Human Rights and Humanitarian Crises in the 20th Century

Course Description:
This course introduces students to the central debates around human rights and humanitarian responses in the second half of the twentieth century. The central themes of our course are human rights, humanitarian aid, and international responses to genocide. Over the course of five weeks, we will analyze canonical questions about when international responses to humanitarian crises are merited and how they should be carried out. We will trace the intellectual history of debates on just and unjust wars, international human rights enforcement, and the role of morality in the post-World War II World Order, and we will seek to understand how these debates have affected humanitarian responses around the world. The course will draw from an interdisciplinary canon that integrates historical, political, and legal perspectives. However, unlike many other critical investigations of human rights, our approach will remain both historically-grounded and globally-minded. Therefore, our case studies will include both historical and contemporary responses to humanitarian crises from around the world, including Vietnam, Biafra, Bangladesh, Ethiopia, Rwanda, and Bosnia. In most weeks, we will focus on one of these case studies and we will consider how historical actors, as well as contemporary scholars, have made arguments for and against intervention. As part of our ongoing efforts to think and work like historians, each week we will also work with set of primary source materials. Our collective task in working with these documents will be to consider how they relate to the more academic scholarship with which we will be engaging. The course culminates in students producing a 7-9 original research paper on a topic of their own choosing.

This course can fulfill either a Humanities and Arts credit or a Social Science one.

Assignments:
Because this course is primarily listed under the History Department, your assignments all require for you to think and work like a historian. Most crucially, this work includes considering the relevance of both primary and secondary source materials and attending to changes over time. Therefore, over the course of our time together, you will be responsible for completing the following assignments:

Weekly discussion questions, to be posted on Canvas the evening before our biweekly sessions. Your task here is to offer some critical questions with which your fellow students can engage. What did you find to be interesting and/or surprising in this session’s readings? Or, how do this session’s readings further build on the themes and tensions that which we have already discussed?

Three short essays on one of the primary sources of your choosing. Ideally, the primary source should be from that week’s readings. Your task with these short essays is to critically engage with some of the themes or questions presented in the source materials. You can use place the primary source in the context of that week’s secondary source materials. Or, you can show how the primary source challenges us to reconsider some of the central assumptions and arguments made in the course’s secondary sources. The key task here is construct an original argument about the primary sources, which you have come to via a close reading. These short essays should be no more than 750 words.
One take-home midterm exam, in which you will be asked to identify some key terms and events that we have discussed over the course of session. We will discuss the details of this exams as we get close to the date.

A final research paper (7-9 pages in length), in which you will be asked to construct an original argument focusing on one instance of humanitarian intervention (successful or otherwise), which has taken place over the second half of the twentieth-century. You should feel free to examine one of the case studies we have examined in our course. Or, you can pick a case study that we have not already discussed. Your task in this paper is to evaluate (1) why the international actors decided to intervene or not, (2) how concerns over politics, morality, and legality impacted their decisions, and (3) how by using primary and secondary sources you have been able to come to your conclusions. You should decide upon a topic for this final research paper no later than the end of our third week together.

Grading:
Participation = 15%
Weekly Discussion Questions = 15%
3 Short Essays = 25%
Mid-Term Exam = 20%
Final Research Paper = 25%

Participation: This is a mostly discussion-based course. Its success therefore depends on your sustained participation. Participation means engaging with the course material in a critical and attentive fashion, as well as remaining responsive to the comments and questions of your colleagues. It also means submitting your essays, exams, and research papers on time.

Attendance Policy: Given the short time we have together, it is essential that you arrive on time and are prepared to discuss the readings at length. Complete attendance for all of our ten sessions is a must. A doctor’s or dean’s note is required for any unexcused absences.

Plagiarism: By participating in this course, you are joining a community of fellow scholars and students. Any community worth its salt has certain basic rules. Academic honesty and transparency are the founding preconditions for any intellectual endeavor. Do not plagiarize. If you have a question about this come speak to me privately, or consult Yale College’s policy on academic integrity.: http://catalog.yale.edu/undergraduate-regulations/regulations/academic-dishonesty/

Inclusivity Statement: In addition to your responsibilities as a reader and scholar, part of your work for this course entails serving as a supporter of your peers and as an inclusive member of our community. At the first session, I will be distributing an attendance list in which all of you will have designated your preferred pronouns. I ask that we all use the pronouns with which each of us individually feels most comfortable. I also ask that that we build an environment that continues to feel supportive and generative for each of our own intellectual growth. Respect for each other’s opinions is a prerequisite.

