



DALHOUSIE UNIVERSITY

POLI 3505 – Foundations: Human Rights

Instructor: Dr. Larissa Atkison
Schedule: T/TH 10:05-11:25
Location: Studley LSC-COMMON AREA C338
Office Hours: T/TH: 3-5 p.m. Henry Hicks 354
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A. COURSE DESCRIPTION

This course explores the concept of human rights in theory and in practice. We will study the ideas, laws, structures and actors that influence how human rights are conceptualized, to whom and what they apply, and how they are enforced. The first third of the course introduces the concept of human rights, including their evolution into an international regime, debates around universality and relativism, and critical orientations toward human discourse. The second unit will turn to the international human rights regime (IHR), enforcement, national interest, and key challenges, such as the question of when humanitarian is justified, the consistency of norms surrounding intervention, and the efficacy of the International Criminal Court. The third section will turn to current and future questions such as implementation of Indigenous rights vis a vis UNDRIP, debates around artificial intelligence and human rights, and what Covid-19 has meant for international human rights and the international human rights agenda. key debates related to morality, cultural relativism, and humanitarian intervention.

B. LEARNING OBJECTIVES

- 1) Identify and define the key concepts and ideas that shape the politics of human rights;
- 2) Recognize, assess, and evaluate the primary debates in the field to develop analytical arguments;
- 3) Comprehend and critically respond to the scholarly literature on human rights;
- 4) Understand and articulate the evolution of human rights, including the interrelationships and tensions between the theory and practice.

C. REQUIRED READINGS

In recognition of the difficulties – both tangible and financial – of acquiring textbooks during a pandemic, I have dispensed with a textbook in place of readings that are available either online or on our Brightspace page. Most journal articles and news media are available on the library website and most book chapters are available on our Brightspace page.

I will do my best to post all reading materials on Brightspace, however, if a reading has not been posted, this is not an excuse for not consulting it. All materials should be readily available on the Dal library website; knowing how to access scholarly material is an essential element of a university education. The librarians are available if you have trouble sourcing articles.

D. EVALUATION COMPONENTS AND WEIGHTS

Components

The course will be delivered in person. Work will be evaluated on an individual basis. Except for formally volunteering as a note-taker for the course, which is strongly encouraged, students are discouraged from sharing their individual work on online platforms (i.e., do not share individual work on Facebook Groups, Google Drive, Discord, Dropbox, etc.). In the past, such sharing of individual work has resulted in incidents of plagiarism and academic misconduct.

The course assessment will be determined as follows:

List of Components

Midterm	20%
Critical Reflections x (25% x 2)	50%
Current Events Blog	10%
Final exam	20%

TOTAL OF ALL COMPONENTS: 100%

Note: all components must be complete to pass this course.

Letter grades have a grade point assigned that is used to calculate your GPA (Grade Point Average). The following table explains and defines Dalhousie's grading system and shows the GPA value that corresponds with each letter grade.

Grade	Grade Point Value		Definition	Notes
A+ A A-	4.30 4.00 3.70	90-100 85-89 80-84	Excellent	Considerable evidence of original thinking; demonstrated outstanding capacity to analyze and synthesize; outstanding grasp of subject matter; evidence of extensive knowledge base.
B+ B B-	3.30 3.00 2.70	77-79 73-76 70-72	Good	Evidence of grasp of subject matter, some evidence of critical capacity and analytical ability; reasonable understanding of relevant issues; evidence of familiarity with the literature.
C+ C C-	2.30 2.00 1.70	65-69 60-64 55-59	Satisfactory	Evidence of some understanding of the subject matter; ability to develop solutions to simple problems; benefitting from his/her university experience.

D	1.00	50-54	Marginal Pass	Evidence of minimally acceptable familiarity with subject matter, critical and analytical skills (except in programs where a minimum grade of 'C' is required).
F	0.00	0-49	Inadequate	Insufficient evidence of understanding of the subject matter; weakness in critical and analytical skills; limited or irrelevant use of the literature.
INC	0.00		Incomplete	
W	Neutral and no credit obtained		Withdrew after deadline	
ILL	Neutral and no credit obtained		Compassionate reasons, illness	
P	Neutral		Pass	
TR	Neutral		Transfer credit on admission	
Pending	Neutral		Grade not reported	

E. ASSIGNMENT GUIDELINES

Critical Responses

You are expected to contribute TWO 1250-1500 word Critical Reading Reflections (CRRs) over the semester and one per course unit. Each CRR must engage at least TWO assigned readings and at least ONE peer reviewed article that you find on your own through the library system.

