

San José State University
Department of Justice Studies
JS 025, Fall 2013
Introduction to Human Rights and Justice

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| Instructor: | Noam Perry |
| Office Location: | MacQuarrie Hall 521 |
| Email: | noam.perry@sjsu.edu |
| Office Hours: | Mondays & Thursdays 5:45-6:30pm, Fridays 2:45-3:30pm |
| Class Time: | Thursdays 3:00-5:45pm |
| Classroom: | MacQuarrie Hall 324 |
| Prerequisites: | None (lower division) |
| JS Competency Area: | Support Course (equivalent to JS 10 for JS majors) |

Course Communication

All course materials, such as the syllabus, non-book readings, assignment instructions, grades, etc., may be found on Canvas (<https://sjsu.instructure.com>). A guide to this new system can be found at: http://www.sjsu.edu/at/ec/docs/CanvasStudentTutorial_New.pdf.

Course Catalog Description

This course is a lower division introduction to the history of human rights as a concept and body of international law, and to the complicated role of human rights in contemporary social justice campaigns.

Course Instructor Description

This course is designed for students to explore questions such as: Where did human rights (as an idea and body of law) come from? How are human rights defined through international law (i.e. through human rights instruments, such as the Universal Declaration of Human Rights)? What do human rights have to do with our current attempts to define and realize social justice?

Course Goals and Student Learning Objectives

The goals of this course are to: (1) give students a basic understanding of the events, actors and ideas that gave rise to the concept of human rights; (2) give students a basic understanding of international human rights law and a general familiarity with common

human rights instruments; (3) give students the opportunity to grapple with the complicated relationship in theory and practice between human rights and social justice. As part of this last goal, students will become relatively familiar with several contemporary human rights campaigns.

Upon successful completion of this course, students should be able to:

- (SLO1) Recall a general history of human rights including the significant events, actors, and ideas that gave rise to the concept of human rights.
- (SLO2) Demonstrate a general familiarity with major human rights instruments and how these instruments work with regard to international (treaty) law.
- (SLO3) Demonstrate a familiarity with several current human rights campaigns (domestic and international), reporting agencies (Human Rights Watch, Amnesty International, etc.), and policy debates.

Justice Studies Reading and Writing Philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.

Students in JS 25 will have the opportunity to improve their writing and critical literacy skills through completion of the course written assignments.

Required Texts/Readings

Textbooks

Blau, Judith and Mark Frezzo. (2012). *Sociology and Human Rights*. Thousand Oaks, CA: Pine Forge Press.

Additional Required Readings

All required readings beyond the above books are posted on Canvas. If you choose to print them out please print on both sides (duplex) to conserve paper.

Other Required Materials

Scantron 882e forms for readiness assessments (six for the entire semester). Other types of Scantron forms may be used with permission of the instructor.

Suggested Readings and Resources for Reference and Research

- Ishay, M. (2008). *The history of human rights: from ancient times to the Globalization Era*. Berkeley, CA: University of California Press.
- Lauren, P. (2011). *The evolution of international human rights: visions seen (3rd edition)*. Philadelphia, PA: University of Pennsylvania Press.
- Soohoo, C., Albisa, C. & Davis, M. F. [Eds.]. (2008). *Bringing human rights home*. Westport, CT: Praeger.
- Steiner, H. J., Alston, P. & Goodman, R. [Eds.]. (2007). *International human rights in context: law, politics, morals (3rd edition)*. New York, NY: Oxford University Press.
- Weissbrodt, D. & de la Vega, C. (2007). *International human rights law: an introduction*. Philadelphia, PA: University of Pennsylvania Press.

Online Resources for Reference and Research

- www.un.org/en/rights - The United Nations Human Rights Portal.
- www.amnesty.org/en/human-rights - Browse Amnesty International's website by country or issue, or search their report library.
- www.hrw.org/en/publications - Human Rights Watch reports.
- www.state.gov/g/drl/rls/hrrpt - The State Department Country Reports on Human Rights Practices, which cover most countries in the world (but not the U.S. itself).
- www.hurisearch.org - A search engine dedicated to human rights.
- www1.umn.edu/humanrts - The University of Minnesota Human Rights Library – contains thousands of human rights documents.

Library Liaison

For help with library resources and library research (including the use of databases and online research materials—such as journal search engines), students are strongly encouraged to contact the Justice Studies Library Liaison:
Nyle Monday, Nyle.Monday@sjsu.edu, (408) 808-2041

Classroom Protocol

1. This course is taught using a methodology called Team-Based Learning (TBL), which facilitates most of the learning in class through team work. Students are therefore expected to arrive to class on time, prepared to take part in their team's learning.
2. All classroom participants are expected to foster an environment that encourages participation (be respectful to one another, do not insult or intimidate others).
3. Students are expected to complete assignments by the time indicated in the syllabus. Late assignments will not be graded.
4. Students are responsible individually for making up material missed in their absence.
5. Cell phone, PDA, and Laptop/Internet use will not be tolerated during class time unless they are part of class activities or necessary to field an emergency.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drops, academic renewal, etc. Information on add/drops are available at <http://www.sjsu.edu/advising/faq/#add>. Information about late drop is available at <http://www.sjsu.edu/aars/policies/latedrops/>. Students should be aware of the current deadlines and penalties for adding and dropping classes.

