The aim of this course is to provide you with a comprehensive introduction to human rights issues in Latin America. The course covers a number of areas: the principal analytical debates on human rights; how and why the idea of human rights came to play an important role in the domestic and international politics of Latin American countries; the role of human rights in the transition from authoritarian to democratic forms of governance; the nature of contemporary human rights issues in the region, including institutional dimensions of rule of law and debates relating to citizenship, democracy and rights. We will also consider the nature and implications of trends towards the transnationalisation of justice and their impact in Latin America.

General Reading


Week One. Introduction

There is no set reading this week, but try and familiarise yourself with some of the general introductory texts listed above.

Week Two. The concept of human rights: theoretical debates around rights.


Bobbio, Noberto, The Age of Rights, , Polity Press (1986), parts I and II.


Laquer, Walter and Barry Rubin (eds.), Human Rights Reader, New American Library (1979)


Handouts of the Universal Declaration and Covenants.

**Class Question:** What do we understand ‘human rights’ to mean? Are certain types of political system better placed than others to guarantee human rights?

**Week Three. Human rights in historical perspective in Latin America (i) early influences on the thinking and practice of human rights in Latin America**


Pagden, Anthony, Spanish Imperialism and the Political Imagination, Yale University Press (1990), especially chapter 1.


**Class Question:** Assess the extent to which conceptions of rights and obligations changed in Latin America after independence.

**Week Four. Human rights in historical perspective in Latin America (iii): rights and citizenship in the modern period**


**Class Question:** Assess the implications of corporatism for human rights in Latin America.

**Week Five. Human rights abuse in the dirty wars.**


Ensalaco, Mark *Chile Under Pinochet: Recovering the Truth* University of Pennsylvania Press (2000)


Verdugo, Patricia, *Chile, Pinochet and the Caravan of Death*, Lynne Rienner (2001). *


Additional reading: the truth commission reports of Argentina, Chile, Brazil, El Salvador, Guatemala, Honduras, Uruguay and Peru.

**Class Question**: How do we explain the logic of terror in Latin America’s “dirty wars”? Were terror policies ‘successful’ in their own terms?

**Week Six. US foreign policy and human rights.**


Carothers, Thomas, *In the Name of Democracy: US Policy Toward Latin America in the Reagan Years*, University of California Press (1991) *


Hitchens, Christopher *The Trial of Henry Kissinger* Verso (2001)


[Note: Introduction also available to download at: Jhttp://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB110/]


**Class Question:** Account for variations in the priority given to human rights concerns in US policy toward Latin America since the 1960s and assess the significance of these shifts.

**Week Seven. Truth and Justice in the Transition**


Hayner, Priscilla, Unspeakable Truths: Confronting State Atrocity and Terror, Routledge (2001) *


[Note: Volumes II and III, Country Cases and Legal Texts/ Documents, may also be of interest]


Nino, Carlos, Radical Evil on Trial, Yale University Press (1996).


**Class Question:** Is a trade-off between truth and justice inevitable in democratic transitions?

**Week Eight. Case studies: Argentina and Chile.**


Kritz, Neil (ed.) *Transitional Justice. Vol.II: Country Studies*, chs. 10 (Argentina) and 13 (Chile) *


**Class Question:**

**EITHER** Compare and contrast the strengths and weaknesses of Chile and Argentina’s respective approaches during transition to dealing with past abuses of human rights.

**OR** Do recent resurgences of accountability claims in Chile and Argentina represent the success or failure of transitional justice settlements in those countries?

**Week Nine. The role of the international community: the UN in El Salvador and Guatemala’s truth commissions**


Class Question: Compare and contrast the role of the international community in the Salvadorean and Guatemalan processes of truth, reconciliation and rule of law construction.

Week Ten. Transnationalised Justice?


de Grieff, Pablo and Ciaran Cronin, Global Justice and Transnational Politics, MIT (2002).


**Class question:** Assess the claim that we are now moving towards universal enforcement of human rights norms.

**Week Eleven. The Pinochet Case**


Class Question:

EITHER

What does the Pinochet case reveal about the transnationalisation of justice in Latin America? OR Assess the significance of the Pinochet case for domestic accountability debates in Latin America.

Week Twelve. Rule of law, legal institutions and judicial reform in Latin American democracies.