It is not permissible to submit two CRRs from just one unit.

Critical reflections should be thoughtful and thorough, written in clear prose, and engage closely with the assigned content. I expect to see references to assigned content to support your claims.

Note, that a critical reflection is not a summary or description of the reading. Rather, you should demonstrate your understanding of the material by reflecting on the author(s)' claims and applying them to your practical experience, or by bringing them into conversation with other reputable published opinions you have encountered.

Direct quotes must be marked as such and referenced, and you must link to any sources which have directly informed your thinking on a particular issue. The writing style may be first person

but should be polished and clear. Assume your reader is informed and interested in your analytic perspective – do not, therefore, spend time, introducing basic concepts covered in the course in these assignments.

Please include the word count at the top of your assignment along with your name, the date, and a title.

The overall mark on the assignment will consider your critical engagement with the assigned material, the originality of your questions and observations, and the clarity of your writing. A grading rubric will be provided.

*Note, a grade of A or higher on these assignments is reserved for submissions that exceed expectations across the grading rubric.

Midterm (20% - 75 min in class on March 2)

There will be **ONE in-class midterm** that will be designed to take 75 minutes to complete. If you require longer than 75 minutes, please contact the Accommodations Office.

Student Declaration of Absence forms will not be accepted to excuse you from completing this assignment. **If you are unwell the day of the exam, it is your responsibility to schedule a make-up exam with me within one week of the test** (barring unforeseen events such as a family death, a severe medical condition, or proof of positive Covid test – proof of which will be required to schedule a make-up exam outside of the set window). **If you do not reschedule your missed exam within this window, you will receive zero on this assignment.**

Final Exam (20% -75 min in class on April 6)

Students will write a 75 minute final exam on material covered in the second half of the course (i.e., after the first midterm) in class on April 6.

NEW: Current Issue Blog DUE APRIL 12

Students are asked to post a short academic blog (approximately 500 words) on a local AND recent human rights issue that we will *not* be exploring in class this term. This could include a discussion of any of the following topics in the Canadian context:

LGBTQ2IA+ rights, reproductive rights, migrant worker's rights, disability rights, refugee rights, labour rights, free speech rights

Your blog should include at least two links to relevant news articles or podcasts (any media shared should be from a reputable source and not inflammatory in nature).

In your blog briefly i) outline relevant facts pertaining to issue you have selected, ii) explain why you believe this issue is pertinent to our class discussions and concerns, and iii) reflect on any challenge, questions, and or actions you see this issue as posing for/ or requiring of Canadians. Note that you should write your blog as though you are speaking to an informed group of readers (i.e., your blog will be visible to class members on our Brightspace

page). The writing style should be polished, but it will likely be less formal than traditional academic writing. Sample blogs from other classes will be posted for reference.

You will all automatically have a grace period of FOUR days (until April 16) to submit this final assignment without penalty. After this hard deadline, late penalties will apply to everyone irrespective of accommodations. We will not accept submissions after April 25 due to final grade deadlines.

Academic Integrity

At Dalhousie University, we are guided in our work by the values of academic integrity: honesty, trust, fairness, responsibility and respect. As a student, you are required to demonstrate these values in the work you do. The University provides policies and procedures that every member of the university community is required to follow to ensure academic integrity.

Academic work is a process of learning from and building on the work of other people. Academic integrity means that we must be honest about our debts to others and their influence on our ideas and language on our own. It is therefore essential to acknowledge any content, written, multimedia, oral presentations, that have directly influenced the framing and language you use in your own academic work. Academic acknowledgement includes using quotations for direct quotes, followed by citation and citing authors you have paraphrased, or whose ideas you have drawn from in your work. Academic integrity means trustworthy conduct such as not cheating on examinations and not misrepresenting information. It is the student's responsibility to seek assistance to ensure that these standards are met. We will be using Urkund in this class as a tool to avoid academic integrity issues.

