

Human Rights & World Politics
GOV 365N (38385)/WGS 340 (46365)
Spring 2018

COURSE INFORMATION

Instructor: Rhonda L. Evans, J.D., Ph.D.
Class Meeting: T/TH 3:30-5:00 pm @ WAG 201
Email: revans@austin.utexas.edu
Office Hours: T/TH 4:45-6:15 pm or by appointment
Office Location: BAT 4.150

Teaching Assistant:
Email:
Office Hours:
Office Location:

Research Assistant:
Email:
Office Hours:
Office Location:

Research Assistant:
Email:
Availability:

COURSE DESCRIPTION

Human rights feature prominently in contemporary world politics. The decades since World War II have witnessed the construction of a large and complex international human rights regime that consists of the United Nations and several regionally based human rights systems. This course, focusing primarily on the UN, introduces you to the legal, political, and policy dimensions of international human rights. In so doing, it: (1) surveys the legal and institutional infrastructure and processes that exist at domestic and international levels for the promotion of human rights; (2) examines the main actors involved in human rights advocacy, including states, international organizations, tribunals, activists, nongovernmental organizations, and national human rights institutions; and (3) considers how we evaluate the effectiveness of international human rights advocacy; (4) discusses the importance and challenges of assessing the effectiveness of international human rights advocacy; and in so doing, (5) exposes students to the basic mechanics of political science research.

The following questions animate this course. What is international human rights law? How does international human rights law work? How effective is international human rights advocacy? And if so, under what conditions does it work? How do we know whether or not it works? These are very important questions considering the significant resources and efforts that are devoted to international human rights institutions and advocacy each year. And yet, you may be surprised to learn that we much remains to be learned about the efficacy of international human rights law. In exploring why this is so, we will consider the various challenges to studying international human rights law from an empirical (as opposed to a normative) perspective. You should emerge from this course with an

enhanced understanding of the mechanics of human rights advocacy and an improved ability to evaluate its effectiveness.

DIVISION OF LABOR

Our class has a Teaching Assistant (Siyun Jiang) and two Research Assistants (Annelise Russell and Christine Bird). After the add/drop period, students will be assigned a Project Supervisor for purposes of their data collection and coding assignments. Half of the class will be assigned to Siyun and the other half will be assigned to Annelise. Students will be notified by email of their Project Supervisor. Students are required to direct questions about their data collection and coding assignments to their assigned Project Supervisor.

Because Annelise is not associated with this course aside from her role as Project Supervisor, she will not play any role in evaluating your performance in the course. Therefore, all students should direct questions about their performance in the course, how their exams or papers were graded, and the course material (beyond the data collection and coding assignments) to Siyun Jiang.

Christine Bird will play a more limited role with the class. She will email students their data collection and coding assignments; she will oversee the quality-control checks that will be run on your data; and, she will enter students grades for the data collection and coding assignments into Canvas.

FIVE-MINUTE SPEAKERS SERIES

Throughout the semester, representatives from various programs and organizations across campus will use the first five minutes of class to discuss the opportunities that their programs and organizations offer undergraduates to broaden or deepen their studies; obtain internships, acquire firsthand research experience; learn more about a profession; and/or, otherwise expand their skill-sets. If you have ideas for speakers for this series, please share them with the instructor.

REQUIRED READING

A course packet is available for purchase at the University Coop, 2246 Guadalupe St. Its readings are designated on the course schedule as [CP]. Required readings that appear on Canvas are designated on the course schedule as [C] and materials that are readily available online are designated there as [O].

COURSE REQUIREMENTS

Exams: Course grades will be based on student performance on three exams. All three exams will be administered in class. All three exams will consist mainly of short-answer, multiple-choice, and true-or-false questions. The final exam will include short-answer, multiple-choice, and true-or-false questions based on a study guide that will be provided to students in advance. The final will also contain an essay component. Students will be given a list of potential essay questions in advance. The instructor will select a question or questions from that list. Failure to take any of the exams without a University-approved excuse will automatically result in a failing grade.

