

COURSE SYLLABUS FOR SPRING 2006 HUMAN RIGHTS

Political Science 287 3 Ug, Credits

Mon. Wed. Fri. 12-1:50. Swift 820

<http://homepages.uc.edu/~tolleyhb/>

Course Description:

The Al Qaeda crimes against humanity of 9/11/01 led to the incommunicado detention of suspected enemy combatants whose appeals were decided by the U.S. Supreme Court in June 2004 decisions resulting in further litigation. Does prevention of terrorism require a sacrifice of human rights? Fifty years after the U.N. adopted the Universal Declaration of Human Rights, realists conclude that security and economic interests still trump human rights. Idealists envision an emerging new world order with inter-state and non-governmental organizations that advance fundamental freedoms, including personal security. This course offers an introduction to human rights in history, political theory, U.S. foreign policy, and international relations, law and organization. Students should have taken the prerequisite introduction to international relations POL 180, but exceptions will be made, especially for those needing this required course for the international human rights certificate. The class meets General Education Breadth of Knowledge distribution requirements in Social Sciences and Social and Ethical Issues.

Required Texts:

Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd ed. 2003

William Schulz, *Tainted Legacy: 9/11 and the Ruin of Human Rights* 2003

Online Multimedia Resources Assigned:

Teaching Human Rights Online Case Studies <http://homepages.uc.edu/thro/>

University of Nebraska tutorials I to VI <http://www.unl.edu/HumanR/teach/>

Human Rights Education Associates Study Guides www.hrea.org/learn/guides/index.html

Instructor:

Howard Tolley, Jr., Crosley 1114, ex 556-3316, Office Hours: Mon. + Wed. 1-3 pm
email: Howard.Tolley@uc.edu In addition to assisting students in this course, the instructor is available for academic advising and placement counseling for pre-law students, political science and international affairs majors, Mock Trial, Semester-at-Sea, Co-op, internships, and Model UN. Go to <http://homepages.uc.edu/~tolleyhb> for links to advising references. Human Rights Certificate info <http://www.law.uc.edu/morgan/ihrc/index.html>
ratemyprofessors.com/ -- based on 13 scores: 4.5 of 5 "overall quality", 2.2 of 5 "ease"

Requirements:

Per Cent of Final Grade

Class Attendance,	5%	20 points
Participation, Recitation	5%	20 points
2 THRO Homework Exercises	8%	30 points
Paper outline, bibliography,	3%	10 points
Research/advocacy Paper	25%	100 points
Mid-Term Test	25%	100 points
Final Examination*	30%	120 points

Students should expect to spend two hours in outside preparation for each one hour class meeting. The instructor will call on students each class for answers to questions on the reading--come prepared. Students in the honors program may arrange a writing contract for the paper. Instructor's grade distribution in 9 classes, Summer 2000— Winter 2002 (13% W passing not included): A: 16%; A-: 4% B+: 4.3% B: 34% B-: 5%-29%; C+ 9.7%; C: 17% C-: 5.8% D: 1%; UW: 3.3%

Withdrawal Policy:

Students who withdraw by Monday, February 6, a week after the mid-term test will all be assigned a grade of "W" or if they have not attended class, done the paper, or taken the exam a "WX." Thereafter, any student who is failing will be recorded as "withdraw-F". Under university policy, A student who is passing can still withdraw up until Tuesday February 30 without penalty. Failing students who withdraw online will be assigned an F. Students who forge the instructor's signature on a drop slip will be reported for disciplinary proceedings.

Attendance Policy:

Regular attendance is expected and is essential for participation/recitation. In exceptional circumstances every student will need to miss class for reasons they alone determine. No explanation must be given--there are no excused or unexcused absences. All absences are treated equally. No specific number of absences results in a grade penalty. Points earned by class attendance, recitation and participation are added together with scores from all assignments and exams to compute a point total that determines a final grade. A student attending 90% of the classes (26 of 28) would have an "A" grade for the attendance component. After missing a class, always check with a classmate for notes and special announcements.

In-Class Recitation and Tests

The instructor will regularly call on students in class to answer questions based on the assigned readings from the texts. About two-thirds of the comprehensive final exam will cover material assigned after the mid-term.

Online Conferencing:

Blackboard, an internet classroom assistant, will be used for email, link sharing and an electronic bulletin board for posting messages/papers. Activate your Blackboard account by going to <http://www.uc.edu/blackboard/> and clicking on the "create an account" link. Enter a valid email address. After clicking "submit" you will receive a confirmation message with assigned username and password. Log on and if not automatically enrolled already then register by going to this class from the A&S course list and clicking on "enroll". Once registered, post a one paragraph bio of yourself following the links for Student Tools and Create a Web page.

