

Required Reading:

- BAKKE V. REGENTS OF UNIVERSITY OF CALIFORNIA, Sup., 132 Cal. Rptr. 600
- Bracey, Meier, and Rudwick, eds., BLACK NATIONALISM IN AMERICA pp.476-485, "Revised Demands of the Black Students," Northwestern University, and pp.531-534, "The Black Panther Party Program."
- Bracey, Meier, and Rudwick, eds. CONFLICT AND COMPETITION: STUDIES IN RECENT BLACK PROTEST MOVEMENT. pp.135-156, Matusow, "From Civil Rights to Black Power: The Case of SNCC, 1960-1966," and pp.210-226, "Internal Colonialism and Ghetto Revolt,"
- Covenant on Civil and Political Rights, and Covenant on Economic, Social and Cultural Rights (pamphlets available)
- Deloria, Vine, WE TALK, YOU LISTEN (New York: Dell, 1970)
- Dye, Thomas R. THE POLITICS OF EQUALITY (Indianapolis: Bobbs-Merrill, 1970)
- Nisbet, Robert A. THE QUEST FOR COMMUNITY (New York: Oxford U. P., 1970)
- Van Dyke, Vernon, HUMAN RIGHTS, THE UNITED STATES, AND WORLD COMMUNITIES (New York: Oxford Univ. Press, 1970).
- _____, "Justice as Fairness: For Groups?" AMERICAN POLITICAL SCIENCE REVIEW, 69 (June 1975), pp.607-614.

Additional Recommended Reading

- Van Dyke, Vernon. "Human Rights Without Discrimination," AMERICAN POLITICAL SCIENCE REVIEW, 57 (December 1973), pp.1267-1274.
- _____, "Equality and Discrimination in Education," INTERNATIONAL STUDIES QUARTERLY, 17 (December 1973), pp.375-404.
- _____, "One Man One Vote and Majority Rule as Human Rights," HUMAN RIGHTS JOURNAL, Vol.6, Nos.3-4 (1973), pp.447-466.
- _____, "Human Rights and the Rights of Groups," AMERICAN JOURNAL OF POLITICAL SCIENCE, 18 (November 1974), pp.725-741.
- _____, "Human Rights Without Distinction as to Language," INTERNATIONAL STUDIES QUARTERLY, 20 (March 1976), pp.3-38
- _____, "The Individual, the State, and Ethnic Communities in Political Theory," forthcoming in WORLD POLITICS, April 1977.

OUTLINE AND READING ASSIGNMENTS

PART I. INTRODUCTION

- A. Why a course on human rights?
- B. The nature of this course
- C. General meaning and implications of the term human rights.

PART II. CONCERN FOR HUMAN RIGHTS: ITS GROWTH AND MANIFESTATIONS

- A. Growth and manifestations at the national level, and resistance to comparable developments at the international level
- B. Growth and manifestations at the international level

PART III. WHAT ARE HUMAN RIGHTS?

- A. Criteria of judgement and theories of rights advanced by political philosophers. (Read: S.I. Benn and R.S. Peters, THE PRINCIPLES OF POLITICAL THOUGHT, esp. chapters 2, 4 and 5. Morris Ginsberg, ON JUSTICE IN SOCIETY.)
- B. Civil and Political rights, as enumerated in international agreements. (Read: Van Dyke book, pp.3-51; Covenant on Civil and Political Rights)
- C. Economic, Social and Cultural rights, as enumerated in international agreements. (Read: Van Dyke, book, pp.52-76; Covenant on Economic, Social and Cultural Rights)
- D. Self-determination and minority rights, as enumerated in international agreements (Read: Van Dyke, book, pp.77-102).

PART IV. EQUAL AND NONDISCRIMINATORY TREATMENT AS A HUMAN RIGHT

- A. Introduction
- B. The Philosophical basis for the claim to equal treatment, and philosophical interpretations of the concept
(Reading: Benn and Peters cited above; and Isiah Berlin, "Equality," PROCEEDINGS OF THE ARISTOTELIAN SOCIETY, Vol. LVI, (1955-1956), pp.301-326)
- C. Expediential considerations commending equal treatment
- D. The equal protection of the laws and its interpretation in American practice
(Read: Dye, entire book; sections noted from Bracey, Meier, and Rudwick; Bakke).
- E. The equal protection of the laws and its interpretation abroad
- F. Provisions for equal and nondiscriminatory treatment in international instruments, and some questions about their interpretation

PART V. THE IDEA OF GROUP RIGHTS AND THEIR RELATIONSHIP TO THE EQUAL AND NONDISCRIMINATORY TREATMENT OF INDIVIDUALS

- A. Introduction
- B. Philosophic Views (Read: Nisbet, THE QUEST FOR COMMUNITY; John Rawls, A THEORY OF JUSTICE; Van Dyke, "Justice as Fairness: For Groups?"; Deloria, entire book).
- C. Illustrations of relationships between group rights and individual rights
 - 1. Political participation. Communalism
 - 2. Rights of movement and residence
 - 3. Economic rights
 - 4. Rights relating to language
 - 5. The South African case and Namibia
 - 6. Rhodesia

PART VI. THE INTERNATIONAL OBLIGATIONS OF STATES (ACCEPTED OR PROPOSED) RELATED TO THE TREATMENT OF INDIVIDUALS AND GROUPS. JUSTIFICATIONS FOR MAKING HUMAN RIGHTS A MATTER OF INTERNATIONAL OBLIGATION
(Read: Van Dyke book, pp.105-156)

PART VII. INTERNATIONAL ACTION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS. THE NATURE AND EFFECTIVENESS OF THE RELEVANT PRINCIPLES AND POLICIES. (Read: Van Dyke book, pp.159-254)

COMPARATIVE HUMAN RIGHTS. University of Maryland, Richard Claude, Fall 76

Comparative Human Rights is an undergraduate course designed to introduce American students to civil rights and civil liberties problems in other countries. Historical, politico-legal and policy analysis approaches will be used, along with the case method, to develop a grasp of human rights problems worldwide. A typology of rights: negative rights, equality rights, participation rights and positive rights, will be presented to facilitate comparison. In-depth study of privacy rights in the United States and elsewhere will be explored to examine the impact of technology and modernization upon privacy (a "negative right" or civil liberty). An equally detailed study will be made of the right to counsel and its evolution from a negative right which has been transformed as legal aid in many countries into a positive welfare right.