



AMERICAN UNIVERSITY
WASHINGTON, DC

Human Rights in Latin America
SIS-596-002
FALL 2006, Thursdays 11:20 am-2:00 pm

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What explains the horrific human rights abuses that took place in Latin America during the Cold War? How have patterns of human rights abuse changed since then, including after 9/11? What is the role of the US, and of international and national NGOs in the region's observance of political, socio-economic, indigenous and women's rights?

This course explores these and other questions through theory and case studies. It examines what rights are, which ones are observed and focused upon by states and by international actors, and whose are privileged in practice. The course examines some of the issues confronting human rights in Latin America today: how to remember, redress and repair human rights abuses under past authoritarian regimes; how to document and address rights abuses linked to the globalized movements of labor and people, as well as of indigenous peoples; what the role of the United States has been and should be; what the role of international and national NGOs is and ought to be; how to address non-political violence through human rights frameworks; and how to secure human rights in the region's armed conflicts.

Although numerous cases are touched upon, the course will draw heavily on a few cases: Chile, Colombia, El Salvador, Brazil, and Uruguay.

By the end of the course, I hope that you will

- (a) be able to think theoretically and creatively about human rights, international humanitarian law, and violence in the region;
- (b) improve your analytic skills, able to read texts more critically and to write more persuasively;
- (c) improve your ability to work in a team and to make oral presentations in connection with negotiations over issues of peace, justice and human rights;
- (d) have greater knowledge of the key challenges confronting rights activists and scholars in Latin America, and of their antecedents.

Required Books Available at the Bookstore:

Mark Danner, *The Massacre at El Mozote*, New York: Vintage (1994). (160 pp.)

Lawrence Weschler, *A Miracle, A Universe : Settling Accounts with Torturers* (New York: Pantheon Books, 1990)

Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave, 2003).

Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca, NY: Cornell University Press, 2004).

Alison Brysk, *From Tribal Village to Global Village: Indian Rights and International Relations in Latin America*, (Stanford Univ Press, 2000), entire book.

Robin Kirk, *More Terrible than Death: Violence, Drugs and America's War in Colombia* (2003).

Paul Farmer, *Pathologies of Power: Health, Human Rights and the New War on the Poor* (Berkeley, CA: Univ. of California Press, 2004)

Course Requirements & Grading

Readings: Do all of the assigned readings. Otherwise, it will be difficult for you to participate, and you won't get as much out of the discussion. Through Blackboard, the articles and all readings should be available electronically, except for the required books. Please read the articles in the order presented, as I've arranged them with a certain logic in mind.

60%: Four reading reviews (5 double-spaced pages). The main writing assignment for this course consists of four 5-page reading reviews, due roughly every three weeks, BEFORE the reviewed readings are discussed. You will write a review of at least three of the readings (or an entire book, if one is assigned) for a given week from the syllabus. These will be the main vehicle for learning how to read and write critically and persuasively, and we will spend some time on them in class. If you wish to score well, you should go to my personal webpage and click on the appropriate links for "critical reviews"! Below is a quick summary of those more complete guidelines:

- (a) Provide an analysis of the readings / book, not a description. But provide enough information so that someone who has not read it is not lost. This is an art, and difficult.
- (b) Be critical – even if you end up agreeing with the author and liking the reading. Perhaps this means being critical of others...
- (c) Make an argument! The argument will be based on:
 - a. Statement of the author's purpose
 - b. Assessment of how well the purpose is achieved
 - c. Evidence supporting your assessment
- (d) Base your argument on what is there, not on what you wish were there.
- (e) Quote with care.
- (f) Structure your paper with a brief introductory and concluding paragraph.

Please submit your review (and all assignments) electronically as an attachment in Word (format: Firstname Lastname Review #2.doc) to me (call@american.edu) and our TA. Make sure that your name is on the paper and that pages are numbered please! The review is due the Wednesday BEFORE the reviewed readings are discussed in class. This means that you may not review readings from prior weeks (but may go as far ahead on the syllabus as you like).

