11:50

Introduction

Human Rights and the Transformation of World Politics is a core module for the MA International Politics & Human Rights and an optional module for other MA student, which explores the meaning of human rights for contemporary world politics. You will consider questions such as:

- Where do human rights come from and how have they changed world politics?
- What duties do universal human rights place on political authority?
- Is the notion of “humanity” in human rights actually universal?
- Do human rights create exclusion and serve powerful states?
- How are human rights used in political practice?

The module combines historical, philosophical and practical elements to help you develop a critical understanding of contemporary human rights. You will consider the multiple histories that have lead to human rights being a central political idea in the 21st century, while also examining the different ways human rights are understood philosophically, including question of what we can have a right to and which institutions are responsible for protecting our rights. Finally, you will examine the ways human rights are used in practice, as a type of politics and as a practical ethics.

Aims and Objectives

In the module you will consider how human rights were developed, how they have transformed international politics in myriad ways, and how different understandings of rights inform human rights practices. These contemporary practices will be put in historical perspective and you will be encouraged to critically reflect on the value of human rights as a set of transformative political practices. Finally, the module will help you to make your own judgements and reflect critically on world politics.

Learning Outcomes: Subject knowledge and understanding

On successful completion of this module, a student will be expected to be able to:

- Outline and criticise histories of human rights;
- Outline and criticise theories of human rights;
- Outline and criticise contemporary human rights practices;
- Apply philosophical and historical understanding to political events;
- Develop strong analytical reading skills, improve your written and oral presentation ability and learn to think critically about issues that bring together theoretical reflection and practical knowledge

Teaching Methods

The course is taught through a series of 10 lectures and 10 seminars. Main ideas and controversies will be presented in the lectures and you will have the opportunity to ask questions and develop your thinking in the discussion-based seminars. It is vital that you read deeply and widely for the course in preparation for the seminars, as they will be student led discussions.

You are expected to attend all the lectures and all the seminars. It is also vital that you attend your assigned seminars, as your classmates will be depending on you to contribute to presentations and class discussions.

During the term you will give a short presentation and produce a critical outline on the topic for your assessed essay.

The presentation will be given in class and you will present with a partner, though feedback will be given separately. In the class presentation you will be asked to respond to a set question by applying a theoretical perspective to a real-world event. Schedules for presentation will be worked out in the first seminar.

You will also produce a critical outline in preparation for your assessed essay that will lay out the argument you are making in response to your chosen question. This is not a traditional outline but an outline of the argument you will make, meaning you will have to write it as a series of propositions and conclusions – this outline is intended to stimulate your thinking on the topic of your choice and the actual argument you make in the essay may differ. The outline will be due at the end of the 8th week of the term (**Friday 22nd November**) and feedback will be provided before the end of term.

Assessment

The course will be assessed by one 4000-word essay due at the end of the term.

Deadline for Term 1 Assessed Essay: Monday 13 January 2014

In order to pass the module and acquire the associated credit, you must achieve a module mark of no less than 40%. Compensation is not permitted for failure of this module.

Essay Questions

You will develop your own essay questions with the course convenor and it is ***vital that have your question approved before you write your essay.***

Reflective Learning Week (week 6)

Please note that there will be no IPM029 lectures or tutorials this week. There will be department wide activities for students this week. It also provides you an opportunity to catch-up on coursework and to begin thinking about your assessed essay topic.

Course Literature

Everyone is expected to read for each seminar. Try to read the majority of the Essential Reading each week along with a selection of the Further Reading that you find useful or interesting. Do note that the Essential Reading contains a number of shorter practical readings, please attend to these as well as the longer academic ones. You do not have to read all pieces listed under each topic but you should read widely – some pieces in detail and some just skimmed – until you feel you have a grasp of the subject. Presenters should try to read all of the Essential Reading, and much of the Further Reading. Where a chapter reference for a book is given, it is likely that the rest of the book will also be useful – don't feel you have to stop at the end of the chapter if you're gripped by the argument!

The following General texts will be quite useful and the library and bookshop have been asked to stock them. Students are encouraged to buy one or two and to co-ordinate purchasing so that they have access to a range of them.

General Texts

These texts provide an overview of the material covered on the course and you should consult a selection prior to the start of seminars and in the early weeks. They will also prove useful throughout the term and for exam preparation.

- Gurminder K. Bhambra and Robbie Shilliam, *Silencing Human Rights: Critical Engagements with a Contested Project* (Basingstoke: Palgrave, 2009).
- Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, NY: Cornell University Press, 2013).
- David P. Forsythe, *Human Rights in International Relations* (Cambridge: Cambridge University Press, 2012).
- Michael Freeman, *Human Rights: An Interdisciplinary Approach* (Cambridge: Polity Press, 2011).
- Mark Goodale and Sally Engle Merry (eds), *The Practice of Human Rights: Tracking Law Between the Global and the Local* (Cambridge: Cambridge University Press, 2007).
- Micheline Ishay, *The Human Rights Reader: Major Political Essays, Speeches and Documents from Ancient Times to the Present* (Abingdon: Routledge, 2007).
- Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen* (Philadelphia, PA: Pennsylvania University Press, 2011).
- James Nickel, *Making Sense of Human Rights* (Oxford: Blackwell, 2007).

- Samantha Power and Graham Allison (eds), *Realizing Human Rights: Moving from Inspiration to Impact* (New York, NY: St. Martin's Press, 2000).
- Thomas Risse, Stephen C. Ropp and Kathryn Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999).

Journals

The journal literature is very important for studying human rights, especially *Human Rights Quarterly*, *Journal of Human Rights*, *International Journal of Human Rights*, *Human Rights Review*, along with more general journals that often have relevant content including *Review of International Studies*, *Alternatives*, *Ethics and International Affairs*, *Journal of International Political Theory*, *International Theory*, and *Millennium*, among others. Less oriented towards the international politics of human rights exclusively, *Philosophy and Public Affairs*, *Ethics*, *Political Philosophy*, *Political Theory* and *Contemporary Political Theory* publish cutting-edge work in political theory – much of which is relevant.

Office Hours

I will hold scheduled office hours on Tuesday and Wednesday morning from 11:00-12:00. You are welcome to drop in at these times. If you need to schedule a longer appointment or those times do not work then send me an email and we can arrange a time to meet.