If you are ever unsure about any aspect of your academic work, please contact me or a TA. The library also offers services to help you ensure your academic integrity.

We all have moments where we are overwhelmed and fall behind in our work. Whatever you do, do not plagiarize, or otherwise cheat in such instances. Instructors are required to report every suspected offence.

If you find yourself tempted to cheat because you are overwhelmed or falling behind in your work, please reach out to me or our TA and explain your situation.

F. COURSE-SPECIFIC POLICIES

i. Communication with the Professor

In all email communications with me, please include POLI3505 in the subject line and proper greetings and salutations. Always sign-off with your full name. I will do my best to respond in 24 hours, M-F.

I will not be checking or responding to course related email on weekends and holidays. Office hours are T/TH 3-4 p.m., by appointment. If you are unable to make this time, I will be available by appointment for limited windows most Fridays. Please email to book a time.

We will be using Brightspace. Please check it regularly for announcements, assignments, and other resources.

ii. The Use of Course Materials

Lectures and course materials prepared by the instructor are the instructor's intellectual property and are covered by the Canadian Copyright Act. Students wishing to record lectures or other course materials in any way (this includes tape recording, filming, photographing PowerPoint slides, Brightspace materials, etc.) are required to ask the instructor's explicit permission. It is absolutely forbidden for a student to post, publish, or circulate the instructor's work on a website or to sell them in other forms without formal permission.

iii. Course Attendance and General Expectations

Substantial and constructive dialogue on challenging issues is an important part of academic inquiry and exchange. It requires willingness to listen and tolerance of opposing points of view.

Consideration of individual differences and alternative viewpoints is required of all class members, towards each other, towards instructors, and towards guest speakers. While expressions of differing perspectives are welcome and encouraged, the words and language used should remain within acceptable bounds of civility and respect.

Attendance is essential for success in this course and students will be expected to come to class with readings in hand, prepared to take notes and to engage in class discussion.

Written skills are important in this course. Proficiency in English therefore is assumed. Writing support is available for students at Dalhousie University. Students are strongly encouraged to seek out this support ahead of time.

iv. Missed or Late Class, Tests, or Assignments

1. Student Declaration of Absence policy

Dalhousie students are asked to take responsibility for their own short-term absences (3 days or less) by contacting their instructor by email prior to the academic requirement deadline or scheduled time and by submitting a completed Student Declaration of Absence to their instructor in case of missed or late academic requirements.

The Student Declaration of Absence Form was introduced in select courses to replace sick notes for absences of three days or fewer that result in missed or late academic requirements. The Student Declaration of Absence Form functions the same as a sick note. It may be used **once** in this class for this purpose. If you are ill and must miss more than one assignment please provide a formal doctor's note.

Student Declaration of Absence do not excuse students from completing work required for this class. If you submit an SDA to account for a late assignment or missed test, you are still responsible for making up the assignment and test, within one week. If you will be absent for longer than 3 days and are unable to complete or revise work please see the long-term absence policy available online. The following paragraphs outlines long-term absence policy:

“Where long-term absences are due to major or chronic physical or mental health conditions, documentation must be provided by on-campus or off-campus primary care health professionals. Documentation should indicate the dates and duration of the condition (**confidential health information of the exact condition is not required**), when possible should describe its impact on the student’s ability to fulfill academic requirements, and include any other information a primary care health professional considers relevant and appropriate.”

For more information, see here:

[https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/university_secretariat/policy-repository/Student%20Absence%20Regulation%20\(May%202018\)%20\(3\).pdf](https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/university_secretariat/policy-repository/Student%20Absence%20Regulation%20(May%202018)%20(3).pdf)

2. **Missed Tests or Assignments**

If you miss class, it is your responsibility to catch up with lecture material you have missed by requesting notes through Accessibility Services.

Test dates are scheduled in advance and cannot be changed. No make-up tests or extensions will be granted for missed tests or essays unless students have formal supporting documentation explaining why they were unable to fulfill the requirements. Examples of formal supporting documentation include a completed absence declaration form (if you have not yet already submitted one in this course), or a note issued by a certified physician/practitioner.