20%: Performance in Simulated Negotiations. On November, we will conduct a simulated negotiation session (role-play) aimed at reaching an agreement on human rights in Colombia. Each student will be assigned / select a role for the simulation well in advance, and conduct research on that role. The likely roles include:

Col. Peace Adviser	Col. Armed Forces	FARC	ELN
Paramilitaries (2)	UN Diplomat	UNHCHR (HRts, 2)	UNHCR (refugees)
Col. Catholic Church	Col. Civil Society	HRts Watch	Col. Women's Coord.
Indigenous Coord.	US State Dept.	US SouthCom	US DEA
The EU	World Bank	Afro-Col Assoc.	Col. HRts Coord. (2)

One-fifth of your course grade rests on your performance in the simulated negotiations (further details on the role-play will be provided later). The grade will reflect two things (roughly equally, 10% each). First, your oral performance during the simulated negotiation – i.e., how well you articulate and defend your position, drawing on materials and documents as needed (i.e., based on doing your homework).

Second, roughly 10% of your course grade is based on a 2-page single-spaced public position paper due well before the Simulated Negotiations (Tuesday Nov. 22, 11 pm). That position paper will signal what your main concerns are to the other folks around the table, helping you achieve your negotiating goals. It should not include your private strategies nor tactics nor misgivings.

20%: Preparation of an analytic background paper for negotiations (7 double-spaced pages). Separate from the public position paper, you will prepare a private analytic background paper for my eyes only, due the day of the simulation. This paper should reflect research and be footnoted, as a mini-research paper. This background paper will answer specific questions in approximately ½ to one page each.

Class Participation: Attendance is mandatory, and class participation in this graduate seminar is important. If you wish assistance in enhancing your participation, please let me know. More than one absence or lack of thoughtful participation in classroom discussions will lower your grade by one letter grade (possibly more for more absences). Conversely, clearly positive (in quality, not necessarily quantity) participation will boost your grade.

Late Assignment Penalties. I do not accept late papers without penalty except in case of genuine emergency (health, family death or health crisis). The due dates for each written assignment are listed in the syllabus. If you are more than five minutes late to class when submitting an assignment, then your review will be downgraded by 1/3 letter grade (eg, B to B-). Don't wait until the last minute to complete the reviews! Late reviews arriving after 3 pm will be downgraded by 2/3 letter-grade, and a full letter grade if in by noon the following day.

Course Assignment Deadlines:

Week 4 (Sept. 20):	<i>1st Reading Review Due Wed at Noon</i>
Week 7 (Oct. 11):	<i>2nd Reading Review Due Wed at Noon</i>
Week 10 (Nov. 1):	<i>3rd Reading Review Due Wed at Noon</i>
Sun, Nov. 5, 6 pm:	<i>Two-Page (single-spaced) Public Position Paper Due</i>
Wed, Nov. 8, Noon:	<i>Background Paper on Colombian Conflict Due</i>
Tues, Dec. 12:	<i>4th & Final Reading Review Due at Noon</i>

Week 1 (Aug. 31): Course Intro & Video

Discussion of concepts, issues and expectations for the course.

Video: *Death and the Maiden* (1 hour 45 mins, based on Ariel Dorfman's play set in unnamed Southern Cone dictatorship of the 1970s)

Week 2 (Sept 7): A Cold War Massacre : El Salvador's El Mozote

Terry Karl, "El Salvador's Negotiated Revolution", *Foreign Affairs*, Spring 1992.

Danner, Mark *The Massacre at El Mozote*, New York: Vintage (1994). (160 pp.)

Week 3 (Sept. 14): Human Rights: What rights, Which rights and Whose rights?

Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd edition (Ithaca, NY : Cornell Univ. Press, 2002). Introduction plus Chapters 1, 2, 3, & 6, pp. 1-65; 107-123.

Alison Dundes Renteln, "The Unanswered Challenge of Relativism and the Consequences for Human Rights," *Human Rights Quarterly*, 7,4 pp. 514-40.

Kenneth Roth, "Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization," *Human Rights Quarterly* 26,1 (2004), pp. 63-73.

Universal Declaration of Human Rights (1948) : <http://www.un.org/Overview/rights.html>

International Covenant on Civil and Political Rights (1976):
<http://www1.umn.edu/humanrts/instree/b3ccpr.htm>

Information on rights & treaties under the Inter-American system:
<http://www.hrea.org/learn/guides/OAS.html>

Recommended: Paolo G. Carozza, "From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights," *Human Rights Quarterly* 25 (2003), pp. 281-313.

