



Human Rights in International Relations

Politics and International Relations
School of Social and Political Science
UNIVERSITY *of* EDINBURGH



Course Guide PLIT10063

Semester 1 2013-14

Course Organiser

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Office Hours: Wednesday, 9.00-11.00h or by appointment

Tutor

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Course Description and Objectives

What role do human rights play in international relations today? How are rights for individuals enforced by states? This course examines the interaction between politics and law and aims to give a general understanding of the role of human rights in the post-Cold War world. It discusses relations between order, stability and justice and pays considerable attention to issues of universality of human rights and particularly the problem of enforcement. The course analyses current issues and debates of military humanitarian interventions as well as judicial interventions such as the ad hoc war crimes tribunals and the International Criminal Court.

By the end of the course, it is expected that students will be able to:

- demonstrate knowledge of the main human rights provisions and ways of their enforcement;
- analyse theoretical foundations of human rights in international politics and concepts of international order and justice;
- show familiarity with core texts and articulate an informed view about current debates and questions surrounding human rights and their enforcement in international relations

Teaching Arrangements

This course is taught during the first semester of the academic year 2013/2014 for 10 weeks. It consists of 1 hour lecture plus 1 hour tutorial per week (tutorials start in week 2). Tutorial questions and indicative reading are provided in this guide. You are strongly encouraged to pursue independent reading in those areas that are of particular interest to you.

Lectures: Thursdays 10.00-10.50h, F21, 7 George Square

Tutorials: Tuesdays 10.00-10.50h (110, 24 Buccleuch Place), 11.10-12.00h (G37, Patersons Land), or Wednesdays 9.00-9.50h (G5, Appleton Tower), 10.00-10.50h (M3, Appleton Tower), or 12.10-13.00h (G.13, Teviot)

You are required to sign up for one of the tutorial session via Learn.

Assessment

There are three elements to assessment: a 2,000 word **essay** (40%), an unseen 2 hour **examination** (50%) and **tutorial participation** (10%).

Students are expected to attend regularly the lectures and seminars of the course, as well as completing their coursework in a timely manner. Failure to do so can result in the student concerned being debarred from sitting the final examination.

Essay

Essays need to be submitted by **12 NOON on Friday, 1 November 2013**. The essay must not exceed 2,000 words; essays over the stipulated word length may be penalised. A good essay for this course will demonstrate engagement with both theoretical/conceptual questions and empirical observation.

Essay Questions

1. How persuasive are criticisms of the current international human rights regime? Discuss with reference to different theoretical approaches.
2. “The movement of global justice has been a struggle against sovereignty.” (Robertson, 2006, p. xxx) Do you agree?
3. “The Genocide Convention should have stopped genocide, but it didn’t,” (Elie Wiesel). Discuss
4. The Nuremberg trials established a positive foundation for post-conflict justice. Discuss.
5. Is the ICC a significant innovation that ensures the universal enforcement of human rights?
6. Critically evaluate the following statement: “Trans-national NGO networks are another means for rich countries to monopolise global debates on human rights”.
7. Critically assess in what ways the human rights regime has been affected by 9/11 and the subsequent 'war on terror'.

Essays will normally be returned within three working weeks of their deadlines with both comments and a mark. The mark for coursework is provisional, since coursework may also be seen by the External Examiners and the mark may sometimes be amended.

Exam

The semester 1 exam period runs from 9 to 20 December 2013. Students will receive generalised feedback on their exam performance. Please see the Honours Handbook for further guidance on exam feedback.

Tutorial participation

The tutorials are designed to give you an opportunity to discuss the readings, share your ideas and try out arguments with other students. Their usefulness is directly proportional to your willingness to prepare and participate actively.

- *Attendance:* You are expected to attend every tutorial and lecture, unless you have very good reason to be absent. Absences should be explained in advance and justified with evidence where appropriate.
- *Preparation:* You are expected to complete the *key readings* every week. You will be asked to submit one page (type-written) containing the authors' key arguments and your critique on the key readings. This page will be collected by the tutor but will not be graded. It will be the basis of discussion in class, and you may be called upon in tutorials to lead some of the discussion by drawing upon your points on your page.
- *Performance:* You are expected to contribute to class discussion by offering ideas and asking questions. You are expected to listen when others talk, both in small and large group discussions. Ideally, you will be able to incorporate or build off the ideas of others.
- NB The focus will be on the quality rather than quantity of your contributions. It's not a race to see who can say the most. Rather, students will be rewarded for their capacity to make relevant points, bring in the readings where appropriate, listen to and engage with others.

Assessment of student participation is subdivided into 5% for attendance and preparation for tutorials, and 5% performance in tutorials. In both sections, performance relates broadly to essay marking descriptors, so that excellence would receive a mark of 70-80%, very good work 60-70%, good work 50-60% and so on. Please see the appendix for the Tutorial Feedback and Assessment Form. Any questions regarding the assessment of student participation, please just ask.

Plagiarism

Although discussion between students is encouraged, all essays, dissertations and other coursework are accepted for assessment on the understanding that they are, in the end, the student's own work. Copying out passages from books and articles without putting the passages into quotation marks must be avoided. All sources must be properly acknowledged. Occasionally cases have come to light of copying from other students' essays: this will not be condoned. Serious cases of plagiarism will normally lead to automatic failure on the whole course, and may also lead to action under the University's Code of Discipline. See the apposite section in the Honours handbook for more information on plagiarism (and the consequences thereof).

The School is using the 'Turnitin' system to check that submitted essays do not contain plagiarised material. Turnitin compares every essay submitted against a constantly-updated database, which highlights all plagiarised work. **All coursework on this course must be submitted electronically.**

Essay Submission

Please see the Honours handbook for further information on submission of coursework; Late Penalty Waivers; plagiarism; learning disabilities, special circumstances; common marking descriptors, re-marking procedures and appeals.

