

Human Rights, The United Nations and Humanitarian Intervention

Professor Margaret E. Crahan
Occidental College

Course Description

One of the most useful indicators of the dynamics of both national and international politics has been changing attitudes towards issues related to human rights and humanitarian intervention. Beginning in the early twentieth century and increasingly since the drafting of the Universal Declaration of Human Rights under the auspices of the United Nations in the late 1940s until today there has been an ongoing debate concerning the role of human rights in international relations. During the Cold War human rights were frequently used by the superpowers to berate their opponents and attempt to gain credibility for their particular political and economic systems. It was argued that the Western countries emphasized civil/political rights to the detriment of socioeconomic ones, while the Soviet Union and its allies emphasized socioeconomic rights to the detriment of civil/political ones. Cultural, religious or ethnic rights were rarely mentioned. In the 1970s and 1980s there was a rapid growth of human rights organizations nationally and internationally and hence much greater public attention. Debates over the proper role of human rights in national foreign policies and within international organizations became intense, at the same time that the human rights movement grew. In the 1990s increasing generalized concern for gross violations of human rights has resulted in a growing number of humanitarian interventions involving the UN in Africa, Asia, Europe and Latin America. The purpose of this course is to analyze the evolution of the human rights movement worldwide and the role of the United Nations in it, as well as how both have been transformed by actual experience.

Course Requirements

1. Students are expected to do the assigned readings prior to the day they will be discussed in class. If a student participates regularly and makes worthwhile contributions to clarifying issues, that student will earn a class participation grade. If such a grade is earned, it will be averaged into the student's final grade together with the grades in the mid-term and final. If a student does not participate regularly and with good quality comments, no grade will be earned.
2. There will be a mid-term covering all readings, lectures, and class discussions from 9/4/96 on 10/16/96.
3. There will be a final exam covering all the material in the readings, lectures, and class discussions from 9/4/96 on 12/4/96.

Course Reading

Henkin, Alice, ed. *Honoring Human Rights and Keeping the Peace: Lessons from El Salvador, Cambodia, and Haiti*. New York: The Aspen Institute, 1995.

Human Rights Watch. *The Lost Agenda: Human Rights and UN Field Operations*. New York: Human Rights Watch, 1993.

Lawyers Committee for Human Rights. *Haiti: Learning the Hard Way—The UN/OAS Human Rights Monitoring Operation in Haiti, 1993-1994*. New York: Lawyers Committee for Human Rights, 1995.

MacFarquhar, Emily, Rotberg, Robert I., and Chen, Martha A. *Non-Governmental Organizations, Early Warning, and Preventive Diplomacy*. Cambridge, Ma.: World Peace Foundation, 1995.

Prendergast, John. *Helping or Hurting? Humanitarian Intervention and Crisis Response in the Horn*. Washington: The Center of Concern, 1995.

Rotberg, Robert I. and Weiss, Thomas G. *The Media, Humanitarian Crises, and Policy-Making*. Cambridge, MA.: World Peace Foundation, 1995.

Spence, Jack, Vickers, George, & Dye, David. *The Salvadoran Peace Accords and Democratization*. Cambridge, Ma.: Hemispheric Initiatives, 1995.

Washington Office on Latin America. *Demilitarizing Public Order: The International Community, Police Reforms and Human Rights in Central America and Haiti*. Washington, DC: Washington Office on Latin America, 1995.

Weiss, Thomas G., Forsythe, David P., Coate, Roger A. *The United Nations and Changing World Politics*. Boulder: Westview Press, 1994.

ARTICLES:

Alston, Philip. "The UN's Human Rights Record: From San Francisco to Vienna and Beyond," *Human Rights Quarterly*, 16, 2 (May 1994), 375-390.

Boutros-Ghali, Boutros. "Global Leadership After the Cold War," *Foreign Affairs*, 75, 2 (March/April 1996), 86-98.

Carlson, Ingvar. "The U.N. in Crisis," *Foreign Policy*, 100 (Fall 1995), 3-18.

Clarke, Walter & Herbst, Jeffrey. "Somalia and the Future of Humanitarian Intervention," *Foreign Affairs*, 75, 2 (March/April 1996), 70-85.

Farer, Tom J. "Intervention in Unnatural Emergencies: Lessons from the First Phase," *Human Rights Quarterly*, 18, 1 (February, 1996), 1-22.

Farer, Tom. "A Paradigm of Legitimate Intervention." Damrosch, Lori Fisler, ed. *Enforcing Restraint: Collective Intervention in Internal Conflicts*. New York: Council on Foreign Relations Press, 1993, 316-347.

Farer, Tom J. & Gaer, Felice. "The UN and Human Rights: At the End of the Beginning." Roberts, Adam & Kingsbury, Benedict, eds. *United Nations, Divided World: The UN's Role in International Relations*. New York: Oxford University Press, 1993, 240-296.

Helms, Jesse. "Saving the UN: A Challenge for the Next Secretary-General," *Foreign Affairs*, 75, 5 (september/October 1996), 2-7.

Henkin, Louis. "Use of Force: Law and U.S. Policy." Louis Henkin, et al. *Might v. Right: International Law and the Use of Force*. New York: Council on Foreign Relations Press, 1991, 37-69.

