COSM33 2021 Human Rights in Asia Course Outline (Preliminary – changes might occur)

Course director: Dr. Elizabeth Rhoads

Course and Literature Introduction

COSM33 is an elective course in the first semester of the MSc in Asian Studies. It is also a stand-alone course open to students from other departments. The aim of the course is to enable students to critically analyse the problems and future prospects of human rights work in Asia. Focus is placed on the cultural, social, economic and political factors that prevent or promote the protection for human rights in different societies in Asia. The course advocates and applies an interdisciplinary approach to the study of human rights which is reflected in the teaching, the choice of topics and the required reading.

The course covers the geographic area of East and Southeast Asia and is designed to highlight some of the key human rights concerns in the region and the region's responses to historic and contemporary human rights violations. The course is divided by thematic area, with lectures using case studies from Asian contexts to explore themes in human rights including minority rights (including ethnic, religious, and sexual orientation and gender minorities), freedom of religion, women's rights, transitional justice following genocide and mass atrocity crimes, forced evictions and land rights, refugees and migrants, and freedom of speech (including digital rights). The course will also examine current and past human rights-related debates in the region, including ideas of 'Asian values' and non-intervention, 'vernacularisation' of human rights, and transnational human rights activism.

Mode of Teaching

8 Lectures and 3 seminars

Requirements

Readings: Assigned readings should be read prior to class as they are critical for active participation in class discussions.

Attendance and Participation: Attendance is mandatory in seminars and active participation is required. Absence due to illness etc. should be reported to teacher before class. Failure to participate in the seminars will result in an extra assignment.

Writing Assignments: There will be one seminar paper and one final paper.

Seminars

'Vernacularisation' of human rights – each student should choose a paper from the reading list or from their own research on a topic/event/issue in a country of interest to present and discuss. All students should choose at least 3 readings to read and be prepared to discuss.

First paper brief presentations – students should expect to speak for 5-8 minutes on their seminar papers and receive feedback from the class and instructor.
Final seminar on transnational human rights activism. Each student prepares a case study of transnational activism to share with the class. Can be from the readings, from another academic case study (readings outside of the course literature), or from your own knowledge and experience.

Seminar Paper
This is a chance to research and discuss a topic that has not yet been covered in the course, or has not been covered in-depth. Each student should select a country and create a "Shadow Report" or NGO submission to a treaty committee about the country or a report by a thematic special rapporteur or working group. States report to treaty committees periodically on their progress in implementing and abiding by the treaties they have ratified, but states' policies and behaviors often fall short of the ideals and goals found in international human rights treaties. Model your paper loosely off of the type of report you have chosen (Special Rapporteur's report, Universal Periodic Review, CEDAW committee, etc.) If you choose CEDAW, feel free to look at previous shadow reports by NGOs to see how they articulated states' shortcomings. If you choose a Special Rapporteur with a specific mandate (right to adequate housing, right to food, etc.), try to look at that issue in-depth in your country of choice. Do not feel you must cover all sections of a given treaty or issue, if you want you can focus on one specific type of human rights violation or one specific event and go into detail. If possible, choose a country that the Special Rapporteur for your thematic area or treaty committee has not covered recently (in the past 5 years). If you have questions, please ask the lecturer and clarify before the seminar. Please send your chosen country and type of report to the lecturer for approval before proceeding with writing.

See the following website with a list of mandates for special rapporteurs and working groups: https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?Type=TM

Universal Periodic Review website (searchable by country): https://www.upr-info.org/en

Final Paper

You can choose any topic and country you find interesting. Please confirm the topic with Izzy beforehand. Ensure that ½ of the literature you use is from the course readings, unless you have cleared another topic and permission to use fewer course readings with Izzy beforehand.

Submission

Seminar and final papers should be submitted electronically by Canvas.

Seminar paper deadline: 17:00 17 September 2021.

Final paper deadline: 17:00 29 September 2021.

Grading

Seminar paper is worth 2.5 credits and the final paper 5 credits. Both papers are graded on an A-E scale.

Note on Cheating and Plagiarism

Assignments involve elements of responsibility and trust. The student's work must be original and a result of her/his own analytical skills and intellectual efforts.

All cited sources must be referenced clearly. Cutting and pasting from the Internet is **not** permitted, although Internet sources can be cited if referenced. If a student hands in an assignment that to a large part consists of material cut and pasted from the Internet or quotes texts authored by others without references it is considered intentional deception.

Copying from other students, helping someone to cheat and letting a fellow student copy your texts are other examples of intentional deception.