If you are absent from class or unable to complete any other term work, you are responsible for contacting your instructor as soon as possible to request reasonable accommodation. Extensions and the writing of make-up tests will only be granted under extraordinary and unforeseen circumstances. Appropriate documentation must be submitted within 5 days of the missed course requirement.

3. **Late penalty**

Late critical responses will be penalized 2% percent per day of lateness (weekends included) up to a maximum of 20%. Late course work will not be accepted after the end of the exam period.

v. Procedure for Appealing Assignment Grades

Should you have legitimate concerns regarding assignment grades, you are welcome to submit a half-page typed appeal that explains the reasons why you are contesting the grade (to be submitted to the teaching assistant and to the professor no later than 5 days, weekends included, past the date that you received your assignment grade). Please note that the re-evaluation of an assignment may result in a higher or lower grade, or the grade may remain the same.

vi. Accessibility

Students with diverse learning styles and needs are welcome in this course. In particular, if you have accessibility-related needs that may require accommodations, please feel free to contact me and/or Student Accessibility Services as soon as possible:

https://www.dal.ca/campus_life/academic-support/accessibility.html

vii. Submission of Work and the Use of Urkund

All assignments will be submitted to Brightspace. The terms that apply to Dalhousie University's use of Urkund are specified online: https://www.dal.ca/dept/university_secretariat/academic-integrity/faculty-resources/urkund--plagiarism-detection.html

F. University Policies, Statements, Guidelines, and Other Resources for Support

This course is governed by the academic rules and regulations set forth in the University Calendar and the Senate.

University Statements

Student Code of Conduct

Everyone at Dalhousie is expected to treat others with dignity and respect. The Code of Student Conduct allows Dalhousie to take disciplinary action if students do not follow this community expectation.

Students are required to comply with health and safety requirements on campus, and should be considerate of others' health concerns. Non-compliance may be reported under the Code of Student Conduct.

Diversity and Inclusion – Culture of Respect

Every person at Dalhousie has a right to be respected and safe. We believe inclusiveness is fundamental to education. We stand for equality. Dalhousie is strengthened in our diversity. We are a respectful and inclusive community. We are committed to being a place where everyone feels welcome and supported, which is why our Strategic Direction prioritizes fostering a culture of diversity and inclusiveness (Strategic Priority 5.2).

Recognition of Mi'kmaq Territory

Dalhousie University would like to acknowledge that the University is on Traditional Mi'kmaq Territory. The Elders in Residence program provides students with access to First Nations elders for guidance, counsel and support. Visit their office at:
Room 107, Indigenous Student Centre
1321 Edward Street Phone: (902) 494-6803

University Policies and Programs

- Important Dates in the Academic Year

http://www.dal.ca/academics/important_dates.html

- University Grading Practices: Statement of Principles and Procedures

https://www.dal.ca/dept/university_secretariat/policies/academic/grading-practicespolicy.html •

Scent-Free Program <https://www.dal.ca/dept/safety/programs-services/occupational-safety/scent-free.html>

Learning and Support Resources

- General Academic Support - Academic Advising: https://www.dal.ca/campus_life/academic-support/advising.html

- Copyright and Fair Dealing: <https://libraries.dal.ca/services/copyright-office/fairdealing/fair-dealing-guidelines.html>

- Libraries: <http://libraries.dal.ca>
- Student Health Services: https://www.dal.ca/campus_life/health-and-wellness/services-support/student-health-and-wellness.html
- Counselling and Psychological Services: <https://www.dal.ca/counselling>
- Black Student Advising: https://www.dal.ca/campus_life/communities/blackstudent-advising.html
- Indigenous Student Centre: https://www.dal.ca/campus_life/communities/indigenous.html
- eLearning Website: <https://www.dal.ca/dept/elearning.html>
- Student Advocacy Services: <http://www.dsu.ca/dsas>
- Dalhousie Ombudsperson: https://www.dal.ca/campus_life/safety-respect/student-rights-and-responsibilities/where-to-get-help/ombudsperson.html
- Writing Centre: https://www.dal.ca/campus_life/academic-support/writing-andstudy-skills.html. Assistance with learning to write academic documents, reviewing papers for discipline -specific writing standards, organization, argument, transitions, writing styles and citations.
- Studying for Success program and tutoring: https://www.dal.ca/campus_life/academic-support/study- skills-and-tutoring.html