Feedback

Feedback – both informal and formal - is provided in a number of different ways over the course of the module

- Written assignments will be returned within 15 working days of their deadlines. They will be marked according to the University's [Common Marking Scheme](#) – please consult before submitting your assignments
- You will receive your assignments back with a standardised marksheet on which will be written your mark and a paragraph of constructive comments which feedback on the work
- The mark for coursework is provisional, since coursework may also be seen by the external examiners and the mark may sometimes be amended
- Students are entitled to request further feedback/clarification from the marker if they have questions about the written feedback they receive regarding coursework
- Any student is welcome to come and speak to the course convenor or the tutor about their performance during office hours or by appointment during the semester

Students with Learning Difficulties

Advice, guidance and a range of support materials is available to students with learning difficulties (such as dyslexia). These students should contact - in advance of coursework deadlines - the Disability Office for further information: See the Disability Office's website: <http://www.disability-office.ed.ac.uk/>

Visiting Students

Visiting and exchange students are expected to be assessed in the same way as Edinburgh students. If you are unable to be assessed in the normal way (that is, including completing the examination) you must contact the course organiser as soon as possible to make appropriate arrangements.

Learn

Learn will be used in this course. Lecture slides will be uploaded after the lecture. Links for some seminar readings will also be available via Learn.

Readings

The following texts are recommended and will be frequently referenced throughout the course. They provide an excellent introduction to this subject:

Forsythe, David P. (2012). *Human Rights in International Relations*, 3rd edition. Cambridge: Cambridge University Press.

Goodhart, Michael (Ed.) (2013) *Human Rights - Politics and Practice*, 2nd edition. Oxford: Oxford University Press.

Other useful books for this course include:

Brown, Chris. (2002). *Sovereignty, Rights and Justice: International Political Theory Today*. Cambridge: Polity Press.

Maogoto, Jackson Nyamuya. (2004). *War Crimes and Realpolitik: International Justice from World War I to the 21st Century*. Boulder: Lynne Rienner.

Robertson, Geoffrey. (2006). *Crimes Against Humanity: The Struggle for Global Justice*, 3rd ed. London: Penguin.

Resources

This reading list is by no means exhaustive. Many of the recommended texts have extensive bibliographies. Students are encouraged to seek additional sources independently.

Journals

It is important that students keep abreast of current events and developments. This involves reading of the quality daily press, such as the *Financial Times* and *The Guardian* (available online).

The main journals in international relations are *Review of International Studies*, *Foreign Affairs*, *International Affairs*, *International Journal*, *Human Rights Quarterly*, *International Security*, *International Organisation*, *World Politics*, and *Millennium: Journal of International Politics*.

This course also makes use of resources in international law, such as *European Journal of International Law*, *Modern Law Review*, *Leiden Journal of International Law*, *Netherlands International Law Review*, and *American Journal of International Law*.

Please note that most of the recent volumes (generally from 1998 onwards) of the journals can be accessed electronically via the library webpage which saves you having to go to the library shelves.

The Internet

Students are also encouraged to use the Internet – discerningly. Some useful, but by no means exhaustive, websites include:

<http://www.ciaonet.org/>. Columbia International Affairs Online – designed to be a very comprehensive source for theory and research in international affairs and publishes a wide range of scholarship from 1991 onwards.

<http://www.hrw.org/> Human Rights Watch – excellent reports on human rights situations in different countries and also on various issue areas.

<http://www.aegistrust.org/> The Aegis Trust – campaigns to prevent genocide worldwide

<http://www.icc-cpi.int/> International Criminal Court
<http://www.un.org/icty/> International Criminal Tribunal for the Former Yugoslavia
<http://www.un.org/ictt/> International Criminal Tribunal for Rwanda
<http://www.iccnw.org/> Coalition for the International Criminal Court - a global network of over 2,000 NGOs advocating for a fair, effective and independent ICC. Excellent resources related to all aspects of the ICC.
<http://www.crimesofwar.org/> Crimes of War Project - a collaboration of journalists, lawyers and scholars dedicated to raising public awareness of the laws of war and their application to situations of conflict.
<http://www.globalpolicy.org/> Global Policy Forum – aims to monitor policy making at the United Nations, promote accountability of global decisions, educate and mobilize for global citizen participation, and advocate on vital issues of international peace and justice.
www.ceip.org Carnegie Endowment for International Peace
www.sipri.se The Stockholm International Peace Research Institute.
www.icg.org The International Crisis Group

Lecture Schedule

The first tutorial meeting will be held in Week 2.

Week	Lecture Topic
1	Introducing ‘Human Rights’
2	Framing Human Rights: Theoretical Foundations
3	The Global Application of Human Rights Case Study: The Genocide Convention
4	Humanitarian Intervention Case Studies: Darfur and Libya
5	International Criminal Justice Case Studies: Nuremberg and ICTY
6	Universal Jurisdiction Case Study: Pinochet and the House of Lords
7	The International Criminal Court
	** Essay Deadline, Friday 1 November, 12 NOON **
8	Human Rights and Civil Society Case Studies: The Coalition for an International Criminal Court and the Coalition to Stop the Use of Child Soldiers
9	Human Rights and the War on Terror Case Studies: Guantanamo Bay, Torture Memos
10	Human Rights in International Relations: Summary & Future Directions

Course Programme & Reading List

Week 1: Introducing 'Human Rights'

Key Questions

- How did Human Rights emerge? What is the difference between 'basic human rights' and 'universal rights'? What are their main international laws that set out human rights? Do they tell the whole stories?

