

SENIOR SEMINAR IN HUMAN RIGHTS

Dr. Inga Winkler
Lecturer in Human Rights

Spring 2018

Course Number: HRTSUN3995

Class Time: T 12:10 to 2 pm

Classroom: 80 Claremont Room 201

Instructor: Inga Winkler

Office: Kent 622

Office Hours: T 4.00-6.00 pm or by appointment

Phone: (212) 854-0604

Email: inga.winkler@columbia.edu

COURSE SYNOPSIS AND OBJECTIVES

The course provides a cooperative setting for researching and writing your senior seminar paper. All students will complete an analytical **seminar paper** which should be 25-30 pages in length (double-spaced).

The range of topics that are acceptable as a human rights paper is fairly broad. The first type of paper you might think about is a paper that is focused on a particular violation of human rights. However, there are many other potential types of papers: You could study the work of a particular NGO or social movement, you could research a person or a particular event and its implications for human rights. You could discuss the development of a norm, trace a particular process or comment on a case, among many other possible topics. You might want to have a look at journals such as the Journal of Human Rights or Human Rights Quarterly to get a grasp of potential types of papers. We will also address this in more depth in class, including through the lens of different disciplines.

The course has the following overlapping objectives:

- To start with, we will ask: What is human rights research? – We seek to answer that question from different disciplinary perspectives, through different methodological approaches and based on different purposes of writing on human rights.
- The course also provides an opportunity to take a step back and reflect critically on the role of human rights. We will discuss a number of critical readings, in particular from a feminist and TWAIL perspective.

- Most importantly, the course provides a forum for you to support each other in the process of research and writing and address common challenges you face.

The senior seminar is a 4-point capstone course that brings human rights majors and concentrators together to do advanced, independent work.

Substantively, the course will be tailored to students' interests, disciplinary backgrounds, and research areas. The specific topics students are researching will determine the substantive focus of readings in the last block of classes.

Based on broad overlapping interests, we will seek to form groups at the beginning of the semester. Students in one group will work together to identify core literature and suggest pieces for reading during the last block of classes, they will support each other, read and comments on each other's drafts. For example, there may be students pursuing issues in public health, history, development or humanitarianism who will form groups or pairs.

COURSE MATERIALS

No course book is required. The materials will be made available to students at the beginning of the semester. The majority of materials is available on CourseWorks. The remaining materials will be put on reserve in the Lehman Library.

TIMELINE FOR DEVELOPING YOUR PAPER

The process of researching and drafting your paper involves moving from an area of interest you identify to a specific research question; and from the research question elaborated on in an abstract to the full draft of the paper.

- Ideally, you will start identifying your area of research and **your topic before the spring semester** starts. This will form the basis for forming research groups. You are welcome to discuss ideas with me before the semester starts. Feel free to email me or stop by for office hours.
- You will explain in class what area you are interested in and what potential questions you want to address in your paper in **Week 2**.
- You will submit an **abstract and an outline** of your paper in **Week 6**. The abstract includes the **research question** for your paper and the argument you want to pursue. You should try to frame your topic as specifically and succinctly as possible, carving out an area and plan for investigation. This is complemented by an **outline** that indicates the flow of the paper.
- One very common challenge is **narrowing down** your research question. A seminar paper is not the place for big sweeping statements, but for carefully argued analysis in response to a question that you can feasibly answer. The paper should be a novel contribution to knowledge within the time and resources that you have available.
- You will also submit a **literature review** in **Week 6**. It summarizes the key literature for your topic and links it to your research question by explaining how the pieces you

have chosen guide you in writing your paper. You will pick one paper that you find particularly helpful that we will circulate in class and use as the basis for discussion.

- Please think of the **research question and literature review** as complementing each other. You usually start with an area you are interested in; there might be a specific question you have in mind; you start reading more; and what you read will guide you in framing your research question. In that respect, the two will **develop in parallel**. Your area of research and the question you have in mind will guide you in picking the relevant literature; and the literature you read will help you identifying and narrowing down an appropriate research question.
- You will **present your work** in class during **weeks 10-14**. You can pick one or several pieces from your literature review and present on how these relate to your paper.
- You will submit a **first draft** of your paper in **Week 11**. This draft will be at least 15 pages.
- You will submit the **final paper** in **Week 16** (one week after our last class).