<i>Course Requirement</i>	<i>Percentage of Final Grade</i>	<i>Date</i>
Exam One	25%	Thursday, February 22
Exam Two	25%	Tuesday, April 3
Research Assignment	25%	Dates Provided Below
Final Exam	25%	Thursday, May 3

Research Assignment: You will act as a research assistant for a project that examines the Australian Human Rights Commission (AHRC). Working from a data collection guide and codebook, you will be given a range of dates for which you will collect data from newspaper articles. Your grade will be based on: (1) timely completion of a training assignment (assigned Feb. 6; due Feb. 8); (2) completion of your data collection and coding assignment (due Mar. 20); and, (3) a written assessment of the AHRC for your assigned time period (due Apr. 19). Details of these assignments will be provided in a folder entitled Research Assignment on Canvas.

Class Participation: Attendance and participation do not constitute a formal component of the course grade. Therefore, I do not need to know when and why you won't be or weren't in class. Consider, however, that in my decade-plus experience as an instructor I have found that exam and final course grades generally correlate to consistent student engagement with the course. Attendance and participation are important components of meaningful engagement. So, I urge you to attend and participate throughout the semester.

At the start of each course, I will collect questions (either orally or in written form) from students about any aspect of the assigned reading. Student may also wish to email these questions to me before class. I will endeavor to address these questions during the ensuing lecture, or where appropriate, at another class meeting.

Grading Scale: Final grades will be determined on the basis of the following rubric. Please note: to ensure fairness, all numbers are absolute, and will not be rounded up or down at any stage. Thus a B- will be inclusive of all scores of 80.000 through 83.999. The University does not recognize the grade of A+.

- A = 94-100
- A- = 90-93
- B+ = 87-89
- B = 84-86
- B- = 80-83
- C+ = 77-79
- C = 74-76
- C- = 70-73
- D+ = 67-69
- D = 64-66
- D- = 60-63
- F = 0-60

Extra Credit: Don't ask; there will be none.

But, what if I'm struggling? The Teaching Assistant (TA) and I are here to help you. Visit our office hours as soon as you realize that you're having difficulty. Show us your lecture notes. Bring us

your questions. Discuss the material with us. Visit us before the exam with questions. Show us rough drafts of your writing assignment well in advance of their due dates. Promptly review with us exams and/or writing assignments on which you performed poorly. Do NOT: wait until it's too late for you to improve your performance on exams and writing assignments and thereby improve your grade; offer excuses; demand the grade that you need/want to receive for the course and expect that we will simply give it to you; or, request special treatment. In the end, you will receive the grade that *you earn*. If you need credit for this course in order to graduate or if you need a particular grade in order to maintain or achieve a certain GPA, it is YOUR responsibility to do what it takes to EARN that grade.

ADMINISTRATIVE POLICIES & REQUIRED UNIVERSITY NOTICES & POLICIES

Electronic Device Policy: All electronic devices, including laptop computers, are strictly forbidden absent documentation of need by an appropriate university official. If I see your cell phone during class, five points will be deducted from the next exam grade. Touching your phone during an exam will result in a failing grade. Students are not permitted to record class lectures without first securing written permission from the professor. Students who do so without permission will have their final course grades dropped by one full letter, and they may face legal action in a court of law.

Grade Complaint Policy: The TA will grade the exams in consultation with the instructor. Complaints about the way in which an exam has been graded must first be lodged in writing (e.g. by email) with the TA within seven days of exams being returned to students for their review. The TA will consider a complaint's merits. Students who are dissatisfied with the course of action proposed by the TA may submit their exams for re-grading in their entirety by the professor, who may assign a higher or lower exam grade than that assigned by the TA. Students who remain dissatisfied with a final course grade may elect to pursue action at the College-level:
http://www.utexas.edu/cola/student-affairs/_files/pdf/grade_appeals_form_student_version.pdf.