Key readings

Best, Geoffrey. (1990). 'Whatever happened to Human Rights?' *Review of International Studies*. 16(1), pp. 3-18.

Carey, Sabine C., Gibney, Mark and Poe, Steven C. (Eds.). (2010) *The Politics of Human Rights: The Quest for Dignity*. Cambridge: Cambridge University Press, chapter 1.

Background Reading

Forsythe, David P. (2012). *Human Rights in International Relations*, 3rd edition. Cambridge: Cambridge University Press, chapters 1 & 2.

Goodhart, Michael (Ed.) (2013) *Human Rights - Politics and Practice*, 2nd edition. Oxford: Oxford University Press, chapters 1 & 4.

Universal Declaration of Human Rights: <http://www.un.org/en/documents/udhr/>

Further Suggested Reading

Abbott, Kenneth W. (1999). 'International Relations Theory, International Law, and the Regime Governing Atrocities in Internal Conflicts'. *American Journal of International Law*. 93(2), pp.361-379.

Barry, Barry and Southwood, Nicholas (2011). 'What Is Special About Human Rights?'. *Ethics & International Affairs*, 25(3), pp. 369-383.

Brown, Chris. (2002). *Sovereignty, Rights and Justice: International Political Theory Today*. Cambridge: Polity Press.

Brown, Chris. (1999). 'Universal human rights: a critique'. In T. Dunne, and N.J. Wheeler (Eds.), *Human Rights in Global Politics*. Cambridge: Cambridge University Press, pp.103-127.

Cassese, Antonio. (1990). *Human Rights in a Changing World*. Cambridge: Polity Press.

Cassese, Antonio. (2001). *International Law*. New York: Oxford University Press.

Chinkin, Christine. (1998). 'International law and international human rights'. In T. Evans (Ed.), *Human rights fifty years on: A reappraisal*. Manchester, New York: Manchester University Press, pp.105-129.

- Clark, Roger S., and Sann, Madeleine, Eds. (1996). *The Prosecution of International Crimes*. New Brunswick, London: Transaction Publishers.
- Donnelly, Jack. (1998). *International Human Rights*, 2nd ed. Boulder, Oxford: Westview Press.
- Donnelly, Jack. (1999). 'The social construction of international human rights'. In T. Dunne, and N.J. Wheeler (Eds.), *Human Rights in Global Politics*. Cambridge: Cambridge University Press, pp.71-102.
- Peterson, V. Spike. (1990). 'Whose Rights? A Critique of the "Givens" in Human Rights Discourse'. *Alternatives*. 15(3), pp.303-344.
- Reus-Smit, Christian. (2004). (Ed.), *The Politics of International Law*. Cambridge: Cambridge University Press
- Schmitz, Hans Peter, and Sikkink, Kathryn. (2002). 'International Human Rights'. In W. Carlsnaes, T. Risse, and B.A. Simmons (Eds.), *Handbook of International Relations*. London, Thousand Oaks, New Delhi: Sage, pp.517-537.
- Steans, Jill. (2013). *Gender and international relations: issues, debates and future directions*. 3rd edition. Cambridge: Polity. (particularly Chapter 4: 'Gender, Sexuality and Human Rights')
- Wheeler, Nicholas J. (2000). *Saving Strangers: Humanitarian Intervention in International Society*. Oxford: Oxford University Press.

Week 2: Framing Human Rights: Theoretical Foundations

Key Questions

- What role do human rights play in different IR theories? What is an 'international society' and why is it important? Do you agree with the feminist critique that international human rights have been gendered to the disadvantage of women?

Key readings

- Adamson, Fiona and Sriram, Chandra Lekha (2010). 'Perspectives on international law in international relations'. In B. Çali (Ed.), *International Law for International Relations*. Oxford: Oxford University Press, pp. 25-45
- Sikkink, Kathryn (1998), 'Transnational Politics, International Relations Theory, and Human Rights', *PS: Political Science and Politics*, 31 (3), pp. 516-523.

Background Reading

- Çali, Başak (2010). 'International Human Rights Law'. In B. Çali (Ed.), *International Law for International Relations*. Oxford: Oxford University Press, pp. 281-305.
- Forsythe, David P. (2012). *Human Rights in International Relations*, 3rd edition. Cambridge: Cambridge University Press, chapter 1.

Goodhart, Michael (Ed.) (2013) *Human Rights - Politics and Practice*, 2nd edition. Oxford: Oxford University Press, chapter 3.

Further Suggested Reading

Armstrong, David, Farrell, Theo and Lambert, Hélène (2007), *International Law and International Relations*, Cambridge: Cambridge University Press, Chapter 3.

Barry, Ben. (2011). 'Libya's Lessons', *Survival*. 53(5), pp. 5-14.

Bellamy, Alex J. (2003). 'Humanitarian responsibilities and interventionist claims in international society'. *Review of International Studies*. 29(3), 321-340.

Bellamy, Alex J. (2005). 'Introduction: International Society and the English School'. In A.J. Bellamy (Ed.), *International Society and its Critics*. Oxford; New York: Oxford University Press, pp.1-26.

Birdsall, Andrea (2009). *The International Politics of Judicial Intervention – Creating a more just order*, London: Routledge, chapter 1

Brown, Chris. (2002). *Sovereignty, Rights and Justice: International Political Theory Today*. Cambridge: Polity Press, chapter 4.

Brown, Chris. (1999). 'Universal human rights: a critique'. In T. Dunne, and N.J. Wheeler (Eds.), *Human Rights in Global Politics*. Cambridge: Cambridge University Press, pp.103-127.

