

Fall 2022

Human Rights and Justice - CRIM 308 DL 1 and CRIM 308 DL 3

Asynchronous online course

Dr. Andrew Novak

About the Instructor

I am Instructional Associate Professor of Criminology, Law and Society at George Mason University. My research is primarily on the death penalty, human rights, and comparative law. I have an M.Sc. in African Politics (London), a J.D. (Boston), and a Ph.D. in law (Middlesex). I am licensed to practice law in New York and Washington, DC.

Email: anovak2@gmu.edu

Student hours: By appointment on Zoom or Blackboard Collaborate

Grading Scale

I will not use the grades “D+” or “D-.”

98-100 A+ / 93-97 A / 90-92 A- / 88-89 B+ / 83-87 B / 80-82 B- / 78-79 C+ / 73-77 C / 70-72 C- / 60-69 D / <60 F

In addition, in the event that I must calculate grade fractions, I will always round up to the next highest point if you have a 0.45 or higher.

Grading Rubric

Your grade in this class is based on a cumulative point total.

12 Weekly Quizzes (23 points each): 276 points

24 Weekly Workshops (1 point each): 24 points

1 Final Quiz: 40 points

Total: 340 points

Late Policy

You must take 12 weekly quizzes and 24 workshops this semester, plus a final quiz worth 40 points. These are not timed and do not need to be completed in one sitting. If you are unable to complete a quiz by the deadline, you must notify me within 48 hours. Requests after 48 hours are at my discretion, so please do ask anyway. The sooner you ask, the more time you'll have to do the assignment.

At the end of the semester, I will provide a final deadline by which all late work must be turned in, including the weekly workshops. Typically, this will be right when I am about to calculate and upload grades. I cannot change a grade once it has been turned in, so it is essential all late work be turned in by the drop-dead deadline.

Because this course does not end in a final paper or project, it is not possible for me to give incompletes for missing work.

Readings

The readings for this class consist of 6 book chapters, which are each divided over two weeks. They are:

Stephen Hopgood, "Human Rights on the Road to Nowhere," in *Human Rights Futures* (Hopgood, Snyder, Vinjamuri eds., Cambridge University Press, 2018), pages 283-310. (Weeks 1 and 2).

Kathryn Sikkink, "The Diverse Political Origins of Human Rights," in *Evidence for Hope: Making Human Rights Work in the 21st Century* (Princeton University Press, 2017), pages 55-93. (Weeks 3 and 4).

Eric Posner, "Why Do States Comply (Or Not Comply) with Human Rights Treaties?" in *The Twilight of Human Rights Law* (Oxford University Press, 2014), pages 79-122. (Weeks 5 and 6).

Kathryn Sikkink, "Introduction" in *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (WW Norton, 2011), pages 1-28. (Weeks 7 and 8).

Stephen Hopgood, "Human Rights Empire," in *The Endtimes of Human Rights* (Cornell University Press, 2013), pages 119-141. (Weeks 9 and 10).

Kathryn Sikkink, "Laying Out the Theoretical Groundwork," in *The Hidden Face of Rights: Toward a Politics of Responsibilities* (Yale University Press, 2020), pages 26-52. (Weeks 11 and 12).

Course Schedule

Lectures, readings, online assignments, quizzes, and workshops each week are available on Blackboard.

Week 1: Tuesday, August 30, 2022: United Nations I (Assignments due at 11:59 pm)

- Reading: Hopgood, "Human Rights on the Road to Nowhere," Part 1
- Lectures: Philosophy of Human Rights, United Nations I
- Workshops: Drafting the UDHR, Theoretical Perspectives

Week 2: Tuesday, September 6, 2022: United Nations II (Assignments due at 11:59 pm)

- Reading: Hopgood, "Human Rights on the Road to Nowhere," Part 2
- Lectures: United Nations II, Refugees
- Workshops: Security Council Reform, Careers in Human Rights

Week 3: Tuesday, September 13, 2022: European Human Rights System (Assignments due at 11:59 pm)

- Reading: Sikkink, "Diverse Political Origins of Human Rights," Part 1

- Lectures: Council of Europe, European Union
- Workshops: Epic Cases of the European Court, Measuring Human Rights

Week 4: Tuesday, September 20, 2022: African and Inter-American Human Rights Systems (Assignments due at 11:59 pm)

- Reading: Sikkink, "Diverse Political Origins of Human Rights," Part 2
- Lectures: Inter-American Human Rights System, African Union, Regional System for Asia?
- Workshops: Death Penalty in Africa, LGBT Rights in the Americas

Week 5: Tuesday, September 27, 2022: Civil and Political Rights: Equality (Assignments due at 11:59 pm)

- Reading: Posner, "Why Do States Comply," Part 1
- Lectures: Equality and Nondiscrimination, Rights of National Minorities
- Workshops: Equality and Nondiscrimination Workshop, Age Discrimination

Week 6: Tuesday, October 4, 2022: Civil and Political Rights: Free Expression (Assignments due at 11:59 pm)

- Reading: Posner, "Why Do States Comply," Part 2
- Lectures: Intro to Civil and Political Rights, Free Expression and Opinion, Right to a Fair Trial
- Workshops: Nullum Crimen Sine Lege, Free Expression Cases

Week 7: Tuesday, October 11, 2022: Economic, Social, and Cultural Rights (Assignments due at 11:59 pm)

- Reading: Sikkink, Justice Cascade, Part 1
- Lectures: Intro to ESC Rights, ESC Rights Application, Global Right to Health
- Workshops: uBuntu and Socioeconomic Rights, Economic Social and Cultural Rights Workshop

Week 8: Tuesday, October 18, 2022: Human Rights Forensics (Assignments due at 11:59 pm)

- Reading: Sikkink, Justice Cascade, Part 2
- Lectures: Intro to Human Rights Forensics, Investigating Mass Graves, Lessons from Bosnia and Argentina
- Workshops: World War II Forensic Science Scenario, Apologies and Truth Commissions

Week 9: Tuesday, October 25, 2022: Business and Human Rights (Assignments due at 11:59 pm)

- Reading: Hopgood, "Human Rights Empire," Part 1
- Lectures: Business and Human Rights, Corporate Criminal Liability, International Labour Organisation
- Workshops: Gautrain, Business and Human Rights Workshop

Week 10: Tuesday, November 1, 2022: Humanitarian Law/Laws of War (Assignments due at 11:59 pm)

- Reading: Hopgood, "Human Rights Empire," Part 2
- Lectures: Law of War, Peacekeeping and Humanitarian Intervention
- Workshops: Child Soldiers, Self-Defense

Week 11: Tuesday, November 8, 2022: Sport and Human Rights (Assignments due at 11:59 pm)

- Reading: Sikkink, Responsibilities, Part 1
- Lectures: Sport and Human Rights, Disability and Sport, Soccer and Human Rights
- Workshops: Disability and Sport, Gender and Sport

Week 12: Tuesday, November 15, 2022: Sustainability and Environment (Assignments due at 11:59 pm)

- Reading: Sikkink, Responsibilities, Part 2
- Lectures: Environment and Human Rights, Sustainable Cities and Human Rights
- Workshops: Critical Human Rights Theory, Animal Rights

Final Quiz: Due Tuesday, November 29, 2022 at 11:59 pm

Honor Code

Sharing of instructor-created materials, particularly materials relevant to assignments or exams, to public online “study” sites is considered a violation of Mason’s Honor Code. For more information, see the Office of Academic Integrity’s summary of information about online study sites.

<https://oai.gmu.edu/faculty-resource-center/preventative-resources/>

The integrity of the University community is affected by the individual choices made by each of us. Mason has an Honor Code with clear guidelines regarding academic integrity. Three fundamental and rather simple principles to follow at all times are that: (1) all work submitted be your own; (2) when using the work or ideas of others, including fellow students, give full credit through accurate citations; and (3) if you are uncertain about the ground rules on a particular assignment, ask for clarification.

For the full Honor Code, see academicintegrity.gmu.edu.

Disability Accommodations

If you have a documented learning disability or other condition that may affect academic performance you should (1) make sure this documentation is on file with Office for Disability Services (SUB I, Rm. 4205; 993-2474; <http://ods.gmu.edu>) to determine the accommodations you need; and (2) talk with me to discuss your accommodation needs. I want to be helpful.

Diversity and Inclusion

As a faculty member and designated “Responsible Employee,” I am required to report all disclosures of sexual assault, interpersonal violence, and stalking to Mason’s Title IX Coordinator per university policy 1412. If you wish to speak with someone confidentially, please contact the Student Support and Advocacy Center (703-380-1434, <http://ssac.gmu.edu>) or Counseling and Psychological Services (703-993-2380, <https://caps.gmu.edu>). You may also seek assistance from Mason’s Title IX Coordinator (703-993-8730; titleix@gmu.edu, <https://diversity.gmu.edu/sexual-misconduct>).

This course seeks to create a learning environment that fosters respect for people across identities. We welcome and value individuals and their differences, including gender expression and identity, race, economic status, sex, sexuality, ethnicity, national origin, first language, religion, age and ability. We

encourage all members of the learning environment to engage with the material personally, but to also be open to exploring and learning from experiences different than their own.