Academic Integrity: The University of Texas maintains an Honor Code. Its core values are learning, discovery, freedom, leadership, individual opportunity, and responsibility. Each member of the university is expected to uphold these values through integrity, honesty, trust, fairness, and respect toward peers and community. Because academic integrity is a fundamental value of higher education at UT, I will not tolerate acts of cheating, plagiarism, falsification or attempts to cheat, plagiarize, or falsify. Should I determine that an academic integrity violation has taken place, I will follow the University's formal process for dealing with such matters. If you have questions about what constitutes plagiarism, visit this website:
<http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/>. If you're still confused, talk to the TA or the instructor. I am a former Assistant Prosecuting Attorney for the State of Ohio. Do not give me a reason to slip back into prosecutorial mode.

Email Policy: Email is recognized as an official mode of university correspondence; therefore, you are responsible for reading your email for university and course-related information and announcements. It is your responsibility to keep the University informed about changes to your e-mail address. You should check your e-mail regularly and frequently—I recommend daily, but at minimum twice a week—to stay current with university-related communications, some of which may be time-critical. You can find UT Austin's policies and instructions for updating your e-mail address at <http://www.utexas.edu/its/policies/emailnotify.php>. All email correspondence concerning this class will occur through Canvas, which means that my emails to you will be automatically sent to your official UT email address. I have endeavored to make this syllabus as thorough and clear as possible.

Before emailing with questions about the course, review the syllabus. It will likely contain the answer that you seek. Substantive questions about the course material will only be answered in class (where they are especially welcomed) or during office hours.

Make-Up Exams: Just get yourself to the exams, and save us both the hassle. Make-up exams will be considered only under exceptional circumstances and will require written documentation of the excuse proffered. All make-up exams will be scheduled for a single date and time; at the professor's discretion, they may not follow the same format as the exam administered to the class. There will be no departure from the printed schedule of final examinations. Changes for individual emergencies of a serious nature will be made only with the approval of the instructor, the chair of the department or dean of the school involved, and the dean of undergraduate studies. The department chair or school dean will, if a serious emergency is believed to exist, forward a written request to the assistant vice chancellor for academic advising setting forth the nature of the emergency. A student who is absent from an examination without excuse will be given a grade of zero. An incomplete (I) will be given in the case of a student absent from the final examination who has presented a satisfactory excuse to the instructor or an official university excuse.

Classroom Behavior: It's important that we have a classroom atmosphere that optimizes teaching and learning, and we all share the responsibility for creating a civil and non-disruptive forum. Students are expected to conduct themselves at all times in a manner that does not disrupt teaching or learning. Just in case you were raised by wolves, here are some guidelines for classroom behavior: (1) be on time to class; (2) packing up your things early is disruptive to others around you and most especially to the instructor; (3) classroom discussion should be open and free-flowing, but this can be accomplished using civilized and respectful language; and (4) any discussion from class that continues on any listserv or class discussion list should meet these same expectations.

Accommodations for Religious Holidays and Students with Disabilities: By UT Austin policy, you must notify me of your pending absence at least 14 days prior to the date of observance of a religious holy day. Notification is only necessary if you will miss an examination. If you must be absent for this reason, you will be given an opportunity to complete the missed work within a reasonable time after the absence. If you require special accommodations, you must obtain a letter that documents your disability from the Services for Students with Disabilities area of the Division of Diversity and Community Engagement 471-6259 voice or 471-4641 TTY for users who are deaf or hard of hearing). Present the letter to me at the beginning of the semester so we can discuss the accommodations you need. No later than five business days before an exam, you should remind me of any testing accommodations you will need. See <http://ddce.utexas.edu/disability/>.

Behavior Concerns Advice Line (BCAL): If you are worried about someone who is acting differently, you may use the Behavior Concerns Advice Line to discuss by phone your concerns about another individual's behavior. This service is provided through a partnership among the Office of the Dean of Students, the Counseling and Mental Health Center (CMHC), the Employee Assistance Program (EAP), and The University of Texas Police Department (UTPD). Call 512-232-5050 or visit <http://www.utexas.edu/safety/bcal>.

