

International Human Rights Law & State Crime CCJ 4938 [0004]

Fall 2017

Bellamy 180

Tue/Thur 2:00 PM – 3:15 PM

Terry Coonan, Associate Professor

Office Hours: By appointment

Phone: 644-4550

E-Mail: tcoonan@fsu.edu

Office: FSU Human Rights Center

426 W. Jefferson Street

Sophie Luchin, Teaching Assistant

E-Mail: snl16c@my.fsu.edu

***** 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 human rights violations such as female genital cutting and human trafficking (that can occur when states turn a blind eye). 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)

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)

Girls Like Us (Rachel Lloyd, Harper Perennial, 2011, 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, the human rights & asylum issue of female genital cutting as practiced in certain traditional societies of Africa, and human trafficking as encountered on the streets of the United States. 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, torture, and genocide and attempts under international law to make perpetrators accountable. (**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 & the Convention Against Torture, 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 two evolving human rights issues in the 21st century: the practice of female genital cutting and the offense of human trafficking. The examination of FGC will also consider its treatment by U.S. asylum law (**Do They Hear You When You Cry**). Lectures will cover international refugee law, recent trends in U.S. asylum law, and women's rights as human rights. In addressing human trafficking, course lectures will examine Florida and national trends in trafficking (**Girls Like Us**), the collaborative response to human trafficking adopted by U.S. policymakers, and controversies surrounding the precise relationship between prostitution and sex trafficking.

Section III Objectives:

- (1) Understand the eligibility requirements and procedures for receiving asylum under U.S. law
- (2) Understand the limitations imposed by U.S. law upon asylum-seekers
- (3) Understand the legal definition of human trafficking (Modern-day slavery and examples of this human rights violation)
- (4) Understand new trends in human trafficking and evolving issues raised by this crime

Tests

There will be three tests throughout the semester that respectively cover each section of the course. **No written materials of any kind and no electronic devices are permitted in the classroom on the day of a test. Failure to observe this rule will result in a zero grade for that test.**

Grading

There will be three examinations in the class that will correspond to the respective three class sections. There will also be a two-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 over the course of the semester.

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 that 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:	No reading
August 31:	Ortiz, pp. 1-64
September 5:	Ortiz, pp. 65-192
September 7:	Ortiz, pp. 193-243
September 14:	Ortiz, pp. 244-295
September 19:	Ortiz, pp. 296-399
September 21:	Ortiz, pp. 400-577
September 26:	No reading
September 28:	Test #1
October 3:	Canvas Reading TBA
October 5:	Canvas Reading TBA
October 10:	Gourevitch, pp. 5-131
October 12:	Gourevitch, pp. 132-171
October 17:	Gourevitch, pp. 177-302
October 19:	Gourevitch, pp. 303-356
October 24:	Canvas Reading TBA
October 26:	Canvas Reading TBA
October 31:	Canvas Reading TBA
November 2:	No Reading
November 7:	Test #2
November 9:	Kassindja, pp. 1-157
November 14:	Kassindja, pp. 158-268
November 16:	Kassindja, pp. 269-416
November 21:	No Class (Thanksgiving) Kassindja, pp. 417-528
November 23:	No Class (Thanksgiving)
November 28:	Lloyd, pp. 1-113
November 30:	Lloyd, pp. 115-183
December 5:	Lloyd, pp. 185-272
December 7:	No Reading
	Reflection Papers Due
Exam Week:	Test #3