Course Description:

I. General Overview

This course provides students with an introduction to the understanding of both the theory and practice of dispute resolution in the context of human rights law and cultural conflict. This course examines the historical and contemporary forces that are central to the evolution and development of human rights laws and dispute resolution. Course objectives and methods focus on the role of culture and history in the development of human and civil rights law and the resolution of human rights disputes. The course explores a variety of dispute resolution methods that assist in the resolution of human rights complaints.

Students learn to describe and discuss the fact-patterns associated with particular dispute genres in human rights. Students become familiar with the theoretical work on conflict analysis and resolution of human rights disputes and apply this knowledge to real-life case examples. The course relies on the case method in order to develop and heighten the student’s own abilities to assess and resolve disputes.

Students will gain an in-depth understanding of human rights and civil rights, the role culture plays in this context and learn the most effective dispute resolution methods for these disputes from an array of approaches. Students are also introduced to the law and institutions that support human rights and civil rights and the theoretical constructs behind the notion of universal human rights and civil rights.

II. Values and Ethics

Throughout the course lectures, readings, and assignments, the themes of ethics and social justice are discussed. Discussions will focus on the ethical considerations in human rights theory, discrimination and associated forms of alternative dispute resolution. Using the case method, the course will present students with ethical dilemmas in human rights and civil rights disputes. Students will learn ethical and effective approaches to human rights and civil rights disputes.

III. Diversity

This course emphasizes the understanding and honouring of diversity. It introduces the content of class, racism, sexism, ageism, discrimination in general and power imbalance as potential factors
affecting conflict formation to name a few. The course examines both the advantages and disadvantages of various dispute resolution systems and the challenges that these aforementioned factors pose for the practice of dispute resolution. It provides a careful understanding and sensitivity to social and cultural ethics.

IV. Research Based Content

The readings document the extensive empirically-based evidence related to civil society, culture, human rights, and dispute resolution. They also describe the empirical evidence underlying the development of theory and analysis in human and civil rights law.

■ Course Learning Outcomes/Competencies

(A) In this course, students will:

- Become knowledgeable about the history of human rights law;
- Learn how to analyze human and civil rights conflicts, in a meaningful way;
- Learn each of the different dispute resolution methods appropriate for human and civil rights disputes;
- Learn the theory that underpins humans rights law;
- Apply human rights theory to disputes;
- Practice effective dispute resolution in the human rights area;
- Become aware of ethical considerations in human and civil rights dispute resolution;
- Become aware of the role culture plays in human and civil rights disputes;

(B) Upon successful completion, the student will be able to:

- Follow developments in the contemporary ADR movement, specifically focused on human rights based disputes;
- Become competent in the analysis of human and civil rights disputes;
- Apply human rights theory to an array of disputes;
- Recognize the ethical considerations in the resolution of human rights disputes;
- Recognize the cultural considerations in human rights disputes and utilize those in the resolution of the disputes;
- Recognize and apply principles of human and civil rights law;
• Distinguish and apply the various dispute resolution methods applicable to human and civil rights disputes; and

• Strengthen critical thinking skills and improve writing and communication skills.

■ Verification

I verify that the content of this course outline is current.

__________________________  __________________________
KARLA GONZALEZ  December 17, 2012
Authoring Professor  Date

Note: Should changes be required to the content of this syllabus, students will be given reasonable notice.

■ Professor(s)

Office Hrs:  Online
E-mail address: E-mail me via Private Messages in Laulima (during semester) & karlag@hawaii.edu (prior to semester starting and after semester ends)

■ Learning Resources

Required Text:


On-line Journal Articles:

Supplementary on-line articles provided by professor.
Links to articles are provided.
Links to cases are provided.
Links to legislation are provided.
Cases studies are provided by professor.

Recommended:


News and Newspaper Reading
Other Recommended Reading:

(You may find some of the following particularly useful for your course paper topics.)


