

Human Rights and U.S. Foreign Policy

**Honors Course
American University
School of International Service**

**Professor Julie Mertus
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**Fall 2007
Thursday, 11:20am - 2:00pm**

**Office hours: Thursday 2:15pm-6:15pm
Call-in hours: Monday & Tuesday 11:00am-2:00pm**

COURSE SUMMARY:

The story of human rights in U.S. foreign policy is one of perpetual tension and resistance, of interpretation and reinterpretation. This course explores the nature of this dynamic process, exposing the way in which it involves both acceptance of and resistance to human rights. The course is divided into six learning modules (most modules are two weeks in length): The first two modules provide historical and conceptual context, while the next two modules discuss both the “hard” and “soft” instruments in the human rights foreign policy toolbox. The final two modules examine in greater depth the human rights foreign policy approaches adopted by the current U.S. administration, with special attention to changes in policy and practice post-September 11th and post-Iraq invasion. The class is highly participatory and work centers around the completion of weekly assignments (there are no exams and no long term papers).

COURSE REQUIREMENTS:

1. Participation: Please come to class having read and contemplated the readings. A participation grade of 20-120 points will be added to the final grade. Students will be asked to suggest a grade for themselves based on their performance, however the decision on the final grade is the instructor’s responsibility.
2. Assignments: The remainder of your grade is based on weekly assignments. Each student may miss two weekly assignments without penalty – THE ONLY EXCEPTION IS THAT WEEK TWO CANNOT BE SKIPPED.. Note that options are provided for many assignments and that some assignments permit collaboration with a fellow classmate (although there are no mandatory group

projects). Assignments are worth 50 points and are graded according to the following criteria.

Grading criteria:

1. Demonstration of having read and understood the readings.
2. Ability to apply course materials to case studies and experiences outside of class.
3. Professional presentation, with attention to clarity and organization as well as spelling and general proofreading.
4. Creativity and effort.
5. Responsiveness to suggestions and improvement over time.

Policy on late papers;

Note: Any work received after class begins is considered late and penalized 10 points for each 24 hours that it is late.

LEARNING OBJECTIVES:

The purpose of this course is two-fold. First, the course seeks to impart information about the nature and significance of human rights in U.S. foreign policy. For the student of human rights, the course adds a foreign policy dimension; for the student of foreign policy, the course adds a human rights dimension; and for all students, the course provides the opportunity to think about the complex, dynamic relationship between the two fields. Second, the course also teaches skills in policy analysis and provides students with an opportunity to improve their writing skills. Frequent written assignments and unusually rapid and frequent feedback from the instructor enhance the skill-building objectives of this course.

Having completed this course, students should be able to:

- Understand how human rights factor into the U.S. foreign policy making process;
- Discuss the role played by various civilian and military actors and institutions in this process;
- Identify historical trends in the relationship between human rights and U.S. foreign policy;
- Debate with authority contemporary developments pertaining to the usage of human rights in U.S. foreign policy;
- Conduct original policy analysis of contemporary problems; and
- Think creatively and effectively about whether and when the U.S. has the responsibility to address international human rights problems.

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REQUIRED READINGS:

Julie Mertus, *Bait and Switch: Human Rights and U.S. Foreign Policy* (New York: Routledge, 2004)(an entirely new chapter 3 will be distributed in class.

Debra Liang-Fenton, ed., *Implementing U.S. Human Rights Policy* (Washington DC: United States Institute of Peace, 2004).

David Rose, *Guantanamo: The War on Human Rights* (New York: The New Press, 2004).

Mel Gurtov, *Superpower Crusade: The Bush Doctrine in U.S. Foreign Policy* (Boulder, CO: Lynne Rienner, 2006).

Other readings available via a direct hotlink on syllabus. In exceptional cases, readings will be posted to the class via the RESOURCES section on Blackboard.

