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PSC 395.01: Women's Human Rights - International and Comparative Perspectives

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The University of Montana
Political Science Department
Fall 1998

**PSC 395 - Women's Human Rights:
International and Comparative Perspectives**

Class meets: LA 337 MWF 1:10-2:00 pm

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Office Hours: TTh 11:10-1
or by appointment

Course Description

This course is an introduction to the global struggle for the rights of women. It examines the role of law and political activism of women's groups and NGOs in the expansion of these rights at the national level, (specifically the United States), and in the broadening of the UN's vista and activities to mainstream women's rights programs into the organization's system and operations.

Purposes

- (1) Increase the students' knowledge of the impact and limitations of the women's movement in shaping and actualizing national and international policies and programs to enhance women's rights.
- (2) Enhance their analytic skills and their ability to understand (for purposes of effecting change) the factors and various identities - religious, ethno-cultural, national, etc. - that challenge the idea of universal norms and the exercise of women's rights.

Objectives

At the end of the course the successful student should:

- (a) be able to articulate in a more rational, coherent, and intelligent manner a position on the controversial women's rights issues of the day and be equipped to do so on any future issues;
- (b) be able to assess the feasibility, on political, legal and institutional grounds, of any proposal or ideas for strengthening the authority of international bodies to implement women's rights;
- (c) have sufficient knowledge of comparative strategies and experiences to be an effective national or international activist for women's rights if s/he so chooses.

Course Format and Requirements

This is a reading/discussion course, organized as colloquia or seminars around a number of themes and issues. For the most part, introductory lectures on each theme/issue will be followed by small groups discussions of the relevant readings and thereafter in a conference of the whole class. Students or student groups will take turns leading discussions on key issues, concepts and themes from the assigned readings (and, where necessary, from research findings). The discussion leader launches the discussion by presenting a summary of the readings/research and posing the key issues. Discussion leaders are not expected to answer all questions in their presentations; their task is to identify important issues and areas of controversy for discussion. Meaningful discussion and rewarding class sessions can only occur if we all faithfully do the assigned readings when due. To ensure this and high quality discussion sessions, students may be required to submit questions arising from the readings or write short (no more than five type-written pages) reaction papers on some of the key themes and issues using knowledge of the assigned readings.

Evaluation of Student Performance

There will be three components to the course evaluation. The first component comprising 40 percent will be based on the students' classroom performance, including the quality of class discussions led, quality of the reaction papers, and general contributions to other class sessions. Obviously, regular attendance is essential; it will account for 10 percent of the course grade. The third component, 20 percent, will be a mid-term exam. The fourth and final component will be the final exam (30 percent). Graduate students or seniors who earn As or high Bs in the mid-term exam may substitute a substantial term paper for the finals.

Texts

Julie Peters & Andrea Wolper, eds., *Women's Rights/ Human Rights: International Feminist Perspectives*. New York; Routledge, 1995.

Selections, on reserve, from Leslie Friedman Goldstein, *Contemporary Cases in Women's Rights*. Madison: The University of Wisconsin Press.

FacPac

Women's Human Rights - Course Outline

PART ONE: The Rights of American Women: Contemporary Issues and Cases

Week 1:

Aug. 31: Introduction

Sep. 2: Nature of rights

Sep. 4: From privacy to abortion right: Evolution of an idea

Readings: "The Right to Abortion: *Roe v. Wade* and *Doe v. Bolton* (1973) selections from Leslie F. Goldstein, *Contemporary Cases in Women Rights*, on Reserve (R)

Week 2: Developments since *Roe*

Sept. 7: (Labor Day)

Sept. 9: Attempts to restrict abortion: (i) *Webster v. Reproductive Health*; (ii) *Parental Notice*; (iii) *Rust v. Sullivan*. **Readings:** Goldstein, *Cases*, pp. 33-45; 53-65; 73-96 (R)

Sept. 11: Is abortion here to stay? The importance of activism

Week 3:

Sept. 14: Discussion of video

Sept. 16: Reprieve *Roe*: *Planned Parenthood v. Casey*. **Readings:** *Cases*, pp. 96-99; 109-121 (R)

Sept. 18: Sex Discrimination in job situations: standard of proof

- gender stereotyping (*Price Waterhouse v. Hopkins*);

- differential treatment on grounds of protection (*UAW v. Johnson Controls*). **Readings:** *Cases*, pp. 205-238

Week 4:

Sept. 21: Sexual Harassment as Sex Discrimination: *Meritor v. Vinson*, *Cases*, pp. 245-255 (R)

Sept. 23: Sexual Harassment in educational settings

Sept. 25: ** Paper due on: Is abortion right here to stay?

Week 5: Right to freedom from sexual violence

Sept. 28: Rape

- statutory rape (*Michael M. v. Sonoma County*); nonviolent coerced rape (date rape, wife rape, etc.)

- *State v. Rusk*. **Readings:** *Cases*, pp. 258-268; 269-275.