ASSIGNMENTS AND GRADING:

- Presentation on critical approach (Weeks 5 – 8): 10 %
- Abstract and outline (Week 6): 5 %
- Literature review (Week 6): 10 %
- Presentation (Weeks 10 – 14): 10 %
- First draft (Week 11): 10 %
- Final paper (Week 16): 40 %
- Participation and engagement with your peers' work (15 %):

All written assignments should be submitted via CourseWorks. Please use files in Word format (which will allow me to comment on them). Papers should be 12-point font, double-spaced and have standard 1-inch margins. Please ensure that you stay within the page limits.

Please follow Chicago Style for your citations. You can choose whether you want to adopt the notes & bibliography system or the author-date system. For a guide, please see http://www.chicagomanualofstyle.org/tools_citationguide.html.

A Note on Participation:

This course provides an opportunity for us to engage in-depth with the issues and analytical texts we are reading and with each other. You are expected to come to class having read, having digested the reading, and having prepared to discuss your questions, responses, reactions, and insights with the class. If you have not done these things, both your participation grade and the quality of the seminar discussion will suffer. As part of your preparation, you are required to have read before class all of the materials submitted by your peers and to be prepared to engage thoughtfully with them.

Writing Centers. For drafting the papers, students are encouraged to use the Writing Centers. More information about the centers and the possibility to make appointments is

available at <http://www.college.columbia.edu/core/uwp/writing-center> and <http://writing.barnard.edu/>.

Extension policy. Assignments should be completed by the due date, first so that students can keep up with their work in this and other classes, and second so that they can cultivate a professional habit of turning in work on time.

Extensions will only be granted on an exceptional basis, such as illness or a family emergency. Extensions will not be granted for poor time management. Students who wish to request an extension should email me to ask for the extension; give the reason; and specify the additional time needed. Extensions will be decided on a case-by case basis based on supporting documentation. If there is no documented reason for an exception, students will receive a grade reduction penalty for any work submitted late.

Late submissions will reduce your assignment grade by $\frac{1}{3}$ of a letter grade per two days after the deadline (that is, from what would have been an A to an A- after 48 hours, to a B+ after 96 hours, to a B after 144 hours etc.). Final assignments at the end of the semester cannot be submitted late unless students are granted an Incomplete by their School. Policies vary somewhat by School, but in general we cannot submit an Incomplete without the permission of your dean. If you need to request an Incomplete, you should contact your advising dean.

ACADEMIC INTEGRITY

Students are expected to do their own work on all assignments for this course and act in accordance with the Faculty Statement on Academic Integrity and Honor Code established by the students of Columbia College and the School of General Studies. Because any academic integrity violation undermines our intellectual community, students found to have cheated, plagiarized, or committed any other act of academic dishonesty can expect academic sanctions and may be referred to the Dean's Discipline process.

Students are encouraged to familiarize themselves with different forms of plagiarism and what they involve. Apart from verbatim copying, paraphrasing text in different words without acknowledging the sources also amounts to plagiarism. Students are encouraged to use the [Columbia University Undergraduate Guide to Academic Integrity](#), which provides more detailed information.

STUDENTS WITH DISABILITIES

Students with disabilities have rights to reasonable accommodation. In order to ensure their rights, it is the responsibility of students to report any learning-related disabilities, to do so in a timely fashion, and to do so through the Office of Disability Services. Students can contact [Disability Services](#) at 212-854-2388 and disability@columbia.edu. Students who have documented conditions and are determined by DS to need individualized services will be provided an DS-certified 'Accommodation Letter'. It is students' responsibility to provide this letter to the instructors and in so doing request the stated accommodations. Students are encouraged to confirm accommodation needs with me during office hours.

TENTATIVE SCHEDULE

*** Schedule and readings are subject to change. ***

BLOCK 1: WHAT IS HUMAN RIGHTS RESEARCH?

Week 1: Introduction (January 16)

- Overview and objectives, Ground rules on course climate
- Introductions
- What is human rights research?