Janosic, Robert. (1987) Re-thinking the Culture-Negotiation Link In Lewicki, Roy J., J. A Litterer,


Seeman, Melvin. (1990) “Intergroup Relations.” In Rosenberg, Morris and Turner, Ralph. Social


HELPFUL WEBSITES:

http://www.usccr.gov/


http://avalon.law.yale.edu/subject_menus/diana.asp


http://www.ahrchk.net/index.php

http://www.ohchr.org/EN/Pages/WelcomePage.aspx

http://www2.ohchr.org/english/bodies/hrbcouncil/


http://www.apdr.iar.ubc.ca/

http://cfcj-fcjc.org/clearinghouse/drpapers/parker.htm

Information for Students
The following statements are in accordance with Standard University Students’ Regulations.

Academic Misconduct: 
Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances are prohibited and will be handled in accordance with the University of Hawai‘i and the Matsunaga Institute’s policies.

Attempts: 
Students must successfully complete a course within a maximum of two attempts at the course. Students with two attempts in a single course will be allowed to repeat the course only upon special written permission from the Director of the Program. Students who have not successfully completed a course within three attempts will not be eligible to graduate from their respective program.

Online Participation: 
Students must participate in all online discussions, exercise, and assignments. Doing all of the work required is part of the “participation” component of the course grade. Also note: If a student misses more than 10% of the lectures, labs, quizzes, exams, written work or any work required to complete this course without documented medical reasons or extenuating circumstances, the student will not be permitted to write the final examination and submit their final paper and, therefore, will receive no points for the final examination and fail the course.

Online Class Decorum: 
Given the nature of the course, students are encouraged to participate through their written work and write freely about their views, thoughts, opinions and the like. To encourage such participation, it will be expected from each student to respect each other’s opinion. Anything you write for the purpose of this class will be held in strict confidence.

Ethics: 
The Matsunaga Institute assumes that all students attending the Institute will follow a high standard of ethics. Incidents of cheating or plagiarism will, therefore, result in a grade of zero for the assignment, quiz, text, exam or project for all parties involved and/or expulsion from the course.

Illness: 
A doctor’s note is required for any illness or medical condition causing students to miss assignments, classes, exams, or other course requirements. At the sole discretion of the Professor, students may complete the work missed, have the work prorated, or have similar assignment substitute for the missed work. Please note that this is very rarely granted. Regardless of the reason, the Professor will not be responsible for giving the student notes from lectures, labs, or the like. It is the sole responsibility of the student to secure all materials available for this course when uploaded.

Makeup Tests, Exams or Quizzes: 
There will be no makeup tests, exams, quizzes or papers. If you do not complete a test, exam quiz or paper, you will receive zero marks. Exceptions may be made for documented medical reasons or extenuating circumstances. In such a case, it is the responsibility of the student to inform the
Professor immediately. Please note that vacation plans do not constitute extenuating circumstances.

**Assignment Details**

Be sure to read the weekly announcements in Laulima. You will find the announcements a useful tool. Each week, you will see an announcement stating what is due.

**I. Student Assignments and Grading**

**Grading Breakdown**

- Participation Class Discussions (weekly discussion topics) - 15%
- Weekly Journals (individual class participation) - 15%
- Weekly Written Assignment - 20%
- Quizzes 1 & No. 2 - 20% (10% each)
- Final Quiz No. 3 - 15%
- Final Paper - 15%

**Letter Grading Criteria:**

A+ = 98-100
A  = 94-97
A-  = 90-93
B+  = 87-89
B   = 84-86
B-  = 80-83
C+  = 77-79
C   = 74-76
C-  = 70-73
D+  = 67-69
D   = 64-66
D-  = 60-63

Below 60 = F

**Requirements**

Learning in an online environment is different from learning in a face-to-face, traditional lecture-style classroom. The course includes reading and work assignments that require your active engagement with the course materials. As a participant, your job is to read the course materials regularly, explore the assigned web resources, share your thoughts with other course participants, and respond to them to create a context for shared learning experiences. You will need to devote about the same amount of time to this online course as you would to a traditional course. Since the class will not be meeting
at a scheduled time, you need to work out a time that is best for you. Set aside study periods that are most convenient to you. You must keep track of the Course Calendar. You also must submit your work in a timely fashion and by its due date.

Remember, work that is not completed by its due date is not accepted.

**Particulars**

1. **Participation in Team and Class Discussions**

Each week you will be asked to participate in class discussions. You will post comments discussing each week’s topic. In class and team discussions you will be encouraged to develop your own arguments and analysis regarding each weekly topic. Most topics cover highly ethical and delicate issues. Thus, students are expected to develop their own views on each topic and respect the views of their classmates.