Course Outline

Week 1 4 October 2013	Lecture: “Ain’t I Human?” Tutorial: Course Introduction
Week 2 11 October 2013	Lecture and Tutorial: <i>Histories of Human Rights, Part 1: Realising Humanity</i>
Week 3 18 October 2013	Lecture and Tutorial: <i>Histories of Human Rights, Part 2: Internationalising Rights</i>
Week 4 25 October 2013	Lecture and Tutorial: <i>Histories of Human Rights, Part 3: Contesting Universalism</i>
Week 5 1 November 2013	Lecture and Tutorial: <i>Philosophies of Human Rights, Part 1: Individual Autonomy</i>
Week 6 8 November 2013	Reflective Learning Week NO LECTURES OR TUTORIALS Department-wide Careers Events
Week 7 15 November 2013	Lecture and Tutorial: <i>Philosophies of Human Rights, Part 2: Political Rights</i>
Week 8 22 November 2013	Lecture and Tutorial: <i>Philosophies of Human Rights, Part 3: Democratising Rights</i>
Week 9 29 November 2013	Lecture and Tutorial: <i>Practices of Human Rights, Part 1: Torture and the War on Terror</i>
Week 10 6 December 2013	Lecture and Tutorial: <i>Practices of Human Rights, Part 2: Migration in the EU</i>
Week 11 13 December 2013	Lecture: <i>Practices of Human Rights, Part 3: The Global Movement for Housing and Land</i> Tutorial: Module Review Session

Reading List

Week 1 – “Ain’t I Human?”



Human rights are a contested concept, both as an ethical ideal and as a feature of contemporary international politics. This means that human rights are used in many different ways and that the meaning of human rights depends on who is using the language and institutions of rights. In this session we will look at what rights are and how the appeal to “humanity” alters rights thinking. Once we recognise that human rights are a way of making claims to particular privileges and protections by claiming a political status outside of given rights of citizenship or group membership, we can see that human rights open up a new kind of politics. This introductory session will then lay out how we can understand that new politics by attending to the histories, philosophies and practices of rights, which we will do in the remainder of the course.

Questions

1. What is a right?
2. Who counts as a human and on what grounds?
3. Does the disagreement about the meaning of human rights undermine it as a political project?

Essential Reading

Jack Donnelly, “The Relative Universality of Human Rights,” *Human Rights Quarterly*, Volume 29, Volume 2 (2007): 281-306.

Makau Mutua, “The Complexity of Universalism in Human Rights,” in András Sajó (ed), *Human Rights with Modesty: The Problem of Universalism* (Netherlands: Koninklijke Brill, 2004): 51-64.

V. Spike Peterson, “Whose Rights? A Critique of the ‘Givens’ in Human Rights Discourse,” *Alternatives*, Volume 15, Number 3 (1990): 303-344.

Applied Readings

Closing Statements, *Situation in the Democratic Republic of Congo* (Thomas Lubanga Dyilo) (ICC-01/04-01/06), Trial Chamber I, 25 August 2011. Note Fatou Bensouda's remarks, pages 3-11.
(<http://www.icc-cpi.int/iccdocs/doc/doc1210316.pdf>)

Sojourner Truth, "Ain't I a Woman?" *Women's Convention* (December 1851, Akron, OH). (<http://www.fordham.edu/halsall/mod/sojtruth-woman.asp>) and "Keeping the Thing Going While Things Are Stirring," *Address to the second annual meeting of the American Equal Rights Association* (9 May 1867, New York, NY).
(<http://www.pacifict.com/ron/Sojourner.html>)

The Western Cape Anti-Eviction Campaign, "Fighting Foreclose in South Africa," *The Nation* (20 April 2009). (<http://www.thenation.com/article/fighting-foreclosure-south-africa#axzz2ZnLpA9Dc>)

Lauren Wolfe, "A Syrian Refugee Wedding," *The Nation* (5 June 2013).
(<http://www.thenation.com/article/174686/syrian-refugee-wedding#axzz2a4NPNEIj>)

Further Reading

Upendra Baxi, "Voices of Suffering and the Future of Human Rights," *Transnational Law & Contemporary Problems*, Volume 8, Issue 2 (1998): 125-169.

Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, NY: Cornell University Press, 2013), especial Chapter 1-4.

Tony Evans, "International Human Rights Law as Power/Knowledge," *Human Rights Quarterly*, Volume 27, Issue 3 (2005): 1046-1068.

David P. Forsythe, *Human Rights in International Relations* (Cambridge: Cambridge University Press, 2012).

Michael Freeman, *Human Rights: An Interdisciplinary Approach* (Cambridge: Polity Press, 2011).

Connor Gearty, *Can Human Rights Survive?* (Cambridge: Cambridge University Press, 2006).

Moya Lloyd, "(Women's) human rights: paradoxes and possibilities," *Review of International Studies*, Volume 33, Issue 1 (2007): 91-103.

Makau Mutua, "The Ideology of Human Rights," *Virginia Journal of International Law*, Volume 36, Issue 3 (1995-1996): 589-657.

Onora O'Neill, "The dark side of human rights," *International Affairs*, Volume 81, Number 2 (2005): 427-439.

James Nickel, *Making Sense of Human Rights* (Oxford: Blackwell, 2007).

Thomas Risse, Stephen C. Ropp and Kathryn Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999): Chapter 1.

Neil Stammers, "Social Movements and the Social Construction of Human Rights," *Human Rights Quarterly*, Volume 21, Issue 4 (1999): 980-1008.

Sonia Tascón and Jim Ife, "Human Rights and Critical Whiteness: Whose Humanity?" *The International Journal of Human Rights*, Volume 12, Number 3 (2008): 307-327.

Week 2 – Histories of Human Rights, Part 1: Realising Humanity



Human rights are undoubtedly a form of moral universalism, but in what ways is the rights tradition distinctive? Many scholars have sought to read human rights as part of a Western tradition of rights thinking with deep roots – going back at least until the Enlightenment, if not all the way back to Rome – but this focus on continuity and progress risks conflating distinct forms of political ethics and giving insufficient attention to social transformations. In this session we will consider how human rights grow out of a political and philosophical tradition that mobilises the idea of common humanity to justify revolutionary changes, but which at the same time has often excluded some human beings from the privileged category of “humanity” – particularly enslaved peoples, women and individuals coming from non-European societies.

Questions

1. Are the American or French Revolutions precursors to contemporary human rights? If so, why is the Haitian Revolution not included?
2. What function does declaring the self-evident rights of man serve in revolutionary politics?
3. Why is it appealing to read human rights as a consequence of previous political revolutions?

Essential Readings

Arvonne S. Fraser, “Becoming Human: The Origins and Development of Women’s Human Rights,” *Human Rights Quarterly*, Volume 21, Number 4 (1999): 853-906.

Lynn Hunt, *Inventing Human Rights* (New York, NY: W.W. Norton, 2007), especially chapters 3 & 4.

Franklin W. Knight, “The Haitian Revolution and the Notion of Human Rights,” *The Journal of the Historical Society*, Volume 5, Issue 3 (2005): 391-416.

Anthony Pagden, “Human Rights, Natural Rights, and Europe’s Imperial Legacy,” *Political Theory*, Volume 31, Number 2 (2003): 171-199.