Reading:

- Coomans, Grünfeld, Kamminga, "Methods of Human Rights Research: A Primer," *Human Rights Quarterly* 32 (2010): 179-86
- Freeman, Michael. 2011. *Human Rights: An Interdisciplinary Approach*, 2nd ed., Malden, MA: Polity Press, Chapter 5 and Chapter 7
- Dembour, Marie-Benedicte. 2010. "What are Human Rights? Four Schools of Thought." *Human Rights Quarterly* 32(1): 1-20.

Week 2: Focus on your Seminar Papers (January 23)

- Discussing student ideas
- Potential research questions
- Determining groups for peer support
- Disciplinary perspectives on human rights research, e.g. political science, law, geography, anthropology, sociology, economics, philosophy etc.

Potential reading on disciplinary perspectives:

- Neil Stammers, "Social Movements and the Social Construction of Human Rights," *Human Rights Quarterly* 21 (1999): 980-1008
- Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders, Advocacy Networks in International Politics*, Cornell University Press, 1998
- Kathryn Sikkink, "Transnational Politics, International Relations Theory, and Human Rights," *PS: Political Science and Politics* 31.3 (Sep. 1998): 516-23.
- Dan Seymour and Jonathan Pincus, "Human Rights and Economics," *Development Policy Review* 26.4 (2008): 387-405.
- Freeman, Michael. 2011. *Human Rights: An Interdisciplinary Approach*, 2nd ed., Malden, MA: Polity Press, Chapter 8 on Economics
- Ellen Messer, "Anthropology and Human Rights," *Annual Review of Anthropology* 22 (1993): 221-49
- American Anthropological Association, "Committee for Human Rights Guidelines": <http://www.aaanet.org/cmtes/cfhr/Committee-for-Human-Rights-Guidelines.cfm>
- Jean Connelly Carmalt, "Rights and Place: Using Geography in Human Rights Work," *Human Rights Quarterly* 29.1 (2007): 68-85

Week 3: Visit by a librarian providing guidance on human rights research (January 30)

- Using the library for (interdisciplinary) human rights research, including journals and books
- Introduction to different databases
- Locating primary sources
- *Guest speaker: Pamela Graham, Director, Center for Human Rights Documentation & Research, Columbia University (tbc)*

Reading:

- Research guide on human rights:
http://guides.library.columbia.edu/humanrights_studies

Week 4: The Practice of Human Rights Research (February 6)

- Discuss methodology and strategy
- Discuss the purpose of human rights research: Academic or applied research? Research, advocacy and/or policy influencing?
- *Guest speaker: Katharina Rall, Researcher, Environment and Human Rights Division, Human Rights Watch (tbc)*

Reading:

- Human Rights Watch, "Our Research Methodology":
<http://www.hrw.org/node/75141>
- Michael O'Flaherty and George Ulrich, "The Professionalization of Human Rights Field Work," *Journal of Human Rights Practice* 2.1 (2010): 1-27
- Ron Dudai, "Can You Describe This?" *Human Rights Reports and What They Tell Us About the Human Rights Movement*, in *HUMANITARIANISM AND SUFFERING: THE MOBILIZATION OF EMPATHY* 245 (Richard Ashby Wilson & Richard D. Brown eds., 2009)
- Center for Economic and Social Rights, *The OPERA Framework, Assessing Compliance with the obligation to fulfill economic, social and cultural rights*, 2012, available at: <http://cesr.org/downloads/the.opera.framework.pdf>
- Additional reading tbd

BLOCK 2: CHALLENGES AND CRITIQUES

The international human rights framework faces significant challenges and critiques from different perspectives. Some ask: Do international human rights have any impact? Are they effective? Has the international human rights movement reached its apex? Other commentators ask: Does international human rights law reflect subaltern views? Does it reflect and integrate feminist views? Yet another set of critique focuses specifically on economic, social and cultural rights and questions their status as legal, justiciable rights.

We will address these and some other critiques and challenges in this class. Students will prepare presentations in groups or pairs. Each group will present and discuss one area of fundamental critique, some responses and some of their own views before opening up the discussion to the class.

