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PSC 495.01: Human Rights- International and Comparative

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The University Of Montana

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University of Montana
Political Science Department
PSC 495 - Human Rights: International and Comparative
Perspectives
Fall 1997

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Office Hours: M 1:10-2:00 PM or by appointment

Class meets: LA 337
TTh 3:40-5 PM

Course Description.

This course introduces students to the ways in which states and other international actors -- intergovernmental and non-governmental -- have addressed human rights both historically and in contemporary times. The objective is to stimulate thinking about how and why violation of human rights is so ubiquitous, and what can and cannot be done about these through international action and what the obstacles are.

UN efforts to promote and protect human rights will be discussed. The role of regional inter-governmental organizations as well as national and international non-governmental organizations (NGOs) in the promotion and protection of human rights will also be examined.

Substantial attention will be paid to the domestic politics of human rights. This will be discussed comparatively and in terms of individual versus group (racial, gender, religious, linguistic and indigenous or minority) rights in the context of the principle of equal treatment. Substantial attention will also be focused on the relationship of human rights to development, with emphasis on the Third World in general and Africa in particular. It is in the Third World region that the worst cases of human rights abuses currently occur. It is also there that uniquely "Asian" and "African" concepts and views of human rights that differ from Western conceptions allegedly exist. We seek understanding of the differences, the underlying causes and how these bear upon universal observance of human rights and the Western States' policies.

The course is in five parts. In Unit One on the concept and nature of human rights, we address such issues as whether the concept of human rights is a Western notion and what difference it makes. Western and non-Western objections to human rights norms of the Universal Declaration are discussed. Unit Two addresses the vexed question of hierarchy of human rights and the implications. Unit Three focusses on international monitoring and enforcement, examining global and regional regimes and the role of human rights NGOs. In the fourth Unit we address certain violations as inevitable concomitants of state-building and examine other kinds of abuses. The final Unit examines obstacles to universal observance of human rights norms.

Course Format

The course will be organized as a discussion seminar. After the initial preliminaries, students will take turns leading dis-

cussions on key issues, concepts and themes from the assigned readings for the relevant class sessions. The discussion leader launches the discussion by presenting a summary of the readings and posing the key issues. Discussion leaders are not expected to answer all questions in their presentations; their task is to identify important issues and areas of controversy for discussion. Meaningful discussion and rewarding class sessions can only occur if we all faithfully do the assigned readings when due; otherwise we would only be exchanging ignorance and have boring sessions. Everyone is therefore responsible for the material assigned for each session. The oral summary by the discussion leader is only a convenient way of launching the discussion, not a substitute for a careful reading of the materials.

In addition to leading class discussions in turns, each student will also write and present a term paper, a learning tool. The paper, on a topic of your choice, is expected to break new ground, i.e. go beyond the assigned class readings and discussions. It may cover topics left out or insufficiently covered in the course, e.g. the human rights of refugees or specific aspects of human rights of Native Americans. Or it may examine the human rights policy of a great power in a specific country or region/sub-region, the role of a particular NGO in the promotion/protection of a specific human right in a particular country or region/sub-region, or the state of human rights in a particular country or sub-region. It may deal with the position of a country or group of countries on particular human rights issues at the UN. The possibilities are unlimited.

Presentation of the papers in class will begin about mid-November and will follow essentially the same format as the earlier oral presentations. The final draft incorporating relevant comments and suggestions from the class discussion will be due not later than the day and time scheduled for the final exam of this course. There will be no final exam.

Evaluation of Student Performance.

There will be four components to the course evaluation. The first component comprising 40% will be based on your classroom performance, including the quality of class discussions you lead, and your general contributions to other class sessions. To ensure high quality, occasional short (no more than three type-written pages) reaction papers to some of the readings will be required, and will constitute a part of the assessment. Obviously, regular attendance is essential; this will account for 10% of the grade. The third component, also 25%, will be the term paper discussed above. The fourth component will be a mid-term exam (25%).

The Texts

The basic texts are: Dan Danielsen and Karen Engle, After Identity: A Reader in Law and Culture (New York: Routledge, 1995); and Julie Peters & Andrea Wolper (eds.), Women's Rights/Human Rights: International Feminist Perspectives (New York: Routledge, 1995). Other required reading materials are placed on reserve in the Mansfield Library.