

# Human Rights and Basic Needs in the Americas

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## Course Description

**Purpose of Course:** The purpose of this course is to demonstrate how history is constructed, interpreted and reinterpreted in order to develop critical analytical skills. To accomplish this the course will focus on one of the major problems afflicting the modern world--the widespread violation of human rights. To give the course focus, we will analyze the underlying causes of observance or nonobservance in Latin America, and relevant regional and international factors affecting human rights.

**Methodology:** The course will begin with an exploration of the nature of human rights and the relationships among them. Thereupon the extent of human rights violations in various Latin American countries both past and present, as reported by the Interamerican Commission of Human Rights, Amnesty International, Americas Watch, and the US State Department among others, will be explored. The underlying reasons for the observance or nonobservance of human rights will be examined by analyzing the historical evolution of the Americas particularly with respect to political and socioeconomic factors. Variations in interpretations will be analyzed and students will be expected to critique them, as well as develop their own explanations that are well-rooted in factual data. This will involve analysis of such institutions as the state, military, churches and political parties. The degree to which these have modified or changed their traditional roles in recent years thereby influencing human rights will be examined. The course will end with an exploration of the increasing use of humanitarian intervention in order to deal with gross violations of human rights.

## Course Requirements:

1. Students will be expected to do the assigned readings prior to the date they will be discussed in class.
2. Each student will select by February 8, 1995 a Latin American country that she or he will become an expert on.
3. Short written assignments by each student are due on 2/15/95, 2/22/95, 3/8/95, and 3/22/95. No extensions, no incompletes. If any one of the papers is not turned in at the outset of class on the date indicated, it will be assumed that the student involved is dropping the course.
4. An analytical research paper based on the short papers is due on 5/8/95. No extensions nor exemptions. Three copies should be turned in, two of which will be put onto library reserve in order to be read by other students in preparation for class discussions on 5/8/95 & 5/10/95. There will be no extensions given, nor incompletes.

## Course Reading:

Timmerman, Jacobo. *Prisoner Without a Name, Cell Without a Number*. New York: Vantage, 1977

The following materials are on reserve:

Crahan, Margaret E. *Human Rights and Basic Needs in the Americas*. Washington, DC: Georgetown University Press, 1982.

Falcoff, Mark. "The Timmerman Case," Howard J. Wiarda, ed., *Human Rights & US Human Rights Policy*. Washington: American Enterprise Institute, 1982, 60-78.

Forsythe, David P. "Congress and Human Rights Legislation: An Overview," & "Country Specific legislation," in *Human Rights & US Foreign Policy Congress Reconsidered*. Gainesville: University of Florida Press, 1988, 1-23; 80-100.

Forsythe, David P. "Humanizing American Foreign Policy: Nonprofit Lobbying Human Rights," & "United States Foreign Policy and Human Rights: Rhetoric and Reality," *Human Rights and World Politics*. 2nd ed. Lincoln: University of Nebraska Press, 1989, 127-159; 102-126.

Fruhling, Hugo. "Human Rights in Constitutional Order and in Political Practice in Latin America," Douglas Greenberg, et al., eds. *Constitutionalism & Democracy: Transitions in the Contemporary World*. NY: Oxford University Press, 1993, 85-104.

Henkin, Louis. "The use of Force: Law & US Policy," Louis Henkin, et al. *Might v. Right: International Law and the Use of Force*. NY: Council on Foreign Relations Press, 1991, 37-70

Kirkpatrick, Jeane J. & Gerson, Allan. "The Reagan Doctrine, Human Rights & International Law," Louis Henkin, et al. *Might V. Right: International Law and the Use of Force*. NY: Council on Foreign Relations Press, 1991- 46-64

Nino, Carlos Santiago. "Transition to Democracy, Corporatism, and Presidentialism with Special Reference to Latin America," Douglas Greenberg, et al., eds. *Constitutionalism & Democracy: Transitions in the Contemporary World*. NY: Oxford University Press, 1993, 46-64.

Posner, Michael. "Rally Round Human Rights," *Foreign Policy*, no. 97, (Winter, 1994-95), 133-39.

Rial, Juan. "Providing for the Common Defense: What Latin American Constitutions Have to Say about the Region's Armed Forces," Douglas Greenberg, et al., eds. *Constitutionalism & Democracy: Transitions in the Contemporary World*. NY: Oxford University Press, 1993, 235-248.

Tonelson, Alan. "Jettison the Policy," *Foreign Policy*, no. 97 (Winter 1994-95), 121-32.

Universal Declaration of Human Rights, Covenant6s, and American Declaration of the Rights and Duties of Man.