Applied Readings

Olympe De Gouges, "Declaration of the Rights of Women" (1791).
(<http://www.library.csi.cuny.edu/dept/americanstudies/lavender/decwom2.html>)

Olaudah Equiano, *The Interesting Narrative of the Life of Olaudah Equiano, or Gustavus Vassa, The African* (London: Self Published, 1789), especially Chapters 5 & 6. (<http://www.gutenberg.org/files/15399/15399-h/15399-h.htm>)

Howard Zinn, "Untold Truths About the American Revolution," *The Progressive* (July 2009). (<http://progressive.org/zinn070309.html>)

Further Reading

Reza Afshari, "On Historiography of Human Rights: Reflections on Paul Gordon Lauren's *The Evolution of International Human Rights: Visions Seen*," *Human Rights Quarterly*, Volume 29, Issue 1 (2007): 1-67.

Robin Blackburn, *The American Crucible: Slavery, Emancipation and Human Rights* (London: Verso, 2011).

John Charvet and Elisa Kaczynska-Nay, *The Liberal Project and Human Rights: The Theory and Practice of a New World Order* (Cambridge: Cambridge University Press, 2008), especially Chapters 1-3.

Jack Donnelly, "Human rights: a new standard of civilization?" *International Affairs*, Volume 74, Number 1 (1998): 1-23.

Siba N. Grovogui, "To the Orphaned, Dispossessed, and Illegitimate Children: Human Rights Beyond Republican and Liberal Traditions," *Indiana Journal of Global Legal Studies*, Volume 18, Number 1 (2011): 41-63.

Lynn Hunt, "The 18th-Century Body and the Origins of Human Rights," *Diogenes*, Volume 51, Number 3 (2004): 41-56.

Micheline Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (London: University of California Press, 2004), especially Chapter 1-3.

Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen* (Philadelphia, PA: Pennsylvania University Press, 2012), especially Chapters 1 & 2.

Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: Harvard University Press, 2010), especially Chapter 1.

Christian Reus-Smit, "Human rights and the social construction of sovereignty," *Review of International Studies*, Volume 27, Issue 4 (2001): 519-538.

S. Adam Seagrave, "How Old Are Modern Rights?: On the Lockean Roots of Contemporary Human Rights Discourse," *Journal of the History of Ideas*, Volume 72, Number 2 (2011): 305-327.

Neil Stammers, *Human Rights and Social Movements* (London: Pluto Press, 2009), especially Chapters 2 & 3.

Jeffrey N. Wasserstrom, Greg Grandin, Lynn Hunt and Marilyn B. Young, *Human Rights and Revolutions* (Plymouth: Rowman & Littlefield Publishers, 2007).

Howard Zinn, *A People's History of the United States: 1492-Present* (New York, NY: Harper Collins, 2003): Chapter 5.
(<http://www.historyisaweapon.com/defcon1/zinnkin5.html>)

Week 3 – Histories of Human Rights, Part 2: Internationalising Rights



International human rights do not emerge until the middle of the 20th century, particularly around the Second World War. It is in this historical context that notions of natural and inalienable rights are explicitly expanded to the international level, heralding a transformation of international politics from a state centric focus to one that considers the rights of individuals and the self-determination of peoples as paramount. This transformation, however, is both ambiguous and contested, with some seeing the human rights as leading to more international forms of authority, while other took it to emphasise the independence of sovereign peoples. Further, the Cold War impacted the development of human rights greatly as did the sudden hegemony of the US after the end of the Cold War. In this session we will trace the complex history of the internationalisation of human rights and consider their impact on international politics in the 20th century.

Questions

1. How was the development of a distinctive notion of international human rights related to the Second World War?
2. What was the relationship between human rights ideas and decolonisation?
3. How has the emergence of international human rights institutions and activism since the 1970s altered world politics?

Essential Readings

Zehra F. Kabaskal Arat, "Forging A Global Culture of Human Rights: Origins and Prospects of the International Bill of Rights," *Human Rights Quarterly*, Volume 28, Number 2 (2006): 416-437.

Mary Ann Glendon, "Knowing the Universal Declaration of Human Rights," *Notre Dame Law Review*, Volume 73, Issue 5 (1997-1998): 1153-1190.

Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2011), Chapter 2. (Chapter 3-5 are also relevant)

Susan Waltz, "Reclaiming and rebuilding the history of the Universal Declaration of Human Rights," *Third World Quarterly*, Volume 23, Number 3 (2002): 437-448.

Applied Readings

Madeleine Albright, "Address: Madeleine Albright on Human Rights/Holocaust," *Symposium on Human Rights and the Lessons of the Holocaust* (U.S. State Department 95/10/17, 17 October 1995).
(http://dosfan.lib.uic.edu/ERC/democracy/releases_statements/951017.html)

Charles Malik, "What are Human Rights?" *The Rotarian* (August 1948).
(<http://www.udhr.org/history/whatare.htm>)

Jawaharlal Nehru, "Speech to U.S. Senate," (13 October 1949).
(http://yuvasena.com/nehru_congress_oct_13_1949.html)

Further Readings

José A. Lindgren Alves, "The Declaration of Human Rights in Postmodernity," *Human Rights Quarterly*, Volume 22, Number 2 (2000): 478-500.

Jan Herman Burgers, "The Road to San Francisco: The Revival of the Human Rights Idea in the Twentieth Century," *Human Rights Quarterly*, Volume 14, Number 4 (1992): 447-477.

Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, PA: University of Pennsylvania Press, 2010).

David Chandler, "The Road to Military Humanitarianism: How the Human Rights NGOs Shaped a New Humanitarian Agenda," *Human Rights Quarterly*, Volume 23, Number 3 (2001): 678-700.

John Charvet and Elisa Kaczynska-Nay, *The Liberal Project and Human Rights: The Theory and Practice of a New World Order* (Cambridge: Cambridge University Press, 2008), especially Part II.

Kenneth Cmiel, "The Recent History of Human Rights," *American Historical Review*, Volume 109, Issue 1 (2004): 117-135.

Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York, NY: Random House, 2001).

Joe Hoover, "Rereading the Universal Declaration of Human Rights: Plurality and Contestation, Not Consensus," *Journal of Human Rights*, Volume 12, Number 2 (2013): 217-241.

William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine* (Basingstoke: Routledge, 1998).

Paul Gordon Lauren, “‘To Preserve and Build on its Achievements and to Redress its Shortcomings’: The Journey from the Commission on Human Rights to the Human Rights Council,” *Human Rights Quarterly*, Volume 29, Number 2 (2007): 307-345.

Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen* (Philadelphia, PA: University of Pennsylvania Press, 2011), especially Chapters 3-8.

Glenn Tatsuya Mitoma, “Civil Society and International Human Rights: The Commission to Study the Organization of Peace and the Origins of the UN Human Rights Regime,” *Human Rights Quarterly*, Volume 30, Number 3 (2008): 607-630.

Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting, and Intent* (Philadelphia, PA: University of Pennsylvania Press, 1999).

Makau Mutua, “Standard Setting in Human Rights: Critique and Prognosis,” *Human Rights Quarterly*, Volume 29, Number 3 (2007): 547-630.

Fiona Robinson, “Human rights and the global politics of resistance: feminist perspectives,” *Review of International Studies*, Volume 29, Supplement (2003): 161-180.

Daniel J. Whelan and Jack Donnelly, “The West, Economic and Social Rights, and the Global Human Rights Regime: Setting the Record Straight,” *Human Rights Quarterly*, Volume 29, Number 4 (2007): 908-949.

Week 4 – Histories of Human Rights, Part 3: Contesting Universalism



Human rights have become increasingly prominent in world politics through the actions of states, international organisations and political activism, to the extent that they have become a dominant mode of politics – defined by institutions, a rights discourse and political practices. The increasing prominence of rights, however, has not brought about political homogenisation, rather the meaning of rights, conceptually and practically, is being contested. In this session we will look at the development of women’s rights, the issue of different rights cultures, and the use of rights to contest given political and economic structures.

Questions

1. Are human rights women’s rights?
2. Can human rights accommodate the claims of “culture”?
3. How do human rights cultivate powerlessness despite the presumption that they guarantee freedom?

Essential Readings

Upendra Baxi, “Too Many, Or Too Few, Human Rights?” *Human Rights Law Review*, Volume 1, Number 1 (2001): 1-9.

Catharine A. MacKinnon, “Crimes of War, Crimes of Peace,” *UCLA Women’s Law Journal*, Volume 4, Issue 1 (1993): 59-86.

Makau Mutua, “Savages, Victims, and Saviors: The Metaphor of Human Rights,” *Harvard International Law Journal*, Volume 42, Number (2001): 201-245.

Paul O’Connell, “On Reconciling Irreconcilables: Neo-liberal Globalisation and Human Rights,” *Human Rights Law Review*, Volume 7, Issue 3 (2007): 483-509.

Applied Readings

La Via Campesina, *Declaration of Rights of Peasants – Women and Men*.
(<http://viacampesina.net/downloads/PDF/EN-3.pdf>)

Malala Yousafzai, “Speech to the UN General Assembly,” (12 July 2013).
(<http://www.guardian.co.uk/commentisfree/2013/jul/12/malala-yousafzai-united-nations-education-speech-text>)

Fareed Zakaria, “Culture is Destiny: A Conversation with Lee Kuan Yew,” *Foreign Affairs*, Volume 73, Number 2 (March/April 1994): 109-126.

Further Readings

Clifford Bob, “‘Dalit Rights are Human Rights’: Caste Discrimination, International Activism, and the Construction of a New Human Rights Issue,” *Human Rights Quarterly*, Volume 29, Number 1 (2007): 167-193.

Silvie Bovarnick, “Universal human rights and non-Western normative systems: a comparative analysis of violence against women in Mexico and Pakistan,” *Review of International Studies*, Volume 33, Issue 1 (2007): 59-74.

Victoria Canning, “Who’s human? Developing sociological understandings of the rights of women raped in conflict,” *International Journal of Human Rights*, Volume 14, Number 6 (2010): 849-864.

Anthony Tirado Chase, “Legitimizing Human Rights: Beyond Mythical Foundations and Into Everyday Resonances,” *Journal of Human Rights*, Volume 11, Issue 4 (2012): 505-525.

Ulf Johansson Dahre, “There are no such things as universal human rights – on the predicament of indigenous peoples, for example,” *International Journal of Human Rights*, Volume 14, Number 5 (2010): 641-657.

Harri Englund, *Prisoners of Freedom: Human Rights and the African Poor* (Berkeley and Los Angeles, CA: University of California Press, 2006).

Michael Freeman, “Human rights, democracy and ‘Asian Values’,” *The Pacific Review*, Volume 9, Number 3 (1996): 352-366.

Mark Goodale and Sally Engle Merry, *The Practice of Human Rights: Tracking Law Between the Global and the Local* (Cambridge: Cambridge University Press, 2007), especially “Introduction”.

Joe Hoover, “Human Rights Contested,” *Journal of Intervention and Statebuilding*, Volume 6, Number 2 (2012): 233-246.

Jim Ife, *Human Rights from Below: Achieving Rights Through Community Development* (Cambridge: Cambridge University Press, 2009).

Ariadna Estévez López, "Taking the human rights of migrants seriously: towards a decolonised global justice," *International Journal of Human Rights*, Volume 14, Number 5 (2010): 658-677.

Makau Mutua, *Human Rights: A Political and Cultural Critique* (Philadelphia, PA: University of Pennsylvania Press, 2002).

Ignacio Saiz, "Rights in Recession? Challenges for Economic and Social Rights Enforcement in Times of Crisis," *Journal of Human Rights Practice*, Volume 1, Number 2 (2009): 277-293.

Gurchathen S. Sanghera, "The 'Politics' of Children's Rights and Child Labour in India: A Social Constructionist Perspectives," *International Journal of Human Rights*, Volume 12, Number 2 (2008): 215-232.

Neil Stammers, *Human Rights and Social Movements* (London: Pluto, 2009), especially Chapters 5-7.

Susan Waltz, "Universal Human Rights: The Contribution of Muslim States," *Human Rights Quarterly*, Volume 26, Number 4 (2004): 799-844.

Jeffrey N. Wasserstrom, Greg Grandin, Lynn Hunt and Marilyn B. Young, *Human Rights and Revolutions* (Plymouth: Rowman & Littlefield Publishers, 2007), especially parts III and IV.

Randall Williams, *The Divided World: Human Rights and Its Violence* (Minneapolis, MN: University of Minnesota Press, 2010), Chapter 1.

Alexandra Xanthaki, "Multiculturalism and International Law Discussion Universal Standards," *Human Rights Quarterly*, Volume 32, Number 1 (2010): 21-48.

Week 5 – Philosophies of Human Rights, Part I: Individual Autonomy



At their most basic level rights make a kind of claim, to a privilege or a social good, which has historically been made by individuals. Conventional human rights justifications are made in terms of individual freedom. However, the kinds of rights individuals should have, the specifics of why those rights should be respected and whom the individual's rights are claimed are all open to contestation. In this session we will consider accounts of human rights that are justified as protections of individual autonomy, of the individual's capacity to think and act for themselves. We will look at the different ways in which rights of individual autonomy are understood and to some classic critiques of such rights.

Questions

1. How does the individual's ability to act for themselves justify human rights that limits what institutions and communities can do to the individual?
2. What human rights does our autonomy entitle us to?
3. Against whom do we claim human rights - other individuals, states or the international community?

Essential Readings

Alan Gewirth, "The Epistemology of Human Rights," *Social Philosophy & Policy*, Volume 1, Issue 2 (1984): 1-24.