If a student intentionally tries to deceive the examiner they will be reported to Lund University's Disciplinary Board and will be subjected to disciplinary action.

Resources and Course Materials

All readings for lectures and seminars are found in the syllabus under the date and topic of the lecture/seminar. The course literature has been selected to provide a diversity of perspectives on experiences, challenges, and opportunities for human rights in the region. Many of the authors of course literature are themselves human rights advocates. Consideration has been taken to include gender, ethnic, and religious diversity in the reading list and to highlight underrepresented groups. All of the literature is available in the library or as e-resources through LUBsearch.

Below you will find links to external resources, human rights organizations, and UN bodies where you can find additional information on your countries and topics of interest:

Freedom House "Freedom in the World Report 2021" https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege/countries-and-regions

Human Rights Watch latest annual human rights report by country https://www.hrw.org/world-report/2021

Inside Indonesia https://www.insideindonesia.org/ is a long-running online publication.

New Mandala is an online publication covering Indonesia, Thaliand, Malaysia, Myanmar, Timor-Leste, Laos, Cambodia, Philippines, Singapore, Vietnam, China and Bangladesh https://www.newmandala.org

Special Procedures of the Human Rights Council – human rights experts on various thematic and country topics: https://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx

Tea Circle https://teacircleoxford.com/ is an online blog with a focus on Myanmar.

Lectures and Seminars

Introductory Lecture: Human Rights, 'Asian Values', and Non-intervention
30 August 2021 10:15-12:00
COS Room 111

This lecture will introduce some of the historical debates in the field of human rights in Asia, and touch briefly on the human rights framework within ASEAN. We will explore notions of harmony and tolerance, duty and responsibility, insult and harm, citizenship and belonging, unity and diversity and rights and opportunities and how these ideas intersect with ideas of universal human rights in the region. We will also critically examine how the region is portrayed by human rights advocates.

Readings (choose at least 4 of the following to read before class):
Ng Yan Chao, Ivan. 2020. 'Asian Values' in Different Forms: A Comparative Examination of How Singapore, Indonesia and Myanmar Address Insults to Religion. 15(3), 207-240.

Davies, Mathew (2014), "States of Compliance?: Global Human Rights Treaties and ASEAN Member States," *Journal of Human Rights*, 13: 414-433.

Hopgood, Stephen. 2013. "Human rights: past their sell-by date" https://www.opendemocracy.net/en/openglobalrights-openpage/human-rights-past-their-sell-by-date/

McGregor, K. and K. Setiawan. 2019. "Shifting from International to 'Indonesian' Justice Measures: Two Decades of Addressing Past Human Rights Violations" *Journal of Contemporary Asia* 49(5): 837-861.

Paramaditha, Intan. 2018. "Narratives of discovery: Joshua Oppenheimer's films on Indonesia's 1965 mass killings and the global human rights discourse" *Social Identities*, DOI: 10.1080/13504630.2018.1514157

Renshaw, C.M. 2021. "Southeast Asia's human rights institutions and the inconsistent power of human rights" *Journal of Human Rigths* 20(2): 176-193.

Weiss, M.L. 2020. "Can Civil Society Safeguard Rights in Asia?" *Asian Studies Review* 45(1): 13-27.

Forced Evictions, Dispossession and Exclusion
1 September 2021 10:15-12:00
COS Room 111

Familiarize yourself with the issues covered by the Special Rapporteur on the right to adequate housing: https://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx and forced evictions: https://www.ohchr.org/en/Issues/Housing/Pages/ForcedEvictions.aspx

Readings:
Brickell, Katherine. 2014. "'The Whole World Is Watching': Intimate Geopolitics of Forced Eviction and Women's Activism in Cambodia," *Annals of the Association of American Geographers*, 104:6, 1256-1272.

Harms, Erik. 2016. "Urban Space and Exclusion in Asia." *Annual Review of Anthropology*, 45, pp. 45-61.

Li, Tania Murray. 2010. "Indigeneity, Capitalism, and the Management of Dispossession." *Current Anthropology* Vol. 51, No. 3, pp. 385-414.

Roberts, J.L. 2020. "Displacement, Encroachment and Settlement: Interrogating *Kyu* in Peri-Urban Yangon" *City and Society* 32(2): 421-435.

Shin, Hyun Bang. 2018. "Urban Movements and the Genealogy of Urban Rights Discourses: The Case of Urban Protestors against Redevelopment and Displacement in Seoul, South Korea." *Annals of the American Association of Geographers* 108(2): 356-369.

