

Ahfad University for Women
Gender and Peace Studies
MSc. Program

Course Title : Democracy and Human Rights in Africa/Middle East (619)

Course Duration: 3 credit hours

Course Description:

This course is intended to introduce students to the main concepts of Human Rights, the Human Rights System and, its monitoring, enforcement, and protection mechanisms .The course critically examine the problems and the role played by certain traditions in justifying or criticizing universal Human Rights .The course highlights relevant standards for the protection and promotion of Women Rights, vulnerable groups and the mechanisms of traditional justice. The key components of a Democratic Society and the link between Human Rights and Democracy will also be highlighted.

Course Objectives:

By the end of the course students should be able to:

1. Explore the philosophy and main concepts of Human Rights
2. Have a broad knowledge of the Human Rights System and its monitoring enforcement, and protection mechanisms
3. Identify the relevant standards for the protection and promotion of Women Rights
4. Identify violations and available protective measures in Human Rights for vulnerable groups specially during times of conflict and post conflict
5. Critically examine the problems and the role played by certain traditions in justifying or criticizing universal Human Rights
6. Understand the mechanisms of traditional justice
7. Identify the key components of a Democratic Society
8. To realize the link between Human Rights and Democracy ,
9. To promote the culture of Human Rights and Democracy in Sudan and to support the democratic processes in the region
10. Examine different violations of human rights and democratic principles at the international and regional level and the sanctions enforced for such violations.

Teaching Methods:

The course will be taught by way of lectures, seminars and written assignments the language of instruction is English, attendance is compulsory.

Course Evaluation:

Exam 40 marks

3 seminars 45 marks

1 assignment 25 marks

Course content:

This course will be divided into three topics:

Topic One: The Organization of the Human Rights System

Topic 2: Women Human Rights

Topic 3: Democracy:

Topic One: The Organization of the Human Rights System

This topic is composed of five sessions. These sessions will give students an overview of the basic concepts of Human Rights, Human Rights Standards, Institutions, mechanisms and available channels for the protection and enforcement of Human Rights.

Session 1. Philosophy and history of Human Rights

- philosophy of Human Rights
- History of Human Rights
- Universalism Vs Relativism

Required readings:

1. Paul Gordon Lauren, *The Evolution of International Human*

Rights. Philadelphia, PA: University of Pennsylvania Press, 1998

2. Roa, Arati, (1995) "The Politics of gender and Culture in International human Rights Discourse". in Peter, J- and Wolper, A. *Women's Rights :Human Rights*. London and New York, Routledge.
3. Micheline R. Ishay (2004) *The History of Human Rights: From Ancient Times to the Globalization Era*, University of California Press
4. Ayton-Shenker, Diana. "The Challenge of Human Rights and

Cultural Diversity," UN Background Note. 5 September 2004

<<http://www.un.org/rights/dpi1627e.htm>>.

Recommended readings

1. J.Perry Michele, 2000 , The idea of human Rights :four inquiries, Oxford University Press
2. Kandiyote,Deniz(1995) Reflections on Politics on Gender in Muslim societies :from Nairobi to Beijing,in Mahnza Afkhami (ed.) Faith and Freedom :women's Human Rights in Muslim World. Tayrus publisher ,London.
3. Mayer,Ann Elizabeth ,(1995)"Cultural Particularisim as a Bar to women's Rights:Reflections of the middle Eastern experience "in Peter ,J.and wolper,A.Women's Rights :Human Rights .London and New York , Routledge.

Session 2. The Substantive Law of Human Rights ,The Human Rights System, Institutions and Mechanisms

- The Universal system of Human Rights and the Regional systems of Human Rights :The African and Middle East Human Rights systems
- The right and freedoms protected
- The system of implementation

Required Readings:

1. Hinking, L., R.c., Pugh, O., Schachter and H.smit, International law, cases and materials (3rd Ed), St Paul West Publishing, 1993
2. Stone Richard ,2006,General introduction to Human Rights ,Text book on civil liberties and Human Rights ,Oxford University Press.
3. African chapter on Human and People's Right adopted June 26, 1981, OAU Doc.CAB/LEG/67/3/Rev.5,21 ILM 58 (1982). "**africa-union.org**"
4. The Arab league charter
5. Cairo Declaration on human rights in Islam

Recommended readings :

1. Buergenthal, Thomas. *International Human Rights, Selected Documents*. 2nd Ed., St. Paul, MN: West Publishing Co.1995.
2. University of Minnesota, Human Rights Education Series, "From Concept to Convention: How Human Rights Law Evolves," available at <www1.umn.edu/humants/edumat/hreduseries/hereandnow/Part-1/from-concept.htm>.