Outline of Modules:

Module 1 International Human Rights, American Style

Objectives:

Having completed this module, students should be able to:

- Analyze differences between the ways in which rights issues are framed in international human rights discourse and in U.S. foreign policy circles.
- Recognize continuities and discontinuities in the role human rights has historically played in human rights and U.S. foreign policy.
- Define and debate the role of “American Exceptionalism” on U.S. human rights foreign policy.

Week 1 Reading:

Martin Luther King, Jr., “Letter from a Birmingham Jail,” *Why We Can’t Wait*, pp. 77-100.
[<http://coursesa.matrix.msu.edu/~hst306/documents/letter.html>]

The Declaration of Independence <http://www.archives.gov/national-archives-experience/charters/declaration.html>

The U.S. Bill of Rights http://www.archives.gov/national-archives-experience/charters/bill_of_rights.html

Charter of the United Nations (1945) <http://www.un.org/aboutun/charter/>

Universal Declaration of Human Rights (UN 1948)
<http://www.un.org/rights/50/decla.htm>

Walter Russell Mead, "The Jacksonian Tradition," *The National Interest*, Winter 1999/2000, pp. 5-29.

Eleanor Roosevelt, "Making Human Rights Come Alive,"
<http://www.udhr.org/history/frbioer.htm>

Bill March, "Anti-American Feeling Abroad," *The New York Times*, December 31, 2006.
[<http://www.nytimes.com/imagepages/2006/12/30/weekinreview/31marsh.ready.html>]

Week 1 Assignment: (50 points)

Draft an imaginary conversation between Eleanor Roosevelt and at least two American presidents (your choice) on the role of the U.S. in promoting international human rights. Come to class prepared to act out the conversation. (You may do this assignment alone or with a partner)

Also, come to class prepared to address the following question: Does the American conception of "human rights" diverge from the international view? How so?

Week 2 Reading:

Julie Mertus, *Bait and Switch: Human Rights and U.S. Foreign Policy*, Chapters 1 and 2.

Andrew Moravcsik, "THE PARADOX OF U.S. HUMAN RIGHTS POLICY"
[http://islandia.law.yale.edu/hathaway/files/MORAVCSIK%20-%20US%20Human%20Rights%20Policy%20\(Yale%20April%202004\)1.doc](http://islandia.law.yale.edu/hathaway/files/MORAVCSIK%20-%20US%20Human%20Rights%20Policy%20(Yale%20April%202004)1.doc)

John Shattuck, "Diplomacy with a Cause: Human Rights in U.S. Foreign Policy," *Realizing Human Rights*, pp. 265-289.

Tony Judt, "A Lobby, Not a Conspiracy," *The New York Times*, April 19, 2006. pp. 21.

Week 2 Assignment: (50 points)

You are an aid for a presidential candidate. Write some talking points for him/her on the role of human rights in U.S. foreign policy. (You may choose a real candidate or construct your own). Come to class prepared to discuss your points with specific reference to readings.

Module 2: National Interests vs. Human Rights during the Cold War

Objectives:

Having completed this module, students should be able to:

- Explain the manner in which human rights were read as either in support of or opposition to "national interests" during the Cold War.
- Identify major turning points in U.S. human rights policy during the Cold War.

- Analyze the impact of the human rights foreign policy of U.S. presidents on political developments in totalitarian and authoritarian states during the Cold War.

Week 1 Reading:

Carleton, David and Stohl, Michael, The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan, *Human Rights Quarterly*, Vol 7, No 2, pp205-229 (May 1985)

NSC 68: United States Objectives and Programs for National Security (April 14, 1950) <http://www.mtholyoke.edu/acad/intrel/nsc-68/nsc68-1.htm>

Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Staff Report: Covert Action in Chile 1963 – 1973, 94th Congress, 1st Session, 1975. <http://www.fas.org/irp/ops/policy/church-chile.htm>

The Carter Era

<http://www.statecraft.org/chapter13.html>

Week 1 Assignment: (50 points)

Write a ten minute speech to an imaginary audience (you name the audience and the date on which the speech is delivered) on one of the following four choices (you may do this alone or with a partner):

- a) Whether U.S. asylum policy during the Cold War was ideologically driven;
- b) The role of ideology in U.S. responses to human rights violations in Latin America during the Cold War;
- c) The human rights implications of the Nixon Administration's courtship with Ferdinand Marcos of the Philippines; or
- d) A critical comparison of the Carter and Regan legacies on human rights.