Vernacularization of Human Rights Seminar
3 September 9:00-12:00

Choose a paper from the reading list or a case from your own research on a topic/event/issue in a country of interest to present and discuss (sign up on the discussion board on canvas with your topic). All students should read everything from the list below and be prepared to discuss with the group.

Chua, Lynette J. 2015. "The Vernacular Mobilization of Human Rights in Myanmar's Sexual Orientation and Gender Identity Movement", *Law & Society Review,* 49(2): 299-332.

Doffegnies, A. and T. Wells. 2021. "The Vernacularization of Human Rights Discourse in Myanmar: Rejection, Hybridization and Strategic Avoidance." *Journal of Contemporary Asia*. https://doi.org/10.1080/00472336.2020.1865432

Merry, S.E. 2006. Transnational Human Rights and Local Activism: Mapping the Middle. *American Anthropologist*, 108: 38-51. https://doi.org/10.1525/aa.2006.108.1.38

Setiawan, K.M.P. and A.J. Spires. 2020. "Global Concepts, Local Meanings: How Civil Society Interprets and Uses Human Rights in Asia", *Asian Studies Review*, 45(1): 1-12.

Suh, Jiwon. 2019. "Plural justice: Indonesian norm entrepreneurs and models of justice." *Souutheast Asia Research* 27(2): 167-181.

Internet and digital rights with Marina Svensson
6 September 2021 10:15-12:00
COS Room 111

Aronson, Jay D (2016), "Mobile Phones, Social Media and Big Data in Human Rights Fact-Finding: Possibilities, Challenges, and Limitations," in *The Transformation of Human Rights Fact-Finding*, Philip Alston and Sarah Knuckey eds. Oxford Scholarship Online: January 2016 accessed at http://www.oxfordscholarship.com.ludwig.lub.lu.se/view/10.1093/acprof:oso/9780190239480.001.0001/acprof-9780190239480-chapter-21?print=pdf

Deibert, Ronald (2015), "The geopolitics of cyberspace after Snowden," Current History, 114(768), 9-15.

Deibert, Ronald (2019), "The Road to Digital Unfreedom: Three Painful Truths about Social Media," *Journal of Democracy*, Volume 30, Number 1, January 2019, pp. 25-39.

Freedom House (2020), *Freedom on the Net 2020*. (36 pages.) Available via: https://freedomhouse.org/sites/default/files/2020-10/10122020_FOTN2020_Complete_Report_FINAL.pdf

Hankey, Stephanie and Daniel Ó Clunaigh (2013), "Rethinking Risk and Security of Human Rights Defenders in the Digital Age," Journal of *Human Rights* Practice, Vol. 5 Issue 3, pp. 535-547, 12 pages

Human Rights Watch (2019), *China's Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App*, https://www.hrw.org/video-photos/interactive/2019/05/02/china-how-mass-surveillance-works-xinjiang

Genocide and Transitional Justice Lecture with Astrid Noren-Nilsson
8 September 2021 10:15-12:00
COS Room 111

Un, Kheang. 2013. 'The Khmer Rouge Tribunal: A politically compromised search for justice', Journal of Asian Studies 72(4), 783–92.

Schabas, William. 2008. "Origins of the genocide convention: From Nuremberg to Paris." *Case Western Reserve Journal of International Law,* 40(1/2), 35-55.

Christensen, M. J., & Kjeldgaard-Pedersen, A. (2018). Competing Perceptions of Hybrid Justice: International v. National in the Extraordinary Chambers of the Courts of

Cambodia. *International Criminal Law Review*, *18*(1), 127-153.

Kent, Alexandra. 2016. "Conflict continues: Transitioning into a battle for property in Cambodia today." *Journal of Southeast Asian Studies* 47(1), 3-23.

Additional readings:

Robinson, Geoffrey. 2017. "'Down to the Very Roots'": The Indonesian Army's Role in the Mass Killings of 1965-66." *Journal of Genocide Research*, Vol. 19, No. 4, 465-486.

Santoso, A. and Gerry van Klinken. 2017. "Genocide Finally Enters Public Discourse: The International People's Tribunal 1965. *Journal of Genocide Research*, Vol. 19, No. 4, 594-608.

Smith Finley, Joanne. 2020. "Why Scholars and Activists Increasingly Fear a Uyghur Genocide in Xinjiang." *Journal of Genocide Research*, November, 1–23. https://doi.org/10.1080/14623528.2020.1848109.

Indigenous Peoples and Minority Rights
10 September 2021 10:15-12:00
COS Room 111

Readings
Choose an area of minority rights of interest to you and read the articles in that section, or choose one article to read from each sub-heading. Be sure to read at least 3-4 articles of your interest before class.