Bull, Hedley. (1995). *The Anarchical Society: A Study of Order in World Politics*, 2nd edition. Basingstoke, London: MacMillan.

Çali, Başak. (2010). *International Law for International Relations*. Oxford: Oxford University Press.

Dunne, Tim and Gifkins, Jess. (2011). 'Libya and the state of intervention'. *Australian Journal of International Affairs*. 65(5), pp. 515-529

Fehl, Caroline (2004) 'Explaining the International Criminal Court: A 'Practice Test' for Rationalist and Constructivist Approaches', *European Journal of International Relations*, 10 (3), pp.357-394.

Finnemore Martha and Sikkink, Kathryn (1998). 'International Norm Dynamics and Political Change', *International Organization*, 52 (4), pp.887-917.

Hurrell, Andrew. (2003). 'Order and Justice in International Relations: What is at Stake?' In R. Foot, J. Gaddis, and A. Hurrell (Eds.), *Order and Justice in International Relations*. Oxford: Oxford University Press, pp.24-48.

Jackson, Robert. (2000). *The Global Covenant: Human Conduct in the World of States*. Oxford and New York: Oxford University Press.

- Oloka-Onyango, J. and Tamale, Sylvia (1995). “‘The Personal is Political,’ or Why Women’s Rights are Indeed Human Rights: An African Perspective on International Feminism’, *Human Rights Quarterly*. 17(4). pp. 691-731.
- Peterson, V. Spike. (1990) ‘Whose Rights? A Critique of the “Givens” in Human Rights Discourse’, *Alternatives*, 15 (3), pp. 303-344.
- Reus-Smit, Christian, (Ed.), (2004). *The Politics of International Law*. Cambridge: Cambridge University Press.
- Risse, Thomas, Ropp, Stephen C. and Sikkink, Kathryn (Eds.) (1999), *The Power of Human Rights. International Norms and Domestic Changes*. Cambridge: Cambridge University Press.
- Roberson, Barbara A., (Ed.) (2002). *International Society and the Development of International Relations Theory*, Revised edition. London, New York: Continuum.
- Steans, Jill. (2013). *Gender and international relations: issues, debates and future directions*. 3rd edition. Cambridge: Polity, chapter 4.
- Waltz, Kenneth. (1979). *Theory of International Politics*. New York: McGraw-Hill.
- Wheeler, Nicholas J. (1992). 'Pluralist and Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention'. *Millennium: Journal of International Politics*. 21(3), pp.463-487.
- Wheeler, Nicholas J. (2000). *Saving Strangers: Humanitarian Intervention in International Society*. Oxford: Oxford University Press.

Week 3: The Global Application of Human Rights

Key Questions

- What are the key institutions related to human rights? What is the role of the UN with regard to Human Rights enforcement? Why is universal enforcement problematic?

Case Study: Genocide Convention

Key Readings

- Brown, Chris. (2002). *Sovereignty, Rights and Justice: International Political Theory Today*. Cambridge: Polity Press, chapter 7.
- Goodhart, Michael (Ed.) (2013) *Human Rights - Politics and Practice*, 2nd edition. Oxford: Oxford University Press, chapter 16.

Background Reading

- Forsythe, David P. (2012). *Human Rights in International Relations*, 3rd edition. Cambridge: Cambridge University Press, chapters 2& 3.

Genocide Convention: <http://www2.ohchr.org/english/law/genocide.htm>

Further Suggested Reading

- Alston, Philip. (1998). 'The UN's Human Rights Record: From San Francisco to Vienna and Beyond'. In C. Ku, and P.F. Diehl (Eds.), *International Law: Classic and Contemporary Readings*. Boulder, London: Lynne Rienner, pp.355-368.
- Alston, Philip (2000). *The Future of UN Human Right Monitoring*, Cambridge: Cambridge University Press.
- Bantekas, Ilias and Oette, Lutz (2013). *International Human Rights Law and Practice*, Cambridge: Cambridge University Press.
- Donnelly, Jack. (1994). 'Human Rights and International Organizations: States, Sovereignty, and the International Community'. In F. Kratochwil, and E.D. Mansfield (Eds.), *International Organizations: A Reader*. New York: Harper Collins, pp.202-219.
- Farer, Tom J., and Gaer, Felice. (1993). 'The UN and Human Rights: At the End of the Beginning'. In A. Roberts, and B. Kingsbury (Eds.), *United Nations, Divided World: The UN's Roles in International Relations*, 2. Oxford: Oxford University Press, pp.240-296.
- Hurrell, Andrew. (1999). 'Power, principles and prudence: protecting human rights in a deeply divided world'. In T. Dunne, and N.J. Wheeler (Eds.), *Human Rights in Global Politics*. Cambridge: Cambridge University Press, pp.277-302.
- Ignatieff, Michael. (2001). *Human Rights as Politics and Idolatry*. Princeton, Oxford: Princeton University Press.
- Mertus, Julie A. (2009). *The United Nations and Human Rights. A guide for a new era*. 2nd edition, London: Routledge, chapters 2, 3, 4 and 5.
- Maogoto, Jackson Nyamuya. (2004). *War Crimes and Realpolitik: International Justice from World War I to the 21st Century*. Boulder: Lynne Rienner.
- May, Larry. (2005). *Crimes Against Humanity: A Normative Account*. Cambridge: Cambridge University Press.
- Power, Samantha (2010). *A Problem from Hell: America and the Age of Genocide*. Reissue edition, Flamingo.
- Robertson, Geoffrey. (2006). *Crimes Against Humanity: The Struggle for Global Justice*, 3rd ed. London: Penguin.
- Weiss, Thomas G., Forsythe, David P., and Coate, Roger A. (2001). *The United Nations and Changing World Politics*, 3. Boulder: Westview Press.
- White, Nigel D. (2002). *The United Nations System: Toward International Justice*. Boulder: London.