Course Readings:

All readings will either be accessible through digital copy with Yale library or provided via Canvas. However, if you wish to have a physical copy, feel free to order these books:


Week 1 Session 1:
Just and Unjust Wars: A Legal (and Moral) Conundrum

What are the legal and moral norms guiding humanitarian intervention? What is a just war? What is an unjust war? What are the political – and moral – dangers from defining a just war too broadly? How do you think Hathaway and Shapiro would respond to Walzer’s defense of just wars?

Primary Source:
Hugo Grotius, *Hugo Grotius on the Law of War and Peace* (Cambridge: Cambridge University Press, 2012); read Grotius’s essays on “What is war? What is Law,” “Whether it is ever lawful to wage war?,” skim “Who may lawfully wage war”

Secondary Literature:


Optional Reading: Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999), chapter 3 “Hugo Grotius”

Week 1 Session 2:
Human Rights, the U.N., and the Conflicting Promises of the Post-1945 World Order

How was international society reimagined in 1945? How did the promises of peace and human rights work hand-in-hand? What limits did the U.N. place on humanitarian intervention? What is the role of the U.N. Security Council? How could the principles of human rights, sovereignty, and non-interference potentially collide with one another?

Primary Source:


Secondary Literature:


**Week 2 Session 1:**
**Human Rights: A Morality for the Cold War? Or, an American Idealism?**

*Are human rights an American ideology of optimism? How does Keys explain the rise of human rights? Jimmy Carter and the Amnesty International are frequently considered to be two celebrities of the new global rise of human rights. However, other non-Anglo-American actors also participated in making human rights the “moral lingua franca” of our modern times. What differences did you observe vis-à-vis Carter’s and Cassin’s respective framings of human rights?*

**Primary Source:**
President Jimmy Carter’s Commencement Address on Foreign Policy (1977):

Rene Cassin’s Nobel Lecture, December 11, 1968:

Monthly Newsletter from Amnesty International: Prisoners Campaign, September 1968,

**Secondary Literature:**


**Week 2 Session 2:**
**Humanitarian Intervention and the Anti-Communist Brigade: Case Study Vietnam**

*Why did America go to war in Vietnam? Did a defense of human rights violations and humanitarian aid feature within the foreign policy and legal debates? Were Americans justified in intervening in South Vietnam? While the Vietnam War would eventually produce one of the largest antiwar protest movements of the twentieth century, originally for the first two years of the war*
it was lawyers who were most active in debating the legality (or illegality) of the venture. What did you observe to be the main points of conflict among the participating international lawyers within these debates?

Primary Sources:
Richard A. Falk ed., *The Vietnam War and International Law* vol 1, (Princeton: Princeton University Press, 2017 [1968]). Please select three essays in the section of “Legal Perspectives.” Be prepared to come to class to present the central legal arguments brokered in your essays. You should also acquaint yourself with the other essays included in this volume. Spend some time reading over the table of contents. What did you notice?


Secondary Literature:

Kevin Jon Heller and Samuel Moyn, “The Vietnam War and International Law,” (2020), chapter draft provided by instruction (per Professor Moyn’s approval of this distribution).

***BY THIS TIME, YOU SHOULD HAVE ALREADY DISCUSSED YOUR RESEARCH TOPIC WITH THE INSTRUCTOR***

**Week 3 Session 1:**
Humanitarian Catastrophe and the Politics of Non-Interventionism: Case Study Biafra

How did Biafra’s leaders and secessionists overlay an argument for intervention on top of their proposals for independence? What roles did the crime and specter of genocide play in shaping international perceptions of the war? Unlike Vietnam, non-state actors participated in brokering the conversations on intervention from the very first months of the war. What were their arguments for – and against – intervention? And, finally, how did you see race – and racism – structuring the manner in which most international observers came to know of Biafra?