Week 2 Reading:

Jack Matlock, "U.S. Policy in Human Rights in Relations with the USSR < 1961-1991, pp. 245-265 in Liang-Fenton.

Susan Bergman, "First Do No Harm: U.S . Foreign Policy and Respect for Human Rights in El Salvador and Guatemala, 1980-86," pp. 267-298 in Liang-Fenton.

Harry Barnes, "U.S. Human Rights Policy in Chile," pp. 299-330 in Liang-Fenton.

Michael Shifter and Jennifer Stillerman, "U.S. Human Rights Policy Toward Columbia," pp. 331-362 in Liang-Fenton.

Pauline Baker, "Getting it Right: U.S. Human Rights Policy in South Africa," pp. 85-115 in Liang-Fenton.

Paula Newberg, "Missing the Point: Human Rights in U.S.-Pakistan Relations," pp.147-166 in Liang-Fenton.

Week 2 Assignment:(50 points)

Compare the South Africa case study with two other studies from the Liang-Fenton book.

The paper should include the following:

- a). A clear analysis of the particular human rights and/or democracy issues with respect to the country/(ies) in question -- including a description of the problems, the major contributing factors to the problems, the major actors and their interests;
- b) A description and analysis of the U.S. policy responses, including the role of Congress and an analysis of the rationale and political dynamics of policy selection, and an analysis of the strengths and weaknesses of the U.S. policy; and,
- c) Your own opinion on how the South Africa case study could be compared with at least two other case study in either the Liang-Fenton book or the other readings.

Be sure to make specific reference to the readings!

**Module 3: The "Softer" Tools of Human Rights and Foreign Policy:
Diplomacy and Foreign Aid**

Objectives:

Having completed this module, students should be able to:

- Argue persuasively on either side of the foreign aid/human rights debate.
- Understand how and why has the use of foreign aid and quiet diplomacy to advance human rights changed during the 1990s and observe its continuing importance today. .
- Explain when the U.S. can effectively engage with abusive regimes and when it should shun them.

Week one Reading:

Henri Barkey, "The United States, Turkey and Human Rights," pp. 363-400 in Liang Fenton.

Denis Sullivan, "The U.S.-Egypt Partnership," pp. 401-433 in Liang-Fenton.

Cingranelli, David L. , Pasquarello, Thomas, E., Human Rights Practices and the Distribution of U.S. Foreign Aid to Latin American Countries, *American Journal of Political Science*, Vol 29, No 3, pp.539-563. (August 1985).

Miller, Brian; Ogundele, Oyu; Pilatovsky, Suzanne and Poe, Steven; Human Rights and U.S. Foreign Aid Revisited: The Latin American Region, *Human Rights Quarterly*, Vol 16, No 3, pp 539-558, (August 1994).

Jeffrey D. Sachs, "How Aid Can Work," *New York Review of Books*, December 21, 2006, pp. 97. <http://www.nybooks.com/articles/19721>

Dennis Jett, "Democracy is More Than Just a Soundbite," *The Christian Science Monitor*, March 16, 2005. pp. 9. [available at <http://www.csmonitor.com/2005/0316/p09s02-coop.html>]

Week 1 Assignment: (50 points)

Develop a ten to fifteen minute powerpoint presentation identifying the main arguments for and against using foreign aid as an inducement for states to improve their human rights record. You may make an argument for one side or the other, but be sure to do so after a presentation of all the main issues on both sides. (You may do this alone, or with a partner from the class)

For those who are technologically advanced, you may make and record a video or i-cast of yourself giving the talk.