SCHEDULE AND ASSIGNED READINGS

UNIT ONE: HUMAN RIGHTS FOUNDATIONS, CRITICISM, AND CONTEXT

Week 1 Introduction

- T/Jan 10 Introduction to syllabus, course themes, and policies
Donnelly, Jack. “The Concept of Human Rights (Chapter 1).” 7-23 (Brightspace)
- TH/Jan 12 Langlois, Anthony. “Normative and Theoretical Foundations of Human Rights” in *Human Rights: Politics and Practice*, Ed. Goodhart, 2nd ed. pp. 11-25.
- Rec Sussman, Alan. 2014. “Why Human Rights Are Called Human Rights.” *Ethics & International Affairs* 28 (2), 171–82.

Week 2 The Universal Declaration Model

- T/Jan. 17 https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf
Donnelly, Jack. “The Universal Declaration Model.” (Chapter 2) *UHRTP*, 24-39.
- TH/Jan. 19 Waltz, Susan. 2002. “Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights, *Third World Quarterly*. 23 (3), 437-448.
- Moyn, Samuel, 2010. “Human Rights in History,” *The Nation*,
<https://www.thenation.com/article/archive/human-rights-history/>

Week 3 Rights Universalism and Relativism

- T/Jan 24 Mutua, Makau. 2001. “Savages, Victims, and Saviors: The Metaphor of Human Rights.” *Harvard International Law Journal* 42, 201-245.

- Rec. Ibhawoh. 2000. "Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the African State" *Human Rights Quarterly*, 22(3), 838-860
- TH/Jan 26 Risse, Mathias, 2012, "Universalism vs. Relativism," In *Global Political Philosophy*, London: Palgrave Macmillian, 40-61.
- Rec: Donnelly, Jack. "Universality in a World of Particularities." (Chapter 7) *UHRTP*, 106-120.
- Week 4 International Human Rights Regime**
- T/Jan. 31 Donnelly, "The International Human Rights Regimes" in *UHRTP*, 161-196.
- Rec: Forsythe, David, 2017, "Global application of human rights norms" In *Human rights in international relations*. Cambridge University Press, 71-116.
- TH/Feb. 2 Smith, Rhona. "Monitoring, Implementing, and Enforcing Human Rights," *International Human Rights Law*, 8th ed. Oxford University Press, 156-181.
- Hafner-Burton, E. M. (2008). Sticks and Stones: Naming and Shaming the Human Rights Enforcement Problem. *International Organization*, 62(4), 689–716.
- Week 5 Human Rights Enforcement**
- T/Feb. 7 Donnelly, Jack. "Humanitarian Intervention against Genocide." (Chapter 15) *UHRTP*, 254-273.
- Rec: Jo, Hyeran, and Beth A. Simmons, 2016, "Can the International Criminal Court Deter Atrocity?" *International Organization* 70.3: 443–75.
- TH/Feb. 9 Samuel Moyn, "Human Rights and Humanitarianism" in *Humanitarianism and Human Rights A World of Differences?* pp. 33–48.
- Abdullahi Ahmed An-Naim, (2021) "The Deadly Mirage of Humanitarian Intervention" in *Decolonizing Human Rights*, CUP, pp. 49 – 104.
- FIRST CRR DUE FRIDAY FEB. 10, 11:59 pm**
- Week 6 Foreign Policy**
- T/Feb. 14 Donnelly, Jack. "Human Rights and Foreign Policy" (Chapter 12). *UHRTP*, 197 – 213
- Kurt Mills & Rodger A. Payne (2020) "America First and the human rights regime," *Journal of Human Rights*, 19:4, 399-424,
- TH/Feb. 16 Jeffrey, Brooke, 2016, "The Evolution of Human Rights in Canada," In *Human Rights: Current Issues and Controversies*, ed. Gordon DiGiacomo, Toronto: U of T Press.

Anne F. Bayefsky, *The Human Rights Committee and the Case of Sandra Lovelace*, 20 CAN. Y.B. INT'L L. 244 (1982).

