Human Rights and Poverty: Case Studies

Syllabus Fall 2014

Wednesdays – 6.00 – 7.50pm
Room A617, 66 West 12th St

Instructor: Sakiko Fukuda-Parr
Office: Room 703, 72 Fifth Ave
Email: fukudaps@newschool.edu

Office Hours: Wednesdays 2-3.30pm; Thursdays 4-5.30pm or by appointment

Course description

Human rights and development evolved separately as fields of scholarship and practice. An important development since the 2000s has been the convergence of these two fields. The human rights community began to focus on poverty as a major human rights challenge of the twenty first century, while the development community began to consider realizing human rights as a policy priority. The course explores current debates on theory and practice of human rights related to development: critique and defense of the human rights based development approach; use of human rights standards and norms to analysis of economic and social policies; the role of local social movements and international advocacy networks to advance human rights; the effectiveness of litigation and perverse consequences; controversies about universality and cultural relativism; social and economic rights as human rights.

The course is designed as an independent research project to develop a case study on a theme selected by the student. Each student will develop a case study on human rights and poverty (such as the right to housing, access to patented drugs, rights of migrant workers, or human trafficking) and through this process gain an in-depth understanding of the theory of human rights and the intersection between human rights advocacy and development practice. The course is structured as a sequence of steps to develop the case study.

Pre-requisites

The course is for students with some background in human rights, poverty and international development as well as a demonstrated ability to do independent research and writing.

Course requirements and grading

The course will be conducted as a seminar, in which student discussion will be an important part of the learning process.
Grading will be based on four components.

- Take home quiz (10%): There will be a quiz early in the semester on human rights concepts and principles covered in the first classes of the course.
- Assignment 1: Note on case description (10%).
- Classroom participation (10%): Participation is an essential part of this class. Only one absence will be excused. The participation grade will be based on attendance, presentations, and contribution to class discussions.
- Final case study (70%): paper in two parts: a description and an analysis.

Communications
- Email: The class will communicate by the New School email address.
- Course website: Readings and announcements will be on the course Canvas. Please upload your personal profile on the course page so that we can get to know one another.

Useful texts and website sources
Reference books on concepts and theory of human rights and development:


Useful websites sources:

Center for Economic and Social Rights http://cesr.org

COURSE OUTLINE

Timeline for case research

Weeks 1 – 3: Select case.
Weeks 4 – 6: Identify rights and obligations, frame research question, develop outline and research plan.
Weeks 7 – 8: Background literature on research question theme.
Weeks 9 - 11: More fact finding.
Week 12: Revise/refine outlines.
Weeks 13 – 14: Draft two papers.

Student presentations throughout the semester, to be scheduled.

Class timeline

1. Aug 27 - Introduction to the course
   • Overview of course objectives, content and structure.
   • Requirements and expectations.
   • Case study selection.
   • Discussion – human rights and poverty

Required readings


PART I – OVERVIEW OF HUMAN RIGHTS CONCEPTS AND ARCHITECTURE, SOME THEORETICAL CONTROVERSIES

2. Sept 3 – Human rights, Poverty and development
   • How do conceptions of development and human rights converge?
   • Rights critique of conventional economic perspectives on poverty.
   • Controversies about the legitimacy of economic and social rights.

   Required readings:


   Supplemental readings:


   http://www2.ohchr.org/english/issues/poverty/docs/povertyE.pdf

3. Sept 10 – Overview of international human rights law and regime
   Take home quiz given out.
Required readings


UN Committee on Economic, Social and Cultural Rights (CESR), *General Comment 3 on the International Covenant on Economic, Social and Cultural Rights*  http://www2.ohchr.org/english/bodies/cescr/comments.htm


Familiarize yourself with the overall content of the OHCHR website page – Your Human Rights – what are human rights; international law  http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx

Supplementary resources:


4. *Sept 17 – Case development: Defining rights and obligations, research frame*  
   *Take home quiz due*  
   **Decision on case study topic: submit one paragraph**

   • Independent reading of the case material  
   • Independent reading of the rights and obligations relevant to the case

   *All following items are available from OHCHR website:  
   http://www.ohchr.org/EN/Pages/WelcomePage.aspx*
• CESC General Comment 3 and others specific to each right relevant to the case
• Reports of special rapporteurs
• Briefing notes from OHCHR

Gest resource person: human rights case studies – Tulsi Byrne, GPIA

Sept 24 – NO CLASS ROSHASHANA

PART II: UNIVERSALITY, CULTURAL RELATIVISM AND BEYOND.

5. Oct 1 – Guest lecture - Beyond victimization discourse? Assessing the discourse of women's human rights in Africa
   Guest speaker: Mariana Assis, NSSR Political Science
   
   Required readings
   


6. Oct 8 – Guest lecture by Prof. Rehman Sobhan.
   The Rana Plaza Industrial Disaster: Lessons for the Political Economy of Globalization

7. Oct 15 – Universality and cultural relativism debates

   • Are human rights an instrument of Western hegemony?
   • Are human rights universal values?
   • What are the arguments for and against ‘Asian values’?
   • Universal norms and diverse applications?

   Required readings:


Gruenbaum, Ellen (2005). Feminist Activism for the Abolition of FGC in Sudan, Journal of Middle East Women’s Studies 1.2

Supplemental readings:


PART III – IMPLEMENTATION PRACTICES

8. Oct 22 - Social mobilization - local and global

Assignment 1 due: Note on case description — Identify for your case, one paragraph each on: (i) background facts of the case; (ii) the rights holder and their rights rights; (iii) the duty bearer and their obligations; (iii) the rights holders; (v) what would constitute ‘violation’ of rights in your case. Write a para stating your research question. Minimum 1000 words

Required readings

Hertel, Shareen (2006) Unexpected Power, Cornell University Press. chapters 1, 2, 3, 5, 6


Supplementary readings:


9. Oct 23/24 Individual meetings on case study

10. Oct 29 - The courts: litigating social and economic rights

   4 student presentations

   *Required readings*


   Gauri and Brinks, eds. Cambridge University Press


11. Nov 5 – Students encouraged to attend Young Lives event on Child Rights

12. Nov 12 - Policy reforms

   4 student presentations
Required readings: examples of HR analysis of economic policy:


Supplemental readings:


12. Nov 19 – NO CLASS - Individual consultations to be scheduled

NOV 26 – NO CLASS – Thanksgiving

13. Dec 3 – Case Study Presentations

14. Dec 10 - Final class:
student presentations/round table discussions on human rights and poverty
FINAL CASE STUDY DUE December 17. PLEASE EMAIL AN ELECTRONIC COPY IN WORD FILE.