Email. All students who do not use the email address supplied by U.C. should go to bearcat on line <http://email.uc.edu/usertool/> and give a forwarding address to the destination where they want email delivered. The Political Science department Director of Undergraduate Programs will communicate with all majors about opportunities for scholarships and awards, special events, internships and conferences, as well as changes to requirements for the major. All majors should provide an email address at <http://www.artsci.uc.edu/polisci/index.html>

Two Homework Exercises

All students will complete two of the three assigned Teaching Human Rights Online (THRO) problems by printing out scored interactive exercises from the internet. Students who have done any of the cases in a prior class should choose an alternate problem for homework, All students completing the homework will receive full credit no matter what their score. Those who click ahead to find the correct answers will only cheat themselves of a learning opportunity.

Outline, Bibliography

All students must submit a draft outline of their paper along with a preliminary list of reference. In addition to the course texts, the bibliography should include secondary sources such as a journal article providing scholarly analysis and original/primary sources—judicial decisions, briefs by parties or interest groups, government documents. Follow press reports of cases being argued in the Supreme Court.

Advocacy Paper

Each student must complete an advocacy paper of 4-6 typed pages from one of the three assigned THRO cases or from one of the enemy combatant detention cases before the U.S. Courts. The THRO internet text provides basic information needed along with a reference bibliography, and students are expected to examine relevant materials from the texts, online or on Langsam reserve. The texts identify appropriate references at the end of each chapter, and basic treatises are on Langsam Reserve. The instructor's homepage has links that access treaty texts as well as U.N. and other documents. <http://homepages.uc.edu/~tolleyhb/>

Advocacy arguments should be well supported with citations and notes to assigned readings, treaties and other legal references. A reference page should list separately all primary and secondary sources consulted, including course texts. All papers must provide footnotes and a complete list of references using the same citation style for books, court cases, internet sites, and journal articles found in the Donnelly text pp. 260-86. In addition to <http://www>. . . . indicate the source, author if provided, title of the material and the most recent date of your internet visit.

Work Groups: Students conducting research on the same issue will participate in a group discussion on the day the rough draft is due in class and may collaborate on advance research.

Papers may be collaborative projects with co-counsel or other members of a team as long as each student completes a distinct paper for an individual grade.

Two Warnings: 1) Plagiarism is an automatic F, and the instructor will use tracking software to identify copied material. Examples of unacceptable plagiarism can be reviewed at: <http://www.indiana.edu/~wts/wts/plagiarism.html#original> U.C. procedures and penalties for academic misconduct are detailed at www.soa.uc.edu/life/conduct. UC library help is at <http://www.uc.edu/cetl/plagiarism.html> 2) Papers turned in after the deadline will receive no more than 50% credit and cannot earn a passing grade.

Oral Argument.

Selected students and volunteers will make a 5 to 10 minute oral argument in a class debate on the case. Draft arguments **must be posted on Blackboard the day before class debate** for advance preparation. Submit a printed version in class.

Paper Topics

Terrorism and Human Rights in India Rao's Dilemma Questions on extreme counter terrorism measures set out in THRO case.

A Just War? Clinton and Kosovo Questions on the legality and wisdom of humanitarian intervention provided in THRO case.

Shah Bano: Muslim Women's Rights Questions on rights of divorcee to alimony vs rights of religious minority to observe traditional family practices set out in THRO case.

ACLU v Rumsfeld/ CCR v Gonzalez (Interrogation/Rendition)

The ACLU representing eight alleged torture victims from Iraq and Afghanistan has sued the US Secretary of Defense in federal court. The Center for Constitutional Rights is representing an individual taken into custody at JFK airport while changing flights who was flown to Syria and alleges torture before being allowed to return home to Canada.

Hamdan v Rumsfeld (Guantanamo) Alleged driver for Osama Bin Laden challenges trial in military tribunal in appeal of federal court decision before the US Supreme Court

Rumsfeld v Padilla US appeals court allowed trial in military tribunal and then US Justice Department sought to prosecute in US courts after 3 year detention without counsel.

