

# **8752.814. UNDERSTANDING INTERNATIONAL HUMAN RIGHTS AND REFUGEE ISSUES**

**Syllabus  
Spring, 2023**

**International Cooperation Program  
Graduate School of International Studies  
Seoul National University**

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## **Outline of the Course**

Almost seven decades after the human rights regime emerged out of the disasters of the Second World War, human rights norms and institutions deeply inform the rhetoric, practice and theory of international law and politics, as well as the internal constitutional structures of many states. Although the frailties of human rights as an ideal, an ideology or practice are evident, the concept of human rights has become a part of modern consciousness, a lens through which to see the world, a universal discourse, a potent aspiration. However striking and disheartening its major failures and inadequacies, the human rights regime has shown staying power and growth, as well as a remarkably broad dissemination of its message. Its claims of permanence carry every greater credibility. Although the human rights regime now forms an indelible part of our legal, political and moral landscape, and indeed precisely because of that status, recent years have witnessed some of the deepest challenges to the foundations upon which the regime has been built, its aspirations to universality, and its claims of growing success in spreading and realizing its message. In response to these challenges, this course seeks to examine the regime's failures as well as triumphs and dilemmas in seeking to achieve human rights ideals across the world's many histories and cultures. Under the two parts of 'theoretical' and 'empirical' issues, the course will deal with the origins, historical development, theories, varieties of practices and human wrongs of human rights in both national and international contexts in the recognition and protection of human rights.

## **Honor code**

You are expected to be thoroughly familiar with the Honor Code, which provides guidance on when citation is required. Essentially, all quotations must be set off as such and attributed; citations should be used whenever material is derived from another

source; and students who present words or ideas from another source as their own in papers or exams by failing to give proper attribution will receive a failing grade in the class, at a minimum. Please do not plagiarize your own work: work that has been prepared for a purpose other than this class may not be submitted to fulfill class requirements and doing so is a violation of the Honor Code. If you have any questions about plagiarism or proper citation practices please do not hesitate to ask.

### **Participation**

Stimulating and thoughtful class discussion is a public good that is only possible if students come to class and are prepared. You are expected to attend class, to arrive on time, and to come to class prepared to engage in class discussion by doing the assigned reading, noting the key arguments, and identifying and thinking about discussion questions and raising questions of your own. You should be prepared to be called upon at random and asked to introduce a reading by outlining its main discussion points.

### **Grading**

- Mid-term exam (30%)
- Weekly propositions (2 per week) (15%)
- Final exam (35%)
- Presentation (20%)
- Class participation and attendance are a basic requirement that all students enrolled in this course are expected to meet.

### **Mid-term & Final Examinations**

Both mid-term and final examinations will be conducted in a form of essay writing, consisting of one compulsory (50%) and two optional questions (25% per each). 6 questions will be provided as optional; thus, students are able to choose the two optional questions out of 6.

### **Weakly Proposition**

In order to encourage the active participation of students in seminar discussion, all students are required to submit two propositions (or arguments) which are of greatest importance as discussion topics. Everyone is asked to post a memo with two propositions and reasons why they are selected on the basis of what you learn from the readings on the ETL site, no later than 10 pm on Sunday, each week.

### **Basic References**

- Alston, Philip and Ryan Goodman, *International Human Rights: The Successor to International Human Rights in Context* (Oxford: Oxford University Press, 2013).
- Ghandhi, Sandy, *Blackstone's International Human Rights Documents*, 8th Edition (Oxford: Oxford University Press, 2012).

### **Presentation**

All students are required to make verbal presentations, at least once, on a particular session topic. You can present your own analytical points on the basis of the required and recommended readings, with the particular reference to case studies. The number of presentations depends on how many students will be enrolled, so that the instructor will adjust it after the first week.

**Individual Exceptions**

In the interest of fairness to all students, no individual exceptions to the rules stated in this syllabus will be granted in principle.

## **Course Readings**

All sessions will be conducted in the combined fashion of instructor's lecture, students' presentation, and class discussions which invite all students enrolled in this course. Both lecture and presentations will be provided by PPTs.

