Topics in Law and Society: International Perspectives on Human Rights

Course Number
LWSOC-UA 9251 F01
POL-UA 9751 F01
ANTH-UA 9071 F01

Brightspace course site https://brightspace.nyu.edu/d2l/home/206959

Fall 2022

Please contact florence.academicsupport@nyu.edu if you have trouble accessing the Brightspace site.

Syllabus last updated on: 29-08-2022

Lecturer Contact Information
Lisa Ginsborg
Office hours by appointment

Units earned
4

Course Details

- Thursday from 1:30pm to 4:15pm
- All times are Central European Time (CET). Please note that in Europe, Daylight Saving Time ends Sunday, October 30th 2022 and clocks will be set one hour earlier.
- Location: Rooms will be posted in Albert before your first class.
- COVID-related details: In the interest of protecting the NYU Florence community, we are closely following CDC and local guidance around COVID-19 and adjusting our recommendations and policies accordingly. Your health and well-being are our top priority.

Course Description
The course aims to provide a basic introduction to international human rights, their conceptual and historical foundations, as well as the main international legal instruments and institutions aimed at protecting human rights worldwide. The course will offer a variety of disciplinary perspectives on the subject of human rights starting most prominently from international law, but including also history, philosophy, social anthropology and theories of international relations. Throughout the course, concrete case studies will be used to illustrate a range of human rights topics and problems. The first part of the course aims to introduce the legal, philosophical and historical foundations of human rights, the main international human rights legal instruments and institutions, and the distinction between civil and political rights and economic, social and cultural rights. The second part of the course focuses on specific groups of rights holders, moving then to particular categories of rights and specific challenges to human rights.

Course Objectives

On completion of this course, students should:

- Have improved their ability to think critically, engage in complex reasoning and express their thoughts clearly through their written work
- Be able to apply a ‘human rights lense’ to relevant national/international affairs
- Understand the historical background of the international human rights movement
- Have improved their understanding of the different disciplinary approaches to the study of human rights
- Have improved their understanding of the main international human rights legal instruments and institutions
- Have mastered a basic understanding of the nature of human rights obligations, including the distinction and relationship between civil and political rights and economic social and cultural rights
- Have mastered a basic understanding of how to research questions in international human rights and to formulate arguments in defense of a position
- Have mastered a basic understanding of some of the key contemporary challenges in international human rights.

Assessment Components

You are expected to attend class in person. Failure to submit or fulfill any required component may result in failure of the class, regardless of grades achieved in other assignments.

- Attendance and participation: 15%
- Two 2-page long written reaction papers - single spaced: 15%
- Midterm Exam: 25%
- Oral Presentation of 15 minute length: 15%
- Final Exam (2000 Words Essay due on 15 December 2022): 30%

Attendance Policy

Studying at Global Academic Centers is an academically intensive and immersive experience, in which students from a wide range of backgrounds exchange ideas in discussion-based seminars. Learning in such an environment depends on the active participation of all students. Since classes typically meet once or twice a week, even a single absence can cause a student to miss a significant portion of a course. To ensure the integrity
of this academic experience, class attendance at the centers is expected promptly when class begins. Attendance will be checked at each class meeting. Unexcused absences may be penalized with a two percent deduction on the participation component of the final grade for every week's worth of classes missed. Four unexcused absences in one course may lead to a Fail in that course.

As soon as it becomes clear that you cannot attend a class, you must inform your professor and/or the Academics team by e-mail florence.academicsupport@nyu.edu immediately (i.e. before the start of your class). Absences are only excused if they are due to illness, Moses Center accommodations, religious observance or emergencies. For two or more consecutive days of absences due to health reasons, a doctor's note must be submitted in person or by e-mail to the Academics team.

*Please note that remote attendance will only be considered by the Office of Academic Support if for health reasons you are unable to attend class in person after two consecutive days of absence.*

Regardless of whether an absence is excused or not, it is the student's responsibility to catch up with the work that was missed by getting notes from a classmate or meeting with your faculty member during office hours.

Exams, tests and quizzes, oral presentations, and/or important deadlines that are missed due to illness always require a doctor's note as documentation.

For a detailed explanation of the global attendance policy, see the NYU Florence Attendance Policy Flowchart.

The Global Attendance Policy is posted in the Academic Policies tab in Brightspace, on the NYU Florence Student Portal website, and is posted around campus. After you have read and reviewed the policies, if there is anything that still needs further clarification or raises a question, please reach out to florence.academicsupport@nyu.edu.

**Final exams**
Final exams must be taken at their designated times. Should there be a conflict between your final exams, please bring this to the attention of the Academics team. Final exams may not be taken early, and students should not plan to leave the site before the end of the finals period.

