

AMERICAN UNIVERSITY
SCHOOL OF INTERNATIONAL SERVICE (SIS)
INTERNATIONAL PEACE AND CONFLICT RESOLUTION PROGRAM (IPCR)

SIS 619-006 – Human Rights and Conflict

Spring 2017

Instructor: Philip Gamaghelyan

Time: Thursday 8.20pm-10.50pm

Email: gamaghel@american.edu

Classroom: SIS - 102

Office Hours: by appointment

COURSE OBJECTIVES AND DESCRIPTION

This course explores the complexity and multiple dimensions of the often uneasy relationship between human rights and conflict resolution. It engages critically with the concepts of human rights and conflict resolution, introduces the discussion of conceptual, ethical, legal, and policy questions that arise when evaluating human rights violations in conflict contexts.

Human rights approaches differ. Further, they are often given a secondary role, including in conflict resolution processes where political and economic considerations, and the desire to reach an agreement at any cost are seen to be of primary importance. Although human rights advocates and conflict resolution practitioners share the same fundamental goal of reducing human suffering, they tend to adopt different approaches to conflict that can come into mutual tension. As a result, both scholars and practitioners have traditionally treated these fields as distinct, although they are increasingly recognizing the links between them.

The questions that will be explored in this course are: What are the variations of approaches to human rights and conflict resolution? What are the critiques of the dominant approaches? What are the alternatives?

In this class, you can expect to confront many ethical, philosophical, and cognitive assumptions in human rights and conflict resolution fields.

ACADEMIC INTEGRITY CODE

All students must adhere to the Academic Integrity Code

(<http://www.american.edu/provost/registrar/regulations/reg80.cfm>). As the code states, “By enrolling at American University and then each semester when registering for classes, students acknowledge their commitment to the Code. As members of the academic community, students must become familiar with their rights and their responsibilities. In each course, they are responsible for knowing the requirements and restrictions regarding research and writing, examinations of whatever kind, collaborative work, the use of study aids, the appropriateness of assistance, and other issues. Students are responsible for learning the conventions of documentation and acknowledgment of sources. American University expects students to complete all examinations, tests, papers, creative projects, and assignments of any kind according to the highest ethical standards, as set forth either explicitly or

implicitly in this Code or by the direction of instructors.”

DISABILITY SUPPORT SERVICES

If you experience difficulty in this course for any reason, please don't hesitate to consult with me. In addition to the resources of the department, a wide range of services is available to support you in your efforts to meet the course requirements. **Academic Support Center** (x3360, MGC 243) offers study skills workshops, individual instruction, tutor referrals, and services for students with learning disabilities. Writing support is available in the ASC Writing Lab or in the Writing Center, Battelle 228. **Counseling Center** (x3500, MGC 214) offers counseling and consultations regarding personal concerns, self-help information, and connections to off-campus mental health resources.

Disability Support Services (x3315, MGC 206) offers technical and practical support and assistance with accommodations for students with physical, medical, or psychological disabilities. If you qualify for accommodations because of a disability, please notify me in a timely manner with a letter from the Academic Support Center or Disability Support Services so that we can make arrangements to address your needs.

EMERGENCY PREPAREDNESS

In the event of a declared pandemic (influenza or other communicable disease), American University will implement a plan for meeting the needs of all members of the university community. Should the university be required to close for a period of time, we are committed to ensuring that all aspects of our educational programs will be delivered to our students. These may include altering and extending the duration of the traditional term schedule to complete essential instruction of the traditional format and/or use of distance instructional methods. Specific strategies will vary from class to class, depending on the format of the course and the timing of the emergency. Faculty will communicate class-specific information to students via AU e-mail and Blackboard, while students must inform their faculty immediately of any absence due to illness. Students are responsible for checking their AU e-mail regularly and keeping themselves informed of emergencies. In the event of a declared pandemic or other emergency, students should refer to the AU Web site (www.prepared.american.edu) and the AU information line at (202) 885-1100 for general university-wide information, as well as contact their faculty and/or respective dean's office for course and school/college-specific information.

REQUIRED BOOKS

1. Julie Mertus, Jeffrey Helsing (eds.). *Human Rights and Conflict: Exploring the Links between Rights, Law, and Peacebuilding*. 2006. (referred to as HRC)
2. Francois Crepeau, Colleen Sheppard. *Human Rights and Diverse Societies: Challenges and Possibilities*. 2013. (referred to as HR-DS). Electronic version available on AU library web-site at <http://site.ebrary.com.proxyau.wrlc.org/lib/wrlc/detail.action?docID=10894559>.
3. Judith Butler. *Gender Trouble: Feminism and the Subversion of Identity*. 2006.
4. Nancy Scheper-Hughes & Philippe Bourgois. *Violence in War and Peace: An Anthology*. 2003. (referred to as VWP)
5. Unni Wikan. *Generous Betrayal: Politics of Culture in the New Europe*. 2001.
OR
6. Todd Clear. *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged*

Neighborhoods Worse. 2009.