Primary Sources:
C. Odumegwu Ojukwu, *Biafra: Selected speeches and random thoughts of C. Odumegwu Ojukwu, with diaries of events* (New York: Harper & Row, 1969), read his speeches included in the sections on “Genocide” and the “International Community”


Secondary Literature:
Week 3 Session 2:
Genocide and Unilateral Intervention: Case Study Bangladesh

How were Biafra’s and Bangladesh’s claims for self-determination different from one another? What accounts for the international community’s differentiated responses to the two wars and humanitarian catastrophes? Was India justified in intervening in East Pakistan? How did Indian diplomats mobilize the language of human rights violations in their preparation for what could potentially be seen as an “aggressive war”? Finally, what is Bass’s larger argument concerning liberal democracy and justified humanitarian intervention? Do you find it convincing?

Primary Sources:

Indira Nehru Gandhi, India and Bangladesh: Selected Speeches and Statements March to December 1971 (New Delhi: Orient Longman, 1971), chapter 17: “A Call to Democratic Conscience” and chapter 18: “India Will Stand on its Own Feet.”


Secondary Literature:


***TAKE-HOME MIDTERM EXAM***

Week 4 Session 1:
Not War, But Relief: Famine and the Commodification of Humanitarian Aid: Case Study Ethiopia

Like it was for Biafra, the international community’s perception of Ethiopia was highly mediatized. How did the media and a cult of celebrity define the stakes of the Ethiopia debate? To what extent are you convinced by claims, which purport famine to be an inherently depoliticizing term of description? Like Biafra, non-state actors played a defining role in structuring the world’s responses to Ethiopia. Should NGOs be charged with such an important responsibility such as that of provision of emergency food aid?

Primary Sources:
Peter Hillmore, *Live Aid: World Wide Concert Book* (Unicorn Publishing House, 1985); skim the contents of the book; consider how the included photographs depict the famine (or war) in Ethiopia.

Secondary Literature:


Week 4 Session 2:
Genocide, Ethnic Cleansing, the Limits of R2P: Case Studies of Bosnia and Rwanda

How did the international community’s responses to Bosnia and Rwanda differ from one another? Should NATO or the U.N. have done more in face of these genocides? What is Dallaire’s argument vis-à-vis the failure of humanity? Who failed and why? How do the case studies of Bosnia and Rwanda strengthen – or weaken – arguments, which assert that the international community has a responsibility to take “preventative humanitarian aid”? What are the downsides of defining preventive action too broadly? What is R2P?

Primary Sources:


***The above three newspaper articles represent what were early British perceptions of the Rwandan Genocide. Spend 20 minutes culling through the NYTimes coverage of Srebrenica (July 1995). What do you notice in terms of how the NYTimes framed the stakes of intervention?***

Secondary Literature:


***PRELIMINARY BIBLIOGRAPHY IS DUE***
Week 5 Session 1: 
An International Criminal Court and the Specter of Eurocentrism

Humanitarian aid workers and anti-atrocity activists had been lobbying for an International Criminal Court (ICC) for more than four decades. With the passage of the Rome Statute in 1998, the ICC went from being a long-held dream to becoming a reality. And yet, the ICC’s formation has not been without controversy. What do you make of ICC critics placing its formation within the longer history of Western European hegemony? Can international law ever move beyond its imperial and thus racist roots? How could racial and economic inequalities impact the ICC’s future work?

Primary Sources:
[What do you notice in terms of the international constitution of the participating parties? How do ICC council members claim the court as a tool of international justice?]

Secondary Sources:


Week 5 Session 2: 
Human Rights and Humanitarianism: Global Ideals, or Structures of Global Inequality?

This week, we will read no primary sources, but instead a wide sampling of some of the most relevant literature on the politics of human rights and humanitarianism. What do you perceive to be the main dividing fault lines between the participating scholars? How have scholars claimed human rights – as well as the project of humanitarianism – as a tool of Western hegemony and/or global inequality? Given all the case studies we have read so far, how would you respond to such critiques?


***FINAL RESEARCH PAPER DUE***