Assignments: Subject to change at the instructor's discretion

<u>Date</u>	<u>Topic</u>	<u>Donnelly</u>	<u>Online</u>	<u>Schulz</u>	<u>THRO Case HW</u>
Fri. 1/6	US Anti-Terrorism			pp 1-34	Submit Paper Choice
Mon. 1/19	Hubris and Fear			35-84	
Wed. 1/11	Origin of Rights			85-130	
Fri. 1/13	Theory	pp. 1-37			
Wed. 1/18	Pre WWII	38-56	UNL I.		
Fri. 1/20	UN Treaties		UNL II.		
Mon. 1/23	Western Values	57-70	HREA UN		
Wed. 1/25	Regimes	127-54	UNL III.		
Fri. 1/27	UN Agencies		UNL VI.		
Mon. 1/30	Sovereignty			131-72	
Wed. 2/1					Rao's Dilemma HW
Fri. 2/3	Safe + Free		HREA Torture	173-212	
Mon. 2/6	CLASS DEBATE ON RAO'S DILEMMA PAPERS				Paper Outline + Bibliog
Wed. 2/8	MidTerm Test				
Fri. 2/10	Genocide	242-60	UNL IV.		
Mon. 2/13	Geneva Conv.		HREA Humanit		A Just War? HW
Wed. 2/15	Non-Western	71-106			
Fri. 2/17	Asian Values	107-26	HREA Religion		Shah Bano HW
Mon. 2/20	U.S. + Treaties		HREA Ref, Non-Cit		
Wed. 2/22	DEBATE ON KOSOVO + SHAH BANO PAPERS				
Fri. 2/24	U.S. Courts	173-84	UNL V.		
Mon. 2/27	Europe		HREA Europe		
Wed. 3/1	CLASS DEBATE ON US DETAINEE INTERROGATION				Rendition, McCain Amend.
Fri. 3/3	CLASS DEBATE ON US ENEMY DETENTION				Padilla, Hamdan
Mon 3/6	Americas		HREA Inter-Amer		
Wed. 3/8	Africa	185-203	HREA Food		
Fri. 3/10	Development	204-241	HREA Sex Orient		
	Open House 6 p				
Wed. 3/15	Comprehensive Final Exam 1:30-3:30 p.m.				

STUDENT INFORMATION FORM FOR HUMAN RIGHTS 2006

Name _____ Year/Class _____

Major _____ E-mail address _____

College at U.C. _____ U.C. Honors Scholars Program? YES NO
Registered
Voter? YES NO

Home City and State _____

Related Coursework--Check courses taken

International Politics	Judicial Process	International Organization
Comparative Government	International Law	Constitutional Law
Other _____		

Total number of credit hours to be taken at U.C. this term: _____ Pre-Law? YES NO

If employed, how many hours per week during this term: _____

Do you want this course as a requirement for the international human rights certificate? YES NO

Would you like a training session in how to use internet and Lexis to access treaties, journal articles, and international legal materials? YES NO

ADVOCACY PAPER OPTIONS

Students should not repeat a THRO case done in a prior class, but may do an enemy detainee case from a prior class if they argue in this class for the other party. Identify your choice for the advocacy paper, oral argument, and simulation by selecting two of the following problems and then:

1. Circle either 1st or 2nd to indicate any preference for class debate
2. Check A or B for each case to identify preferred advocacy perspective—supporting or opposing a grievant's claim

UC Class Date

- 2/6 1st 2nd **Terrorism and Human Rights in India Rao's Dilemma**
____ A. for counter terrorist security measures ____ B. for human rights reform
- 2/22 1st 2nd **A Just War? Clinton and Kosovo**
____ A. Advocate for nonintervention ____ B. Advocate US intervention
- 2/22 1st 2nd **Shah Bano: Muslim Women's Rights**
____ A. for Muslim minority group rights ____ B. for Shah Bano
- 3/1 1st 2nd **ACLU v Rumsfeld/ CCR v Gonzalez** (Interrogation/Rendition)
____ A. for coercive treatment of enemy aliens ____ B. for Geneva Conventions
- 3/3 1st 2nd **Hamdan v Rumsfeld** (Guantanamo)
____ A. for US military detention of enemy aliens ____ B. for judicial review of US center
- 3/3 1st 2nd **Rumsfeld v Padilla**
____ A. for US suspension of habeas corpus ____ B. for US national

On the back of this form, please provide whatever additional information you care to share that might be relevant: schools previously attended, law related experience, employment, internships, club or organization memberships, travel, other interests, strengths, weaknesses.

Special Needs: Individuals with learning disabilities or a physical handicap should arrange with the instructor for necessary accommodations in class and/or assignments and examinations. On a Blackboard personal webpage you may share a mini-bio for review by others in the class.