Emergency Evacuation Policy: Occupants of buildings on the UT Austin campus are required to evacuate and assemble outside when a fire alarm is activated or an announcement is made. Please be aware of the following policies regarding evacuation: (1) familiarize yourself with all exit doors of the classroom and the building. Remember that the nearest exit door may not be the one you used when you entered the building; (2) if you require assistance to evacuate, inform me in writing during

the first week of class; (3) in the event of an evacuation, follow my instructions or those of class instructors; and (4) do not re-enter a building unless you're given instructions by the Austin Fire Department, the UT Austin Police Department, or the Fire Prevention Services office.

COURSE SCHEDULE

This is a guide for the course readings. Learning objectives for the readings will be made available on Canvas. Adjustments may be made to this schedule throughout the semester, but exam dates will not be subject to change. Pay close attention to the pages numbers specified in the assignments. Assignments are sometimes less than the entire article/book chapter.

Jan. 18 Introduction to the Course

[C] Read the syllabus.

Jan. 23 The Politics of International Human Rights Law

[C & CP] Beth A. Simmons, "Introduction," from *Mobilizing for Human Rights: International Law in Domestic Politics* (Cambridge: Cambridge University Press, 2009), only pp. 3-12.

[C & CP] Michael Goodhart, "Introduction: Human Rights in Politics and Practice," in Michael Goodhart (ed.) *Human Rights: Politics and Practice*, 2nd ed. (Oxford University Press, 2013), only pp. 1-7.

Jan. 25 Why International Human Rights Law?

[C & CP] Simmons, "Why International Law? The Development of the International Human Rights Regime in the 20th Century," from *Mobilizing for Human Rights: International Law in Domestic Politics*, pp. 23-56.

Jan. 30 Normative Dimension of International Human Rights

[CP] Anthony Langlois, "Normative and Theoretical Foundations of Human Rights," in Goodhart (ed.), *Human Rights: Politics and Practice*, 2nd ed., pp. 11-26.

[CP] Makau Matua, *Human Rights: A Political and Cultural Critique* (Philadelphia: University of Pennsylvania Press, 2002), pp. 10-38. (Also available as an e-book from the PCL.)

Feb. 1 National Human Rights Institutions and Research Assignment Discussion

Primary Reading:

[C & CP] Sonia Cardenas, *Chain of Justice: The Global Rise of State Institutions for Human Rights* (University of Pennsylvania Press, 2014), pp. 1-15.

[C] *Human Rights: Everyone, Everyday: 21 Years of the Human Rights and Equal Opportunity Commission* (24 pp.).

Supplementary Material:

[O] Familiarize yourself with the Australian Human Rights Commission, known from 1986 through 2008 as the Human Rights and Equal Opportunity Commission, by checking out its website: <http://www.humanrights.gov.au/>.

Feb. 6 The Australian Human Rights Commission: Data Collection and Coding Training Session, I

* Students may use laptop computers in class on this day.

* Students will be given a training assignment that is due in class on Feb. 8.

[C] Data Collection Guide and Codebook, available in the Research Assignment Folder on Canvas.

Feb. 8 The Australian Human Rights Commission: Data Collection and Coding Training Session, II

* Students may use laptop computers in class on this day.

* **TRAINING ASSIGNMENT DUE.**

[C] Data Collection Guide and Codebook, available in the Research Assignment Folder on Canvas.

Feb. 13 What is International Human Rights Law?

Primary Reading:

[CP] Rhona K.M. Smith, "Human Rights in International Law" in Goodhart (ed.), *Human Rights: Politics and Practice*, 2nd ed., pp. 58-74.

Supplementary Material:

[C] UN, *International Covenant on Civil and Political Rights (ICCPR)* (1976).

[C] UN, *First Optional Protocol to the ICCPR* (1976).

[C] UN Human Rights Committee, *Concluding Observations on the Human Rights Committee: Australia* (7 May 2009) (7 pp.).

Feb. 15 International Law at Work: UN Treaty Bodies

Primary Reading:

[CP] Nigel S. Rodley, "The Role and Impact of Treaty Bodies," in Shelton (ed.) *The Oxford Handbook of International Human Rights Law*, pp. 621-48.

[CP] Cecilia Medina, "The Role of International Tribunals: Law-Making or Creative Interpretation?" in Shelton (ed.) *The Oxford Handbook of International Human Rights Law*, pp. 649-61.

