

Legal Studies 190.7
Mobilizing Human Rights in the United States
4 Units – Spring 2023
Tuesdays & Thursdays 11:00 am-12:30 pm
Class: [Barker 110](#)

Introduction

This course explores what it means to be a human rights advocate in the United States, with an emphasis on the role of lawyers. The first part of the course will introduce students to the history and development of human rights principles and norms; provide an overview of the role of international, regional, and national institutions and non-governmental actors in enforcing human rights; and examine the historical, legal, and political context of the human rights movement in the United States. During a second set of classes, the course will introduce students to skills that are core to the practice of human rights, including research, oral advocacy, persuasive writing, and collaboration. The remainder of the course will examine real-world examples of human rights advocacy in the United States drawing on the experiences of guest speakers who are litigators, policy advocates, organizers, investigators, and government officials. Students will think critically about the promise and limitations of mobilizing human rights strategies in the United States by examining advocacy successes, failures, and dilemmas. Topics covered will include reproductive justice, the death penalty, the rights of indigenous peoples, housing, gun violence, migrant's rights, labor rights, state violence, mass incarceration, structural racism, the prohibition against torture, and the right to water.

Course Instructor:

Roxanna Altholz, JD
Berkeley Law Clinical Professor
Co-Director, Clinical Programs
Co-Director, International Human Rights Law Clinic
Faculty Advisor, La Alianza - Law Students of Latin American Descent
Email: raltholz@law.berkeley.edu
Office hours: TH 2:30 PM-4:00 PM, 489 Simon Hall or by appointment via Zoom

Graduate Research Students:

Andrea Clark Gomez
2nd Year Law Student at Berkeley Law
Email: andrea_clark@berkeley.edu

Taliah Mirmalek
3rd Year Law Student at Berkeley Law
Email: taliahmirmalek@berkeley.edu

Office hours available by appointment.

Requirements:

A. Individual Participation (20% of grade) (20 points)

Active engagement is critical to learning. Students are required to attend all classes from start to end and to actively participate in class discussion. Students are expected to complete all assigned readings and be prepared to participate in class discussion. Attendance in lectures will be tracked using a seating chart and count towards 10 points of your individual participation grade. If you are unable to attend in real-time, you must provide me with advance notice (or subsequent notice of an unanticipated emergency). Your grade for individual participation will also include your consistent and regular substantive contributions to class discussions. Students are also encouraged to participate in discussion by commenting on their classmates' blog posts.

Grading criteria: attendance (10 points) and consistency of participation during class and through comments on blog posts, and quality of interventions (10 points).

B. Individual blog posts (30% of grade) (30 points)

The course blog will be a central space for the class to examine questions about the readings and ideas from class. Over the course of the semester, you will write two blog entries for the course's private blog. We will use the discussion feature on bCourses to publish post and comment. Each blog post should be at least **500 words** and aim to address the prompts provided for each session, raise questions for class about the assigned material, and develop themes or ideas discussed in the reading. Blog posts are **due online by 5 pm** the afternoon before class. I also encourage you to respond to each other's blog posts—the blog is a forum for creating a community conversation on the assigned topics. Sign-up sheets for blogs will be available the first week of class.

Grading criteria: Blog posts will be graded using a “check” or “check-plus” format. Blog posts receiving a “check” (which is worth 12 points) review the readings and engage with the ideas or prompts in a summary fashion, but do not expand much beyond this. Blog posts receiving a “check-plus” (which is worth 15 points) review course materials, link course material to outside experiences and alternative ways of learning about course materials, and critically consider what is learned from course readings, discussions, and activities.

C. Research Project & Presentation

This semester, *each* student will select, research, and analyze a human rights issue; work *collaboratively* with classmates on an oral presentation of their issue, and *independently* design a human rights strategy.

At the beginning of the semester, each student will have the opportunity to sign up for an issue to research. Students will independently develop a research prospectus and write a final paper on their topic. Students will also have the opportunity to practice collaboration skills. Students who sign up for the same issue will be grouped together for the class presentation. Additional guidance will be provided on each assignment during the

semester.

a. Prospectus (10% of grade) (10 points)

You will independently write a plan for completing your research project. The prospectus is a blueprint for your research and will include (1) a clear statement of the human rights issue and the dimensions of the problem you intend to research; (2) a description of opportunities to leverage human rights rhetoric, standards, or institutions to address your issue; and (3) a list of sources (both from assigned readings and independent sources). Please submit your prospectus via bCourses by **5 pm on February 28th**. You will be required to meet with me to discuss your prospectus.

Grading criteria: Students who submit a prospectus on time that covers the topics identified in the instructions and schedule a meeting with me will be awarded the full 10 points.

b. Class Presentation (20% of grade) (20 points)

This is a group assignment that will offer you the opportunity to be in role as an advocate and to practice presenting your work in a professional and engaging manner. You will be grouped with other students who signed up to research the same human rights issue and work with your group to plan, practice, and conduct a simulated thematic hearing before the Inter-American Commission on Human Rights. You will have 15 minutes for your presentation. Speaking time should be divided evenly between presenters. The class will play the role of Inter-American Commissioners and ask your team questions.

Grading criteria: Presentations will be evaluated on the quality and accuracy of the substantive content; the clarity, organization, and creativity of the presentation (including the use of visual aids); and time management.

c. Final Paper (20% of grade) (20 points)

This paper will provide you with an opportunity to grapple with real-world human rights challenges. Your paper should be between 3,500-4000 words and will consist of three parts: you will (1) analyze a problem and its legal and political context, (2) propose a human rights strategy; and (3) assess the strengths and limitations of your proposed strategy. The paper should examine the problem, how human rights discourse and/or institutions can be harnessed to successfully influence and change behavior, and how the proposed strategy centers the voices and experiences of individuals and communities directly affected by abuse and addresses power differentials along geopolitical, class, race, gender, and other lines.

You are expected to cite relevant background sources and synthesize and apply the assigned course readings and class discussions to your project. Please submit outline of your final paper via bCourses by **5 pm on April 4th**. Your final paper is due via bCourses by **5 pm on April 27th**.

Grading criteria: Clarity and organization of writing; depth of analysis and ability to think critically about your strategy; use of assigned readings and material from course work; organization, writing style and format (grammar, citation format, spelling, punctuation, page numbers, etc.).

NOTE: Late assignments will receive 10% lower grading marks for each 24 hours past the deadline, absent extenuating circumstances and advance notice.

Course Materials/Readings

All readings will be posted on bCourses. Each session has required readings, with some video and audio assignments, which are expected to be completed before class.

Learning Outcomes

By the end of Mobilizing Human Rights in the United States, students will be able to:

- Identify key international human rights institutions and instruments;
- Recognize the challenges faced by actors (victims, non-governmental organizations, government agencies, inter-governmental organizations) attempting to improve human rights conditions in the United States;
- Use a problem-based approach to define, research, and develop human rights strategies and assess the potential effectiveness of human rights strategies to influence practices, policies, and laws in the United States;
- Develop and apply the skills core to human rights advocacy, including research, collaboration, oral advocacy, and writing skills; and
- Recognize common ethical, moral, and professional issues that arise in human rights work and shape collaborations with individuals and communities facing human rights violations.

Low-Technology Policy

In the interest of fostering active learning and student engagement, the use of laptop computers and smartphones will not be permitted during the seminar. I encourage you to take notes with pen and paper. Research confirms that this helps you retain more information from the class. This policy does not apply to students who have a note-taking accommodation.

Course Schedule

While I anticipate adhering closely to the following schedule, some sessions might be moved around depending on the availability of guest speakers. I will be sure to notify the class of any changes over bCourses. I may also offer optional training sessions and add some additional readings as the course progresses. If those readings are required, I will be sure to give students at least one week's notice.

Academic accommodations, supportive measures, and campus resources

Classroom Climate

We are all responsible for creating a learning environment that is welcoming, inclusive, equitable, and respectful. If you feel that these expectations are not being met, you can consult

your instructor(s) or seek assistance from campus resources (see the [Academic Accommodations website](#)).

Accommodations and Supportive Measures

The purpose of academic accommodations is to ensure that all students have a fair chance at academic success. Disability, or hardships such as basic needs insecurity, uncertain documentation and immigration status, medical and mental health concerns, pregnancy and parenting, significant familial distress, and experiencing sexual violence or harassment, can affect a student's ability to satisfy particular course requirements. Students have the right to reasonable academic accommodations, without having to disclose personal information to instructors.

For more information about accommodations, scheduling conflicts related to religious creed or extracurricular activities, please see the Academic Accommodations hub:

<https://evcp.berkeley.edu/programs-resources/academic-accommodations-hub#accommodations>

This website also provides a range of helpful campus resources.

NB: Please see the course instructor as soon as possible if you need particular accommodations, and we will work out the necessary arrangements.

Overview of Class Schedule

	DATE	TOPIC
1	Jan 17	Course Introduction
2	Jan 19	What are human rights?
3	Jan 24	How do international bodies promote or defend human rights?
4	Jan 26	How do non-government organizations advocate for human rights?
5	Jan 31	Violence and Impunity at the U.S.-Mexico Border
6	Feb 2	<i>Skills Class</i> : Research
7	Feb 7	What is the relationship of civil/political rights to socioeconomic rights?
8	Feb 9	How does international human rights law define justice?
9	Feb 14	How do human rights advocates perpetuate power differentials?
10	Feb 16	How have the United States' racial history, legal traditions, and political dynamics shaped domestic human rights advocacy?
11	Feb 21	What is the human rights movement in the United States?
12	Feb 23	Law School & the Legal Profession
13	Feb 28	<i>Skills Class</i> : Oral Advocacy Prospectus due by 5 pm via bCourses
14	Mar 2	Homicide Impunity, Human Rights, and State Failure
15	Mar 7	The Human Rights of Indigenous Peoples in the United States
16	Mar 9	Police, Prisons, and White Supremacy in the United States
17	Mar 14	Jeopardy Rematch
18	Mar 16	<i>Skills Class</i> : Collaboration
19	Mar 21	A Human Rights Approach to Addressing the Root Causes of Migration
20	Mar 23	The Human Right to Housing
	Mar 28	SPRING BREAK
	Mar 30	SPRING BREAK
21	Apr 4	<i>Skills Class</i> : Persuasive Writing Outline of Final Paper due by 5 pm via bCourses
22	Apr 6	Workers' Rights
23	Apr 11	Environmental Justice
24	Apr 13	Human Rights and Reproductive Freedoms
25	Apr 18	In-class presentations
26	Apr 20	In-class presentations
27	Apr 25	In-class presentations
28	Apr 27	Final Class Final Papers due by 5 pm via bCourses

CLASSES

Tuesday, January 17th

Course Introduction

This session will introduce the course. We will review the syllabus, discuss learning goals and assignments, and engage in community-building activities.

Reading:

- Syllabus
- UDHR
- bell hooks, *Democratic Education in Teaching Community: A Pedagogy of Hope*
- Adrienne Maree Brown, *Group Agreements for Emergent Spaces*, <https://uucj.org/wp-content/uploads/2019/10/groupagreements.pdf>

Thursday, January 19th

What are human rights?

During this session, we will explore what we mean when we talk about “human rights.” We will discuss the rise of the modern human rights movement and identify the sources of international human rights law.

Guiding questions: How do we define human rights? Who is entitled to human rights? Where do they come from? Are some rights more fundamental than others?

Reading:

- Thomas Buergenthal *et al.*, *International Human Rights in a Nutshell* (2017) (Read: Chapter 1; Chapter 2 §§ 2-1 through 2-7; 2-11 (Introduction and Nature of Obligations); Chapter 7 Introduction, §§7-1 (skim); 7-7).
- Upendra Baxi, *Voice of Suffering and the Future of Human Rights* (Excerpts)
- *Optional reading:* Jerome J. Shestack, *The Philosophical Foundations of Human Rights*

Tuesday, January 24th

How do international bodies promote or defend human rights?

This session will be devoted to a review of international and regional human rights mechanisms and procedures. The readings provide an overview of the contemporary international human rights system, focusing on United Nations instruments and institutions as well as the regional human rights bodies. This class will introduce basic vocabulary, concepts, and strategies that will inform classroom discussions and your research.

Guiding questions: Is international human rights law really law? How are human rights enforced? What challenges exist for international legal approaches to human rights?

Reading:

- Thomas Buergenthal *et al.*, *International Human Rights in a Nutshell* (2017): Chapter 2: § 2-12; §§ 2-21 through 2-24; Chapter 3: §§ 3-1, 3-4, 3-7; 3-12, 3-14 (skim); Chapter 4: §§ 4-1 through 4-3; skim §§ 4-9 through 4-12; Chapter 5: 1. Overview of the African System; skim §§ 5-12 and 5-13.
- *Optional reading*: Buergenthal *et al.*, *International Human Rights in a Nutshell* (2017): Chapter 2: §§2-13 through §§2-20; Chapter 4: §§ 4-14 through 4-16; Chapter §§ 5: 5-1 through 5-11.

Thursday, January 26th

How do non-governmental organizations advocate for human rights?

This class will explore the strategies used by victims and non-governmental organizations to protect human rights from an academic and practical perspective.

Guiding questions: How do human rights victims and groups try to influence the behavior of states violating human rights? What is the role of NGOs and transnational advocacy networks? How does “naming and shaming” work to improve state behavior? For whom and on behalf of whom do human rights NGOs work? To whom are they accountable?

Reading:

- HRW, *An Introduction to Human Rights Advocacy*, <https://www.youtube.com/watch?v=ghUSEHe7Wug>
- Tars *et al.*, *Challenging Domestic Injustice Through International Human Rights Advocacy: Addressing Homelessness in the United States* (2021): Read pages 914-917, 936, 937-960.
- CIVICUS, *An open letter to our fellow activists across the globe: Building from below and beyond borders*, <https://www.civicus.org/index.php/fr/medias-ressources/133-blogs/2353-an-open-letter-to-our-fellow-activists-across-the-globe-building-from-below-and-beyond-borders>
- David Kennedy, *The International Human Rights Movement: Part of the Problem?* (excerpts)
- *Optional Reading*: David Rieff, *The precarious Triumph of Human Rights*, <https://www.nytimes.com/1999/08/08/magazine/the-precarious-triumph-of-human-rights.html>

Tuesday, January 31st

Violence and Impunity at the U.S. Mexico Border

U.S. immigration enforcement policies have led to the separation of families, violence against migrants, and the militarization of border communities. In 2016, Berkeley Law's International Human Rights Law Clinic partnered with Alliance San Diego, a community empowerment organization, to submit a complaint involving a killing by U.S. law enforcement before Inter-American Commission on Human Rights, the investigative arm of the Organization of American States and the only human rights body with authority to consider an individual petition against the United States. The complaint alleges that the brutal beating and death of Anastasio

Hernandez Rojas, a long-time resident of San Diego and father of five, was covered up by U.S. Custom Border and Protection (CBP) agents and never fully investigated.

During this session, we will explore how the U.S. migrants' rights movement has employed the human rights framework to address violence and abuse, disenfranchisement, and economic injustices at the border. The CBP has a long history of violent tactics in border communities and ambitions to become a national force. Our guest speaker will examine how the Inter-American Commission case has challenged federal use-of-force and accountability policies, and why a decision from this human rights body with no coercive powers may have far reaching implications.

Guiding questions: What is the added value of engaging in litigation before the Inter-American Commission on Human Rights? What values or considerations do you think litigants have prioritized in using a human rights strategy? What are some advantages/challenges about this strategy?

Guest Speakers: Andrea Guerrero, legal representative for Anastasio's family, is the founder and executive director of Alliance San Diego. Before joining Alliance, Ms. Guerrero was the Field & Policy Director of the ACLU of San Diego & Imperial Counties. Prior to that, she practiced immigration law before administrative, federal district and appellate courts. [Alliance San Diego](#) is a community empowerment organization that builds coalitions to promote justice and social change. Ms. Guerrero also helped establish the [Southern Borders Communities Coalition](#) to ensure border enforcement policies uphold human rights and to promote humane immigration reform and good governance at the border.

Readings:

- Al Jazeera, Inside the US Border Patrol's Secretive 'cover-up' units, <https://www.youtube.com/watch?v=5zU2FJ97M3M>
- Hearing before the Inter-American Commission on Human Rights in Family of Anastasio Hernandez Rojas vs. the United States, <https://www.youtube.com/watch?v=iKQGQ1vaau0>
- 2021 [State Response](#) (pages 2-3, 8-15 (skim))

Thursday, February 2nd

Skills Class: Developing a Research Plan

During this session, we will focus on the importance and challenges of human rights research. This class will introduce students to research strategies for approaching their research projects and the professional standards they must meet in order to produce high-quality research and citations. During the second half of class, students will engage in a planning exercise to prepare to conduct research on selected human rights topics.

Reading:

- Hoffman & Rumsey-IFLR (excerpts)

- Hoffman, Developing Legal Research Strategies
- IHRLC – Basic Style Guide (Annotated)
- Sample research prospectus

Please read to become familiar with the resources available on the following webpages:

- UN Documentation: Treaty-based Bodies, <http://research.un.org/en/docs/humanrights/treaties>
- Special Procedures of the Human Rights Council, <https://www.ohchr.org/en/hrbodies/sp/pages/welcomepage.aspx>
- Regional Human Rights Systems, <https://ijrcenter.org/regional/>

Tuesday, February 7th

What is the relationship of civil/political rights to socioeconomic rights?

The International Bill of Human Rights protects two broad categories of rights: (1) civil and political rights and (2) economic, social and cultural rights (“ESC rights”). However, a more comprehensive view of international human rights law has emerged which emphasizes the indivisibility of all human rights and puts this traditional divide into question. Moreover, ‘new’ rights have emerged which expand the conventional frontiers of the human rights corpus. But are these rights entirely new or new conceptions of existing protections? Through the lens of the human rights to water, we will explore how ‘new’ rights come to be recognized and how these rights are then given meaning so as to impact policy and practice.

Guiding questions: Are civil and political rights distinct from economic, social, and cultural rights? Are economic, social, and cultural rights judicially enforceable? What is the relationship between human rights and the economy? How is the recognition of the human right to water significant? How is it significant in the United States? What are the specific duties of states under the right to water and what challenges to implementation does the right to water and other ESC rights face?

Reading:

- Human Rights Council, Report of the U.N. Spec. Rapporteur on extreme poverty and human rights, A/HRC/32/31 (2016) (on the marginality of economic and social rights). Read paragraphs 10-48, 63-72.
- Center for Economic and Social Rights, Rights-Based Economy: A Roadmap for Action, <https://youtu.be/4I8swF4YWvo>
- Ken Roth, Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization, <https://muse.jhu.edu/article/51820/pdf>
- ESCR-Net Amicus Brief submitted in Lyda and Others v City of Detroit (in re City of Detroit), Adv No 14-04732, 3 February 2015, [https://www.escr-net.org/sites/default/files/Detroit%20water%20case%20amicus%20-%20FINAL%20as%20filed%20\(3%20Feb%202015\).pdf](https://www.escr-net.org/sites/default/files/Detroit%20water%20case%20amicus%20-%20FINAL%20as%20filed%20(3%20Feb%202015).pdf)
- Center for Economic and Social Rights, Fact Sheet re United States, https://www.cesr.org/sites/default/files/USA_Web_final_0.pdf

Thursday, February 9th

How does international human rights law define reparative justice?

Reparative justice measures seek to repair, in some way, the harm done to victims as a result of human rights violations committed against them. Reparation measures are meant to acknowledge victims, repair specific harms they have suffered, and affirm victims as rights bearers. Ideally, reparations should challenge the factors that enabled violations to occur in the first place. Under international human rights law, full reparations entail restitution, compensation and satisfaction—which may include an acknowledgement of the violation, an expression of regret, a formal apology, memorials—and measures of non-repetition such as a criminal investigation, prosecution, and legal reforms. We will examine how this framework is being used to demand reparations for people of African descent in the United States.

Guiding Questions: What are the international obligations of states to provide reparations for the historic injustices of slavery and colonialism? How should reparations address the persistent structures of racial inequality, subordination, and discrimination? How can human rights be used to facilitate a survivor- and victim-centered approach to reparations? How does international law erect barriers to reparations and perpetuate neocolonial dynamics?

Reading & Videos:

- ICTJ, The Case for Justice, <https://www.ictj.org/media/5482>
- Achime, TE, ‘Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Racial Intolerance’ UN Doc A/74/321 (21 August 2019) (excerpts), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/259/38/PDF/N1925938.pdf?OpenElement>
- Ta-Nehisi Coates, The Case for Reparations, <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>
- *Optional Reading:* A Human Right to Reparations: Black People against Police Torture and the Roots of the 2015 Chicago Reparations Ordinance, <https://www.tandfonline.com/doi/pdf/10.1080/10999949.2018.1607060?needAccess=true>

Tuesday, February 14th

How do human rights advocates perpetuate power differentials?

This session will explore how the Global North has perpetuate post-colonial and exclusionary narratives in transnational human rights advocacy initiatives.

Guiding questions: How does human rights advocacy promote post-colonial patterns of Western “saviors” intervening to rescue “savage” victims in the Global South? How can we ensure that we “do no harm” as we advocate for human rights interventions? How can we act as moral agents for change in solidarity with groups on the ground?

Reading & Video:

CONTENT WARNING: The following reading uses the word "savage," a slur that white colonial governments and settlers have historically used—and continue to use—to dehumanize Native and Indigenous peoples in the Americas and other regions. Colonial powers denied the

humanity of the existing inhabitants to justify violence, forced displacement, segregation, and disenfranchisement. In this article, Mutua Makua, a TWAIL (Third World Approaches to International Law) scholar, uses the word to draw attention to the post-colonial tropes and stereotypes that inform human rights advocacy. We believe that the article successfully identifies and examines the dynamics of power that can distort the human rights work promoted from the Global North directed to the Global South. During class, instructors will not use the word but instead refer to the “SVS metaphor” or “human rights non-compliant actor.”

- Makua Mutua, *Savages, Victims & Saviors in Human Rights a Political and Cultural Critique* 10-31, 36-38 (2002).
- Invisible Children, *Kony 2012*, YouTube (Aug. 17, 2016), <http://www.youtube.com/watch?v=Y4MnpzG5Sqc>
- Salil Shetty, *Decolonising Human Rights*, <https://www.amnesty.org/en/latest/news/2018/05/decolonizing-human-rights-salil-shetty/>

Thursday February 16th

How have the United States' racial history, legal traditions, and political dynamics shaped domestic human rights advocacy?

The U.S. was intimately involved in the early inception of human rights institutions and norms; the Charter of the Universal Nations was signed in San Francisco in 1945 and Eleanor Roosevelt chaired the committee, which drafted the Universal Declaration of Human Rights. However, the nation's relationship with human rights law and discourse has been uneven and predominantly outward-looking. Nevertheless, international human rights norms and discourse remain relevant to U.S. social justice movements, and arguably have become more important in recent years. The first part of this class will review the legal doctrines by which international law is incorporated into domestic law. The second part of class will explore the historical, legal, and political underpinnings of the U.S.'s engagement with human rights law and the impact of that legacy on domestic human rights issues and advocacy.

Guiding questions: In light of this historical and legal context, what are some of the specific challenges and opportunities of doing U.S. human rights advocacy? In what ways does this history influence domestic human rights advocacy today? How do you think advocates can effectively frame domestic issues through a human rights lens?

Reading:

- Carol Anderson, *Eyes Off the Prize* (excerpts)
- Thomas Buergenthal *et al.*, *International Human Rights in a Nutshell*, (2017) (Read: Chapter 6: Introduction, § 6-1, § 6-2, §6-3, §6-5)
- Victims of Police Violence and CSOs, *Updated Letter to UN Human Rights Council on Racist Police Violence* (2020), https://www.aclu.org/sites/default/files/field_document/20.08.05_updated_letter_to_hc_of_u_nhrc_on_res_racist_police_violence_1.pdf
- E. Tendayi Achiume, *Black Lives Matter and the UN Human Rights System*, *EJIL: Talk!* (2020)

Tuesday, February 21st

What is the human rights movement in the United States?

International human rights law establishes a set of globally recognized values and principles grounded in dignity and the rights to equality and non-discrimination against which to evaluate and critique domestic legal systems. Lawyers, policymakers, investigators, scholars, organizers, activists, researchers, and survivors have drawn on human rights concepts, norms, and institutions to develop critiques, as well as organize, litigate, research, monitor, document, and craft policy. This session will examine this diverse range of organizations, groups, communities, and survivors that populate the human rights movement in the United States. In preparation for class, each student will identify two examples of initiatives by individuals, communities, or organizations to internationalize a local human rights violation (i.e., bring a local issue to the attention of the international community) or to domesticate international norms (i.e., incorporate international protections into U.S. law, policy, or practices).

Guiding Questions: If the goal is social change/social justice in the United States, why use human rights? What are the strengths and weaknesses? Is the human rights movement in the United States a top-down, elite-driven movement? What should be the relationship between the human rights movements in the United States and the victims and groups working to advance human rights in the Global South?

Reading:

- Catherine Albisa, “First-Person Perspectives on the Growth of the Movement: Ajamu Baraka, Larry Cox, Loretta Ross, and Lisa Crooms,” from Soohoo et al., eds., BHRH, Vol. 2: From Civil Rights to Human Rights (2008).
- Scott L. Cummings, [The Internationalization of Public Interest Law](#) (2008) (Read pages 1006-1023).
- Columbia Law School Human Rights Institution, Human Rights in the United States: [Primer on Recommendations from the Inter-American Human Rights Commission & the United Nations](#) (Read pages 9-15, and then choose any *three* of the issue areas covered by the Primer to read about: Criminal Justice Reform (pages 18-21); Death Penalty (pages 19-29); Juvenile Life without Parole (pages 30-33); Domestic Violence/Gender (34-37); Environment/Health (pages 39-41); Immigrant/Migrant Rights (pages 42-56); Indigenous Land (pages 57- 60); Military Action/National Security (pages 62-73); and Right to an Adequate Standard of Living (pages 74-76); and Right to Vote (pages 77-79).

Thursday, February 23rd

Law School & the Legal Profession Class Description

During this session, we will offer a space to learn more about law school and the legal profession. This will be an informal discussion with the head of admissions at a major U.S. law school, law students, and a practicing attorney. The speakers will discuss the unique set of challenges faced by first-generation applicants, underscore the importance of drawing underrepresented students to the legal profession, help demystify law student life, and discuss the opportunities and challenges of using the law as a tool for justice.

Guest Speakers:

Andrea Clark Gomez is a second-year law student at Berkeley Law and first generation Lawtina and immigrant to the United States who pursued a Masters in Latin American studies and gained experience in human rights advocacy before coming to law school.

[Hector Martinez](#) is a founding partner with Mallison & Martinez who grew up in a socially conscious farm-worker community and worked at California Rural Legal Assistance, a non-profit law firm dedicated to farmworker issues in the country, before becoming a class action attorney.

Taliah Mirmalek is a third-year law student at Berkeley Law with deep experience organizing for worker rights in the Bay Area and a commitment to finding ways to merge the law and community organizing.

[Rebecca L. Scheller](#), J.D. is the Associate Dean for Admissions & Financial Aid University of Wisconsin Law School and an attorney with experience in family law.

Tuesday, February 28th

Please submit your prospectus via bCourses by 5 pm. You will be required to meet with me to discuss your prospectus.

Oral Advocacy

Oral advocacy is often seen in limelight scenarios: a passionate speech by Malcolm X to a packed room that explodes in applause or an attorney's courtroom closing speech to a skeptical but ultimately persuaded jury. And yet, building the skills for strong oral advocacy can happen in everyday conversation through active, empathetic listening and clear, concise communication.

This session will introduce students to the elements of effective storytelling for advocacy. The class will provide guidance on how to construct narratives to move persuadable audiences and garner support for systems change. During the session, students will also learn to identify and avoid contributing to harmful and damaging stereotypes. Students will apply these storytelling principles to prepare their group presentations for in-class mock hearings before Inter-American Commission.

Readings:

- Please select **one** of the Inter-American Thematic Hearings listed below to view in preparation for class:
 - [Extrajudicial Killings in the United States](#) (2017)
 - [The Human Rights Situation of Migrants and Refugees in the United States](#) (2016)
 - [The Human Rights to Water in the United States](#) (2016)
- Jasmine Somaiah, The Art of Storytelling for Advocacy Campaigns, <https://callhub.io/storytelling-for-advocacy/>
- Center for Story Based Strategy, Story Based Strategy 101, <https://commonslibrary.org/story-based-strategy-101/>

- Ella Saltmarshe, Using Story to Change Systems, https://drive.google.com/file/d/1qtZ1GbNoqn0ecOUm0FispjA_uToYdg_M/view
- BROKE, Identifying Harmful Persuasive Narratives, <https://radcommsnetwork.org/wp-content/uploads/2022/07/Identifying-Harmful-Pervasive-Narratives.pdf>

Additional Resources

- BROKE, How the Nonprofit and Philanthropic Sectors Are Talking about Poverty and How We Can Do Better, https://radcommsnetwork.org/wp-content/uploads/2022/07/Broke_V3.pdf
- Joseph E. Davis, Narrative and Social Movements, https://sunypress.edu/content/download/450908/5482253/version/1/file/9780791451915_imported2_excerpt.pdf
- Opportunity Agenda, Narrative Shift and the Death Penalty, https://opportunityagenda.org/messaging_reports/shifting-the-narrative/case-1/
- Broke, A Rubric for Telling Stories that Transform Perspectives on Poverty, <https://radcommsnetwork.org/wp-content/uploads/2022/07/A-Rubic-for-Telling-Stories.pdf>

Thursday, March 2nd

Homicide Impunity, Human Rights, and State Failure

This session will examine the phenomenon of “homicide impunity” in the United States. We will discuss how viewing unsolved homicides through the lens of impunity—a concept commonly used in the field of international human rights law—exposes underexamined impacts of unsolved murders on the families of homicide victims.

