

**International Human Rights Law & State Crime CCJ 4938 [06]
and
International Human Rights Law & State Crime Honors CCJ 4938 [07]**

**Fall 2011
Diftenbaugh 128**

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*** **Please note that due to the professor's litigation schedule, some dates and assignments on this syllabus may change**

Introduction

This course addresses a dilemma that is centuries-old: what can be done when a nation state or society perpetrates crimes against its own citizens? The course will survey the framework of international human rights law that has evolved since 1945 in response to systematic state crimes such as torture, genocide, and forced disappearances, as well as cultural practices such as female genital mutilation. Required readings include the following books on human rights issues and law:

The Blindfold's Eyes: My Journey from Torture to Truth (Sister Dianna Ortiz, Orbis, 2002, paperback)

They Would Never Hurt a Fly: War Criminals on Trial in the Hague (Slavenka Drakulic, Penguin, 2004, paperback)

We Wish to Inform You That Tomorrow We Will Be Killed With Our Families: Stories From Rwanda (Philip Gourevitch, Picador USA, 1998, paperback)

Do They Hear You When You Cry? (Fauziya Kassindja & Layli Miller Bashir, Delta, 1998, paperback)

The required readings are journalistic accounts of particular human rights situations—the Ortiz torture case in Guatemala and the United States, genocide in the former Yugoslavia and Rwanda, and the human rights & asylum issue of female genital mutilation as practiced in certain traditional societies of Africa. Course lectures will provide a broad introduction to the theory and practice of human rights law. There will be three tests over the course of the semester and one reflection paper to be completed.

Section one of the course will examine the case of Sister Dianna Ortiz, an American nun who was detained and tortured by the Guatemalan government in 1989 (**The Blindfold's Eyes**). Particular attention will be paid to the forced disappearances and torture that characterized the Latin American military dictatorships of this era. Class lectures include an introduction to international law & the evolution of human rights law, a survey of the U.N. human rights system, and an examination of the role that non-governmental organizations ("NGOs") play in the human rights field.

Section I Objectives:

- (1) Understand the historical evolution of international human rights law and the inception of the human rights movement
- (2) Understand the inter-governmental (United Nations) approach to promoting human rights
- (3) Understand the non-governmental organization (NGO) approach to protecting human rights
- (4) Understand evolving U.S. legal remedies for victims of human rights violations

Section two of the course will address the topic of war crimes and genocide and attempts under international law to make perpetrators accountable. (**They Would Never Hurt a Fly and We Wish to Inform You**). Class lectures will examine the Nuremberg Trials, the Convention Against Genocide, the International Criminal Tribunals for the Former Yugoslavia and Rwanda, the International Criminal Court, the Pinochet litigation, and the role of truth commissions.

Section II Objectives:

- (1) Understand the legal precedents established by the Nuremberg Trials
- (2) Understand the ways in which human rights violations can be prosecuted under international law in international criminal tribunals
- (3) Understand the new legal concept of universal jurisdiction
- (4) Understand the role of truth commissions in dealing with human rights violations

Section three of the course will examine the practice of female genital mutilation and its treatment by U.S. asylum law (**Do They Hear You When You Cry**). Lectures will address international refugee law, recent trends in U.S. asylum law, women's rights as human rights, and the issue of cultural relativism.

Section III Objectives:

- (1) Understand the eligibility requirements for receiving asylum under U.S. law
- (2) Understand the procedures by which one requests asylum in the United States
- (3) Understand the limitations imposed by U.S. law upon asylum-seekers
- (4) Understand the concept of cultural relativism and the challenge it poses to the notion of universal human rights

Grading

There will be three examinations in the class that will correspond to the respective three class sections. There will also be a four page reflection paper due. A student's final grade for the course will be weighted as follows:

Test #1	30%
Test #2	30%
Test #3	30%
Reflection Paper	10%

At the discretion of the professor, some points may also be earned by attending human rights events during the course of the semester.

Grading for Honors Students

Students taking the course for Honors credit will complete an additional 10 page research paper due the Monday after Thanksgiving (November 28th, 2011). In addition, the Honors students will meet in an additional monthly colloquium at a time TBD. The grading scale for Honors students is as follows:

Test #1	20%
Test #2	20%
Test #3	20%
Reflection Paper	10%
Research Paper	30%

Grading Scale

Excellent:	A = 100-93	A- = 92-90	
Good (Above Average):	B+ = 89-88	B = 87-83	B- = 82-80
Average:	C+ = 79-78	C = 77-73	C- = 72-70
Below Average:	D+ = 69-68	D = 67-63	D- = 62-60
Unacceptable:	F = 59-0		

Honor Code

The Florida State University Honor Code will be adhered to and enforced. Specific honor code violations, both personal and academic, can be found in the University Bulletin. Violations will be prosecuted.

Students with Disabilities

Students with disabilities needing academic accommodations should:

1. Register with and provide documentation to the Student Disability Resource Center. (SDRC)
2. Bring a letter to the instructor from the SDRC indicating you need

academic accommodations. This should be done within the first week of class.

This syllabus and other class materials are available in alternative format upon request.

Course Outline & Reading Assignments

August 29:

August 31:

September 2:

September 5: **No Class (Labor Day)**

September 7: Ortiz, pp. 3-50

September 9: Ortiz, pp. 51-101

September 12: Ortiz, pp. 102-163

September 14: Ortiz, pp. 164-216

September 16: Ortiz, pp. 217-269

September 19: Ortiz, pp. 270-328

September 21: Ortiz, pp. 329-382

September 23: Ortiz, pp. 383-426

September 26: Ortiz, pp. 427-477

September 28:

September 30: **Test #1**

October 3: Drakulic, pp. 1-65

October 5: Drakulic, pp.66-105

October 7: Drakulic, pp. 106-138

October 10: Drakulic, pp.139-175

October 12: Drakulic, pp. 176-207

October 14: Gourevitch, pp. 15-43

October 17: Gourevitch, pp. 47-84

October 19: Gourevitch, pp. 85-131

October 21: Gourevitch, pp. 132-171

October 24: Gourevitch, pp. 177-226

October 26: Gourevitch, pp. 227-274

October 28: Gourevitch, pp. 277-320

October 31: Gourevitch, pp. 321-353

November 2:

November 4: **Test #2**

November 7: Kassindja, pp. 1-37

November 9: Kassindja, pp. 38-79

November 11: **No Class (Veterans Day)**

November 14: Kassindja, pp. 80-118

November 16: Kassindja, pp. 119-167

November 18: **No Class (Homecoming)** Kassindja, pp. 168-210

November 21: **No Class** Kassindja, pp. 211-249

November 23: **No Class (Thanksgiving)** Kassindja, pp. 250-292
November 25: **No Class (Thanksgiving)** Kassindja, pp. 293-321
November 28: Kassindja, pp. 322-378 **Honors Research Papers Due**
November 30: Kassindja, pp. 379-450
December 2: Kassindja, pp. 451-520
December 5: **Reflection Paper Due**
December 7:
December 9:

Exam Week: Test #3