James Griffin, "Discrepancies Between the Best Philosophical Account of Human Rights and the International Law of Human Rights," *Proceeding of the Aristotelian Society*, Volume 101 (2001): 1-28.

Jürgen Habermas, "Human Rights and Popular Sovereignty: The Liberal and Republican Versions," *Ratio Juris*, Volume 7, Number 1 (1994): 1-13.

Karl Marx, "On the Jewish Question," *Deutsch-Französische Jahrbücher* (1844).
(http://www2.warwick.ac.uk/fac/soc/sociology/staff/emeritus/robertfine/home/teachingmaterial/humanrights/pdfreadings/on_the_jewish_question_by_karl_marx.pdf)

Applied Readings

Aryeh Neier, "Misunderstanding our mission," *Open Democracy* (23 July 2013). (<http://www.opendemocracy.net/openglobalrights/aryeh-neier/misunderstanding-our-mission>)

Eleanor Roosevelt, "The Struggle for Human Rights," 28 September 1948). (<http://www.gwu.edu/~erpapers/documents/speeches/doc026617.cfm>)

UN General Assembly, "International Covenant on Civil and Political Rights," (16 December 1966). (<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>).

Further Readings

Chris Brown, "Universal human rights: a critique," *International Journal of Human Rights*, Volume 1, Number 2 (1997): 41-65.

Allen Buchanan, "The Egalitarianism of Human Rights," *Ethics*, Volume 120, Number 4 (2010): 679-710.

Marie-Bénédicte Dembour, "What Are Human Rights? Four Schools of Thought," *Human Rights Quarterly*, Volume 32, Number 1 (2010): 1-20.

Jack Donnelly, "Human Rights as Natural Rights," *Human Rights Quarterly*, Volume 4, Number 3 (1982): 391-405.

Amitai Etzioni, "The Normativity of Human Rights is Self-Evident," *Human Rights Quarterly*, Volume 32, Number 1 (2010): 187-197.

Michael Freeman, "The Philosophical Foundations of Human Rights," *Human Rights Quarterly*, Volume 16, Number 3 (1994): 491-514.

Alan Gewirth, *The Community of Rights* (Chicago, IL: University of Chicago Press, 1998).

James Griffin, *On Human Rights* (Oxford: Oxford University Press, 2008).

Charles Jones, "Human rights and moral cosmopolitanism," *Critical Review of International Social and Political Philosophy*, Volume 13, Number 1 (2010): 115-135.

Anthony J. Langlois, "The Narrative Metaphysics of Human Rights," *International Journal of Human Rights*, Volume 9, Number 3 (2005): 369-387.

Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame, IN: Notre Dame University Press, 2007), Chapter 5 & 6.

Johannes Morsink, "The Philosophy of the Universal Declaration," *Human Rights Quarterly*, Volume 6, Number 3 (1984): 309-334.

David A. J. Richards, "Rights and Autonomy," *Ethics*, Ethics 92, Number 1 (1981): 3-20.

Amartya Sen, "Elements of a Theory of Human Rights," *Philosophy & Public Affairs*, Volume 32, Number 4 (2004): 315-356.

John Tasioulas, "Human Rights, Universality and the Values of Personhood: Retracing Griffin's Steps," *European Journal of Philosophy*, Volume 10, Issue 1 (2002): 79-100.

Laura Valentini, "Human Rights, Freedom, and Political Authority," *Political Theory*, Volume 40, Number 5 (2012): 573-601.

Leif Wenar, "The Nature of Rights," *Philosophy & Public Affairs*, Volume 33, Number 3 (2005): 223-252

Week 6 – Reading Week



Events during reading week to be announced.

Week 7 – Philosophies of Human Rights, Part 2: Political Rights



Given the difficulty of justifying rights as universal moral claims, in terms of autonomy or need or any other value, there has been a turn to justify human rights in “political” terms. Human rights then are justified as the rights that are necessary to have a legitimate political order, the rights necessary to have politics rather than brute force and violence. This method of justification is seen to be more acceptable because it does not depend upon religious or metaphysical claims about morality, but rather practical claims about political life. This move, however, does not eliminate controversy as scholars debate how extensive or limited these rights should be, and critics criticise the conception of legitimate politics such accounts endorse.

Questions

1. What is the difference between a political justification and a moral justification?
2. Are there certain rights that are necessary to any legitimate political order?
3. Should human rights justify external interference in political communities?

Essential Readings

Hannah Arendt, *The Origins of Totalitarianism* (New York, NY and London: Harvest Books, 1976), Chapter 9 “The Decline of the Nation-State and the End of the Rights of Man”.

Wendy Brown “‘The Most We Can Hope For...’: Human Rights and the Politics of Fatalism,” *The South Atlantic Quarterly*, Volume 103, Number 2/3 (2004): 451-463.

Michael Ignatieff, *Human Rights as Politics and Idolatry*, edited Amy Gutmann (Princeton, NJ: Princeton University Press, 2001), Chapter 1 “Human Rights as Politics”.

Richard Rorty, *Truth and Progress: Philosophical Papers* (Cambridge: Cambridge University Press, 1998), Chapter 9 “Human Rights, Rationality, and Sentimentality”.

Applied Readings

Paul Heinbecker, "Syria: The G8 should call for intervention, now," *The Globe and Mail* (17 June 2013). (<http://www.theglobeandmail.com/commentary/syria-the-case-for-intervention-now/article12595502/>)

Deepa Shankaran, "The right to have rights: resisting fundamentalist orders," *Open Democracy* (10 May 2010). (<http://www.opendemocracy.net/5050/deepa-shankaran/right-to-have-rights-resisting-fundamentalist-orders>)

UN General Assembly, "Vienna Declaration and Programme of Action," *World Conference on Human Rights* (14-25 June 1993). ([http://www.unhchr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en))

Further Readings

Giorgio Agamben, *Means Without Ends: Notes on Politics* (Minneapolis, MN: University of Minnesota Press, 2000), Chapter 2 "Beyond Human Rights".

Kenneth Baynes, "Rights as Critique and the Critique of Rights: Karl Marx, Wendy Brown, and the Social Function of Rights," *Political Theory*, Volume 28, Number 4 (2000): 451-468.

Kenneth Baynes, "Toward a political conception of human rights," *Philosophy & Social Criticism*, Volume 35, Number 4 (2009): 371-390.

Charles Beitz, "What Human Rights Mean," *Daedalus*, Volume 132, Number 1 (2003): 36-46.

Charles Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press, 2009).

Seyla Benhabib, "Another Universalism: On the Unity and Diversity of Human Rights," *Proceedings and Addresses of the American Philosophical Association*, Volume 81, Number 2 (2007): 7-32.

Seyla Benhabib, *Dignity in Adversity: Human Rights in Troubled Times* (Cambridge: Polity Press, 2011).