Session 3. Constitutionalism and the Protection of Human Rights

- International Protection of Human Rights Law
- Legal bases of Human Rights Protection
- Human Rights and International action
- Human rights under Constitutional Protection
 - (a) Bill of Rights
 - (b) Protective Mechanism
 - (C) Harmonization of Human Rights Conventions with National Laws

Required readings

1. Jack Donnelly (2002), *Universal Human Rights in Theory and Practice* (2. Edition), Cornell University Press.
2. Hinking, L., R.c., Pugh, O., Schachter and H.smit, *International law, cases and materials* (3rd Ed), St Paul West Publishing, 1993
3. Stone Richard ,2006, *General introduction to Human Rights* ,Text book on civil liberties and Human Rights ,Oxford University Press.

Recommended Readings:

1. Newman,F.,and D. Weissbrodt,International,1996, *Human Rights: Law, Policy and process* (2nd edn) Cincinnati, Adenson publishing .
2. Buergenthal's *International human Rights in a Nutshell*,1988.

Session 4. Implementation and Enforcement of Human Rights

- Enforcement of agreements
- Monitoring Systems
- Interstate Enforcement

Required Readings

1. Jack Donnelly (2002), *Universal Human Rights in Theory and Practice* (2. Edition), Cornell University Press.
2. Hinking, L., R.c., Pugh, O., Schachter and H.smit, *International law, cases and materials* (3rd Ed), St Paul West Publishing, 1993

Recommended Readings:

1. Newman,F.,and D. Weissbrodt,International,1996, *Human Rights:Law,Policy and process* (2nd edn) Cincinnati,Adenson publishing .
2. Buergenthal's *International human Rights in a Nutshell*, 1988.

Session 5: Seminars: Issues for discussion and students assignments:

- Problems and Processes in Human Rights Law in Africa and The middle East.
- Human Rights as an agenda for Development
- Human Rights and Humanitarian Law

Topic 2 : Women Human Rights

This topic is composed of four sessions; it provides an overview of major Human Rights treaties, instruments and resolutions on issues relating to women in peace and conflict.

Session 6: The convention on the Elimination of ALL forms of Discrimination against Women

This session highlights the unique features and significance of Sedaw as the sole International Legal instrument specially design to promote and protect women's rights and gender concerns at the core of Human Rights

Session 7: A. The Security Council Resolution 1325 on Women Peace and Security

This session shows the implications of Resolution 1325 as the first Formal acknowledgement of the role of women in the domain of National and International Peace

B. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

Required readings:

1. The convention on the Elimination of ALL forms of Discrimination Against Women
2. *Women's Human Rights Step by Step*. Washington, DC:

Women, Law and Development International, 1997

Recommended Readings:

1. Cook, Rebecca J. "Introduction: The Way Forward," in *Human Rights of Women*, Philadelphia: University of Pennsylvania Press, 1994. p. 10–20.
2. Bunch, Charlotte and Samantha Frost. "Women's Human Rights: An Introduction," in *The Routledge International Encyclopedia of Women: Global Women's Issues and Knowledge*. Routledge, 2000

Session 8 and 9: Seminars: Issues for Discussion and Students Assignments;

- Multi-culturalizm and the Human Rights of women

- Violations Against women Human Rights Key Issues:
- Violence against women
- Health and reproductive health Rights
- Family Laws
- Economic and Labor Rights

Session 10: Protection of Vulnerable groups under Human Rights Law

This session highlights the protection and guiding principles under Human Rights Law and International Humanitarian Law relating to refugees and Internally Displaced persons especially in the context of conflict and post conflict.

Required Readings:

1. *A Framework for People-Oriented Planning In Refugee Situations Taking Account of Women, Men and Children.*

Geneva: UNHCR, 1992. 11 September 2004

<http://www.reliefweb.int/library/GHARKit/files/PEOPLE_ORIENTED_PLANNING.PDF>.

2. Bell, E. *Gender and Armed Conflict: Supporting Resources Collection.* BRIDGE, Institute of Development Studies,

University of Sussex, Brighton, UK, 2003. 11 September 2004

<<http://www.bridge.ids.ac.uk/reports/CEP-Conflict-SRCw2.doc>>.