Supplementary Materias:

[C] Peggy Brett and Patrick Mutzenberg, *UN Human Rights Committee: Participation in the Reporting Process: Guidelines for NGOs* (Center for Civil and Politics Rights, 2010).

[C] Model Complaint Form for Communications to the UN Human Rights Committee.

- Feb. 20 International Law at Work: The UN Human Rights Committee’s Individual Complaints Mechanism: *Toonen v. Australia* as a Case Study**
- [C] *Toonen v. Australia*, Communication No. 488/1992, U.N. Doc CCPR/C/50/D/488/1992 (1994) (11 pp.).
- [C] *International Covenant on Civil and Political Rights* (ICCPR), Articles 2, 17 & 26.
- [CP] Purvis, Alexandra and Joseph Castellino, “A History of Homosexual Law Reform in Tasmania,” 16(1) *University of Tasmania Law Review* 12-21.
- [C] Remedy Australia, *Follow-up Report on Violations by Australia of ICCPR in Individual Communications (1994-2007)*, October 2017.
- Feb. 22 Overflow, Research Assignment Discussion, and Exam Review**
- Feb. 27 EXAM 1**
- Mar. 1 The Global Shift to Assessing the Impact of International Human Rights Advocacy**
- Primary Reading:
- [CP] Robert Archer, “Introduction to the Special Issue: Where is the Evidence?” 1(3) *Journal of Human Rights Practice* (2009): 333-38.
- [CP] James Harrison, “Human Rights Measurement: Reflections on the Current Practice and Future Potential of Human Rights Impact Assessment,” 3(2) *Journal of Human Rights Practice* (2011): 162-87.
- Supplementary Material:
- [O] Have a look at this website: <http://www.iaia.org/index.php>. In particular, watch the video entitled, “What is the Value of being an IAIA Member?” at <http://www.iaia.org/videos.php>.
- Mar 6 A Social Scientific Approach to Studying Human Rights**
- [CP] Janet Buttolph Johnson and H.T. Reynolds, “The Empirical Approach to Political Science,” *Political Science Research Methods*, 7th ed. (Sage/CQ Press, 2012), pp. 33-48; 51-59.
- [CP] Johnson and Reynolds, “The Building Blocks of Social Scientific Research: Hypotheses, Concepts, and Variables,” *Political Science Research Methods*, 7th ed., pp. 102-116; 119-126.
- Mar. 8 Measuring Human Rights, I**
- Primary Reading:
- [CP] Johnson and Reynolds, “The Building Blocks of Social Scientific Research: Measurement,” *Political Science Research Methods*, 7th ed., pp. 127-134; 136; 144-153.
- [CP] Todd Landman, “Measuring Human Rights: Principles, Practice and Policy,” 26 *Human Rights Quarterly* (2004): 906-31.
- Supplementary Material:
- [C] Camille Giffard, *The Torture Reporting Handbook* (Human Rights Centre, University of Essex, 2000), pp. 3-4; 29-34; 38-42; 47-51.

- [C] *Freedom House Methodology 2015*. Focus on the sections entitled “Research and Ratings Review Process,” “Ratings Process,” and “Ratings and Status Characteristics” (3 pp.).
- [C] Freedom House Dataset, Individual Country Ratings and Status, 1973-2015.

Mar. 12-16 SPRING BREAK—REJOICE!

Mar. 20 Measuring Human Rights, II

DATA COLLECTION AND CODING ASSIGNMENT DUE

- [CP] Sally Engle Merry, “A World of Quantification,” from *The Seductions of Quantification: Measuring Human Rights, Gender Violence, and Sex Trafficking* (Chicago: The University of Chicago Press, 2016), pp. 1-26.