Weeks 4: Humanitarian Intervention

Key Questions

- What are humanitarian interventions? What are the differences between unilateral and multilateral interventions? Should there be a right to unilateral and/or unauthorised intervention?

Case Studies: Darfur and Libya

Key Readings

Bellamy, Alex J. (2005). 'Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq'. *Ethics & International Affairs*, 19(2), pp. 31-53.

Chesterman, Simon. (2011). "Leading from Behind": The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya'. *Ethics & International Affairs*. 25(3), pp. 279-285

Background Reading

Carey, Sabine C., Gibney, Mark and Poe, Steven C. (2010). *The Politics of Human Rights: The Quest for Dignity*. Cambridge: Cambridge University Press, chapter 6.

Goodhart, Michael (Ed.) (2013) *Human Rights - Politics and Practice*, 2nd edition. Oxford: Oxford University Press, chapter 17.

UN General Assembly (2009). *Implementing the responsibility to protect: Report of the Secretary-General*. http://www.unrol.org/files/SG_reportA_63_677_en.pdf

Further Suggested Readings

Alston, Philip and Macdonald, Euan (Eds.) (2008). *Human rights, Intervention and the Use of Force*, Oxford: Oxford University Press.

Amnéus, Diana (2012). 'Responsibility to Protect: Emerging Rules on Humanitarian Intervention?' *Global Society*. 26 (2), pp. 241-276.

Arbour, Louise (2008). 'The responsibility to protect as a duty of care in international law and practice' *Review of International Studies*. 34 (3), 445-58.

Bellamy, Alex J. (2003). 'Humanitarian responsibilities and interventionist claims in international society'. *Review of International Studies*. 29(3), pp.321-340.

Bellamy, Alex J. (2010). 'The Responsibility to Protect - Five Years On,' *Ethics & International Affairs*. 24(2), pp. 143-169.

Bellamy, Alex J. (2011). 'Libya and the Responsibility to Protect: The Exception and the Norm'. *Ethics & International Affairs*. 25(3), pp. 263-269.

- Bilder, Richard B (2008) 'The Implications of Kosovo for International Human Rights Law' in P. Alston, and E. Macdonald, (Eds.). *Human rights, Intervention and the Use of Force*, Oxford: Oxford University Press, pp.139-178.
- Brown, Chris. (2002). *Sovereignty, Rights and Justice: International Political Theory Today*. Cambridge: Polity Press, chapter 8.
- Byers, Michael and Chesterman, Simon (2003). 'Changing the rules about rules? Unilateral intervention and the future of international law', in: J.L. Holzgrefe and Robert O. Keohane, (eds.). *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*. Cambridge: Cambridge University Press, pp.177-203.
- Carvin, Stephanie. (2010). 'A responsibility to reality: a reply to Louise Arbour'. *Review of International Studies*. 36 (S1), pp 47-54.
- Chesterman, Simon (2001). *Just War or Just Peace? Humanitarian intervention and international law*. Oxford: Oxford University Press.
- Corten, Olivier (2008). Human Rights and Collective Security: Is There an Emerging Right of Humanitarian Intervention? In P. Alston, and E. Macdonald, (Eds.). *Human rights, Intervention and the Use of Force*, Oxford: Oxford University Press, pp.87-133.
- Dewar, Michael (1993). 'Intervention in Bosnia – the case against', *World Today*, 49 (2), pp.32-34.
- Donnelly, Jack (1993). 'Human rights, humanitarian crisis, and humanitarian intervention', *International Journal*, XLVIII (4), pp.607-640.
- Glennon, Michael J. (1999). 'The New Interventionism: The Search for a Just International Law', *Foreign Affairs*, 78 (3), pp.2-7.
- Greenwood, Christopher (1993). 'Is there a right of humanitarian intervention?', *World Today*, 49(2), pp.34-40.
- Hamilton, Rebecca J. (2006). 'The Responsibility to Protect: From Document to Doctrine – But What About Implementation?'. *Harvard Human Rights Journal*. 19, pp.289-297.
<http://www.law.harvard.edu/students/orgs/hrj/iss19/hamilton.shtml>
- Hehir, Aidan. (2013). 'The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect'. *International Security*, 38 (1), pp.137–159.
- Holzgrefe, Jeff L and Robert O. Keohane (Eds.) (2003). *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, Cambridge: Cambridge University Press.
- Human Rights Watch: *Darfur: Whose Responsibility to Protect?*
<http://hrw.org/wr2k5/darfur/index.htm>
- Ignatieff, Michael (2002). "Intervention and State Failure", in: Nicolaus Mills and Kira Brunner (eds.): *The New Killing Fields: Massacre and the Politics of Intervention*. New York: Basic Books, pp.229-244.