Wilentz, Amy. "Letter from Haiti.: Lives in the Balance," *The New Yorker*, (December 26, 1994), 92ff.

## Course Schedule

**1/30/95:** Introduction to course and topic

**2/1/95:** What are human rights?

1. Create functional definition of human rights that captures what is common/essential to all human right. It should not be simply a list, nor should the word rights be used in the definition
2. Discussion of functional definition used within human rights communities
3. Discussion of common misperceptions/misrepresentations.
3. Video: Universal Declaration of Human Rights.

**2/6/95:** What is the relationship of civil/ political rights to socioeconomic rights?

1. Class discussion of relationship of civil/political rights to social/economic rights
2. Read: Universal Declaration of Human Rights, UN Covenants, American Declaration of the Rights and Duties of Man.

**2/8/95:** Who are the victims of human rights violations?

1. Read: Timerman- all; Falcoff, 60-78
2. Discussion.
3. Turn in name of country you will study.

**2/14/95:** Who are the victims of human rights violations?

1. The Official Story
2. discussion

**2/15/95:** Country Characteristics:

1. Read about your country in any basic sources
2. Turn i.n a description of the basic geographic, demographic, political, economic, and social characteristics of the country you are studying. No more than three pages.
3. Comparative discussion

**2/22/95:** The realities of human rights observance

1. Read about the country you selected in such sources as: Amnesty International Annual Reports & Country Reports Americas Watch Annual & Country Reports Interamerican Commission on Human Rights Reports Lawyers Committee for Human Rights US Department of State Human Rights Reports Washington Office on Latin America, etc.
2. Turn in a brief description of the situation of political, economic, social, religious, ethnic and cultural rights from 1970-1995 in the country you are studying. Not more than five pages.
3. Comparative discussion

**2/27/95:** How does a country's historical evolution affect human rights observance?

1. Read: Crahan, 1-45 & about the historical evolution of the country you are studying .
2. Discussion.

**3/1/95:** How does ideology influence human rights observance?

1. Read: Crahan, 100-130 & about your country.
2. Discussion

**3/6/95:** How does ideology influence human rights observance?

1. Fire in the Mind
2. discussion

**3/8/95:** Relationship of the military as an institution to human rights

1. Read: Crahan, 46-99; Rial, 235-48
2. Turn in a description of the role of the military with respect to human rights in the country you are studying. Not more than three pages.

**3/13/95:** International factors influencing human rights observance: foreign aid

1. Read: Crahan, 260-300 & about your specific country
2. Comparative discussion.

**3/15/95:** Factors influencing the fulfillment of socioeconomic rights in the Americas

1. Read: Crahan, 131-187 & about. your country
2. Comparative discussion

**3/20/95:** International factors influencing the fulfillment of socioeconomic rights in the Americas

1. Read: Crahan, 188-233 & About your country
2. Video--May Day, May Day
3. Comparative Discussion

**3/22/95:** Current Level of fulfillment of socioeconomic rights in the Americas

1. Turn in a description of the current economic situation and level of fulfillment of basic needs in the country you are studying. No more than three pages.
2. Comparative discussion

**3/27/95:** US Human Rights Policy: Carter

1. Read: Crahan, 301-340 & about your country
2. Comparative discussion

**3/29/95:** US Human Rights Policy: Reagan & Bush

**4/3/95:**

1. Read: Forsythe, 102-126; Kirkpatrick & Gerson, 19-36.
2. Comparative discussion.

**4/5/95:** US Human Rights Policy: Missing

**4/10/95:** Responses to human rights crises: in women's hands

**4/12/95:** US Human Rights Policy: Clinton

1. Read Tonelson, 121-132; Posner, 133-39.
2. Discussion

**4/24/95:** US Human Rights Policy: Congress

1. Read: Forsythe, 1-23; 80-100.
2. Discussion

**4/26/95:** NGOs and human rights

1. Read: Forsythe, 127-159
2. Discussion

**5/1/95:** Human rights and transitions to democracy

1. Democracy, authoritarianism and presidentialism
2. Read: Nino, 46-64; Fruhling, 85-104.

**5/3/95:** Human rights & International Intervention

1. Dominican Republic
2. Grenada
3. Panama
4. Haiti
5. Read: Henkin, 37-70

**5/8/95:** Human rights in theory and practice

1. Turn in a research paper answering the following questions:
  - a. What is the current human rights situation in X country?
  - b. What are the factors influencing the observance or nonobservance of human rights in X country?
  - c. What would be necessary to improve the human rights situation in X country? Be specific and pragmatic.

**5/10/95:** Discussion of Conclusions of Papers