Assignments and Grading Policy

Final Paper

The final paper will focus on a human rights issue of your choice. Submit your paper through Canvas. Detailed instructions and the grading rubric will be posted on Canvas.

Progress Papers

The four short progress papers serve as the building blocks of the final paper:

1. Final paper proposal - team assignment, to be completed in class.
2. Introduction paragraph for the final paper.
3. Body paragraph for the final paper.
4. Final paper draft.

Except for the first assignment, i.e. the proposal, submit all progress papers through Canvas before class begins on the day they are due, as well as a printed copy to class, along with three copies of the relevant peer review forms. Late submissions will not be graded. Detailed instructions for each paper and grading rubrics are posted on Canvas.

Student Presentations

The time designated as final exam period will be dedicated to student presentations of the final paper. Instructions and grading rubric will be posted on Canvas.

Readiness Assessment Process (RAP)

To facilitate team-based learning, the topics covered in this class are grouped into themed learning units, each beginning with a session called “readiness assurance process.” This session is dedicated to assure that students comprehend the basic concepts in the assigned reading material for that unit, so that they can meaningfully engage with their teams during class team exercises. This process comprises of three stages:

1. Individual readiness assurance test (iRAT) - closed books. Each student answers ten multiple-choice questions about all the readings assigned for the unit.
2. Team readiness assurance test (tRAT) - closed books. Teams discuss the questions and take the same test as a team.
3. Written appeals - open books. At this point students will know what the correct answers are, and teams get a chance to appeal their score if they think they were correct. This can happen if there was a mistake in the question/answer, a mistake or ambiguity in the readings, or if the question was worded ambiguously. Appeals must:
 - a. Be submitted by a team, not by individual students.

- b. Appeal questions that the team did not get full credit for. Teams cannot appeal questions that they answered correctly.
- c. Consist of an argument about the problem with the question, supported by evidence based on the reading materials. If the appeal is due to poor or ambiguous wording, students must propose a better worded alternative.

Appeals will be reviewed after class. If an appeal is accepted, the missing points will be added to the team grade, as well as to the individual grades of students within that team. The grade will not be adjusted for teams that did not submit an appeal.

Based on these readiness assurance tests (RATs), each student will receive an individual grade and a team grade. Individual grades consist of the sum of the best five individual scores (out of six RATs). The team grade is the sum of all six team scores.

Team Work

Teams will work together in class in three types of activities:

- Readiness assessment process - in the beginning of each unit, as explained above.
- Team work and discussion during in-class application exercises, in which teams will apply the concepts learned in the readings.
- Coordinating work on the final paper and presentations.

Students are required to evaluate and grade the contribution of their teammates to the team's work. Midway through the semester there will be a formative evaluation, the results of which would be sent back to each student anonymously. At the end of the semester there will be a summative evaluation, which will count toward the final grade. While completing the team peer review forms is not graded, failing to submit them would prevent a student from completing the course.

Grading Scheme

| | |
|---|---------------------------------------|
| Progress papers | 20% (4 papers, 5 points each) |
| Final paper | 20% |
| Presentation | 5% |
| Individual Readiness Assurance Tests | 20% (best 5 out of 6, 4 points each) |
| Team Readiness Assurance Tests | 20% (6 assessments, 3.33 points each) |
| <u>Team work (assessed by team members)</u> | <u>15%</u> |
| Total | 100% |

Grading Scale

The final course grade will be calculated based on the following standard scale:

| | | | | | |
|--------|----|-------|----|-------|----|
| 98-100 | A+ | 80-83 | B- | 64-67 | D |
| 94-97 | A | 78-79 | C+ | 60-63 | D- |
| 90-93 | A- | 74-77 | C | <60 | F |
| 88-89 | B+ | 70-73 | C- | | |
| 84-87 | B | 68-69 | D+ | | |

Please note, a "C" or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major.

University Policies

Academic integrity

Students should know the University's Student Conduct Code, available at http://www.sjsu.edu/studentconduct/docs/Student_Conduct_Code.pdf. Your own commitment to learning, as evidenced by your enrollment at San Jose State University and the University's integrity policy, require you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development, found at <http://www.sjsu.edu/studentconduct>.

Instances of academic dishonesty will not be tolerated. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. For this class, all assignments are to be completed by the individual student unless otherwise specified. If you would like to include in your assignment any material you have submitted, or plan to submit for another class, please note that SJSU's Academic Policy F06-1 requires approval of instructors.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must register with the AEC (Accessible Education Center) to establish a record of their disability.