Ethnic Minorities and Indigenous Peoples
Hamid, Usman. 2021. "Bhinneka Tunggal Ika?" *Inside* Indonesia, Edition 144. https://www.insideindonesia.org/bhinneka-tunggal-ika

> *If you have a particular interest in Indonesia, feel free to explore this special issue of *Inside Indonesia*: "It's time to talk about racism." Edition 144. https://www.insideindonesia.org/edition-144-apr-jun-2021

Hong Liu. 2016. "Opportunities and Anxieties for the Chinese Diaspora in Southeast Asia" *Current History*, November, pp. 312-318.

Nakamura, Naohiro. 2018. "Redressing injustice of the past: the repatriation of Ainu human remains", *Japan Forum*, 31(3): 358-377.

Sadan, Mandy. 2016. "Can Democracy Cure Myanmar's Ethnic Conflicts?" *Current History,* September, pp. 214-219.

UNGA. 2019. Visit to Timor-Leste: Report of the Special Rapporteur on the rights of indigenous peoples A/HRC/42/37/Add.2 https://undocs.org/A/HRC/42/37/Add.2

Religious Minorities

Fink, Christina. 2018. Myanmar: Religious Minorities and Constitutional Questions, *Asian Affairs*, 49:2, 259-277, DOI: 10.1080/03068374.2018.1469860

Marshall, P. 2018. The Ambiguities of Religious Freedom in Indonesia. The Review of Faith & International Affairs, 16: 1, 85-96.

Nyi Nyi Kyaw. 2015. "Alienation, Discrimination, and Securitization: Legal Personhood and Cultural Personhood of Muslims in Myanmar", *The Review of Faith & International Affairs,* 13(4): 50-59.

Smith Finley, Joanne. 2019. "The Wang Lixiong Prophecy: 'Palestinization' in Xinjiang and the Consequences of Chinese State Securitization of Religion." *Central Asian Survey* 38 (1): 81–101.

LGBTQI

Chiang, Howard. 2019. "Gay Marriage in Taiwan and the Struggle for Recognition", *Current History,* September, pp. 241-243.

Chua, Lynette J. and Michael Hor. 2016. "Preface, Focus: The Life and Future of British Colonial Sexual Regulation in Asia" *Hong Kong Law Journal* 46, no. 1, pp. 1-8.

Weiss, M.L. 2021. "Building solidarity on the margins: Seeking SOGIE rights in ASEAN", *Journal of Human Rights,* 20(2): 194-210.

Seminar: Student paper presentations
13 September 2021 9:00-12:00
COS Room 111

See description of seminar paper in the syllabus under 'Assignments.' Participation is mandatory. Students should expect to speak for 5-8 minutes on their seminar papers and receive feedback from the class and instructor before turning in the paper.

Freedom of Movement and the Right to a Nationality: Citizenship, Refugees, and Migrants
15 September 2021 10:15-12:00
COS Room 111

Abraham, I. 2020. "Host Communities and Refugees in Southeast Asia: Report on a Workshop held at the National University of Singapore (NUS), 10-11 May 2019." *Sojourn: Journal of Social Issues in Southeast Asia* 35(1): 178-196.

Brinham, Natalie. 2017. Breaking the cycle of expulsion, forced repatriation, and exploitation for Rohingya. Open Democracy, 26 September. Available at: https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/breaking-cycle-of-expulsion-forced-repatriation-and-exploitation-for-r/

Brinham, Natalie. 2019. "Looking Beyond Invisibility: Rohingyas' Dangerous Encounters with Papers and Cards. 24 *Tilburg International Law Review* 156. http://doi.org/10.5334/tilr.151

Cheesman, Nick. 2017. How in Myanmar "National Races" Came to Surpass Citizenship and Exclude Rohingya, *Journal of Contemporary Asia*, 47.3 (2017): 461-483. DOI: 10.1080/00472336.2017.1297476

Ilham. 2021. "'We never invited you to come here'" *Inside Indonesia.* Edition 144: Apr-Jun. https://www.insideindonesia.org/we-never-invited-you-to-come-here

Additional readings:

E. Tendayi Achiume, UN Special Rapporteur on contemporary forms of racism. 2019. Amicus Brief to Supreme Court of India https://www.ohchr.org/Documents/Issues/Racism/SR/Amicus/AmicusBrieftoIndianSupremeCourt.pdf

Institute on Statelessness and Inclusion. 2020. "Locked in and Locked Out: The Impact of Digital Identity Systems on Rohingya Populations", Briefing Paper, November. https://files.institutesi.org/Locked_In_Locked_Out_The_Rohingya_Briefing_Paper.pdf

Kingston, L.N. and Kathryn R. Stam. 2017. "Recovering from statelessness: Resettled Bhutanese-Nepali and Karen refugees reflect on the lack of legal nationality" *Journal of Human Rights*, 16(4): 389-406.