COURSE REQUIREMENTS AND EXPECTATIONS

The final grade will be based on:

- 20% - Participation
- 20% - Student-led Workshop
- 30% - Short Reflective Essays
- 30% - Final Paper

Participation

The class is organized as a seminar and an important part of the learning will come from our class discussions. To receive a high grade for participation you should be an active and regular contributor to our discussions, as well as a generous listener. Participation will be evaluated based both on your attendance and on your contributions to our class discussions.

Student-Led Workshops

Toward the end of the semester, you will self-assign into groups, each group designing and facilitating a workshop/simulation on a distinct topic aimed addressing an important inter-societal conflict that involves questions of human rights.

The workshop/simulation should be innovative, and have a strong theoretical basis and an intensive interactive component.

Following the workshop, each member of the group should submit a short reflective essay outlining her or his learning from the workshop design and facilitation process.

The details of the workshop will be discussed in class.

Short Reflective Essays

At least 3 short essays (approximately 3 pages long, 12pt Times New Roman, 1,5-spaced) will be required over the course of the semester. The essays should:

- a. contain a personal reflection on questions that the readings of the week raised for you;
- b. show your ability to apply the learning to analyze a conflict of your choice (1 page).

These essays should critically analyze the readings assigned for the week. You should be thinking about the logic and perspective underlying the readings, as well as how they relate to other theories we are discussing and to your understanding of human rights and conflict more generally. You may choose which weeks you wish to submit essays (with the exception of weeks 1, 4, 7, and 8, 14). You can submit a “make-up” essay, in case you are not satisfied with the grade you received for one or more of the previous essays. In this case the essay with the lowest grade will not count toward your grade, and only the three essays that have higher grades will.

Important: The essays are due on Thursdays before the start time of the class and should cover the topic of that particular week. The essays should be submitted electronically to gamaghel@american.edu. The header of each essay should clearly identify the name of the student, the week that the essay relates to, and the number of the essay submitted. I will be trying to review and return the papers electronically within 7 days of their submission. If you do not get my comments on your essays within 10 days after you submitted them, please approach me or e-mail me to ensure that the essay is not lost.

Final Paper

The final paper is due by midnight on April 27, 2016. The final paper should be submitted electronically to gamaghel@american.edu.

In this paper you are asked to synthesize your learning from the entire class. The theoretical part of the paper should contain, but does not have to be limited to the nuanced discussion of the concepts of human rights and conflict resolution. In the essay, please outline your own position in regard to these concepts and their interrelationship. In the applied part of the paper, choose a conflict case and discuss how your learning from the class can enhance your understanding of human rights in conflict contexts.

Please do not spend any pages in presenting a generic background or description of your conflict that is separate from your analysis of the theories of human rights and conflict. As we will discuss in class, every description is implicitly based on certain assumptions/theories we have about conflict. Our aim in this class is to make these assumptions explicit.

The paper should be between 10 and 12 pages long excluding the bibliography, 1.5 spaced and use 12pt Times New Roman font. Proper citations, a cover page, page numbering, footnotes, and bibliography are expected.

We will further discuss the requirements for the final paper towards the end of the semester.

GRADING CRITERIA

Every student is expected to be an active participant in the discussions and analyses of the course material. The participation and papers will be evaluated according to the following criteria:

“F”: Failing work.

“D”: Lack of fundamental knowledge of the material or ability to apply the theories to practice, but sufficient basic knowledge for a passing grade.

“C”: Satisfactory, but limited knowledge of the theories and limited ability to apply them.

“B”: Ability to have a nuanced discussion of the theories discussed in class and their interrelationship; satisfactory ability to reflect on these concepts and apply them.

“A”: Demonstrated ability for independent analysis, original insight, or creativity, coupled with deep knowledge of the subject at hand. Such level could be communicated through critical examination of the theories, their integration, advanced application to explain conflicts, and critical reflection.

COURSE OUTLINE

Week 1. Jan 19

Universal Declaration of Human Rights available at <http://www.un.org/en/universal-declaration-human-rights/>

On “how do we know what we know?” Positivism, post-positivism, and anti-positivism:

1. Positivism & Post-Positivism. Research Methods Knowledge Base. Available at: <http://www.socialresearchmethods.net/kb/positvsm.php>
2. Anti-positivism. History Learning Site. Available at: <http://www.historylearningsite.co.uk/sociology/research-methods-in-sociology/anti-positivism/>

Week 2. Jan 26

Human Rights and Conflict

1. Julie Mertus and Jeffrey Helsing, Introduction: Exploring the Interconnection between Human Rights and Conflict (In HRC)
2. Ellen Lutz, Understanding Human Rights Violations in Armed Conflict (In HRC, ch. 1)
3. John Cerone, Holding Military and Paramilitary Forces Accountable (In HRC, ch. 8)
4. Jordan Paust, Human Rights, Terrorism and Efforts to Combat Terrorism (In HRC, ch. 9)
5. Michael Taussig, Culture of Terror – Space of Death (In VWP, ch. 2)

Week 3. Feb 2

Three Generations of Human Rights

1. Adriane Vasile Cornescu, The Generations of Human Rights. 2009. Available at: https://www.law.muni.cz/sborniky/dny_prava_2009/files/prispevky/tvorba_prava/Cornescu_Adrian_Vasile.pdf
2. (review) International Covenant on Civil and Political Rights. Available at: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>
3. (review) International Covenant on Economic, Social and Cultural Rights. Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
4. Kevin Avruch, Culture, Relativism, and Human Rights (In HRC, ch. 4)
5. Susan Martin and Andrew Schoenholtz, Promoting Human Rights of Forced Migrants (In HRC, ch. 14)
6. Brian Ferguson, Tribal Warfare (In VWP, ch. 5)

Week 4. Feb 9

International Human Rights Organizations

Prior to this week the students will self-assign to international institutions active on human rights. During the class, each sub-group will have about 5-8 minutes to discuss the characteristics (roles, structures, tasks, and competences) of their institution, followed by a 5-minute discussion.