Week 5: Critical readings – Feminist perspectives (February 13)

- Hilary Charlesworth, Christine Chinkin and Shelley Wright, Feminist Approaches to International Law, *The American Journal of International Law*, Vol. 85, No. 4 (Oct., 1991), pp. 613-645
- Series of Comments on IntLawGrrls: <http://www.intlawgrrls.com/search/label/feminism%20series>
- Christine Chinkin, Shelley Wright, and Hilary Charlesworth, Feminist approaches to international law: reflections from another century, in: Buss, Doris and Manji, Ambreena (eds.) *International Law: Modern Feminist Approaches* (Hart, 2005), pp. 17-47.
- Karen Engle, International Human Rights and Feminisms: Where Discourses Keep Meeting, in: *International Law: Modern Feminist Approaches*, edited by Doris Buss and Ambreena Manji, 47–66 (Hart, 2005)
- Sally Engle Merry, Mihaela Serban Rosen, Peggy Levitt, & Diana H. Yoon, Law from Below: Women's Human Rights and Social Movements in New York City, 44 *Law & Society Review* 101 (2010), available at: <http://www.law.uvic.ca/demcon/2012%20readings/Sally%20Merry%20et%20al%20-%20Law%20from%20Below.pdf>

Further reading:

- D. Otto, *Feminist Approaches to International Law*, Oxford Bibliographies, 2012
- See also: Feminist rewriting of judgments: <http://sites.temple.edu/usfeministjudgments/> (US Project with links to other projects)

Week 6: Critical readings – TWAIL (February 20)

- Makau Mutua, Savages, Victims, and Saviors: The Metaphor of Human Rights, *Harvard International Law Journal* 42:1 (Winter 2001), pp. 201-245
- Rajagopal B, *International law from below: Development, social movements, and Third World resistance*, Part III Decolonizing resistance: human rights and the challenge of social movements, pp. 163-232 (Cambridge University Press, 2003)
- BS Chimni, *Third World Approaches to International Law: A Manifesto* (2006) 8 *International Community Law Review* 3

Further reading:

- Nyamu, Celestine, How Should Human Rights and Development Respond to Cultural Legitimization of Gender Hierarchy in Developing Countries?, *Harvard International Law Journal* 41(2) (2000)
- Upendra Baxi, *The Future of Human Rights*, 3rd ed., 2012

Week 7: Critical readings – The End of Human Rights? (February 27)

- Stephen Hopgood, *The Endtimes of Human Rights* (Cornell University Press, 2013)
- Different positions on Hopgood's book:
<http://www.leiden.amnesty.nl/attachments/article/152/2014-07,%20Debating%20the%20endtimes%20of%20human%20rights%20-%20Activism%20and%20institutions%20in%20a%20Neo-Westphalian%20world.pdf>
- Debate on openGlobalRights,
<https://www.opendemocracy.net/openglobalrights/emerging-powers-and-human-rights>

Week 8: Critical readings – Critiques of socio-economic rights (March 6)

- Aryeh Neier, *Social and Economic Rights: A Critique*, *Human Rights Brief* 13, no. 2 (2006): 1-3
- Aryeh Neier, *The International Human Rights Movement: A History* (Princeton, N.J.: Princeton University Press, 2012) pp. 56-86
- Onora O'Neill, *The Dark Side of Human Rights*, *International Affairs* 81, 2 (2005) 427-439
- Susan Marks, *Human Rights and Root Causes*, *Modern Law Review* 74.1 (2011): 57-78
- Marius Pieterse, 'Eating Socioeconomic Rights: The Usefulness of Rights Talk in Alleviating Social Hardship Revisited' (2007) 29 *Human Rights Quarterly* 796-822
- Daniel P. L. Chong, *Debating Human Rights*, Chapter 12, Lynne Rienner Publishing 2014

Week 9: Spring recess (March 13)

BLOCK 3: FOCUS ON YOUR WRITING PROJECTS

Weeks 10 to 14: Presentation of student papers (3-4 per session)

***** Readings to be added based on your suggestions. *****

Week 10: March 20

Week 11: March 27

Week 12: April 3

Week 13: April 10

Week 14: April 17

- Substantive readings and content to be determined based on students' research areas
- Students to work in small groups to present key literature and your research in class
- Addressing challenges in the process of research and writing

Week 15: Concluding session (April 24)

- Addressing challenges in finalizing your papers
- Feedback

Final paper due: May 1