Those of you who are unable to create a powerpoint may, as an alternative, complete the assignment as a speech.

Week 2 Reading:

Joel Barkin, "U.S. Human Rights Policy and Democratization in China," pp. 51-84 in Liang-Fenton.

David Steinberg, "U.S. Policy and Human Rights in the Republic of Korea," pp.167-216 in Liang-Fenton.

Merle Goldman, "Monitoring Human Rights in China," pp. 115-146 in Liang-Fenton

"No Questions Asked: China and Africa," *The Economist*, January 21, 2006. pp. 43-44.

Liz Fekete, "Peoples' Security versus National Security," Institute of Race Relations, September 9, 2002.

[<http://www.irr.org.uk/2002/september/ak000002.html>]

Peter Baker and Glenn Kessler, "Bush Carries to China a Delicate Diplomacy: US Criticism Muted on Democracy, Human Rights," *The Washington Post*, November 13, 2005. pp. 1.

Week 2 Assignment: (50 points)

Choose one of three assignments:

- a) Outline U.S. policy toward China on human rights, from Nixon to today; or
- b) Use the Web to locate the nongovernmental organization *Human Rights in China* and two other NGOs working on human rights in China. Make a chart comparing their approaches, choice of issues, mandate, and any other points of comparison you deem relevant. Accompany the chart with a one to three page explanation.
- c) What are the conditions in which it is appropriate to shun abusive regimes and conditions in which it is best to engage them? Draft a government policy on this issue.

Module 4: The "Hard" Tools of Human Rights and Foreign Policy

Objectives:

Having completed this module, students should be able to:

- Critically analyze incidents in which human rights justifications are given for U.S. military intervention.
- Identify continuities and discontinuities in U.S. policy toward "humanitarian intervention."
- Compare the United Nations position on coercive human rights measures with that taken by the U.S. government in specific time periods.

Reading:

Julie Mertus, *Bait and Switch*, Chapter 3

Alison des Forges, "Learning from Disaster: U.S. Human Rights Policy in Rwanda," pp. 29-50 in Liang-Fenton.

Jon Western, "U.S. Human Rights Policy Toward Bosnia," pp. 217-243 in Liang-Fenton.

Kenneth Roth, Human Rights Watch, on the U.S. Intervention in Iraq
<http://hrw.org/wr2k4/3.htm>

Kofi Annan, 1999 Interview on Intervention

http://www.pbs.org/newshour/bb/international/july-dec99/annan_10-18.html

Kofi Annan, 2005 Statement on the Responsibility to Protect and the Use of Force

<http://www.globalpolicy.org/empire/humanint/2005/0321largerfreedom.htm>

Assignment (50 points):

Choose one of two assignments:

a) Write imaginary dialogue between two activists representing opposite sides on the matter of U.S. Military interventions for human rights. Don't peg it to any particular case, but in the argument refer to specific a specific conflict or a series of conflicts (i.e., Rwanda, Kosovo, Iraq and Afghanistan).

b) Write imaginary dialogue between two U.S. military officers representing opposite sides on the matter of U.S. Military interventions for human rights. Don't peg it to any particular case, but in the argument refer to specific a specific conflict or a series of conflicts (i.e., Rwanda, Kosovo, Iraq and Afghanistan).

Module 5 : U.S. Human Rights Foreign Policy Under the Bush Administration

Objectives:

Having completed this module, students should be able to:

- Understand the substantial shifts in U.S. foreign policy during the Bush administration before and after September 11th.
- Debate why the Bush Administration has tried to justify American action in Afghanistan and Iraq in terms of human rights.
- Compare policy statements of the Bush administration and their critics over time.

Readings:

Mel Gurtov, *Superpower Crusade: The Bush Doctrine in U.S. Foreign Policy* (Boulder, CO: Lynne Rienner, 2006)(focus on chapters 2, 3, 5 and 6).