2. **Individual Final Paper**

Toward the end of the course you will draft and submit a final individual paper on a topic on human rights that you will choose and canvass with me in advance via the journals. You will be encouraged to select the human rights topic that most interests you and to explore it in depth. I will assist you in developing your topic and provide helpful suggestions. You will be required to provide references for all the work you cite.

3. **Week 3 & 6 Written Quizzes, Assignments, and Journals**

Each week you will be asked to write a short 1-page written academic style essay relating to that week’s topic. You will be asked to provide your opinion and arguments in support of your opinion. However, you will need to write your one-page paper in the neutral/third person. You will also provide a weekly journal in which you give feedback to the professor on your performance in the course and your reaction to course content and exercises. See the ANNOUNCEMENTS for details.

Instead of a midterm exam you will be required to take two-three multiple-choice quizzes covering the respective course units covered the weeks prior. Quizzes are designed to test breadth of knowledge unlike writing assignments, which are designed to test depth of knowledge. Therefore, all quizzes are objective. You are tested on what you know and not on what you think. See THE ANNOUNCEMENTS for details. The same will apply for your final quiz, which will also be multiple-choice and cumulative.

4. **Criteria for Weekly Assignments and Papers**

The course gives you a number of opportunities to demonstrate your writing skills. Written work is judged not only on the content of your ideas, but also on the extent of your logical analysis and grammatical form. Grammar and style count. I am looking for excellent performance based on the following criteria. All papers must be written in the neutral/third person. In other words, you must make sure that although you are expressing your opinion, you do not write your paper in the first
person. All papers must be written in academic style and not a journal style. The following is a list of some of the elements I will take into consideration when grading your papers:

- Clarity of written expression
- Logical analysis
- Creativity
- Concise expression
- Organization
- Good written style
- Grammatical construction, including spelling

II. Evaluation of Course and Instructor

There will be an anonymous course evaluation using the University’s Standard Evaluation Instrument. The instructor welcomes student comments and suggestions toward improving the course and encourages students to offer oral/written comments in class, during office hours, by e-mail, or anonymously in the faculty mailbox. In addition, a number of un-graded and anonymous classroom assessment techniques may be used throughout the semester to provide students and instructor with information to improve learning. Making comments in your weekly journal is a good way to provide course feedback to the instructor.
<table>
<thead>
<tr>
<th>Lecture</th>
<th>Outcome/Material Covered</th>
<th>Reference/Reading</th>
<th>Assignment</th>
<th>Due Date</th>
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</thead>
</table>
| 1       | *Introduction to the Field of Human and Civil Rights Law and Dispute Resolution*  
- COURSE OVERVIEW  
- Introduction to the Field of Conflict Management  
- Discussion of Course Objectives  
- Review of Semester Assignments  
  
*Communication and Conflict*  
- Toward a Theory of Universal Human Rights  
- Human Rights/Civil Rights Distinction  
- Universal Declaration Model  
- Equal Concern and Respect and the notion of culture & civil society  
- Case examples.  
  
