

Human Rights and Asian Values

Dedicated to Prof. Ken Cmiel (1954-2006)

University of Iowa • College of Liberal Arts and Sciences
Political Science 030:179
Fall 2007

Prof. Benjamin L. Read
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Class meeting times: Mondays, Wednesdays, Fridays, 9:30 - 10:20 a.m., 31 SH
Course web page: <http://icon.uiowa.edu>
Syllabus date: August 20, 2007

Overview:

The Universal Declaration of Human Rights, proclaimed by the United Nations in 1948, asserts that “all human beings” enjoy a wide variety of rights: to life and liberty, to property, to a free education, and so on. This bold document, and human rights theory in general, has been subject to challenge by thinkers and politicians who are critical of the Western liberalism in which its ideas are rooted. We will join many scholars of Asia in asking whether the Confucian tradition, so influential in China, Korea, Japan, and elsewhere in the region, contains concepts like basic rights or whether it points to quite different policy suggestions for contemporary society. Debates between those who see human rights in truly universal terms and those who argue for local variation provide us an opportunity to explore the meaning of the concept, and also to understand crucial aspects of the politics of this area. China, a rising power whose human rights record has been particularly controversial, is examined most centrally in this course, though by no means exclusively. No background in either human rights theory or the study of Asia is assumed.

Texts:

Most texts will be available on the course Icon web site, or at other web sites. The exception is Randall Peerenboom, *China Modernizes: Threat to the West or Model for the Rest?* (Oxford: Oxford University Press, 2007). I have not yet ordered it at the campus bookstore, and it's not just available at the UI library, but we will talk about the best ways to get access to this book during one of our first meetings.

Assignments:

- Read this syllabus all the way through.
- Near-perfect discussion-section attendance is a firm requirement of this course. Attendance will be taken at every discussion meeting at the beginning of class. You are allowed two no-questions-asked absences. After that, each unexcused absence will decrease your semester grade by one-third of a letter (in other words, a B becomes a B- or a B- becomes a C+). I am quite understanding about family emergencies, illness or other serious exigencies, and I will treat them as excused absences if verifiable documentation is provided.
- Complete each reading prior to the day on which it is scheduled to be discussed.
- Class participation (30 percent of the semester grade)
- Short paper (25 percent)
- Final paper (45 percent)

Some Things to Bear in Mind:

- Your curiosity and participation are very important to the success of this class.
- There is no such thing as a stupid question. Ask anything!
- Email is an excellent way to reach me. Often, questions submitted by email will be useful to the rest of the class and the answer will be distributed electronically (without the sender's name.)
- Students are encouraged to attend my office hours at least once during the semester. These are held Mondays 3:30-5:30 p.m., Fridays 10:30-11:30 a.m., or by appointment.
- I would like to hear from anyone who has a disability which may require seating modifications or testing accommodations or accommodations of other class requirements, so that appropriate arrangements may be made. Please contact me during my office hours.
- This course is given by the College of Liberal Arts and Sciences. This means that class policies on matters such as requirements, grading, and sanctions for academic dishonesty are governed by the College of Liberal Arts and Sciences. Students wishing to add or drop this course after the official deadline must receive the approval of the Dean of the College of Liberal Arts and Sciences. Details of the University policy of cross enrollments may be found at: <http://www.uiowa.edu/~provost/deos/crossenroll.doc>

Schedule of Class Meetings and Assignments:

WEEK 1: INTRODUCTION 1

Monday, August 27 Meeting 1

- David Rieff, "The Precarious Triumph of Human Rights," *New York Times Magazine*, August 8, 1999 [I will hand this out in class and we will read it there.]

Wednesday, August 29

No meeting due to Am. Political Science Assn. conference

Friday, August 31

No meeting due to Am. Political Science Assn. conference

WEEK 2: INTRODUCTION 2

Monday, September 3

No meeting due to University holiday

Wednesday, September 5

Meeting 2

- Fareed Zakaria, "Culture is Destiny: A Conversation with Lee Kuan Yew," *Foreign Affairs* (March/April 1994). [<http://www.fareedzakaria.com/articles/other/culture.html>]
- Kim Dae Jung, "Is Culture Destiny? The Myth of Asia's Anti-Democratic Values," *Foreign Affairs* (November/December 1994) [c]
- Donald K. Emmerson, "Singapore and the Asian Values Debate," *Journal of Democracy* Vol. 6 No. 4 (1995): 95-105

Friday, September 7

Meeting 3

- Lynn Hunt, ed., *The French Revolution and Human Rights: A Brief Documentary History* (Boston: Bedford Books of St. Martin's Press, 1996), pp. 1-32