**Late Submission of Work**
Please refer to Academic Policies in Brightspace.

**Required Text(s)**
All readings are available online on the NYU Brightspace course site. Hard copies of some textbooks are available for consultation and semester-long loans in the Villa Ulivi Library. Please email florence.library@nyu.edu to reserve a copy. To request scans from books on reserve please fill out the Ulivi Library Book Scan Form.
Session 1 - 1 September 2022
Introduction to the course and international human rights
No reading

Session 2 - 8 September 2022
Philosophical foundations of human rights
A Clapham, Human Rights: A very short introduction, Chapter 1, pp. 1-26 (27 pages)

Session 3 - 15 September 2022
The history of international human rights and the Universal Declaration of Human Rights
Donnelly, Universal Human Rights in Theory and Practice, Ch 5, pp.75-91 (17 pages)
E Bates, History, in D Moeckli, S Shah, and S Sivakumaran (eds), International Human Rights Law, pp. 3-21 (18 pages)

22 September 2022 - No Class

Session 4 – 29 September 2022
Civil and political rights and the basics of international law
International Covenant on Civil and Political Rights (Articles 1-28) (14 pages)
A Clapham, Human Rights: A very short introduction, Deprivations of Life and Liberty pp. 98-109 (11 pages)
K Boyle and S Shah, Thought, Expression, Association and Assembly, in D Moeckli, S Shah, and S Sivakumaran (eds), International Human Rights Law, pp. 217-237 (21 pages)

OHCHR Fact Sheet 15: Civil and Political Rights: The Human Rights Committee, pages 1-11 (11 pages)

Ilias Bantekas and Lutz Oette, International Human Rights Law and Practice, (72-81) (10 pages)

Session 5 - Make-Up Day 30 September 2022

Economic, social and cultural rights

Text of ICESCR, http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx (8 pages)

ESCR OHCHR fact book 1-17 (18 pages),


Session 6 - 6 October 2022

Women’s rights

A Sen, More than 100 million women are missing,
http://www.nybooks.com/articles/1990/12/20/more-than-100-million-women-are-missing/

H Charlesworth, What are "Women's International Human Rights"? (26 pages)


Session 7 - 13 October 2022

Mid-term Exam

Session 8 - 20 October 2022

Human rights compliance and mechanisms of accountability
Session 9 - 27 October 2022

Migration and refugee rights

A Onuora-Oguno, Migration, Refugees, Asylum and Uprooted Peoples’ Rights, in A Mihr and M Gibney, The SAGE Handbook of Human Rights, pp. 253-266 (14 pages)

Watch: TEDx Talk by Alexander Bett
https://www.ted.com/talks/alexander_betts_our_refugee_system_is_failing_here_s_how_we_can_fix_it?language=en


Session 10 - 3 November 2022

Human rights in counter-terrorism

Q Eijkman, Counterterrorism and Human Rights: Anticipating the Real Threat of Terrorism, SAGE Handbook of Human Rights (Chapter 13) pp. 225-237 (13 pages)


Session 11 - 10 November 2022

Humanitarian intervention

Donnelly, International Human Rights, Chapter 13 pp. 191-217 (27 pages)

F Gomez Isa, From Humanitarian Intervention to the Responsibility to Protect, in The SAGE Handbook of Human Rights, pp. 801-8181 (20 pages)

Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide - (UKRAINE v. RUSSIAN FEDERATION)

Session 12 - 17 November 2022

Non-state actors in international human rights law


Ilias Bantekas and Lutz Oette, International Human Rights Law and Practice, (656-673) (25 pages)

Report UN Doc. A/71/367 (23 pages)

Session 13 - 24 November 2022

COVID-19, human rights and the right to health


Martin Scheinin and Helga Molbæk-Steensig: How a human rights-based response to health crisis differs from a populist or authoritarian one (pages 1-9), available at https://cadmus.eui.eu/bitstream/handle/1814/69576/LAW_2021_01.pdf?sequence=1&isAllowed=y

Alice Donald and Philip Leach: Human Rights - The Essential Frame of Reference in Response to the Covid-19 Pandemic


Session 14 - 1 December 2022

In class Debate on Online Disinformation - Readings to be assigned

8 December 2022 - Site Holiday No Class

Session 15 - 15 December 2022

Final Essay Due

Suggested Co-Curricular Activities
Suggested optional co-curricular activities will be announced in class and/or via email by the professor throughout the semester.