- Ignatieff, Michael (2003). 'Human Rights, Sovereignty and Intervention', in: Nicholas Owen (ed.): *Human Rights, Human Wrongs: The Oxford Amnesty Lectures*. Oxford: Oxford University Press, pp.48-88.
- International Commission of Inquiry on Darfur (2005). *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General*. http://www.un.org/news/dh/sudan/com_inq_darfur.pdf
- International Commission on Intervention and State Sovereignty. (2001). *The Responsibility to Protect*. Ottawa: International Commission on Intervention and State Sovereignty. <http://responsibilitytoprotect.org/ICISS%20Report.pdf>
- Jackson, Robert H. (1993). 'Armed humanitarianism', *International Journal*, vol. XLVIII(4), pp.579-606.
- Kuperman, Alan J. (2013). 'A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign'. *International Security*, 38 (1), pp. 105–136.
- Koskeniemi, Martti. (2002). 'The Lady Doth Protest Too Much' Kosovo, and the Turn to Ethics in International Law'. *The Modern Law Review*. 65(2), pp.159-175.
- Luck, Edward. (2010) "The Responsibility to Protect: Growing Pains or Early Promise?" *Ethics & International Affairs*. 24(4), pp. 349-365.
- Nardin, Terry (2002) 'The Moral Basis of Humanitarian Intervention', *Ethics & International Affairs*, 16(1), pp.57-70.
- Ramsbotham, Oliver (1997). 'Humanitarian intervention 1990-5: a need to reconceptualize?', *Review of International Studies*, 23, pp.445-468.
- Roberts, Anthea (2008). 'Legality Verses Legitimacy: Can Uses of Force be Illegal but Justified?' in P. Alston, and E. Macdonald, (Eds.). *Human rights, Intervention and the Use of Force*, Oxford: Oxford University Press, pp.179-213.
- Ruiz Fabri, Hélène (2008) 'Human Rights and State Sovereignty: Have the Boundaries been Significantly Redrawn?'. In P. Alston, and E. Macdonald, (Eds.). *Human rights, Intervention and the Use of Force*, Oxford: Oxford University Press, pp.33-86.
- Sriram, Chandra L., Martin-Ortega, Olga and Herman, Johanna (2009). *War, Conflict and Human Rights. Theory and Practice*, London: Routledge. chapters 5 and 8.
- Tesón, Fernando R. (1997). *Humanitarian Intervention: An Inquiry into Law and Morality*, 2nd edition. Irvington-on-Hudson, New York: Transnational Publishers.
- Todorov, Tzvetan (2003). 'Right to Intervene or Duty to Assist?', in: Nicholas Owen (ed.): *Human Rights, Human Wrongs: The Oxford Amnesty Lectures*. Oxford: Oxford University Press pp.164-227.
- Walzer, Michael (2002). 'Arguing for Humanitarian Intervention', in: Nicolaus Mills and Kira Brunner (eds.): *The New Killing Fields: Massacre and the Politics of Intervention*. New York: Basic Books, pp.19-35.

Weiss, Thomas G. (2011). 'RtoP Alive and Well after Libya'. *Ethics & International Affairs*. 25(3), pp. 287-292.

Wheeler, Nicholas J. (2000). *Saving Strangers: Humanitarian Intervention in International Society*. Oxford: Oxford University Press.

Week 5: International Criminal Justice

Key Questions

What are the different forms of judicial intervention? Are they a suitable instrument to enforce human rights internationally? Is justice a precondition for lasting peace?

Case Studies: International Military Tribunal at Nuremberg (IMT) and International Criminal Tribunal for Former Yugoslavia (ICTY)

Key Readings

Bass, Gary J. (2002). *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*. Princeton: Princeton University Press, chapter 5.

Rudolph, Christopher. (2001). 'Constructing an Atrocities Regime: The Politics of War Crimes Tribunals'. *International Organization*. 55(3), pp.655-691.

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Carey, Sabine C., Gibney, Mark and Poe, Steven C. (2010). *The Politics of Human Rights: The Quest for Dignity*. Cambridge: Cambridge University Press, chapter 7.

Forsythe, David P. (2012). *Human Rights in International Relations*, 3rd edition. Cambridge: Cambridge University Press, chapter 4.

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- Greenwood, Christopher. (1993). 'The International Tribunal for former Yugoslavia'. *International Affairs*. 69(4), pp.641-655.
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- Kerr, Rachel. (2004). *The International Criminal Tribunal for the Former Yugoslavia: An Exercise in Law, Politics, and Diplomacy*. Oxford; New York: Oxford University Press.
- Koskenniemi, Martti. (2002). 'Between Impunity and Show Trials'. In J.A. Frowein, and R. Wolfrum (Eds.), *Max Planck Yearbook of United Nations Law*. Vol. 6: Kluwer Law International, pp.1-35. (available online)
- Maogoto, Jackson Nyamuya. (2004). *War Crimes and Realpolitik: International Justice from World War I to the 21st Century*. Boulder: Lynne Rienner, chapters 3, 5 and 6.
- Meron, Theodor. (1994). 'War Crimes in Yugoslavia and the Development of International Law'. *The American Journal of International Law*. 88(1), pp.78-87.
- Minow, Martha. (1998). *Between vengeance and forgiveness: facing history after genocide and mass violence*. Boston: Beacon Press.
- Overy, Richard. (2003). 'The Nuremberg trials: international law in the making'. In P. Sands (Ed.), *From Nuremberg to The Hague: The Future of International Criminal Justice*. Cambridge: Cambridge University Press, pp.1-29.
- Peskin, Victor. (2000). 'Conflicts of Justice - An Analysis of the Role of the International Criminal Tribunal for Rwanda'. *International Peacekeeping*. 6(4-6), pp.128-137.

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Week 6: Universal Jurisdiction

Key Questions

- What is universal jurisdiction? What is its impact on international order? Is unilateral action problematic? What effect does it have on other states and the international community?

Case Study: Pinochet and the House of Lords

Key Readings

Hawthorn, Geoffrey. (1999). 'Pinochet: the politics'. *International Affairs*. 75(2), pp.253-258.

Roht-Arriaza, Naomi. (2004). 'Universal Jurisdiction: Steps Forward, Steps Back'. *Leiden Journal of International Law*. 17(2), pp.375-389.

Sands, Philippe. (2003). 'After Pinochet: the role of national courts'. In P. Sands (Ed.), *From Nuremberg to The Hague: The Future of International Criminal Justice*. Cambridge: Cambridge University Press, pp. 68-81.