Mendez, Juan, Guillermo O’Donnell and Paulo Sergio Pinheiro (eds.), *The (Un)Rule of Law and Democracy in Latin America*, University of Notre Dame Press (1999) *


**Class Question:** EITHER: Why isn’t the rule of law enforced more systematically in Latin America? OR Assess the obstacles for minimally adequate justice administration in Latin America.
Week Thirteen. International donor participation in Judicial Reform efforts

Biebesheimer, Christina and Carlos Mejia (eds), *Justice beyond our borders: Judicial reforms for Latin America and the Caribbean* Inter-American Bank/ Johns Hopkins University Press (2000) *


Carothers, Thomas, ‘The Rule of Law Revival’ in *Foreign Affairs*, March-April, 1998 *


Faundez, Julio, (ed), *Good Government and Law, Legal and Institutional Reform in Developing Countries*, Macmillan (1997) *


IDB, *Justice and Development in Latin America and the Caribbean*


**Class Question:** Assess the role of international donor organisations in the advancement of judicial reform since the 1980s in Latin America.

**Week Fourteen. Demilitarisation and Police Reform**


Tanke Holm, Tor and Espen Barth Eide (eds.), *Peacebuilding and Police Reform*, Frank Cass (2000), chs. 5, 6 and 7.

Ungar, Mark, *Elusive Reform: Democracy and the Rule of Law in Latin America*, Lynne Reinner (2002), chapter 3 *


*Latin American Perspectives* Special issue, 2000, vol.27.


**Class question:** To what extent are the problems of the police forces in the region a legacy of an authoritarian past?

**Week Fifteen. Colombia: Rule of law and the State.**


Pearce, Jenny, Colombia: inside the labyrinth, Latin American Bureau (1990) *

Posada-Carbo, Eduardo, Colombia: the politics of reforming the state, Macmillan (1998).


Moser, Caroline et.al., Violence in Colombia; building sustainable peace and social capital, World Bank (1999).

Class question: Examine the institutional and political obstacles to the advancement of legitimate rule of law and state authority in Colombia.

Week Sixteen. International dimensions: the inter-american system.


Padilla, David, ‘The Inter-American system for the promotion and protection of Human Rights’, *Journal of International and Comparative Law*, 20 (1990) *


Class Question: Assess the strengths and weaknesses of regional mechanisms for human rights protection in Latin America.

Week Seventeen. Gender Rights


Agosin, Marjorie and Monica Bruno, (eds.), *Surviving beyond fear: women, children and human rights in Latin America*.


Molyneux, Maxine, *Women’s Movements in International Perspective: Latin America and Beyond*, Palgrave (2000) *

Molyneux, Maxine and Shahra Ravazi (eds.), *Gender Justice, Development and Rights*,
Oxford University Press (2002), esp. the introduction. *


Website of the OAS Inter-American Commission of Women at http://www.oas.org/cim/default.htm

Class Question: Assess the role of women’s movements in the struggle for human rights protection, and democratisation in Latin America.

Week Eighteen. Indigenous rights.


Assies, Willem, Gemma van der Haar and André Hoekama (eds.), The Challenge of Diversity: Indigenous Peoples and the Reform of the State in Latin America, Thela (1999), esp. chapter 1 *


Yashar, Deborah, ‘Contesting Citizenship: Indigenous Movements and Democracy in Latin America’, Comparative Politics, Vol.31 (1), 1998 *


Class Question: Assess the implications for citizenship of contemporaneous claims for indigenous rights in Latin America.
**Week Nineteen: Afro-Latin Americans**


**Class Question:** Account for the historic discrimination against Afro-Latin Americans. To what extent can a rights-based paradigm challenge this?

**Week Twenty: Children’s Rights**


García Méndez, Emilio, *Child Rights in Latin America: From ‘Irregular Situation’ to Full


Green, Duncan, Hidden Lives: Voices of Children in Latin America and the Caribbean, Latin American Bureau (1998) *


Marquez, Patricia, The Street is my Home: Youth and Violence in Caracas, Stanford University Press (2002). *


**Question:** Assess the prospects of children becoming ‘full citizens’ in contemporary Latin America.

**Week Twenty One. Universalism, cultural relativism, citizenship and democracy.**


**Class Questions: EITHER** Are the ideas of human rights and citizenship compatible with cultural pluralism in contemporary Latin America? **OR** Assess the impact of economic globalisation on the prospects for citizenship in Latin America.