Week 7 READING WEEK

Week 8 Midterm review/Midterm

T/Feb. 28 Midterm review
TH/Mar. 2 Midterm (In class)

Week 9 Economic and Social Rights

T/Mar. 7 Donnelly, "The West and Economic and Social Rights." (Chapter 14) *UHRTP* 235-53.

Whyte, Jessica, 2019. "The Morals of the Market" in *Morals of the Market: Human Rights and the Rise of Neoliberalism*, pp. 8-28.

Rec: Moyn, Samuel. 2014. "A Powerless Companion: Human Rights in the Age of Neoliberalism." *Law & Contemporary Problems* 77(4), 147-170

TH/Mar 9 Mathews Glen, Jane, 2013, "Reconceptualizing Social and Economic Rights: The Right to Housing and Intersecting Legal Regimes" in *Dialogues on Human Rights and Legal Pluralism*, 187-204.

Heffernan, Tracy; Faraday, Fay; and Rosenthal, Peter. "Fighting for the Right to Housing in Canada." *Journal of Law and Social Policy* 24. (2015): 10-45.

Rec: Segal, S. (2020). The international human right to adequate housing: An economic approach. *Chicago Journal of International Law*, 20(2), 486-529.

Week 10 Indigenous Rights: UNDRIP and Environmental Rights

T/Mar. 14 Video: "Figuring out the Who, Where, How and What to Implement UNDRIP in Canada," Centre for International Governance Innovation:
<https://www.cigionline.org/multimedia/figuring-out-who-where-how-and-what-implement-undrip-canada:>

Lightfoot, Sheryl. 2016. "Introduction." *Global Indigenous Politics: A Subtle Revolution*. Routledge, 1-32.

Gordan Christie, "Indigenous Legal Orders, Canadian Law and UNDRIP" in "Braiding Sweatgrass"

TH/Mar. 16 Craft, A. 2019. "Navigating our Ongoing Sacred Relationship with Water" in *Braiding Legal Orders, Implementing the United Nations Declaration on the*

Rights of Indigenous Peoples, Eds. John Borrows, Larry Chartrand, Oonagh E. Fitzgerald, Risa Schwartz.

<https://www.theguardian.com/environment/2021/jul/25/rivers-around-the-world-rivers-are-gaining-the-same-legal-rights-as-people>

John Barry and Kerri Woods, 2016. "The Environment" in *Human Rights Politics and Practice* 3rd ed, Ed. Michael Goodhart, Ch. 23 (On Brightspace).

Week 11 Non-Human Rights

T/Mar. 21 Birgit, 2018, "Why technology puts human rights at risk," *The Conversation*, <https://theconversation.com/why-technology-puts-human-rights-at-risk-92087>.

Matthias Risse, 2018. "Human Rights and Artificial Intelligence: An Urgently Needed Agenda" Carr Center for Human Rights Policy: https://carrcenter.hks.harvard.edu/files/cchr/files/humanrightssai_designed.pdf

TH/Mar. 23 Peters, Anne. "Rights Of Human And Nonhuman Animals: Complementing The Universal Declaration Of Human Rights." *AJIL Unbound* 112 (2018): 355–60.

Cass Sunstein, "What are Animal Rights?" (Brightspace)

SECOND CRR DUE FRIDAY MAR. 25 11:59 pm

Week 12 COVID-19 and Human Rights

T/Mar. 28 Katharina O Cathaoir. "Human rights in times of pandemics: Necessity and proportionality." Routledge Studies in Human Rights.

TH/Mar. 30 The post-crisis human rights agenda TH/April Giacomo Chiozza & Jeffrey King (2022) "The state of human rights in a (post) COVID-19 world," *Journal of Human Rights*, 21:3, 246-262, DOI: 10.1080/14754835.2022.2051450

Week 13 Course reflections and conclusions

T/Apr. 4 TBD

TH/Dec. 6 IN CLASS FINAL

**I am indebted to previous versions of this syllabus developed by other professors. This syllabus builds on those versions and introduces new readings and approaches.

***Please note, while I have done my best to finalize the syllabus, some changes may be possible.