Student Technology Resources

Computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library.

A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. These items include digital and VHS camcorders, VHS and Beta video players, 16 mm, slide, overhead, DVD, CD, and audiotape players, sound systems, wireless microphones, projection screens and monitors.

Learning Assistance Resource Center

The Learning Assistance Resource Center (LARC) is located in Room 600 in the Student Services Center. It is designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. The center provides support services, such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. The LARC website is located at <http://www.sjsu.edu/larc>.

SJSU Writing Center

The SJSU Writing Center is located in Room 126 in Clark Hall. It is staffed by professional instructors and upper-division or graduate-level writing specialists from each of the seven SJSU colleges. Our writing specialists have met a rigorous GPA requirement, and they are well trained to assist all students at all levels within all disciplines to become better writers. The Writing Center website is located at <http://www.sjsu.edu/writingcenter>.

Peer Mentor Center

The Peer Mentor Center is located on the 1st floor of Clark Hall in the Academic Success Center. The Peer Mentor Center is staffed with Peer Mentors who excel in helping students manage university life, tackling problems that range from academic challenges to interpersonal struggles. On the road to graduation, Peer Mentors are navigators, offering “roadside assistance” to peers who feel a bit lost or simply need help mapping out the locations of campus resources. Peer Mentor services are free and available on a drop –in basis, no reservation required. The Peer Mentor Center website is located at <http://www.sjsu.edu/muse/peermentor>.

CASA Student Success Center

The Student Success Center in the College of Applied Sciences and Arts (CASA) provides advising for undergraduate students majoring or wanting to major in programs offered in CASA Departments and Schools.

All CASA students and students who would like to be in CASA are invited to stop by the Center for general education advising, help with changing majors, academic policy related questions, meeting with peer advisors, and/or attending various regularly scheduled presentations and workshops. Looking for academic advice or maybe just some tips about how to navigate your way around SJSU? Check out the CASA Student Success Center! It’s also a great place to study, and you can check out laptops.

Location: MacQuarrie Hall (MH) 533 - top floor of MacQuarrie Hall. Contact information: [408.924.2910](tel:408.924.2910). Website: <http://www.sjsu.edu/casa/ssc/>.

JS 025: Introduction to Human Rights & Justice Course Schedule

Note: The schedule is subject to change with fair notice from the instructor.

Table 1 Course Schedule

| Date | Topic | Readings | Assignments due |
|-----------------|--------------------------------|---|---------------------------|
| 8/22 | Introductions | This syllabus; The UDHR | RAT #1* |
| 8/29 | Foundations of human rights | Weissbrodt&Vega | RAT #2* |
| 9/5 | <i>No class - Rosh Hashana</i> | | |
| 9/12 | International law of HR | Blau&Frezza Ch. 1, 2, 3, 7 | RAT #3* |
| 9/19 | Civil and political rights | | |
| 9/26 | Economic and social rights | | Final paper proposal** |
| 10/3 | Cultural rights | Blau&Frezza Ch. 4, 6, 11; Boyle&Corl | RAT #4* |
| 10/10 | Cultural Relativism | | Introduction paragraph*** |
| 10/17 | Environmental rights | | |
| 10/24 | HR in international relations | Forsythe; Meyer; Glasius | RAT #5* |
| 10/31 | Humanitarian intervention | | Body paragraph*** |
| 11/7 | International criminal law | | |
| 11/14 | Human rights of migrants | Blau&Frezza Ch. 8, 9, 10 | RAT #6* |
| 11/21 | Vulnerability and human rights | | |
| 11/28 | <i>No class – Thanksgiving</i> | | |
| 12/5 | Conclusions | | Final paper draft*** |
| 12/16 finals | Student presentations | Meeting in class between 2:45-5:00pm | Student presentations |

*In-class assignment. Bring to class a 882e Scantron form and a pencil.

**In-class assignment.

***Submit to Canvas before class time AND bring to class a paper copy with three (3) peer-review forms.



United Nations



All human beings are born with equal and inalienable rights and fundamental freedoms.

The United Nations is committed to upholding, promoting and protecting the human rights of every individual. This commitment stems from the United Nations Charter, which reaffirms the faith of the peoples of the world in fundamental human rights and in the dignity and worth of the human person.

In the Universal Declaration of Human Rights, the United Nations has stated in clear and simple terms the rights which belong equally to every person.

These rights belong to you.

*They are your rights. Familiarize yourself with them.
Help to promote and defend them for yourself
as well as for your fellow human beings.*

Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social

progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission

which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

(1) Everyone has the right to freedom of movement and residence within the borders of each State.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and

to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right to equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

United Nations Department of Public Information

For more information

www.ohchr.org/english/issues/education/training/udhr.htm

www.un.org/cyberschoolbus/humanrights/index.asp