**** 1st Reading Review Due Wednesday (Sept. 20) by Noon!!!**

Week 4 (Sept. 21): Secrecy and Amnesty (Brazil & Uruguay)

Lawrence Weschler, *A Miracle, A Universe : Settling Accounts with Torturers* (New York: Pantheon Books, 1990) (entire book)

Week 5 (Sept. 28): Globalization, Agency & Contemporary Rights Issues

Amalia Lucia Cabezas, "Tourism, Sex Work, and Women's Rights in the Dominican Republic," in Alison Brysk (ed), *Globalization and Human Rights* (Berkeley, CA: Univ. of California Press, 2002), pp. 44-58.

Tina Rosenberg, "The Free-Trade Fix," *The New York Times Magazine*, 18 August 2002.

Raul C. Pangalangan, "Sweatshops and Labor Standards," in Alison Brysk (ed), *Globalization and Human Rights*, pp. 98-112.

Human Rights Watch, "You'll Learn Not to Cry: Child Combatants in Colombia," report, September 2003. Read "Summary" and "Recommendations" (pp. 3-18), and "5. Joining Up" (pp. 35-46).

Week 6 (Oct. 5): Memory & Truth, Justice & Reconciliation

Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave, 2003).

Priscilla B. Hayner, "In Pursuit of Justice and Reconciliation: Contributions of Truth Telling," in Cynthia Arnson, *Comparative Peace Processes* (DC, 1999), pp. 363-384, and Alvaro de Soto's response, "Reflections," pp. 385-387.

**** 2nd Reading Review Due Wednesday (Oct. 11) by Noon!!!**

Week 7 (Oct. 12): US Foreign Policy and Human Rights in Latin America

Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca, NY: Cornell University Press, 2004), entire book.

Week 8 (Oct. 19): War, Peace, and Human Rights in Colombia

Basic Primers on the Colombian internal armed conflict:

http://en.wikipedia.org/wiki/Colombian_Armed_Conflict

On the combatants in detail: <http://www.ciponline.org/colombia/infocombat.htm>, and see Marc Chernick, "Appendix" in Cynthia Arnson, *Peace Processes in Latin America*, pp. 196-200.

General Background Reading:

Marc Chernick, "Negotating Peace Amid Multiple Forms of Violence," in Cynthia Arnson, *Comparative Peace Processes*.

Adam Isaacson, "Was Failure Avoidable: Learning from Colombia's 1998-2002 Peace Process," North-South Center Dialogue, available at www.ciponline.org

Winifred Tate, "Chapter 6: Human Rights and the Colombian Military's War Stories," from PhD dissertation, "Counting the Dead..." *op cit.*, pp. 182-217.

William Aviles, "Institutions, Military Policy and Human Rights in Colombia," *Latin American Perspectives* 28, 1 (June 2001), pp. 31-55.

Be prepared to discuss but by scanning, not detailed reading:

International Crisis Group, "Colombia: Negotiating with the Paramilitaries," 16 Sept 2003, and other reports on peace & rights issues at www.crisisweb.org

Human Rights Watch, "Smoke and Mirrors: Colombia's Demobilization of Paramilitary Groups," 17(3B), August 2005, 66 pp., and other reports at www.hrw.org

For the simulation, also consult the following websites:

FARC website (not maintained since 2003), <http://www.farcep.org/>

Colombia Defense Ministry, <http://www.mindefensa.gov.co/>

Comision Andina de Juristas (Bogota)
Human Rights Watch, www.hrw.org
International Crisis Group, www.crisisweb.org
Center on International Policy www.ciponline.org
Washington Office on Latin America, www.wola.org

Week 9 (Oct. 26): The Americas' Indigenous Peoples and Human Rights

Alison Brysk, *From Tribal Village to Global Village: Indian Rights and International Relations in Latin America*, (Stanford Univ Press, 2000), entire book.

**** 3rd Reading Review Due Wednesday (Nov. 1) by Noon!!**

Week 10 (Nov. 2) The Role of Human Rights NGOs & INGOs

Recall/Review Sikkink Book on the role of NGOs, INGOs

Julie Mertus, "Chapter 4: Raising Expectations: Civil Society's Influence on Human Rights and US Foreign Policy," *Bait and Switch* (Routledge, 2004), pp. 145-208.