Jackson, Robert H. "Armed humanitarianism," *International Journal*, XLVIII (Autumn 1993), 579-606.

Rotberg, Robert I. "Clinton Was Right," *Foreign Policy*, 102 (Spring 1996), 134-141.

Stedman, Stephen John. "Alchemy for a New World Order," *Foreign Affairs*, 74, 3 (May/June 1995), 14-20.

Stedman, Stephen John. "The New Interventionists," *Foreign Affairs*. 72, 1 (1992/93). 1-16.

Sweeney, John. "Stuck in Haiti," *Foreign Affairs*, 102 (Spring 1996), 142-151.

Universal Declaration of Human Rights, 1948.

International Covenant on Civil and Political Rights, 1966.

International Covenant on Economic, Social, and Cultural Rights, 1966.

Course Schedule

9/4/96: Introduction to Course:

- A. Overview of human rights
- B. The UN and human rights

9/9/96: The UN, Human Rights and Humanitarian Intervention:

- A. Functional definitions--human rights and humanitarian intervention
- B. Interrelationships--UN, human rights and humanitarian intervention
- C. READINGS: Weiss, 103-124; 245-265. Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights.

9/11/96: Human Rights in UN Structures:

- A. Security Council
- B. General Assembly
- C. Secretariat
- D. Human Rights Commission
- E. Other bodies
- F READINGS: Weiss, 125-154; Farer & Gaer, 240-296.

9/16/96: Evolution of Human Rights issues at the UN:

- A. Politicization of human rights
- B. Expansion of humanitarian intervention
- C. A view towards the future
- D. READINGS: Weiss, 155-169; Alston, 374-390.

9/18/96: What is Legitimate Intervention?

- A. By the UN
- B. By other actors
- C. READINGS: Farer, 316-347; Henkin, 37-69.

9/23/96: Varieties of Intervention:

- A. Typology
- B. Realities
- C. READINGS: Stedman, 1-16.

9/25/96: Armed Humanitarianism:

- A. Rationales
- B. Realities
- C. READINGS: Jackson, 579-606.

9/30/96: Human Rights and UN Field Operations:

- A. Overview
- B. Recent examples
- C. READINGS: Human Rights Watch, 1-11; The Aspen Institute, 1-29.

10/2/96: The Origins of Onusal:

- A. The Salvadoran Peace Accords

- B. Principal issues
- C. READINGS: Spence, et al., all.

10/7/95: Onusal at Work:

- A. UN actions
- B. Salvadoran reactions
- C. READINGS: Human Rights Watch, 13-35.

10/9/96: Evaluation of Onusal:

- A. What worked?
- B. What didn't?
- C. Evaluation of human rights component
- D. READINGS: The Aspen Institute, 31-55.

10/16/96: MID-TERM: WILL COVER ALL THE MISTRIALS IN THE READINGS, LECTURES AND IN CLASS DISCUSSIONS TO 10/16/96.

10/21/96: Cambodia:

- A. Origins of UN operation
- B. Organization
- C. Evaluation of human rights component
- D. READINGS: Human Rights Watch, 37-74.

10/23/96: Cambodia:

- A. Comparison with El Salvador
- B. Comparison of human rights components
- C. READINGS: Aspen, 57-82.

10/28/96: Africa: Somalia:

- A. Background
- B. UN actions, 1991-93
- C. READINGS: Human Rights Watch, 107-134; Aspen, 129-160.

10/30/96: Africa: Somalia:

- A. Intervention
- B. What went wrong?
- C. READINGS: Prendergast, all; Clarke & Herbst, 70-85.

11/4/96: Africa in Comparative Perspective:

- A. Ethiopia & Eritrea
- B. Somalia & Sudan
- C. Ruanda & Burundi
- C. READINGS: follow these countries in the press beginning 9/4/96.

11/6/96: Haiti:

- A. Background
- B. OAS/UN
- C. READINGS: Lawyers' Committee, i-93.

11/11/96: Haiti:

- A. UN strategies
- B. Role of HICIVIH
- C. READINGS: Lawyers' Committee, 94-162.

11/13/96: Haiti:

- A. UN interventions and weak states

- B. Consequences
- C. READINGS: Aspen, 83-127; Rotberg, 134-141; Sweeney, 142-151.

11/18/96: The Difficulties of Demilitarization:

- A. El Salvador & Nicaragua
- B. Honduras & Guatemala
- C. Panama & Haiti
- D. READINGS: Washington Office on Latin America, all.

11/20/96: The Media & Humanitarian Intervention

- A. History of
- B. Criteria for appropriate action
- C. READINGS: Rotberg & Weiss, all.

11/25/96: Is Preventive Diplomacy Possible?

- A. Experience to date
- B. Realities
- C. READINGS: MacFarquar, all; Stedman, 14-20.

12/2/96: Is Effective UN Leadership Possible?

- A. Experience to date
- B. Prerequisites for effective action
- C. READINGS: Farer, 1-22; Boutros-Ghali, 86-98; Helms, 2-7.

12/4/96: Final Exam