Joshua Cohen, "Minimalism About Human Rights: The Most We Can Hope For?" *The Journal of Political Philosophy*, Volume 12, Number 2 (2004): 190-213.

Costas Douzinas, "The End(s) of Human Rights," *Melbourne University Law Review*, Volume 26, Number 3 (2002): 445-465.

Leonard D. G. Ferry, "Floors Without Foundations: Ignatieff and Rorty on Human Rights," *Logos*, Volume 10, Number 1 (2007): 80-105.

Pablo Gilabert, "Humanist and Political Perspective on Human Rights," *Political Theory*, Volume 39, Number 4 (2011): 439-467.

Ayten Gündoğdu, “‘Perplexities of the rights of man’: Arendt on the aporias of human rights,” *European Journal of Political Theory*, Volume 11, Number 1 (2011): 4-24.

Ayten Gündoğdu, “Potentialities of human rights: Agamben and the narrative of fated necessity,” *Contemporary Political Theory*, Volume 11, Number 1 (2012): 2-22.

Anthony J. Langlois, “The Elusive Ontology of Human Rights,” *Global Society*, Volume 18, Number 3 (2004): 243-261.

Louiza Odysseos, “Human Rights, Liberal Ontogenesis and Freedom: Producing a Subject for Neoliberalism?” *Millennium: Journal of International Studies*, Volume 38, Number 3 (2010): 747-772.

John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 2001).

Slavoj Žižek, “Against Human Rights,” *New Left Review*, Volume 34 (July-Aug 2005): 115-131.

Week 8 – Philosophies of Human Rights, Part 3: Democratising Rights



In the previous two sessions we have looked at how human rights are justified philosophically, in each case the logic of justification tends to look to human rights as principles that constrain politics, limiting what states, groups and individuals can do, and protecting privileges that should be assigned to everyone. Another view of rights sees them as a way of challenging political authority, as tools of democratic activism. This view of human rights alters conventional debates between universalism and relativism, and between minimalist and maximalist accounts, focusing instead on the way rights are used to criticise existing political authority and create new political constellations.

Questions

1. How can human rights claims challenge existing authority?
2. Does conceiving of rights claims as political tools undermine their status as ethical principles?
3. Does justifying human rights claims as a kind of democratic politics address the concerns over their ethnocentrism?

Essential Readings

Brooke A. Ackerly, “Women’s Human Rights Activists as Cross-Cultural Theorists,” *International Feminist Journal of Politics*, Volume 3, Number 3 (2001): 311-346.

Upendra Baxi, “Voices of Suffering and the Future of Human Rights,” *Transnational Law & Contemporary Problems*, Volume 8, Issue 2 (1998): 125-169.

Joe Hoover, “Towards a politics for human rights: Ambiguous humanity and democratizing rights,” *Philosophy & Social Criticism* (Online first, 2013).

Rajat Rana, "Symphony of Decolonisation: Third World and Human Rights Discourse," *International Journal of Human Rights*, Volume 11, Number 4 (2007): 367-379.

Applied Readings

William Finnegan, "Leasing the Rain," *The New Yorker* (8 April 2002). (http://www.newyorker.com/archive/2002/04/08/020408fa_FACT1)

United Nations, "Report of the Fourth World Conference on Women," *Fourth World Conference Women: Action for Equality, Development and Peace* (Beijing, 4-15 September 1995).

(<http://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20E.pdf>)

Hadas Ziv, "'Human Rights' must join activists in social struggle," *Open Democracy* (11 July 2013). (<http://www.opendemocracy.net/openglobalrights/hadas-ziv/'human-rights'-must-join-activists-in-social-struggle>)

Further Readings

Brooke Ackerly, *Universal Human Rights in a World of Difference* (Cambridge: Cambridge University Press, 2008), especially Chapter 7.

Upendra Baxi, *The Future of Human Rights* (Oxford: Oxford University Press, 2008).

Anthony Burke, "Humanity After Biopolitics: on the global politics of human being," *Angelaki: Journal of Theoretical Humanities*, Volume 16, Issue 4 (2011): 101-114.

Jeffrey Flynn, "Human Rights, Transnational Solidarity, and Duties to the Global Poor," *Constellations*, Volume 16, Number 1 (2009): 59-77.

Mark Goodale, *Surrendering to Utopia: An Anthropology of Human Rights* (Stanford, CA: Stanford University Press, 2009).

Ernst Van Den Hemel, "Included But Not Belonging: Badiou and Rancière on Human Rights," *Krisis: Journal for Contemporary Philosophy*, Issue 3 (2008): 16-30.

Fuyuki Kurasawa, *The Work of Global Justice: Human Rights as Practices* (Cambridge: Cambridge University Press, 2007).

Cristina Lafont, "Accountability and global governance: challenging the state-centric conception of human rights," *Ethics & Global Politics*, Volume 3, Number 3 (2010): 193-215.

Sally Engle Merry, "Transnational Human Rights and Local Activism: Mapping the Middle," *American Anthropologist*, Volume 108, Issue 1 (2006): 38-51.

Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (Chicago, IL: University of Chicago Press, 2007).

Thaddeus Metz, "Human Dignity, Capital Punishment, and an African Moral Theory: Toward a New Philosophy of Human Rights," *Journal of Human Rights*, Volume 9, Number 1 (2010): 81-99.

Kate Schick, "Beyond Rules: A Critique of the Liberal Human Rights Regime," *International Relations*, Volume 20, Number 3 (2006): 321-327.

Kelly Staples, "Statelessness, sentimentality and human rights: a critique of Rorty's liberal human rights culture," *Philosophy & Social Criticism*, Volume 37, Number 9 (2011): 1011-1024.

Jill Steans, "Debating women's human rights as a universal feminist project: defending women's rights as a political tool," *Review of International Studies*, Volume 33, Issue 1 (2007): 11-27.

Randall Williams, *The Divided World: Human Rights and Its Violence* (Minneapolis, MN: University of Minnesota Press, 2010), Chapter 5.

Week 9 – Practices of Human Rights, Part 1: Torture and the War on Terror



Torture has traditionally been seen as an act that was clearly prohibited by human rights. From the earliest rights revolutions, there was a clear move to protect the individual body from the power of the state. Later human rights activism often coalesced around issue of torture and illegitimate imprisonment. It was in light of the history of prohibition that re-emergence of a debate about torture after 9/11 was so surprising and challenging to the sense that human rights had played a key role in delegitimising the practices. In this session we examine how the use of torture and indefinite imprisonment re-emerged as a practices being used by states traditionally seen as human rights supporters. We will also look at how human rights were used in the response to torture after 9/11.

Questions

1. Why has torture been seen as an obvious and widely agreed upon violation of human rights?
2. How were practices of torture and indefinite imprisonment justified after 9/11? Do you disagree with these justifications?
3. Does US policy after 9/11 show the weakness of human rights in constraining powerful states?