*Cultural Relativism and International Human Rights*  
- Market States and “the West”  
- Non-western views on Human Rights | Read the Introduction (Donnelly) & assigned articles | Journal & Assignment Brainstorm paper topics (individual and group) | Post Weekly Discussion Comments |
<p>| 2       | Read Chapter 1, 2, and 3 (Donnelly) &amp; assigned links &amp; articles | Read cases assigned | Journal &amp; Assignment | Post Weekly Discussion |</p>
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<td>3</td>
<td>- Case examples</td>
<td>links &amp; cases</td>
<td>Comments</td>
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<td></td>
<td><strong>Various Conceptions of Human Rights</strong></td>
<td>Read Chapter 6 and 7 (Donnelly) &amp; follow the links to the articles assigned</td>
<td>QUIZ 1</td>
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<td>- Universal Human Rights and Cultural Relativism</td>
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<td>Post Weekly Discussion Comments</td>
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<td>- Human Rights and Asian Values</td>
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<td>- Face-Saving Issues in Human Rights Disputes</td>
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<td>- The Role of Apology in Human Rights Disputes Resolution</td>
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<td>4</td>
<td><strong>European, Canadian, US, and International Human Rights Regimes</strong></td>
<td>Read Chapter 8, 9, and 10 (Donnelly)</td>
<td>Journal &amp; Assignment</td>
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<td></td>
<td>- Human Rights Regimes and Institutions</td>
<td>Follow links and read assigned articles and cases</td>
<td>Post individual paper topic proposal</td>
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<td>- Human Rights and Foreign Policy</td>
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<td>Post Weekly Discussion Comments</td>
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<td>- Human, Civil Rights, and the Priority of National Action</td>
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<td>5</td>
<td><strong>“Individual” and “Group” Rights</strong></td>
<td>Read Chapters 11, 12, 13, and 14 (Donnelly) Read Cases assigned</td>
<td>Journal</td>
<td>Post Weekly</td>
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<td>- Democracy, Development and Human Rights</td>
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<td>- Individual Rights and Group Rights</td>
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<td>6</td>
<td>Mediation and Arbitration of Discrimination Complaints, based on gender, race, and disability</td>
<td>Read articles &amp; case studies assigned</td>
<td>Discussion Comments</td>
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<td>Rights of Sexual Minorities</td>
<td>Read the articles provided</td>
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<td>Genocide and Humanitarian Intervention</td>
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<td><strong>Resolution of Civil Rights Disputes</strong></td>
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<td>Ethical Dilemmas in Civil Rights Disputes</td>
<td>Read the case studies assigned &amp; the articles provided</td>
<td>QUIZ 2</td>
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<td>Mediation of Workplace of Civil Rights Disputes</td>
<td>Read &amp; prepare analysis of cases assigned</td>
<td>Prepare written analysis of</td>
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<td>Title VII Discrimination Complaints - Process</td>
<td>See articles and cases posted on the Course Webpage</td>
<td>cases assigned</td>
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<td>Confidentiality and Privilege in civil rights complaints mediation</td>
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<td>Post Weekly Discussion</td>
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<td>Brief Summary of Civil Rights Law</td>
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<td>Case Examples</td>
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<td>7</td>
<td><strong>Cases in Ethics, Human Rights and Dispute Resolution</strong></td>
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<td>Physical &amp; Mental disability</td>
<td>Read the cases assigned &amp; prepare analysis of cases assigned</td>
<td>Journal and Written analysis</td>
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<td>What constitutes disability in the legal context</td>
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<td>of cases due</td>
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<td>Post Weekly Discussion</td>
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| 8       | - Age discrimination
          (Relevant Mediation cases studied & compared to judicial cases)
          *Cases in Ethics, Human Rights and Dispute Resolution*
          - Religion in Arbitration
          - Sharia Arbitration
          - Christian Arbitration
          - Talmudic Arbitration
          - First Nations Decision-Making Processes related to arbitration
          (Relevant Arbitration cases studied & compared to judicial cases) | See articles and cases posted on the Course Webpage | Quiz 3 Journal and Written analysis of cases due | Post Weekly Discussion Comments |
| 9       | *Cases in Ethics, Human Rights and Dispute Resolution*
          - Race, colour, ancestry, place of origin & ethnic background discrimination
          (Relevant Fact-finding and Neutral evaluation cases studied & compared to judicial cases) | Read articles and cases posted on the Course Webpage | Journal and Preparation of Individual Final Student Papers and Team Papers | Post Weekly Discussion Comments |
| 10      | *Cases in Ethics, Human Rights and Dispute Resolution*
          - Sex/Gender | Read articles and cases posted on the Course Webpage | Post Final Weekly | Post Final Weekly |
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<tr>
<td>11</td>
<td>discrimination</td>
<td>posted on the Course Webpage</td>
<td>Discussion Comments</td>
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<td></td>
<td>- Sexual-Orientation discrimination</td>
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<td>(Selected cases relevant to Dispute Systems Design are analyzed)</td>
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<td>12</td>
<td>FINAL EXAM</td>
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<td>FINAL EXAM DUE</td>
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<td>Students continue to work on their FINAL PAPER <em>(due date will be announced)</em></td>
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<td>FINAL PAPER</td>
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<td>FINAL PAPER DUE</td>
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*This Syllabus is subject to change. Please check your weekly announcements for changes. (Changes made are subject to the class’ needs and with the purpose of facilitating the students’ learning process)*