### **WEEK 1 (3/2): INTRODUCTION AND COURSE OUTLINE**

Donnelly, Jack, "Human Rights, Democracy, and Development," *Human Rights Quarterly* 21(3), 1999.

## **[PART I] THEORETICAL PERSPECTIVES OF HUMAN RIGHTS**

### **WEEK 2 (3/9): THE SOCIAL ORIGINS OF HUMAN RIGHTS**

#### **Required Readings:**

Lauren, Paul Gordon, *The Evolution of International Human Rights: Visions Seen* (Philadelphia: University of Pennsylvania Press, 2011), ch. 1.

Somers, Margaret and Christopher Roberts, "Toward a New Sociology of Rights: A Genealogy of "buried bodies" of Citizenship and Human Rights," *Annual review of Law and Social Science* 4, 2008.

Hunt, Lynn, *Inventing Human Rights: A History* (New York: Norton, 2007), Intro.

#### **Recommended Readings:**

Arendt, Hannah, "The Rights of Man: What Are They?" *Modern Review* 3(1), 1949.

Kuklick, Bruce (ed.), *Paine: Political Writings* (Cambridge: Cambridge University press, 2000).

### **WEEK 3 (3/16): HISTORICAL EVOLUTION OF HUMAN RIGHTS**

#### **Required Readings:**

Arendt, Hannah, *The Origins of Totalitarianism* (New York: Harcourt, 1968), pp. xi-xl.

Hunt, *Inventing Human Rights*, ch. 3, 4.

Iriye, Akira, Petra Goedde, and William I. Hitchcock (eds.), *The Human Rights Revolution: An International History* (Oxford: Oxford University Press, 2012), ch. 1, 7.

#### **Recommended Readings:**

Lauren, *The Evolution of International Human Rights*, ch. 2-7.

Tilly, Charles, "Where Do Rights Come From?," in Theda Skocpol (ed.), *Democracy, Revolution and History* (Ithaca: Cornell University Press, 1998).

### **WEEK 4 (3/23): THEORIES OF HUMAN RIGHTS**

**Required Readings:**

- Donnelly, Jack, *International Human Rights* (Boulder: Westview Press, 2013), ch. 2.
- Vincent, R. J., *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), ch. 7.
- Sen, Amartya, "Elements of a Theory of Human Rights," *Philosophy and Public Affairs* 32(4), 2004.
- Dunne, Tim and Nicholas J. Wheeler (eds.), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), ch. 2.

**Recommended Readings:**

- Ayers, Alison J., "Demystifying Democratisation: The Global Constitution of Neo-liberal Politics in Africa," *Third World Quarterly* 27(2), 2006.
- Hobsbawm, Eric and Terence Ranger (eds.), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983).
- Benhabib, Seyla, *The Rights of Others: Aliens, Residents, and Citizens* (Cambridge: Cambridge University Press, 2004), ch. 2.
- Evans, Tony and Alison J. Ayers, "In the Service of Power: The Global Political Economy of Citizenship and Human Rights," *Citizenship Studies* 10(3), 2006.

**WEEK 5 (3/30): INTERNATIONALIZATION OF HUMAN RIGHTS – POLITICS OF HUMAN RIGHTS****Required Readings:**

- Donnelly, Jack, *Universal Human Rights: In Theory and Practice* (Ithaca: Cornell University, 2013), ch. 11, 12.
- Waltz, Susan, "Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights," *Third World Quarterly* 23(3), 2002.
- Hafner-Burton, Emilie M. and Kiyoteru Tsutusi, "Human Rights in a Globalizing World: The Paradox of Empty Promises," *American Journal of Sociology* 110, 2005.
- Evans, Tony, "International Human Rights Law as Power and Knowledge," *Human Rights Quarterly* 27(3), 2005.

**Recommended Readings:**

- Donnelly, Jack, *International Human Rights*, ch. 8.
- Brysk, Alison, *Globalization and Human Rights* (Berkeley: University of California Press, 2002).