Essential Readings

Vittorio Bufacci and Jean Maria Arrigo, "Torture, Terrorism and the State: a Refutation of the Ticking-Bomb Argument," *Journal of Applied Philosophy*, Volume 23, Issue 3 (2006): 355-373.

Connor Gearty, *Can Human Rights Survive?* (Cambridge: Cambridge University Press, 2006), Chapter 4 "The crisis of national security".

David Luban, "Liberalism, Torture, and the Ticking Bomb," *Intervention, Terrorism, and Torture*, Volume 1 (2007): 249-262.

Leila Nadya Sadat, "Extraordinary Rendition, Torture, and Other Nightmares form the War on Terror," *George Washington Law Review*, Volume 75, Issue 5/6 (2006-2007): 1200-1248.

Applied Readings

Andrew Cohen, "The Torture Memos, 10 Years Late," *The Atlantic* (6 February 2012). (<http://www.theatlantic.com/national/archive/2012/02/the-torture-memos-10-years-later/252439/>)

Christopher Hitchens, "Believe Me, It's Torture," *Vanity Fair* (August 2008). (<http://www.vanityfair.com/politics/features/2008/08/hitchens200808>)

Ewen MacAskill, "Bush officials defend physical abuse described in memos released by Obama," *Guardian* (17 April 2009). (<http://www.theguardian.com/world/2009/apr/17/bush-torture-memos-obama-mukasey>).

Further Readings

Uppendra Baxi, *Human Rights in a Posthuman World: Critical Essays* (Oxford: Oxford University Press, 2009), Chapter 5 "Human Rights in Times of Terror".

Alex J. Bellamy, "No pain, no gain? Torture and ethics in the war on terror," *International Affairs*, Volume 82, Issue 1 (2006): 121-148.

Margaret Denike, "The Human Rights of Others: Sovereignty, Legitimacy, and 'Just Causes' for the 'War on Terror,'" *Hypatia*, Volume 23, Issue 2 (2008): 95-121.

Joan Fitzpatrick, "Specaking Law to Power: The War Against Terrorism and Human Rights," *European Journal of International Law*, Volume 14, Number (2003): 241-264.

Conor Gearty, "11 September 2001, Counter-terrorism, and the Human Rights Act," *Journal of Law and Society*, Volume 32, Issue 1 (2005): 18-33.

Avery F. Gordon, "Abu Ghraib: imprisonment and the war on terror," *Race & Class*, Volume 48, Number 1 (2006): 42-59.

Paul Hoffman, "Human Rights and Terrorism," *Human Rights Quarterly*, Volume 26, Number 4 (2004): 932-955.

David Luban, "The War on Terrorism and the End of Human Rights," *Philosophy & Public Policy Quarterly*, Volume 22, Number 3 (2002): 9-14.

Jamie Mayerfeld, "Playing by Our Own Rules: How U.S. Marginalization of International Human Rights Law Led to Torture," *Harvard Human Rights Journal*, Volume 20 (2007): 89-140.

James A. Piazza and James Igoe Walsh, "Transnational Terror and Human Rights," *International Studies Quarterly*, Volume 53, Issue 1 (2009): 125-148.

Kenneth Roth, "Washington's Abuse of 'Enemy Combatants'" *Foreign Affairs*, Volume 83, Number 1 (2004): 2-7.

Martin Scheinin, "Resisting panic: lessons about the role of human rights during the long decade after 9/11," in Conor Gearty and Costas Douzinas (eds), *The Cambridge Companion to Human Rights Law* (Cambridge: Cambridge University Press, 2012).

Johan Steyn, "Guantanamo Bay: The Legal Black Hole," *International and Comparative Law Quarterly*, Volume 53, Issue 1 (2004): 1-15.

Colin Warbrick, "The European Response to Terrorism in an Age of Human Rights," *European Journal of International Law*, Volume 15, Number 5 (2004): 989-1018.

David Weissbrodt and Amy Bergquist, "Extraordinary Rendition: A Human Rights Analysis," *Harvard Human Rights Journal*, Volume 19 (2006): 123-160.

Week 10 – Practices of Human Rights, Part 2: Migration in the EU



Many supporters of the EU have claimed it as institution that promotes human rights and diversity. Recent events, however, have highlighted the exclusions within the EU, especially of irregular migrants coming to EU countries for opportunity and safety, as well as for the sons and daughters of earlier migrants facing social exclusion and disenfranchisement. In this session we look at the rights of migrants in the EU and the difficulty of protecting their human rights when it seems their status as “outsiders” imperils their rights.

Questions

1. In what cases should human rights protect migrants seeking to move to the EU?
2. How does the current EU rights regime threaten the rights of migrants?
3. Do the difficulties faced by migrants undermine the hope of developing post-national forms of political community?

Essential Readings

Claudia Aradau and Jef Huysmans, “Mobilising (global) democracy: A political reading of mobility between universal rights and the mob,” *Millennium: Journal of International Studies*, Volume 37, Number 3 (2009): 583-604.

Liz Fekete, “The deportation machine: Europe, asylum and human rights,” *Race & Class*, Volume 47, Number 1 (2005): 54-78.

Ratna Kapur, “Travel Plans: Border Crossings and the Rights of Transnational Migrants,” *Harvard Human Rights Journal*, Volume 18 (2005): 107-138.

Kate Nash, “Between Citizenship and Human Rights,” *Sociology*, Volume 43, Number 6 (2009): 1067-1083.

Applied Readings

Nayan Chanda, "In Europe, dark days for immigrants," *Times of India* (12 May 2012). (http://articles.timesofindia.indiatimes.com/2012-05-12/edit-page/31670095_1_immigrants-greece-parties)

Helena Smith, "Golden Dawn: 'Greece belongs to Greeks. Long live victory!'" *The Observer* (1 June 2013). (<http://www.theguardian.com/world/2013/jun/01/greece-golden-dawn-violence-eu-crisis>)

Andrew Sparrow, "'Go home' campaign against illegal immigrants could go nationwide," *Guardian* (29 July 2013). (<http://www.theguardian.com/uk-news/2013/jul/29/go-home-campaign-illegal-immigrants>)

Further Readings

Ariane Chebel d'Appollonia and Simon Reich (eds), *Immigration, Integration, and Security: America and Europe in Comparative Perspective* (Pittsburgh, PA: University of Pittsburgh Press, 2008).

Jacqueline Bhabha, "Internationalist Gatekeepers?: The Tension Between Asylum Advocacy and Human Rights," *Harvard Human Rights Journal*, Volume 15 (2002): 155-181.

Anne Gallagher, "Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis," *Human Rights Quarterly*, Volume 23, Number 4 (2001): 975-1004.

Andrew Geddes, "Lobbying for migrant inclusion in the European Union: new opportunities for transnational advocacy?" *Journal of European Public Policy*, Volume 7, Issue (2000): 632-649.