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Birdsall, Andrea (2009) *The International Politics of Judicial Intervention: Creating a more just order*. London and New York: Routledge, chapter 3.

Robertson, Geoffrey. (2006). *Crimes Against Humanity: The Struggle for Global Justice*, 3rd ed. London: Penguin, chapter 8.

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Bianchi, Andrea. (1999). 'Immunity versus Human Rights: The Pinochet Case'. *European Journal of International Law*. 10(2), pp.237-277.

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- Roht-Arriaza, Naomi. (2005). *The Pinochet Effect: Transnational Justice in the Age of Human Rights*. Philadelphia: University of Pennsylvania Press.
- Sands, Philippe. (2003). 'International Law Transformed? From Pinochet to Congo?' *Leiden Journal of International Law*. 16, pp.37-53
- Williams, Sarah. (2012). 'Arresting Developments? Restricting the Enforcement of the UK's Universal Jurisdiction Provisions' *The Modern Law Review*. 75(3), pp. 368-386.

Week 7: The International Criminal Court

Key Questions

- What are the ICC's main characteristics? What were states' main concerns with regard to its creation? What is the ICC and why is it important? What is the US position on the ICC? What are the effects on the ICC?

Key Readings

- Mills, Kurt. (2012). “‘Bashir is Dividing Us’: Africa and the International Criminal Court’ *Human Rights Quarterly*. 34(2), pp. 404-447.
- Mayerfeld, Jamie. (2003). ‘Who Shall be Judge? The United States, the International Criminal Court, and the Global Enforcement of Human Rights’. *Human Rights Quarterly*. 25(1), pp.93-129.

Background Reading

- Birdsall, Andrea (2010). ‘The “Monster That We Need to Slay?” Global Governance, the United States, and the International Criminal Court’. *Global Governance*, 16 (4), pp. 451-470.
- Maogoto, Jackson Nyamuya. (2004). *War Crimes and Realpolitik: International Justice from World War I to the 21st Century*. Boulder: Lynne Rienner, chapter 7.

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- Akhavan, Payam (2009). ‘Are International Criminal Tribunals a Disincentive to Peace?: Reconciling Judicial Romanticism with Political Realism’, *Human Rights Quarterly*, 31 (3), pp.624–654
- Broomhall, Bruce. (2003). *International Justice and the International Criminal Court: Between Sovereignty and the Rule of Law*. Oxford: Oxford University Press.
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- Popovski, Vesselin. (2000). 'International Criminal Court: A Necessary Step Towards Global Justice'. *Security Dialogue*. 31(1), pp.405-419.
- Ralph, Jason. (2003). 'Between Cosmopolitan and American Democracy: Understanding US Opposition to the International Criminal Court'. *International Relations*. 17(2), pp.195-212.
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- Sands, Philippe. (2005). *Lawless World: America and the Making and Breaking of Global Rules*. London: Penguin; Allen Lane.
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Williams, Sarah and Sherif, Lena (2009). 'The Arrest Warrant for President al-Bashir: Immunities of Incumbent Heads of State and the International Criminal Court', *Journal of Conflict & Security Law*, 14 (1), pp.71-92.

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Week 8: Human Rights and Civil Society

Key Questions

- In what ways are civil society actors engaged in international negotiations on human rights?

Case Studies: The Coalition for an International Criminal Court and the Coalition to Stop the Use of Child Soldiers

Key Readings

Anderson, Kenneth and Rieff, David (2004). 'Global Civil Society: A Sceptical View'. In: H. Anheier, M. Glasius and M. Kaldor (Eds.). *Global Civil Society 2004/5*. London: Sage, 2004, pp. 24-39.

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Background Reading

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Further Suggested Readings

Alston, Philip (Ed.) (2005). *Non-State Actors and Human Rights*, Oxford: Oxford University Press, chapters 1,2 and 3.

- Blitt, Robert C. (2004). 'Who Will Watch the Watchdogs? Human Rights Non-Governmental Organizations and the Case for Regulation', *Buffalo, Human Rights Law Review*, 10, pp.261-396.
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- Mertus, Julie A. (2008) *Bait and Switch. Human Rights and US Foreign Policy*, 2nd edition, New York and London: Routledge. chapter 4.
- Nichols Haddad, Heidi. (2013). 'After the Norm Cascade: NGO Mission Expansion and the Coalition for the International Criminal Court', *Global Governance*, 19(2), pp. 187-206.
- Pace, William R., and Thieroff, Mark. (1999). 'Participation of Non-Governmental Organizations'. In R.S. Lee (Ed.), *The International Criminal Court: The Making of the Rome Statute: Issues, Negotiations, Results*. The Hague; London; Boston: Kluwer Law International, pp.391-398.
- Scholte, J. A. (2004), 'Civil Society and Democratically Accountable Global Governance'. *Government and Opposition*, 39 (2), pp. 211-233.
- Steiner, Henry J., Alston, Philip and Goodman, Ryan (2008). *International Human Rights in Context : Law, Politics, Morals : Text and Materials*. 3rd edition, Oxford: Oxford University Press. chapter 15.
- Risse, Thomas, Ropp, Stephen C. and Sikkink, Kathryn (Eds.) (1999), *The Power of Human Rights. International Norms and Domestic Changes*. Cambridge: Cambridge University Press. chapter 1

Week 9: Human Rights and the War on Terror

Key Questions

- In what ways has the 'War on Terror' impacted upon and been shaped by human rights? Do human rights in international law set limits to what can be done in the name of national security?