Your Lecturer

Lisa Ginsborg works as a Research Fellow at the European University Institute (EUI) School of Transnational Governance and on the European Digital Media Observatory (EDMO). She has worked as a Post-Doctoral Researcher at University College Dublin (UCD) and at the EUI-based Centre for Media Pluralism and Media Freedom in the Robert Schuman Centre for Advanced Studies; as a Teaching Fellow at the European Inter-University Centre for Human Rights and Democratisation (EIUC); and was a visiting researcher at New York University School of Law and at the Sydney Centre for International Law at the University of Sydney. Previously she worked in the legal department of the International Secretariat of Amnesty International (2006–2009) and in the NGO Liaison Office of the Office of the UN High Commissioner for Human Rights (OHCHR) (2005–2006). She has worked as a consultant for a number of human rights organizations and as a lecturer on human rights undergraduate and postgraduate courses. She holds a PhD in Public International Law from the EUI in Florence, Italy, and an MSc in Political Sociology from the London School of Economics and Political Science (LSE).

Academic Honesty & Plagiarism

As the University's policy on "Academic Integrity for Students at NYU" states: "At NYU, a commitment to excellence, fairness, honesty, and respect within and outside the classroom is essential to maintaining the integrity of our community. By accepting membership in this community, students take responsibility for demonstrating these values in their own conduct and for recognizing and supporting these values in others." Students at Global Academic Centers must follow the University and school policies.

NYU takes plagiarism very seriously; penalties follow and may exceed those set out by your home school. Your lecturer may ask you to sign a declaration of authorship form, and may check your assignments by using TurnItIn or another software designed to detect offenses against academic integrity.

The presentation of another person’s words, ideas, judgment, images, or data as though they were your own, whether intentionally or unintentionally, constitutes an act of plagiarism. It is also an offense to submit work for assignments from two different courses that is substantially the same (be it oral presentations or written work). If there is an overlap of the subject of your assignment with one that you produced for another course (either in the current or any previous semester), you MUST inform your professor.

For guidelines on academic honesty, clarification of the definition of plagiarism, examples of procedures and sanctions, and resources to support proper citation, please see:

NYU Academic Integrity Policies and Guidelines

NYU Library Guides

Inclusivity Policies and Priorities
NYU's Office of Global Programs and NYU's global sites are committed to equity, diversity, and inclusion. In order to nurture a more inclusive global university, NYU affirms the value of sharing differing perspectives and encourages open dialogue through a variety of pedagogical approaches. Our goal is to make all students feel included and welcome in all aspects of academic life, including our syllabi, classrooms, and educational activities/spaces.

**Attendance Rules on Religious Holidays**

Members of any religious group may, without penalty, excuse themselves from classes when required in compliance with their religious obligations. Students who anticipate being absent due to religious observance should notify their lecturer and Office of Academic Support in writing via e-mail one week in advance. If examinations or assignment deadlines are scheduled on the day the student will be absent, the Academics Office will schedule a make-up examination or extend the deadline for assignments. Please note that an absence is only excused for the holiday but not for any days of travel that may come before and/or after the holiday. See also [University Calendar Policy on Religious Holidays](#).

**Pronouns and Name Pronunciation (Albert and Zoom)**

Students, staff, and faculty have the opportunity to add their pronouns, as well as the pronunciation of their names, into Albert. Students can have this information displayed to faculty, advisors, and administrators in Albert, NYU Brightspace, the NYU Home internal directory, as well as other NYU systems. Students can also opt out of having their pronouns viewed by their instructors, in case they feel more comfortable sharing their pronouns outside of the classroom. For more information on how to change this information for your Albert account, please see the [Pronouns and Name Pronunciation website](#).

Students, staff, and faculty are also encouraged, though not required, to list their pronouns, and update their names in the name display for Zoom. For more information on how to make this change, please see the [Personalizing Zoom Display Names website](#).

**Moses Accommodations Statement**

Academic accommodations are available for students with documented and registered disabilities. Please contact the Moses Center for Student Accessibility (+1 212-998-4980 or mosescsd@nyu.edu) for further information. Students who are requesting academic accommodations are advised to reach out to the Moses Center as early as possible in the semester for assistance. Accommodations for this course are managed through NYU Florence.

**Bias Response**

The New York University Bias Response Line provides a mechanism through which members of our community can share or report experiences and concerns of bias, discrimination, or harassing behavior that may occur within our community.

Experienced administrators in the Office of Equal Opportunity (OEO) receive and assess reports, and then help facilitate responses, which may include referral to another University school or unit, or investigation if warranted according to the University's existing Non-Discrimination and Anti-Harassment Policy.

The Bias Response Line is designed to enable the University to provide an open forum that helps to ensure that our community is equitable and inclusive.
To report an incident, you may do so in one of three ways:

- Online using the Web Form (link)
- Email: bias.response@nyu.edu
- Phone: 212-998-2277
- Local Telephone: 055 5007277