Winifred Tate, "Introduction" and "Chapter 3: Learning to Tell the Story," in PhD dissertation, "Counting the Dead: Human Rights Claims and Counter-Claims in Colombia," Dept. of Anthropology, NYU, 2004, pp. 1-4, 79-108.

David Rieff, "The Precarious Triumph of Human Rights." *New York Times Magazine*. Aug. 8, 1999.

Recommended: James Ron, Harold Ramos and Kathleen Rodgers, "Transnational Information Politics and Human Rights Reporting, 1986-2000," *International Studies Quarterly* 49 (2005), 557-587.

**** Sunday, Nov. 5: Two-Page (single-spaced) Public Position Paper Due by 6 pm !!**

**** Wed., Nov. 8: Longer Background Paper on Colombia Negotiations Due at Noon!!!**

Week 11 (Nov. 9): Simulation of Colombian Human Rights Negotiation!

Robin Kirk, *More Terrible than Death: Violence, Drugs and America's War in Colombia* (2003). Entire book – please read more for context & for understanding key actors & their motives and means, rather than for recall of details.

More details provided in classes lading up to the event.

Week 12 (Nov. 16): Social and Economic Justice: Haiti and a Critique of Conventional Rights Activism

Paul Farmer, *Pathologies of Power: Health, Human Rights and the New War on the Poor* (Berkeley, CA: Univ. of California Press, 2004), entire book.

[Thanksgiving (Nov. 23)]

Week 13 (Nov. 30) Crime, Justice & Rights in Latin America's "New" Democracies

Teresa P.R. Caldeira and James Holston, "Democracy and Violence in Brazil," *Comparative Studies in Society and History* 41,4 (Oct 1999), pp. 691-729.

Charles T. Call, "Democratization, War, and State-Building: Constructing the Rule of Law in El Salvador," *Journal of Latin American Studies* 35:4 (November 2003).

Linn Hammergren, "Fifteen Years of Judicial Reform in Latin America: Where We are And Why We Haven't Made More Progress," Document published by UN Development Programme's Project on Governance in the Arab Region, March 2002. Access through Blackboard or <http://www.undp-pogar.org/publications/judiciary/linn2/areas.html>

[Read all seven sections (including introduction and conclusion), especially the longer "The Experience of Judicial Reform in Latin America" and "Some Unanswered Questions."]

Jorge Correa, "Judicial Reform in Latin America : Good News for the Underprivileged?," in Juan Mendez et al. *The (Un)rule of Law & the Underprivileged in Latin America*, (South Bend, IN: Univ of Notre Dame Press, 1999).

Week 14 (Dec. 7): Human Rights & U.S. Hegemony: Reconsidering the Post-9/11, Post-Iraq Context

Read Article 4 of the Geneva Convention relative to the Treatment of Prisoners of War, and Common Article 3 of the Geneva Conventions.

"Independent Panel to Review DOD Detention Operations," (Schlesinger Panel Report), August 2004. Read ONLY the Executive Summary, Pres. Bush' memo on torture policy (Appendix C), and the appendix on Ethical Issues.

I.e., ONLY pp. 1-21, 109-110, 122-125 of the 126-page PDF file.

Jane Mayer, "Outsourcing Torture," *The New Yorker* 14 February 2005.

Neil Macmaster, "Torture: From Algiers to Abu Ghraib," *Race and Class* 46,2 (2004) pp. 1-21.

Recommended: Scan the report of the U.S. Army's own internal investigation of the Abu Ghraib incidents (known as the Taguba report, March 2004, at link below). That report, prepared by Major General Taguba, was commenced AFTER the Defense Department received copies (in Jan 2004) of the famous photographs of abuse but BEFORE their publication in the media (April 2004).

Scan it for a sense of how the military itself conducted this initial investigation, focusing on the "SPECIFIC FINDINGS OF FACT" of Part I that lists the abuses committed, and on what measures are recommended to remedy them. What do these recommendations suggest about the causes in the view of the investigators? (US policy? Signals from the White House? Poor regulations? Poor leadership? Fog of war?).

http://www.thememoryhole.org/war/iraqis_tortured/taguba_report.htm

END OF CLASSES

Tuesday, Dec. 12, Noon:

**** 4th and Final Review Due!!!**