Recommended readings:

1. *Gender and Humanitarian Resource Kit.* New York: IASC Sub-Working Group on Mainstreaming a Gender

Perspective into Humanitarian Responses in Emergencies, n.d. 11 September 2004

<<http://www.reliefweb.int/library/GHARKit/>>.

2. *Handbook on Applying the Guiding Principles on Internal Displacement.* Washington, DC: Brookings Institution,

1999. 11 September 2004 <<http://www.brookings.org/fp/projects/idp/resources/HEnglish.pdf>>.

3. Lindsey, C. *Women Facing War* Geneva: ICRC, 2001.
<[http://www.icrc.org/WEBGRAPH.NSF/Graphics/505-](http://www.icrc.org/WEBGRAPH.NSF/Graphics/505-520_Lindsey.pdf/$FILE/505-520_Lindsey.pdf)

[520_Lindsey.pdf/\\$FILE/505-520_Lindsey.pdf](http://www.icrc.org/WEBGRAPH.NSF/Graphics/505-520_Lindsey.pdf/$FILE/505-520_Lindsey.pdf)>.

Session 11: Transitional Justice and Reconciliation

This session addresses the short term and temporary judicial and non judicial mechanisms and processes that address the legacy of Human Rights abuses and violence during a Society transition away from conflict or authoritarian rule. The definition and goals of transitional justice and justice re-conciliation transitional justice mechanisms as the international, national level traditional justice mechanisms.

Required readings:

1. Van Ness, Dan and Catherine Crocker. "Restorative Justice: Definition, Principles, Values and Goals." Washington,

DC: PFI Centre for Justice and Reconciliation, 2003. 28 February 2004
<http://www.restorativejustice.org/rj3/RJ_City/

01-03/rjcity_defetc.htm>.

2. Governance Resource Center Exchange. "Transitional Justice." *Safety, Security, and Accessible Justice*. 28 February

2004 http://www.grc-exchange.org/g_themes/ssaj_transitionaljustice.html

Recommended readings:

1. Bloomfield, David, Teresa Barnes, and Luc Huyse, Eds. *Reconciliation After Violent Conflict: A Handbook*.

Stockholm, Sweden: International Institute for Democracy and Electoral Assistance, 2003. 28 February 2004

<http://www.idea.int/conflict/reconciliation/reconciliation_full.pdf>.

Topic 3: Democracy:

This topic is composed of three sessions the 1st and 2nd session discuss the values evolution ,institution and component of democracy the 3rd highlights the link between democracy and human rights ,democracy and development.

Session 12 and 13:

- Values and Ideologies Guiding Democracy
- Constitution making processes
- The preservation of democratic values via the constitution
- Evolution of the democratic systems
- Component of democracy
- Institutions of democracy
- Diverse models of democracy

Session 14:

- International democracy and good governance
- Human Rights and democracy
- The Federal Constitution in a democratic state

- Democracy and development.
- Feminism and Democracy.

Required readings:

1. Held David, Model of Democracy,2006,polity press British library
2. The spirit of Democracy :The struggle to build free societies throughout the world, library of congress cataloging in publication date
3. Alston, Philip. (2005)"Ships Passing in the Night: The Current State of the Human Rights and Development Debate seen through the Lens of the Millennium Development Goals", *Human Rights Quarterly*, Vol 27 no 3
4. Sengupta, Arjun (2000), "Realizing the Right to Development" *Development and Change* 31 (3), 553–578
5. Mansbridge,Jane (1996)"Feminism and Democracy) in Anne Philips (ed.) Feminism and Politics ,Oxford.

Recommended readings:

1. Charles Tilly ,Democracy.2007,library of congress cataloging in publication data
2. Sharansky Natan with Dermer Ron, The case for democracy the power of freedom to overcome tyranny and terror, 2007, publishes weekly.
3. Pankhurts.D.and Peara.J.(1996)"Feminist prescriptive on Democratizations in the south :endangering or Adding women in "in Afashar ,H.(ed.)Women and Politics in the third world ,London and New York ,Routldge.

Seession 15: Seminar

Problems and processes in the application of Human Rights and Democracy in the Middle East and Africa.

Developed by: Sonia Malik - Institute of women Gender and Development Studies - Date: April 2008