Women's Rights Lecture with Jinyan Zeng
17 September 10:15-12:00
COS Room 111

Readings:

Da, Nan Z., and Zheng Wang. 2015. "Feminist Sinologies: An Introduction." *Signs* 40 (3): 545–62. https://doi.org/10.1086/679610.

Greenhalgh, Susan, and Xiying Wang. 2019. "China's Feminist Fight: #MeToo in the Middle Kingdom." *Foreign Affairs*, no. July/August: 170–76.

Jiang Jue. 2019. *Chapter 13: Women's Rights and Gender Equality in China: The Development and Struggle in Chains of State Feminism*. *Handbook on Human Rights in China*. Handbooks of Research on Contemporary China Series. Edward Elgar Publishing. https://doi.org/10.4337/9781786433688.00022.

Ling, Qi, and Sara Liao. 2020. "Intellectuals Debate #MeToo in China: Legitimizing Feminist Activism, Challenging Gendered Myths, and Reclaiming Feminism." *Journal of Communication* 70 (6): 895–916. https://doi.org/10.1093/joc/jqaa033.

Wang, Zheng, and Ying Zhang. 2010. "Global Concepts, Local Practices: Chinese Feminism since the Fourth UN Conference on Women." *Feminist Studies* 36 (1): 40–70.

Additional readings:

Walton, M., M. McKay, and Daw Khin Mar Mar Kyi. 2015. Women and Myanmar's 'Religious Protection Laws'. The Review of Faith & International Affairs, 13: 4, 36-49.

Wieringa, S.E. 2018. "Gender Harmony and the Happy Family: Islam, Gender and Sexuality in Post-Reformasi Indonesia", *Southeast Asia Research* 23(1): 27-44.

Impunity
20 September 2021 10:15-12:00
COS Room 111

Readings:
Cheesman, N. 2019. "Routine Impunity as Practice (in Myanmar)" *Human Rights Quarterly* 41(4): 873-892.

Edwards, N. 2021. "Challenging impunity in Indonesia and the Philippines through the Universal Periodic Review Mechanism" *Australian Journal of Human Rights* 26(2): 274-291.

Haberkorn, Tyrell. 2018. Introduction, *In Plain Sight: Impunity and Human Rights in Thailand*. New Perspectives in Southeast Asian Studies. The University of Wisconsin Press (pp. 3-26)

Zackari, Karin H. 2019. "Visualizing Impunity: Photography and State Violence in Thailand" *Trans Asia Photography Review* 10(1)
Permalink: http://hdl.handle.net/2027/spo.7977573.0010.105

Final Seminar: Transnational human rights activism and the future of human rights
22 September 2021 9:00-12:00
COS Room 111

Come prepared with a case study of transnational human rights activism to share with the class. Can be from the readings, from another academic case study (readings outside of the course literature), or from your own knowledge and experience. We'll have an informal discussion of the role of transnational activism and the future of human rights.

Readings:

Hearman, Vannessa. 2016. "Letter-writing and Transnational Activism on Behalf of Indonesian Political Prisoners: Gatot Lestario and his Legacy." *Critical Asian Studies* 48(2): 145-167.

Hearman, Vannessa. 2018. “Between citizenship and human rights: the struggle for justice after Indonesia’s 1965 mass violence.” *Citizenship Studies*, 22:2, 175-190.

Hopgood, Stephen, Snyder, Jack and Vinjamuri, Leslie (2017) 'Introduction: Human Rights Past, Present and Future.' In: Hopgood, Stephen, Snyder, Jack and Vinjamuri, Leslie, (eds.), *Human Rights Futures.* Cambridge UK: Cambridge University Press, pp. 1-23.Available here: https://eprints.soas.ac.uk/31459/3/Hopgood_introduction_human_rights_past_present_and_future.pdf

Rodio, Emily B. and Hans Peter Schmitz. 2010. “Beyond norms and interests: Understanding the evolution of transnational human rights activism,” *The International Journal of Human Rights,* 2010, 14.3, 442-459.

Tsutsui, Kiyoteru and Hwa Ji Shin 2008. “Global Norms, Local Activism, and Social Movement Outcomes: Global Human Rights and Resident Koreans in Japan,” *Social Problems,* Vol. 55, No. 3 (August 2008), pp. 391-418.