Ann D. Jordon, "Human rights or wrongs? The struggle for a rights-based response to trafficking in human beings," *Gender & Development*, Volume 10, Issue 1 (2002): 28-37.

Lauren M. McLaren, "Anti-Immigrant Prejudice in Europe: Contact, Threat Perception, and Preferences for the Exclusion of Migrants," *Social Forces*, Volume 81, Issue 3 (2003): 909-936.

Aihwa Ong, "Mutations in Citizenship," *Theory, Culture & Society*, Volume 23, Number 2-3 (2006): 499-505.

Owen Parker and James Brassett, "Contingent Borders, Ambiguous Ethics: Migrants in (International) Political Theory," *International Studies Quarterly*, Volume 49, Number 2 (2005): 233-253.

Antoine Pécoud and Paul de Guchteneire, "International migration, border controls and human rights: Assessing the relevance of a right to mobility," *Journal of Borderland Studies*, Volume 21, Issue 1 (2006): 69-86.

Liza Schuster and John Solomos, "Rights and Wrongs across European Borders: Migrants, Minorities and Citizenship," *Citizenship Studies*, Volume 6, Issue 1 (2002): 37-54.

Yaesmin Nuhoglu Soysal, "Citizenship and identity: living in diasporas in post-war Europe?" *Ethnic and Racial Studies*, Volume 23, Issue 1 (2000): 1-15.

Patrick A. Taran, "Human Rights of Migrants: Challenges of the New Decade," *International Migration*, Volume 38, Issue 6 (2001): 7-51.

Week 11 – Practices of Human Rights, Part 3: The Global Movement for Housing and Land



The financial crisis that started in 2007/2008 – and which continues in various forms even now – has led to a renewed focus on inequality and poverty. One of the most pressing areas of need is in housing, both in the global north and the global south, but it seems conventional human rights institutions are of limited use. In this session we will look at a set of linked movement to claim a human right to land and housing, operating in Brazil, South Africa and the United States of America. In all three countries rights activists are claiming the right to housing/land through direct action, justifying their actions both in terms of existing international standards and by appeal to a moral necessity of a right to housing/land for all human beings.

Questions

1. Is there a human right to housing or land? Either in legal or ethical terms?
2. Should activists use direct action that violates the law to claim human rights?
3. Does a human right to housing and land require the transformation of the economic order at a fundamental level?

Essential Readings

Maria Foscarinis, "Advocating for the Human Right to Housing: Notes from the United States," *New York University Review of Law and Social Change*, Volume 30, Issue 3 (2005-2006): 447-481.

Abul Hasnat Monjurul Kabir, "Development and Human Rights: Litigating the Right to Adequate Housing," *Asia-Pacific Journal on Human Rights and the Law*, Volume 3, Issue 1 (2002): 97-119.

George Meszaros, "Taking the Land into their Hands: The Landless Workers' Movement and the Brazilian State," *Journal of Law and Society*, Volume 27, Issue 4 (2000): 517-541.

Faranak Miraftab, "Insurgency and Spaces of Active Citizenship: The Story of Western Cape Anti-eviction Campaign in South Africa," *Journal of Planning Education and Research*, Volume 25, Number 2 (2005): 200-217.

Applied Readings

Ben Austen, "The Death and Life of Chicago," *New York Times Magazine* (29 May 2013). (http://www.nytimes.com/2013/06/02/magazine/how-chicagos-housing-crisis-ignited-a-new-form-of-activism.html?pagewanted=all&_r=0)

Nic Paget-Clarke, "Interview with Geraldo Fontes of the MST: The Landless Rural Workers' Movement," *In Motion Magazine* (2 September 2004). (http://www.inmotionmagazine.com/global/gf_mst_int.html)

S'bu Zikode, "Land is a Political Question," *Presentation to the Development Action Group National Conference – Re-Imagining the City: A New Urban Order* (11 October 2010). (<http://www.abahlali.org/node/7365>)

Further Readings

Amanda Alexander, "Rights Beyond the Urban-Rural Divide: South Africa's Landless People's Movement and the Creation of a Landless Subjectivity," in Gurminder K. Bhambra and Robbie Shilliam (eds), *Silencing Human Rights: Critical Engagements with a Contested Project* (Basingstoke: Palgrave, 2008).

Jordan T. Camp and Christina Heatherton, *Freedom Now! Struggles for the Human Right to Housing in L.A. and Beyond* (Los Angeles, CA: Freedom Now Books, 2012).

Lilian Chenwi, "Putting Flesh on the Skeleton: South African Judicial Enforcement of the Right to Adequate Housing of Those Subject to Evictions," *Human Rights Law Review*, Volume 8, Issue 1 (2008): 105-137.

Maria Foscarnis, "The Growth of a Movement for a Human Right to Housing in the United States," *Harvard Human Rights Journal*, Volume 20 (2007): 35-40.

Laura Gottesdiener, *A Dream Foreclosed: Black America and the Fight for a Place to Call Home* (Westfield, NJ: Zuccotti Park Press, 2013).

John L. Hammond, "Law and Disorder: The Brazilian Landless Farmworkers' Movement," *Bulletin of Latin American Research*, Volume 18, Issue 4 (1999): 469-489.

David Harvey, "The Right to the City," *New Left Review*, Volume 53 (Sept-Oct 2008): 23-40.

Christina Heatherton, *Downtown Blues: A Skid Row Reader* (Los Angeles, CA: Freedom Now Books, 2011).

Joseph Hoover and Marta Iñiguez de Heredia, “Philosophers, Activists, and Radicals: A Story of Human Rights and Other Scandals,” *Human Rights Review*, Volume 12, Number 2 (2011): 191-220.

Scott Leckie, “The UN Committee on Economic, Social and Cultural Rights and the Right to Adequate Housing: Towards an Appropriate Approach,” *Human Rights Quarterly*, Volume 11, Number 4 (1989): 522-560.

Faranak Miraftab, “Feminist praxis, citizenship and informal politics: Reflections on South Africa’s Anti-eviction campaign,” *International Feminist Journal of Politics*, Volume 8, Issue 2 (2006): 194-218.

Martin J. Murray, *Taming the Disorderly City: The Spatial Landscape of Johannesburg After Apartheid* (Ithaca, NY: Cornell University Press, 2008).

Max Rameau, *Take Back the Land: Land, Gentrification and the Umoja Village Shantytown* (Oakland, CA: AK Press, 2013).

Olivier De Schutter, “The Emerging Human Right to Land,” *International Community Law Review*, Volume 12, Number 3 (2010): 303-334.

Lucie E. White and Jeremy Perelman (eds), *Stones of Hope: How African Activists Reclaim Human Rights to Challenge Global Poverty* (Stanford, CA: Stanford University Press, 2010).