Case Studies: Guantanamo Bay and Torture Memos

Key Readings

Greenberg, Karen J. (2009). 'What the Torture Memos Tell Us'. *Survival*. 51(3): 5-12.

Robertson, Geoffrey. (2006). *Crimes Against Humanity: The Struggle for Global Justice*, 3rd ed. London: Penguin, chapter 12.

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

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- Gallagher, Katherine. (2009) 'Universal Jurisdiction in Practice: Efforts to Hold Donald Rumsfeld and Other High-level United States Officials Accountable for Torture' *Journal of International Criminal Justice*. 7(5), pp. 1087-1116.
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- Posner, Eric .A. (2003) 'Do States Have a Moral Obligation to Obey International Law?' *Stanford Law Review* 55:1901-19.
- Sikkink, Kathryn. (2013) 'The United States and Torture'. In T. Risse, S. Ropp and K. Sikkink (eds.), *The Persistent Power of Human Rights*. Cambridge; New York: Cambridge University Press, pp. 145-163.
- Waldron, Jeremy (2005). 'Torture and Positive Law: Jurisprudence for the White House'. *Columbia Law Review*. 105(6): 1681-1750.
- Wilson, Richard Ashby (2005). 'Human Rights in the "War on Terror"'. In R.A. Wilson, *Human Rights in the 'War on Terror'*, Cambridge; New York: Cambridge University Press, pp. 1-36.
- Zelikow, Philip. (2009). 'The OLC "torture memos": thoughts from a dissenter'. *Foreign Policy*.
http://shadow.foreignpolicy.com/posts/2009/04/21/the_olc_torture_memos_thoughts_from_a_dissenter

Week 10: Human Rights in IR: Future Directions

- What are the main issues of human rights concerns today?

Recap and summary

APPENDIX I

Planning and Writing your Essay

Here are some points to bear in mind.

1. You need to start by making sure that you understand the question and have defined any key terms. Draft some provisional headings relating to key points/ aspects of the question. There is no single formula for an essay plan, but investing time at the planning stage is always worth while, however pressed you feel. Write the question at the head of your plan may help to clarify your thinking and ensure that you answer the question set.
2. You should next review the course reading list to select key readings. Make notes and organise them in accordance with your plan headings, taking the opportunity to revise the provisional headings in the light of your review of the course materials. You may need to go beyond the reading list: for example you could follow up references in the bibliographies of articles and books you have found particularly useful. You might skim through back copies of relevant journals (see reading list for examples) or search the Library catalogue and ejournals. Social science gateways are often a very useful way to access relevant material. By now, you should be formulating an argued response to the question, and organising the relevant material in a way that will support your argument.
3. Once you are clear about the material, and how it will support your argument, you should organise it into paragraphs. You should try to ensure that the main point conveyed by each paragraph is supported by at least one good example selected from your notes on the relevant material. At this stage, you would do well to consider the maximum word length, and allocate the appropriate number of words to each essay section.
4. When you are ready to write, you need to come up with a good introductory paragraph. This should identify the main issue to be addressed, and indicate your chosen approach to it, but try to go beyond a bald re-statement of the question. If you feel stuck, you may find it helpful to write a provisional introduction, then come back and revise it in the light of the completed essay.
5. Be sure to use a recognised system of referencing and citation and be careful to clearly cite all sources. Distinguish between academic sources and other less authoritative sources such as articles, blogs, campaign web-sites etc. **DO NOT USE WIKIPEDIA – IT IS NOT FACT CHECKED AND DOES NOT CONSTITUTE A CREDIBLE SOURCE OF INFORMATION.**
6. Throughout the writing stage, be prepared to prune if it becomes clear that you are writing more for a given section than your plan has allowed for. Always keep the needs of the question uppermost in your mind and ask yourself what work each section is doing in helping you to answer the question. Think of your essay as an argument, progressing by stages, clearly linked, and supported by well-chosen evidence. Ask yourself: What work each section is doing? Have I linked each section? Have I provided enough signposts?

7. Your essay needs to have a robust conclusion. Avoid introducing new ideas or arguments right at the end of the essay, or taking off a new direction. Your final paragraph should draw together the main threads of the argument that you have been developing throughout the essay.

8. You will always benefit from, at the very least, a careful read through of your first essay draft, and, at best, another drafting of the essay. By re-reading or re-drafting, you can at least eliminate the spelling mistakes and awkward phrases that will create an unfavourable impression, and do less than justice to all the work that may have gone into the essay. Reading your essay aloud will help you to identify any troublesome sentence structures. You will probably find that your longer sentences will be easier to read if broken down into shorter ones. If you are sufficiently organised, you can leave the essay to one side for a day or two, and then return to it yourself. You will almost certainly find that things that were clear to you at the time of writing are now no longer so clear, and need to be re-worded. You may also find that your brain has been unconsciously working away at the issues raised, and that you now see a better way of arguing your case, or of organising the material.

APPENDIX II

HUMAN RIGHTS IN INTERNATIONAL RELATIONS TUTORIAL FEEDBACK AND ASSESSMENT FORM

Tutor:

Student Name / Matriculation No:

Grade:

Attendance

	Present	Excused Absence	Absence without excuse
Number of Tutorials			

	Present	Excused Absence	Absence without excuse
Number of Lectures			

Preparation

	Completed	Incomplete and excused	Incomplete without excuse
1 pager			

Contribution to tutorial discussion

Criteria	<i>Excellent</i>	<i>Very Good</i>	<i>Good</i>	<i>Satisfactory</i>	<i>Unsatisfactory</i>
proactively contributes by offering ideas and asking questions?					
demonstrates thoughtful engagement with the readings?					
listens when others talk and incorporates or builds off of the ideas of others?					

Comments: