



SPANXXX "Human and Civil Rights in Latin America"

Timetable: Mondays, 6-9pm, C215, UBC Robson Square

Jon Beasley-Murray, Buchanan Tower 808
Office hours: Tuesdays, 2-3pm
jon.beasley-murray@ubc.ca

provisional syllabus

Graduate students will also attend extra discussion sessions, dates and times TBA

- Sep 12: Introduction: What Use are Rights?
(reading: "Canadian Charter of Rights and Freedoms"; Basen)
- Sep 19: Theory: Declarations of Rights
(reading: "Magna Carta," "English Bill of Rights," "The United States Declaration of Independence," "French Declaration of the Rights of Man," "The Federalist Papers: No. 84," "Constitution of the United States: Bill of Rights," "The United Nations Charter," "UN Universal Declaration of Human Rights," "UN Convention on the Prevention and Punishment of the Crime of Genocide," "European Convention for the Protection of Human Rights and Fundamental Freedoms," UN International Convention on the Elimination of All Forms of Racial Discrimination," "UN International Covenant on Civil and Political Rights," "UN International Covenant on Economic, Social and Cultural Rights," "American Convention on Human Rights," "Vienna Declaration and Programme of Action," "UN Declaration on the Rights of Indigenous Peoples")
- Sep 26: Theory: The Origins of Rights
(reading: Hobbes, Locke, Paine, Rousseau, de Gouge)
- Oct 3: Theory: The Ends of Rights
(reading: Agamben, Deleuze, Matua, Moyn, Zizek)
- Oct 3: *Assignment One: Review*
- Oct 17: History: Wrongs in Latin America
(reading: Las Casas, Galeano)

- Oct 24: History: Rights in Latin America
(reading: Zavala, Bolívar, Crahan, Robins)
- Oct 31: Case Study Argentina
(reading: Nouzeilles and Montaldo)
- Nov 7: Case Study Argentina
(reading: Walsh, Feitowitz)
- Nov 7: Assignment Two: Case Study*
- Nov 14: Case Study Guatemala
(reading: Schlesinger and Kinzer)
- Nov 21: Case Study Guatemala
(reading: Perera)
- Nov 28: Conclusion: What Use are Rights?
- Nov 28: Assignment Three: Essay*

SPAN5XX "Human and Civil Rights in Latin America"

Description: Focuses on human rights movements; state violence and impunity; reform of criminal justice systems; rights of indigenous peoples, women, and minorities; international protection of human rights; the UN and inter-American systems.

Expectations: You must come to class having done the reading and prepared to contribute. Assignments are to be handed in on time; late assignments will not be accepted.

Reading: Readings are available online at <http://last301.wordpress.com/>.

Blog: You will write two entries per week on a blog. One entry will be a discussion of that week's reading; the other will be a commentary on news about human rights and struggles in Latin America. You will also comment on at least two other students' blogs each week.

Assessment: 3 written assignments during the semester (20%, 25%, and 30%; 70% total); 2 blog entries per week (15%); attendance and participation (10%).

The written assignments are: 1) a 2-3 page review of an article or book; 2) an 8-10 page case study of a human rights issue in or connected to Latin America; 3) an 20-25 page essay on the topic "What Use are Human Rights?"

Further reading: You will follow news from Latin America. One Internet starting point is the Latin American Network Information Center: <http://lanic.utexas.edu/la/region/news/>. You should also read up on Latin American history and culture. The following texts indicate further directions for study.

Galeano, Eduardo. *Open Veins of Latin America: Five Centuries of the Pillage of a Continent*. Trans. Cedric Belfrage. New York: Monthly Review Press, 1974.
Green, Duncan. *Faces of Latin America*. London: Latin America Bureau, 1991.
Munck, Ronaldo. *Contemporary Latin America*. New York: Palgrave Macmillan, 2003.
Swanson, Philip, ed. *The Companion to Latin American Studies*. London: Arnold, 2003.
Winn, Peter. *Americas: The Changing Face of Latin America and the Caribbean*. Berkeley: University of California Press, 1995.

The following further reading is recommended on human rights:

Bakan, Joel. *Just Words: Constitutional Rights and Social Wrongs*. Toronto: University of Toronto Press, 1997.
Hunt, Lynn. *Inventing Human Rights: A History*. New York: Norton, 2007.
Ishay, Micheline, ed. *The Human Rights Reader: Major Political Writings, Essays, Speeches, and Documents From the Bible to the Present*. New York: Routledge, 1997.
Linebaugh, Peter. *The Magna Carta Manifesto: Liberties and Commons for All*. Berkeley: University of California Press, 2008.
Moyn, Samuel. *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap, 2010).

Instructor: The course convenor is Jon Beasley-Murray (jon.beasley-murray@ubc.ca). His office hours are Tuesdays, 2-3pm, BuTo 808, or by appointment. You should get in touch with him if you have any queries. It is always better to deal with problems as they arise rather than to keep quiet and hope they go away!



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bibliography

- "American Convention on Human Rights." Inter-American Commission on Human Rights. <http://www.cidh.oas.org/>.
- "Canadian Charter of Rights and Freedoms." Part I of the Constitution Act, 1982. <http://www.justice.gc.ca>.
- "Constitution of the United States: Bill of Rights," with Amendments 11-27. The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "English Bill of Rights." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "European Convention for the Protection of Human Rights and Fundamental Freedoms." Treaty Office, Council of Europe. <http://conventions.coe.int/>.
- "French Declaration of the Rights of Man." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- Hamilton, Alexander, and John Jay. "The Federalist Papers: No. 84." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "Magna Carta." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "The United Nations Charter." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "UN Universal Declaration of Human Rights." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "UN Convention on the Prevention and Punishment of the Crime of Genocide." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.
- "UN Declaration on the Rights of Indigenous Peoples." UNHCHR. <http://www.ohchr.org/>.
- "UN International Covenant on Civil and Political Rights." UNHCHR. <http://www.ohchr.org/>.
- "UN International Covenant on Economic, Social and Cultural Rights." UNHCHR. <http://www.ohchr.org/>.
- "UN International Convention on the Elimination of All Forms of Racial Discrimination." UNHCHR. <http://www.ohchr.org/>.
- "The United States Declaration of Independence." The Avalon Project: Documents in Law, History, and Diplomacy. <http://avalon.law.yale.edu/>.

- "Vienna Declaration and Programme of Action." UNHCHR. <http://www.ohchr.org/>.
- Agamben, Giorgio. "Beyond Human Rights." *Means Without End: Notes on Politics*. Trans. Vincenzo Binetti and Cesare Casarino. Minneapolis: University of Minnesota Press, 2000. 15-26.
- Basen, Ira. "Memory Becomes a Minefield at Canada's Museum for Human Rights." *Toronto Globe and Mail* (August 20, 2011).
- Bolívar, Simón. "The Angostura Address." *El Libertador: Writings of Simón Bolívar*. Trans. Frederik H. Fornoff. Ed. David Bushnell. Oxford: Oxford University Press, 2003. 31-53.
- Crahan, Margaret E. "The State and the Individual in Latin America: An Historical Overview." *Human Rights and Basic Needs in the Americas*. Ed. Margaret E. Crahan. Washington, DC: Georgetown University Press, 1982. 23-45.
- de Gouge, Olympe. *The Declaration of the Rights of Woman*, excerpts. *The Human Rights Reader: Major Political Writings, Essays, Speeches, and Documents From the Bible to the Present*. Ed. Micheline R. Ishay. New York: Routledge, 1997. 140-147.
- Deleuze, Gilles. "On Human Rights." Generation Online. <http://www.generation-online.org/p/fpdeleuze10.htm>.
- Feitlowitz, Marguerite. *A Lexicon of Terror: Argentina and the Legacies of Torture*. Oxford: Oxford University Press, 1998. 19-88.
- Galeano, Eduardo. *Memory of Fire II: Faces and Masks*. Trans. Cedric Belfrage. New York: Pantheon, 1987. 158-229.
- Hobbes, Thomas. *The Leviathan*, excerpts. *The Human Rights Reader: Major Political Writings, Essays, Speeches, and Documents From the Bible to the Present*. Ed. Micheline R. Ishay. New York: Routledge, 1997. 84-89.
- Las Casas, Bartolomé de. *A Short Account of the Destruction of the Indies*. Trans. Nigel Griffin. London: Penguin, 1992. 3-70.
- Locke, John. *The Second Treatise of the State of Nature*, excerpts. *The Human Rights Reader: Major Political Writings, Essays, Speeches, and Documents From the Bible to the Present*. Ed. Micheline R. Ishay. New York: Routledge, 1997. 93-104.
- Matua, Makau. "The Ideology of Human Rights". *Virginia Journal of International Law* 36 (1996): 589-657.
- Moyn, Samuel. "Human Rights in History." *The Nation* (August 30, 2010).
- Nouzeilles, Gabriela, and Graciela Montaldo, ed. "State Violence." *The Argentina Reader: History, Culture, Politics*. Durham, NC: Duke University Press, 2002. 395-471.
- Paine, Thomas. *Political Writings*. Ed. Bruce Kuklick. Cambridge: Cambridge University Press, 1989. 54-57, 76-81, 137-143.
- Perera, Victor. *Unfinished Conquest: The Guatemalan Tragedy*. Berkeley: University of California Press, 1993. 61-131, 329-364.
- Robins, Nicholas A. *Native Insurgencies and the Genocidal Impulse in the Americas*. Bloomington: Indiana University Press, 2005. 23-67, 142-153.
- Rousseau, Jean-Jacques. *The Social Contract*. Trans. Christopher Betts. Oxford: Oxford University Press, 1999. 44-90.
- Schlesinger, Stephen, and Stephen Kinzer. *Bitter Fruit: The Untold Story of the American Coup in Guatemala*. Garden City, NY: Anchor Books, 1983. 65-77, 159-255.
- Walsh, Rodolfo. "Open Letter from a Writer to the Military Junta." *True Crimes: Rodolfo Walsh, The Life and Times of a Radical Intellectual*. By Michael McCaughan. London: Latin America Bureau, 2002. 284-290.
- Zavala, Silvio. *The Defence of Human Rights in Latin America (Sixteenth to Eighteenth Centuries)*. Paris: UNESCO, 1964. 35-64.
- Zizek, Slavoj. "Against Human Rights." *New Left Review* 34 (July-August 2005): 115-131.

Many Latin American countries are moving towards increased accountability for past human rights violations, and there is a growing global consensus that international law does not allow some crimes simply to be exempted from prosecution. Uruguay has had a deeply split response to these developments. Central America's Northern Triangle is infamous for high levels of violent crime and human rights abuses, producing "impunity states" in which violence typically goes unpunished. That violence reflects the broader impunity or "transitional injustice" that has persisted since the peace accords and transitions to democracy of the 1980s and 1990s. Review digest: human rights in Latin America. made considerable progress at moving beyond the previous eras of violence (first of military dictatorships, then of the corrupt Fujimori regime). The influence of external actors in Latin America is also an area of considerable interest when examining human rights issues in the region. The role of the U.S. in particular has been generally negative. The U.S. is infamous in the region for propping up Right-wing dictators and funding violent paramilitary groups. The Court finds that the statutes violated directly applicable treaties such as the International Covenant on Civil and Political Rights as well as customary international law. Human rights have played a key role in ending dictatorships in Latin America, inspiring democracy, fostering social justice and generating a more empowered and active citizenship. This ELLA Guide highlights the key policies and practices that have made these advances possible. And second, the Guide highlights the impact of the activism of a vibrant civil society in using these mechanisms to promote and guarantee the realisation of human rights, and in creating oversight mechanisms to monitor states' compliance with their human rights obligations. In addition, the Guide points readers to key publications about Latin America's human rights experience and key organisations working on human rights within the region.

Assignment Three: Essay. "Human and Civil Rights in Latin America". Description: Focuses on human rights movements; state violence and impunity; reform of criminal justice systems; rights of indigenous peoples, women, and minorities; international protection of human rights; the UN and inter-American systems. Blog: You will write two entries per week on a blog. One entry will be a discussion of that week's reading; the other will be a commentary on news about human rights and struggles in Latin America. You should also read up on Latin American history and culture. The following texts indicate further directions for study. Galeano, Eduardo. *Open Veins of Latin America: Five Centuries of the Pillage of a Continent*. Trans. Cedric Belfrage. This information deals with human rights in Latin America, with some documents dating from 1964 to 1995. Most of the documents concern El Salvador and Guatemala, but the collection also contains records on Brazil, Nicaragua, Honduras, Chile, and Peru. Some documents were released in 1993 to the United Nations Truth Commission for El Salvador, which sought information on 32 alleged human rights violations in El Salvador between 1980 and 1991. These records reveal that U.S. citizens, other foreigners, and indigenous people on both the left and right in El Salvador and Guatemala were victims of t