Assignment: (50 points)

Option A: Write a book review of Gurtov (guidelines to be distributed)

Or

Option B: In early September 2002, the Bush administration released *The National Security Strategy of the United States of America*, outlining the guiding principles of its foreign policy. Prominent in the text was a re-interpretation of the right of self-defense to include pre-emptive military action against those states that it views as threats to U.S. national security. The document refrained from use of the term “human rights,” preferring instead the terms “freedom” or “non-negotiable demands of human dignity.”

Specifically, Chapter II, “Championing aspirations for human dignity,” provided that

America must stand firmly for the nonnegotiable demands of human dignity: the rule of law; limits on the absolute power of the state; free speech; freedom of worship; equal justice; respect for women; religious and ethnic tolerance; and respect for private property.

In outlining the actions that it would take to defend human rights, the Bush administration stated that it would:

speak out honestly about violations of the nonnegotiable demands of human dignity using our voice and vote in international institutions to advance freedom;

use our foreign aid to promote freedom and support those who struggle non-violently for it, ensuring that nations moving toward democracy are rewarded for the steps they take;

make freedom and the development of democratic institutions key themes in our bilateral relations, seeking solidarity and cooperation from other democracies while we press governments that deny human rights to move toward a better future; and

and take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive governments.

Write an answer to one of the following questions:

1. Given all that you have read thus far in this course, analyze this document. What does this document mean? Is it extraordinary when compared to the conceptions of human rights held by other administrations? How does it resonate with the other documents in this module? Explain how U.S. policy on human rights developed from document to document in this section.

2. Create a time line illustrating the shifts in U.S. human rights foreign policy from, the beginning of the administration of George W. Bush administration through the Iraq war. Use the documents in this module (extra Web research might be helpful, but it is not required).

Module Six: The Human Rights Implications of the War Against Terror

Objectives:

Having completed this module, students should be able to:

- Explain how human rights were deemed relevant to fighting terrorism in the aftermath of 9/11 and examine how American perspectives on the national interest may have changed.
- Identify the impact of the war in Iraq on U.S. human rights policies.
- Argue either side of the debates on: (a) steps taken by the U.S. government to prevent the trying of U.S. soldiers before international criminal courts; (b) the impact of security assistance on human rights and security; (c) the mistreatment of prisoners by U.S. troops and U.S. manipulation of international prohibitions on torture.

Week 1 Reading:

David Rose, *Guantanamo: The War on Human Rights* (New York: The New Press, 2004).

American Servicemembers' Protection Act of 2002 ,
<http://www.state.gov/t/pm/rls/othr/misc/23425.htm>

Harvard Journal on Legislation, Commentary on the American Servicemembers' Protection Act, http://www.law.harvard.edu/students/orgs/jol/vol40_2/faulhaber.pdf

Joan Fitzpatrick, *Speaking Law to Power: The War Against Terrorism and Human Rights*, 14 *European J. Int'l L.* 2413 (2003)
(summary edited by the author; most footnotes omitted)
<http://www1.umn.edu/humanrts/intlhr/preface.html>

Pentagon Draft Report on Interrogation Methods, March 6, 2003,
<http://news.findlaw.com/wp/docs/torture/30603wgrpt2.html>

Amnesty International, Report on Secret CIA Detention facilities – USA and Yemen,
<http://web.amnesty.org/library/Index/ENGAMR511772005>

Week 1 Assignment: (50 points)

Choose one of the following two assignments.

1. (You must do both “a” and “b” for number one).

a) Write imaginary dialogue between Bush Administration lawyers and their critics on the treatment of prisoners at Guantanamo. Be sure to address the issue: Does international humanitarian law apply to the actions of the U.S. in this case?

b) Use the Web to find op-eds and letters to the editor on all sides of this issue. Make a “portfolio” of “snippets” of these documents by piecing them together in an organized fashion. You may add lines of explanation and headings.

or

2. Analyze one of the following two problems emerging from post-September 11th human rights policies: (a) steps taken by the U.S. government to prevent the trying of U.S. soldiers before international criminal courts; (b) the impact of security assistance on human rights and security. The paper should include the following:

a) A clear description of the problems, the major contributing factors to the problems, the major actors and their interests;

b) A description and analysis of the U.S. policy responses, including the role of Congress and an analysis of the rationale and political dynamics of policy selection, and an analysis of the strengths and weaknesses of the U.S. policy.