**WEEK 6 (4/6): GLOBALIZATION, HUMAN RIGHTS & GLOBAL CIVIL SOCIETY****Required Readings:**

- Mccorquodale, Robert and Richard Fairbrother, "Globalization and Human Rights," *Human Rights Quarterly* 21(3), 1999.
- Donnelly, Jack, *International Human Rights*, ch. 14.
- Pegram, Thomas, "Diffusion across Political Systems: The Global Spread of National Human Rights Institutions," *Human Rights Quarterly* 32(3), 2010.

Smith, Jackie, "Global Civil Society? Transnational Social Movement Organizations and Social Capital," *American Behavioral Scientist* 42, 1999.

Krasner, Stephen D., *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), ch. 4.

**Recommended Readings:**

Dunne and Wheeler (eds.), *Human Rights in Global Politics*, ch. 6.

Boli, John and George M. Thomas (eds.), *Constructing World Culture: International Nongovernmental Organizations since 1875* (Stanford: Stanford University Press, 1999).

Finnemore, Martha and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization* 52(4), 1998.

Meyer, John W., John Boli, George M. Thomas, and Francisco Ramirez, "World Society and the Nation-State," *American Journal of Sociology* 103(1), 1997.

**WEEK 7 (4/13): MID-TERM EXAMINATION**

**[PART II] INTERNATIONAL HUMAN RIGHTS: CURRENT ISSUES**

**WEEK 8 (4/20): ECONOMIC AND SOCIAL HUMAN RIGHTS**

**Required Readings:**

Minkler, Lanse (ed.), *The State of Economic and Social Human Rights: A Global Overview* (Cambridge: Cambridge University Press, 2013), ch. 1, 10, 14.

Fukuda-Parr, Sakiko, Terra Lawson-Remer, and Susan Randolph, "An Index of Economic and Social Rights Fulfillment: Concept and Methodology," *Journal of Human Rights* 8(3), 2009.

**Recommended Readings:**

Richards, David and K. Chad Clay, "Measuring Government Efforts to Respect Economic, Social, and Cultural Rights," Working Paper No. 13, Economic Rights Working Paper Series, Human Rights Institute, University of Connecticut, 2009.

Asbjørn, Eide, Catarina Krause, and Allan Rosas, *Economic, Social and Cultural Rights: A Textbook* (Boston: Kluwer Law International, 2001).

**WEEK 9 (4/27): REFUGEES & MIGRATION**

**Required Readings:**

Haddad, Emma, *The Refugee in International Society* (Cambridge: Cambridge University Press, 2008), ch. 1, 2, 3.

Betts, Alexander and Gil Loescher (eds.), *Refugees in International Relations* (Oxford: Oxford University Press, 2011), ch. 4, 13.

Dunne and Wheeler (eds.), *Human Rights in Global Politics*, ch. 9.

**Recommended Readings:**

Sicakkan, Hakan G., "The Modern State, the Citizen, and the Perilous Refugee," *Journal of Human Rights* 3(4), 2004.

Gammeltoft-Hansen, Thomas, *Access to Asylum: International Refugee Law and the Globalization of Migration Control* (Cambridge: Cambridge University Press, 2011), ch.2.

## **WEEK 10 (5/4): MINORITY RIGHTS, GENDER, & INDIGENOUS PEOPLES**

### **Required Readings:**

Bunch, Charlotte, "Women's Rights as Human Rights: Toward Revision of Human Rights," *Human Rights Quarterly* 12, 1990.

Stamatopoulou, Elsa, "Indigenous Peoples and the United Nations: Human Rights as a Developing Dynamic," *Human Rights Quarterly* 16, 1994.

Nash, Kate, "Human Rights Culture: Solidarity, Diversity and the Right to be Different," *Citizenship Studies* 9(4), 2005.

### **Recommended Readings:**

Kenrick, Justice and Jerome Lewis, "Indigenous Peoples' Rights and the Politics of the Term 'Indigenous'," *Anthropology Today* 20(2), 2004.

Young, I. M., *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990).