WEEK 3: THE ORIGINS OF HUMAN RIGHTS

Monday, September 10

Meeting 4

- "Declaration of Independence of the United States of America (1776)," "The Bill of Rights of the United States of America (1791)," "French Declaration of the Rights of Man and of the Citizen

(1789),” in Patrick Hayden, ed., *The Philosophy of Human Rights* (St. Paul, Minn.: Paragon House, 2001), pp. 343-352

- “The Declaration of Interdependence: A Close Look at the Declaration,” chapter 10 of Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), pp. 173-191

Wednesday, September 12 Meeting 5

- Paul Gordon Lauren, “A ‘People’s Peace’: Peace and a Charter with Human Rights,” chapter 6 of *The Evolution of International Human Rights: Visions Seen*, 2nd ed. (Philadelphia: University of Pennsylvania Press, 2003), pp. 166-198

Friday, September 14 Meeting 6

- Paul Gordon Lauren, “Proclaiming a Vision: The Universal Declaration of Human Rights,” chapter 7 of *The Evolution of International Human Rights: Visions Seen*, 2nd ed. (Philadelphia: University of Pennsylvania Press, 2003), pp. 199-232

WEEK 4: THE NATURE OF HUMAN RIGHTS

Monday, September 17 Meeting 7

- Jack Donnelly, “Theories of Human Rights,” in *International Human Rights*, 2nd ed. (Boulder, Col.: Westview Press, 1998), pp. 18-35

Wednesday, September 19 Meeting 8

- Maurice Cranston, “Human Rights, Real and Supposed,” in Patrick Hayden, ed., *The Philosophy of Human Rights* (St. Paul, Minn.: Paragon House, 2001), pp. 163-173
- Thomas W. Pogge, “How Should Human Rights Be Conceived?” in Hayden, pp. 187-211

Friday, September 21 Meeting 9

- Martha C. Nussbaum, “Capabilities and Human Rights,” in Hayden, pp. 212-240

WEEK 5: THE SPREAD OF HUMAN RIGHTS

Monday, September 24 Meeting 10

- Kenneth Cmiel, “The Emergence of Human Rights Politics in the United States,” *The Journal of American History* Vol. 86 No. 3 (1999), pp. 117-135
- Michael Ignatieff, “No Exceptions? The United States Pick-and-Choose Approach to Human Rights is Hypocritical. But That’s Not a Good Reason to Condemn It,” *Legal Affairs* (May/June 2002), available at:
http://www.legalaffairs.org/issues/May-June-2002/review_ignatieff_mayjun2002.html

Wednesday, September 26 Meeting 11

- Jack Donnelly, “Human Rights and Foreign Policy,” in *International Human Rights*, 2nd ed. (Boulder, Col.: Westview Press, 1998), pp. 86-114

Friday, September 28 Meeting 12

- Paul Gordon Lauren, “Transforming Visions into Reality: The First Fifty Years of the Universal

Declaration,” chapter 8 of *The Evolution of International Human Rights: Visions Seen*, 2nd ed. (Philadelphia: University of Pennsylvania Press, 2003), pp. 233-270

WEEK 6: CONFUCIANISM AND OTHER ASIAN DOCTRINES

Monday, October 1 Meeting 13

- Xinzhong Yao, *An Introduction to Confucianism* (Cambridge: Cambridge University Press, 2000), pp. 16-56

Wednesday, October 3 Meeting 14

- Wm. Theodore de Bary, *Sources of Chinese Tradition*, Vol. I (New York: Columbia University Press, 1999), pp. 15-33 (Confucius), 48-62 (Daoism)

Friday, October 5 Meeting 15

- Wm. Theodore de Bary, *Sources of Chinese Tradition*, Vol. I (New York: Columbia University Press, 1999), pp. 86-98 (Mencius), 122-136 (Legalists)

WEEK 7: CONFUCIANISM'S MEANING TODAY

Monday, October 8 Meeting 16

- Wm. Theodore de Bary, *Asian Values and Human Rights: A Confucian Communitarian Perspective* (Cambridge, Mass.: Harvard University Press, 1998), pp. 1-40

Wednesday, October 10 Meeting 17

- Edward Shils, “Reflections on Civil Society and Civility in the Chinese Intellectual Tradition,” in Tu Wei-ming, ed., *Confucian Traditions in East Asian Modernity: Moral Education and Economic Culture in Japan and the Four Mini-Dragons* (Cambridge: Harvard University Press, 1996), pp. 38-71

Friday, October 12 Meeting 18

- Kim Kwang-ok, “The Reproduction of Confucian Culture in Contemporary Korea,” in Tu 1996, pp. 202-227