Sept 30: Wife abuse and husband homicide: *State v. Stewart*, *Cases*, pp. 276-286

Oct. 2: Pornography: indecent music and movies

PART TWO: Women's Rights as Human Rights

Week 6: Internationalization of Women's Rights: The UN approach

Oct. 5: The UN and how it works

Oct 7: International Bill of Rights: Know your rights. Study FacPac pp. 136-153

Oct. 9: Other UN efforts at advancing women's rights

Reading: Stamatopoulou, "Women's Rights at the UN" in Peters & Wolper chap 3

Week 7 : Shortcomings of the UN Approach

- Oct. 12: Equality trap: gender-blind sexism. **Readings:** Charlesworth, "Human Rights as men's rights" Peters & Wolper chap. 13.
- Oct. 14: The hierarchy debate. **Readings:** Butegwa, "Intn'l human rights law...for women," pp. 86-92, and Dorothy Thomas, "Acting Unnaturally: In defence of civil & political rights," pp. 94-101 FacPac
- Oct. 16: Preferred Alternatives. **Readings:** Donna Sullivan, "Private/Public Distinction", & Julie Mertus, "Discriminatory Family Law," chps 15 & 16 Peters & Wolper.

Week 8:

- Oct. 19: The Women's Movement & Internationalization of women's rights. **Reading:** Chps. 2. (Elizabeth Friedman), Peters & Wolper.
***** Paper due on Critical Evaluation of Mertu's & Sullivan's preferred Alternatives**
- Oct. 21: Problems within the Movement: Dissention over political and ideological hegemony. **Readings:** Susan O. Weisser & Jennifer Fleishner, "Feminist Nightmares: Women at Odds," & "Feminization of Culture" (*The Missoulian* 14/9/97), both in FacPac, pp. 154-163; 170
- Oct. 23: There are sisters and there are sisters: Women's Rights discourse between Western and Third World women. **Readings:** Charlotte Bunch, Handout; Dimitila Barrios de Chungara, "At the International Women's Year;" "Two Mirrors of Feminism;" and "Women's Work is Never Done" FacPac, pp.184-187; 172, 174

Week 9: Problems in the Movement cont'd

- Oct. 26: Different Agenda? Globalization, sweatshops and Western women. **Readings:** Duan Cunhua (China), "Women: A powerful motive Force," Annie Delaney (Australia), "Homework in the Global Economy" and Swasti Mitter (India) "Women's Demands and strategies" Handouts. Also, "But What's the real story?" and "In Mexico...Workers fight Neo-liberalism" in FacPac, pp.166-169
- Oct. 28: The long, hot road to Beijing: Gender, Violence, Religious and other issues of disagreement (Discussion of a video on Beijing Platform of Action)
- Oct. 30: Discussion of Yasmin Tambia, "Sexuality and Human Rights" FacPac, pp.122-132

Week 10: Achievements of the Int'l Women's Movement:

- Nov. 2: The Convention on Women's Rights - provisions, enforcement mechanism, ratification, reservations, limitations, critics. **Readings:** Chps 14 (Kaufman & Lindquist) and 17 (Marsha Freeman) in Peters & Wolper
- Nov. 4: Achievements in Beijing and After. **Read:** FacPac, 176-181
- Nov. 6: International Networks and Networking

Week 11: Continuing violations of international women's rights despite national laws

- Nov. 9: Violence in India, (chap 4); general discrimination in Iran (chap 8), and Kenya (chap. 9) in Peters and Wolper; and Welfare Reforms, U.S A. (Lisa Crooms, FacPac, 114-120)
- Nov. 11: (Veteran's Day)
- Nov. 13: Rape and gendered war-crimes in Bosnia Chps 5 & 21. (Also discussion of a video)

Week 12: Obstacles to Realization of International Women's Rights

Nov. 16:- Cultural Relativism, claims of group & religion rights

- Weakness of the state (and claims of family Privacy?).

(video on trokosi)

- Lessons from backlash in Western experience

Readings: chp 19 Peters & Wolper; and Samuel Huntington "A Clash of Civilizations" (R)

Nov. 18: The Exotic Other Female Syndrome: the example of FGM, Trokosi and polygyny.

Readings: Howard French, "Africa's Culture War: Old Customs New Values"
Handout

Nov. 20: Economic Underdevelopment: Thai Sex Industry and Mail Order Brides. Video and discussion of Peters & Wolper chps. 22 & 26

Week 13: What is to be Done?

Nov. 23: Three theoretical approaches to dealing with the "exotic other" syndrome.

Reading: Karen Engle, "Female Subjects of Public International Law" (R)

Nov. 25-27 (Thanksgiving and Columbus Day holidays)

Week 14:

Nov. 30: The missionary approach: Effective or counter-productive: The US on Egypt, and alien residents. Read: Celia Dugger, "Tug of Taboos: African Genital Rite vs. American Law"; Nahid Tombia (chp 23) in Peters & Wolper

Dec. 2: Activism at the national and subnational level: The example of India (Jethmalani, Public Interest litigation, FacPac, pp. 104-111); and Colombia (Plata & de la Espriella, "CEDAW: Colombia and Reproductive Rights," chp 23)(R)

*** (There will be a written assignment in which you compare one of these with an activist group in which you have been a member or whose work you are familiar with. Due Dec.9)

Dec. 4: Activism cont'd

Week 15: Conclusion

Dec. 7: ("Monday's Girls," an African Movie)

Dec. 9: Discussion of Monday's Girls

Dec. 11: Course evaluation.