

Week One

Required Reading: ‘Are we heading towards a ‘post human rights world’? (Foulkes, 2016)

This article proposes the question whether society is heading toward a ‘post human rights world’? Eleanor Roosevelt presented the UDHR as well as the adoption of the Geneva Conventions from 1948 onward, as a symbol of the UN’s determination to prevent the horrors of WWII. While many member states adopted these declarations to meet individual’s human rights, as time has passed contemporary society has neglected these ‘universal’ rights in the ‘post human rights world’. This is evident in:

- Trump: “torture works... believe me it works” (neglect right to be free from torture”).
- Hungary and UK debate accepting a few dozen juvenile Afghan asylum seekers.

Required Reading: Professor Philip Alston ‘Populist Challenge’.

- US pays 12% of UN funding – voluntary trust fund for victims of torture
- Human Rights have been shaped by reluctant years of populism, colonialism and the cold war.

Populist Era

- Distain for a range of social conventions, a currency with human rights is dependent.
 - Human Rights needs to open a period of introspection and criticism
1. Threat to democracy – post 9/11, security concerns have occurred to make trade-offs to be secure. New era of internal threats is bringing a move to normalise states of emergency. Declining faith in democracy – radical diminution in the support for democracy.
 - a. Extent of public support – importance that the country remains democratic
 - b. Openness of public to a non-democratic government
 - c. Growth of anti-system parties and movements
 2. Role of Civil society: is being closed effectively
 3. Government NGOs are thriving

Required Reading: ‘International Law in the Post Human Rights Era’ (Wuerth 2017)

Overarching question: how effective is international law in safeguarding human rights? Overall aim was to promote peace and security between states – enhancing sovereignty, interstate relationships and communication.

Argument: There has been a significant increase in the number of human rights, however they continue to be overridden. The ‘Doctrine of sources’ refers to the massive growth of treaties and customary law since 1990s. Gradually, the function of the UN has transformed from a focus on global peace keeping to human rights.

Transformation of the ideal of ‘sovereignty’ from the State to the Individual via the Human Rights agenda.

Broken Window Theory: Domestic (compilation of small crimes where law is considered trivial)
→ continued to push the law