WEEK 8: ENGAGING THE DEBATE

Monday, October 15 Meeting 19

- Jack Donnelly, “Human Rights and Asian Values: A Defense of ‘Western’ Universalism,” in Joanne Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999), pp. 60-87
- Amartya Sen, “Human Rights and Economic Achievements,” in Bauer and Bell 1999, pp. 83-99

Wednesday, October 17 Meeting 20

- Joseph Chan, “A Confucian Perspective on Human Rights for Contemporary China,” in Joanne Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999), pp. 212-237
- Randall Peerenboom, “Confucian Harmony and Freedom of Thought: The Right to Think Versus

Right Thinking," in Wm. Theodore de Bary and Tu Weiming, eds., *Confucianism and Human Rights* (New York: Columbia University Press, 1998), pp. 234-260

Friday, October 19 Meeting 21

- Russell J. Dalton and Nhu-Ngoc T. Ong, "Authority Orientations and Democratic Attitudes: A Test of the 'Asian Values' Hypothesis," *Japanese Journal of Political Science* Vol. 6 No. 2 (2005): 211-31

WEEK 9: ASSESSMENTS AND ACCUSATIONS

Monday, October 22 Meeting 22

- "China (includes Tibet, Hong Kong, and Macau)," Country Report for 2006, Bureau of Democracy, Human Rights, and Labor, U.S. State Department
<http://www.state.gov/g/drl/rls/hrrpt/2006/78771.htm>

Wednesday, October 24 Meeting 23

- "Singapore," Country Report for 2006, Bureau of Democracy, Human Rights, and Labor, U.S. State Department
<http://www.state.gov/g/drl/rls/hrrpt/2006/78790.htm>
- "The Human Rights Record of the United States in 2006,"
http://news.xinhuanet.com/english/2007-03/08/content_5817027.htm

Friday, October 26 Meeting 24

- Randall Peerenboom, "An Empirical Overview of Rights Performance in Asia, France, and the USA," in Peerenboom, Carole J. Petersen Petersen, and Albert H. Y. Chen, eds., *Human Rights in Asia: a Comparative Legal Study of Twelve Asian Jurisdictions, France and the USA* (London: Routledge, 2006), pp. 1-64

WEEK 10: CHINA TODAY 1

Monday, October 29 Meeting 25

- Jack Donnelly, "Responding to Tiananmen," in *International Human Rights*, 2nd ed. (Boulder, Col.: Westview Press, 1998), pp. 115-135
- Tina Rosenberg, "John Kamm's Third Way," *New York Times Magazine* (2002)

Wednesday, October 31 Meeting 26

- Kevin J. O'Brien, "Rightful Resistance," *World Politics* Vol. 49 No. 1 (1996): 31-55

Friday, November 2 Meeting 27

- David Kelly, "Public Intellectuals and Citizen Movements in the Hu-Wen Era," *Pacific Affairs* (2006)
- Benjamin L. Read, "Inadvertent Political Reform via Private Associations: Assessing Homeowners' Groups in New Neighborhoods," in Elizabeth J. Perry and Merle Goldman, eds., *Grassroots Political Reform in Contemporary China* (Cambridge, Mass.: Harvard University Press, 2007)

WEEK 11: CHINA TODAY 2

Monday, November 5 Meeting 28

Wednesday, November 7 Meeting 29
Friday, November 9 Meeting 30

- Each day this week we'll discuss chapters (to be announced) from Peerenboom, *China Modernizes: Threat to the West or Model for the Rest?* (Oxford: Oxford University Press, 2007)

WEEK 12: QIU JU

Monday, November 12 Meeting 31
Wednesday, November 14 Meeting 32
Friday, November 16 Meeting 33

- This week, we will watch and discuss the movie "The Story of Qiu Ju" (1993) directed by Zhang Yimou

*** November 19-23: **Thanksgiving Break** ***

WEEK 13: TOWARD RESOLVING THE DEBATES?

Monday, November 26 Meeting 34

- Daniel A. Bell, "Taking Elitism Seriously," in Daniel A. Bell, *Beyond Liberal Democracy: Political Thinking for an East Asian Context* (Princeton: Princeton University Press, 2006)

Wednesday, November 28 Meeting 35

- Eva Brems, *Human Rights: Universality and Diversity* (The Hague: Martinus Nijhoff Publishers, 2001), pp. 357-390

Friday, November 30 Meeting 36

- Charles Taylor, "A World Consensus on Human Rights?" *Dissent* (Summer, 1996), reprinted in Hayden

WEEK 14: PRESENTATIONS 1

Monday, December 3 Meeting 37
Wednesday, December 5 Meeting 38
Friday, December 7 Meeting 39

- Student presentations

WEEK 15: PRESENTATIONS 2

Monday, December 10 Meeting 40
Wednesday, December 12 Meeting 41
Friday, December 14 Meeting 42

- Student presentations