**Mar. 22 Human Rights Methods
-27**

- [CP] Sally Engle Merry, “The Potential for Ethnographic Methods for Human Rights Research,” in Bard Andreassen, Hans-Otto Sano, and Siobahn McInerney-Lankford (eds.), *Research Methods in Human Rights: A Handbook* (Northampton, MA: Edward Elgar Publishing, 201), pp. 141-59.
- [CP] Margaret Satterthwaite and Daniel Kacinski, “Quantitative Methods in Advocacy-Oriented Human Rights Research,” in *Research Methods in Human Rights*, pp. 282-305.
- [CP] Malcolm Langford, “Interdisciplinarity and Multimethod Research,” in *Research Methods in Human Rights*, pp. 161-91.

Mar 29 Overflow, Research Assignment Discussion, and Exam Review

Apr. 3 EXAM 2

Apr. 5 Writing Assignment Workshop

* Students may use laptop computers in class on this day.

* Your dataset.

- [O] HREOC/AHRC Annual Reports for your assigned year, access at <https://www.humanrights.gov.au/our-work/commission-general/publications/annual-reports-index>.

Apr. 10 Do International Human Rights Treaties Matter? A Quantitative Perspective

- [CP] Emilie M. Hafner-Burton and Kiyoteru Tsutsui, “Human Rights in a Globalizing World: The Paradox of Empty Promises,” 110(5) *American Journal of Sociology* (March, 2005): 1373-1411.

Apr. 12 Do International Human Rights Treaties Matter? A Qualitative Perspective

- [CP] Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Network in International Politics* (Cornell University Press, 1998), pp. 1-29; 103-20.

Apr. 17 Evaluating the Effectiveness of National Human Rights Institutions

- [CP] Cardenas, *Chains of Justice*, pp. 310-49.
[C] Evans, “Rights without Protection? Campaign against Sterilization of Girls with Disabilities,” from Australian Human Rights Commission book manuscript, pp. 1-18.
[C] AHRC, *Annual Report 2015-16*.

Apr. 19 Dilemmas in Contemporary International Human Rights Advocacy, I

WRITING ASSIGNMENT DUE

- [CP] Ron Dudai, “Introduction—Rights Choices: Dilemmas of Human Rights Practice,” 6(3) *Journal of Human Rights Practice* (2014): 389-98; only read pp. 389-94.
[CP] Michael O’Flaherty and George Ulrich, “The Professionalization of Human Rights Fieldwork,” 2(1) *Journal of Human Rights Practice* (2010) 1-27; only read pp. 1-17.

**Apr. 24 A First-Person Perspective on Legal Advocacy:
Edgar Saldivar, J.D., Senior Staff Attorney, ACLU Texas**

Edgar Saldivar joined the ACLU of Texas in 2016 as a senior staff attorney. He defends the civil rights and civil liberties of ACLU clients in high impact litigation in state and federal courts. While handling various constitutional issues, his practice is focused on immigrants’ rights and government accountability. In his first year, Edgar helped the ACLU of Texas secure significant victories for civil rights, including two record-breaking settlements against the federal government that resulted in changes to immigration enforcement policies at the border. Edgar also led the team of volunteer lawyers at Houston’s Bush Intercontinental Airport in the broad effort to prevent constitutional violations of travelers affected by the president’s Muslim ban and protesters standing in solidarity with immigrants and refugees. In 2017, Edgar was the only Texas attorney and sole representative of the NGO sector honored by the Hispanic National Bar Association with its prestigious Top Lawyers Under 40 Award.

For Edgar’s full bio, visit: <https://www.aclutx.org/en/biographies/edgar-saldivar-senior-staff-attorney>

Apr. 26 Dilemmas in Contemporary International Human Rights Advocacy, II

- [CP] Kiyoteru Tsutsui, Claire Whitlinger, and Alwyn Lim, “International Human Rights Law and Social Movements: States’ Resistance and Civil Society’s Insistence,” *Annual Review of Law and Social Science* (2012) 8: 367-96; only read pp. 382-86.
[CP] Doutje Lettinga and Femke Kaulingfreks, “Clashing Activisms: International Human Rights Organizations and Unruly Politics,” 7(3) *Journal of Human Rights Practice* 205: 343-365.

May 1 Course Wrap-Up, Reflections, Exam 3 Review, and Course Evaluations

May 3 EXAM 3