Week 2 Readings:

Kim Cragin and Peter Chalk, *Terrorism & Development: Using Social and Economic Development to Inhibit a Resurgence of Terrorism*, RAND, 2003, pp. ix-xiv.
[<http://www.rand.org/publications/MR/MR1630/MR1630.pdf>]

Gregory F. Gause III, “Can Democracy Stop Terrorism,” *Foreign Affairs*, September/October 2005, pp. 62-76.

Paula Dobriansky and Henry Crumpton, “Aiming High: Tyranny and Terror,” Letter to the Editor in response to Gause, *Foreign Affairs*, January/February 2006, pp. 135-137.

Husain Haqqani, “Islam's Weakened Moderates,” Foreign Policy and Carnegie Endowment Special Report, pp. 61-63 [including “The Ripple Effect.”]
[http://www.foreignpolicy.com/story/cms.php?story_id=125] 8

James Risen, “The War on Terror, Under New Scrutiny,” *The New York Times*, December 3, 2006, pp.14.

Week 2 Assignment: (50 points)

You have two options, both may be completed alone or with a partner):

1. Write a brief argumentative paper addressing the following
What effect has the war in Iraq had on US foreign policy thinking with respect to human rights? Are security and liberty linked as the President suggested? Is the democracy agenda different from the human rights agenda? Has the foreign policy community moved back to where it started before 9/11?

Or

2. Write an oped urging that the U.S. pay more attention to the link between terrorism and human rights abuses and underdevelopment.

Module 7 : Who Monitors Human Rights as U.S. Foreign Policy

Objectives:

Having completed this module, students should be able to:

- Identify who monitors U.S. foreign policy on human rights
- Critically examine the record of human rights advocates on U.S. foreign policy issue
- Consider how structural changes within government have affected these changes over time.

Reading:

Julie Mertus, *Bait and Switch*, chapters 4-5

Farnaz Fassihi and Steve Stecklow, "Behind Bars: Finding U.S. Abuse in Iraq Left Red Cross Team in a Quandary; Not Used to Seeing Such Acts By a Developed Country, Some Debated Exposing It: An Inspection of Cellblock 1A," *The Wall Street Journal*, May 21, 2004. pp. A1.

Human Rights Watch, "No Blood, No Foul: Soldiers' Accounts of Detainee Abuse in Iraq: Summary," [http://hrw.org/reports/2006/us0706/1.htm#_Toc141074582]

Skim Web sites (as indicated in the assignment)

Assignment: (50 points)

Identify the advocacy strategy of the leading U.S.-based human rights NGOs on the monitoring of U.S. foreign policy. Examine the work of:

- Human Rights Watch
- Amnesty International (U.S. office)
- Global Rights
- Human Rights First
- Minnesota Advocates for Human Rights
- Physicians for Human Rights
- One other group of your choosing

Write a paper critically comparing the approaches among the organizations. Be sure to consider who wins and who loses under each approach. You may work alone or with a partner. Come to class prepared to present your findings.

Schedule of Classes (subject to Change)

August 30: Introductory class meeting

Sept. 6: Module one, week one
Sept. 13: Module one, week two
Sept.20: Module two, week one
Sept. 27: Module two, week two
Oct. 4: Module three, week one
Oct. 11: Module three, week two
Oct. 18 Guest Speaker/Catch-up Day
Oct. 25 Module four
Nov. 1: Module five
Nov. 8: Module six, week one
Nov. 15:Module six, week two
Nov. 29: Module seven
Dec. 6: Class party/field trip