## **WEEK 11 (5/11): HUMAN RIGHTS & DEVELOPMENT – RIGHTS TO DEVELOPMENT**

### **Required Readings:**

Uvin, Peter, *Human Rights and Development* (Bloomfield, Kumarian Press, 2004), ch. 1, 2, 6.

Pogge, Thomas (ed.), *Freedom from Poverty as a Human Right* (Oxford: Oxford University Press, 2007), ch, 2. 8.

### **Recommended Readings:**

Sen, Amartya, *Development as Freedom* (Oxford: Oxford University Press, 1999).

Minkler (ed.), *The State of Economic and Social Human Rights*, ch. 12.

## **WEEK 12 (5/18): HUMAN RIGHTS AND HISTORICAL REDRESS IN EAST ASIA**

### **Required Readings:**

Soh, C. Sarah, *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan* (Chicago: University of Chicago Press, 2008), ch. 3, epilogue.

Lind, Jennifer, *Sorry States: Apologies in International Politics* (Ithaca: Cornell University Press, 2008).

Dower, John, *Ways of Forgetting, Ways of Remembering: Japan in the Modern World* (New York: New Press, 2012), ch. 1, 7, 10.

Iriye, Goedde, and Hitchcock (eds.), *The Human Rights Revolution*, ch. 14.

Vickers, Edwards and Alisa Jones (eds.), *History Education and National Identity in East Asia* (New York: Routledge, 2005), ch. 9.

**Recommended Readings:**

Berger, Thomas, *War, Guilt, and World Politics after World War II* (Cambridge: Cambridge University Press, 2012), ch. 4, 5.

Hicks, George, *The Comfort Women: Japan's Brutal Regime of Enforced Prostitution in the Second World War* (New York: W. W. Norton, 1997).

Kim, Taekyoon, "Strategizing Aid: US-China Food Aid Relations to North Korea in the 1990s," *International Relations of the Asia-Pacific* 12(1), 2012.

Natsios, Andrew S., *The Great North Korea Famine: Famine, Politics, and Foreign Policy* (Washington, D. C.: U.S. Institute of Peace Press, 2001), ch. 1-5.

Haggard, Stephan and Marcus Noland, *Famine in North Korea: Markets, Aid and Reform* (New York: Columbia University Press, 2007).

**WEEK 13 (5/25): HUMAN RIGHTS AND SOCIAL MOVEMENTS**

**Required Readings:**

Stammers, Neil, "Social Movements and the Social Construction of Human Rights," *Human Rights Quarterly* 21(4), 1999.

Landy, David, "Talking Human Rights: How Social Movement Activists are Constructed and Constrained by Human Rights Discourse," *International Sociology* 28(4), 2013.

Tsutsui, Kiyoteru, "International Human Rights Law and Social Movements: States' Resistance and Civil Society's Insistence," *Annual Review of Law and Social Science* 8, 2012.

**Recommended Readings:**

Baik, Tae-Ung, *Emerging Regional Human Rights Systems in Asia* (Cambridge: Cambridge University Press, 2012).

Hicks, George, *The Comfort Women: Japan's Brutal Regime of Enforced Prostitution in the Second World War* (New York: W. W. Norton, 1997).

Hanlon, Robert J., *Corporate Social Responsibility and Human Rights in Asia* (Abingdon: Routledge, 2014).

**WEEK 14 (6/1): TRANSITIONAL JUSTICE**

**Required Readings:**

UN Document,

[https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/26\\_02\\_2008\\_background\\_note.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/26_02_2008_background_note.pdf)

Archibugi, Daniele and Alice Pease, *Crime and Global Justice: The Dynamics of International Punishment*, Cambridge: [Polity Press](#), 2018, ch. 1, 2, 3.

**Recommended Readings:**

David, Roman. *Lustration and Transitional Justice* (Philadelphia: Pennsylvania University



Press, 2011).

Kritz, Neil (ed.), *Transitional Justice: How Emerging Democracies Reckon with Former Regimes, Vols. I–III* (Washington, D.C.: U.S. Institute of Peace Press, 1995).

**WEEK15 (6/8): FINAL EXAMINATION**