- UN High Commissioner for Human Rights
- UN Subcommission on Prevention of Discrimination and Protection of Human Rights
- European Commission on Human Rights
- European Court for Human Rights
- International Court of Justice
- International Criminal Court
- Organization for Security and Cooperation in Europe
- Human Rights Watch
- Amnesty International
- Statewatch

Week 5. Feb 16

Human Rights and Justice

1. Michael Lund, Human Rights: A Source of Conflict, State Making and State Breaking (In HRC, ch. 2)
2. Rodrigo Uprimny and Maria Paula Saffon, Transitional Justice, Restorative Justice and Reconciliation. Some Insights from the Colombian Case (2005). Available at: http://www.global.wisc.edu/reconciliation/library/papers_open/saffon.pdf
3. Vasuki Nesiah, Truth vs. Justice? Commissions and Courts (In HRC, ch. 13)
4. Nancy Scheper-Hughes, Who is the killer? Popular Justice and Human Rights in a South African Squatter Camp (In VWP ch. 30)
5. Hannah Arendt, From Eichmann in Jerusalem: A Report on the Banality of Evil (in VWP, ch 9)

Week 6. Feb 23

Human Rights and Conflict Resolution

1. Lisa Schirch, Linking Human Rights and Conflict Transformation (In HRC, ch. 3)
2. Abdul Aziz Said and Charles Lerche, Peace as a Human Right (In HRC, ch. 5)
3. Julie Mertus and Maria Hallward, The Human Rights Dimension of War in Iraq (In HRC, ch. 11)
4. Christine Bell, Human Rights, Peace Agreements, and Conflict Resolution (In HRC, ch. 12)
5. Begona Aretxaga, Dirty Protest (In VWP. ch. 29)

Week 7. Mar 2

Case Study

Guest Lecture by Aynur Jafar, Human Rights Lawyer from Azerbaijan.

Reading:

1. Europe and Azerbaijan: The End of Shame, Gerald Knaus. Available at: <http://www.journalofdemocracy.org/article/europe-and-azerbaijan-end-shame>

Week 8. Mar 9

Minority Rights: Group Rights vs Individual Rights

1. Unni Wikan. Generous Betrayal: Politics of Culture in the New Europe. 2001.

In class: Choosing topics for Workshop/simulation

March 16: SPRING BREAK. No Class.

Week 9. Mar 23

Reflection on Human Rights Discourse

1. Francois Crepeau, Colleen Sheppard, Human Rights and Diverse Societies: Challenges and Possibilities. 2013. Introduction and Part 1 (ch. 1, 2, and 3)
2. Pearl Eladis, Canada's Clash of Culturalisms (ch. 7)

In class: small group work preparing for the workshop/simulation

Week 10. Mar 30

Post-colonialism and Human Rights

1. Francois Crepeau, Colleen Sheppard, Human Rights and Diverse Societies: Challenges and Possibilities. 2013. Part 2 (ch. 4, 5, and 6)
2. Jean-Paul Sartre, Preface to Frantz Fanon's Wretched of the Earth (In VWP. ch. 27)

Workshop 1

Week 11. Apr 6

Human Rights and Race Relations

1. Angela Harris, "Critical Race Theory: An Introduction" in Richard Delgado and Jean Stefancic. NYU Press, last modified November 27, 2006. Available at: <http://www.odec.umd.edu/CD/RACE/CRT.PDF.1>.
2. Todd Clear. Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse. 2009.

Workshop 2

Week 12. April 13

Discourse of Violence: Language, Gender, and Power

1. Veena Das, Language and Body: Transactions in the Construction of Pain (In VWP. ch. 40)
2. Carol Cohn, Sex and Death in the Rational World of Defense Intellectuals (In VWP. ch. 45)
3. Judith Butler, Part 1: Subjects of Sex, Gender, Desire

Week 13. April 20

Hetero-normativity: Conceptualizing Gender and LGBT Rights

1. Judith Butler, Part 2: Prohibition, Psychoanalysis and the Production of Heterosexual Matrix.
2. Gayle Rubin - Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality. Available at: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.462.7005&rep=rep1&type=pdf>

Workshop 3

Week 14. April 27

Ethics in conflict resolution

Ethical Theory as Social Practice. Mark Goodale. American Anthropologist, Vol. 108, No. 1, 25-37. (Available on Blackboard)

Conclusions, Evaluation

Final Papers Due on April 27 at midnight.