Guiding questions: How are human rights implicated/violated by gun violence? What rights does human rights law afford the family members of victims of gun violence? How does viewing murder rates in the United States through a human rights lens reframe the policy and legal debate?

Reading:

- Roxanna Altholz, *Living with Impunity: Unsolved Murders in Oakland and the Human Rights Impact on Victims’ Family Members* (pages 6-11, 19-48)
- Wesley Lowery, Kimbriell Kelly, Ted Mellnik and Steven Rich, *Murder with Impunity: Where Killings Go Unsolved*, WASH. POST (Jun. 6, 2018).

Tuesday, March 7th

Beyond Consultation: Indigenous Peoples’ Struggle for Meaningful Consent Class

Description & Reading

In this class, we will explore the challenges Indigenous Peoples face in the struggle for meaningful Free, Prior, Informed Consent in the United States.

Around the world, Indigenous Peoples comprise less than 5% of the world population, yet they protect 80% of the Earth’s biodiversity in forests, deserts, grasslands, and marine environments

in which they have lived for centuries. As a result, it is also Indigenous Peoples that are most often directly impacted by forced displacement and environmental discrimination due to corporate and government interests in natural resource extraction. As Indigenous Peoples and other human rights defenders work to protect ancestral homelands, the Earth, and Water, they do so at great risks. Indigenous Peoples are more likely to be killed, displaced, or harassed as they defend their way of life, land, and natural resources from encroachment by businesses, paramilitary groups, and government actors.

The complex tapestry of U.S. federal laws and international norms, such as the United Nations Declaration of Indigenous Peoples, often fall short in providing effective protection to Indigenous Peoples and the Earth. International human rights bodies have underscored the failure by the United States to guarantee, in law and in practice, free, prior and informed consent of indigenous peoples in policy-making and decisions that affect them and expressed concern about restrictive legal interpretation of these protections. Without effective safeguards, there has been an alarming increase in violent attacks against and criminalization of Indigenous Peoples defending their rights to their traditional lands and natural resources.

Guiding questions: What are the safeguards that are in place to protect Indigenous Peoples, ancestral lands, cultural and sacred sites, and the Earth itself? What are the limitations of those safeguards? How are Indigenous Peoples impacted by environmental discrimination and structural racism? How can we re-imagine law and advocacy as vehicles for social change?

Guest Speaker: Natali Segovia, Esq., Water Protector Legal Collective. Natali Segovia is an international human rights attorney of Quechua descent, who currently serves as the Legal Director of the Water Protector Legal Collective (WPLC), a nonprofit that grew out of the #NoDAPL resistance at Standing Rock that provides legal support and advocacy for Indigenous Peoples and Original Nations, the Earth, and climate justice movements. Natali's work focuses on the protection of the Earth and human rights violations as a result of extractive industry and mass development projects. Over the past twenty years, she has done extensive international work most often addressing the impact of extractive industries on Indigenous Peoples through forced displacement, desecration of sacred lands, and contamination of traditional homelands. Natali holds a law degree from Arizona State University and dual degrees in International Politics and Latin American Studies from Columbia University.

Reading:

- Dahr Jamail, “[Climate Crisis Forces Us to Ask: To What Do We Devote Ourselves?](#)” Truthout, May 6, 2019
- Dahr Jamail & Barbara Cecil, “[What Would It Mean To Deeply Accept That We’re In Planetary Crisis?](#)” Truthout, May 27, 2019
- [United Nations Rights of Indigenous Peoples](#), Preamble, Articles 1-5, 18-19, 23, 28-32 (skim)
- [UNDRIP Quick Reference](#) (Indian Law Resource Center) (skim)
- [Overview of Key Federal Indian Law Cases](#), Judge Joseph J. Wiseman (skim)
- Lauren Redniss, [Oak Flat: A Fight For Sacred Land in the American West](#) (selections) p. 1-29, p. 62-65 (Copper), p. 85 (State Seal), p. 94-95 (Life span of a Mine)

Optional:

- [Berta Caceres documentary](#) (30 minutes)
- [KXL Eviction Notice](#)

Thursday, March 9th

Police, Prisons, and White Supremacy in the United States

This session will explore the viability of human rights as a decarceral and anti-racist strategy as well as the role of directly impacted people can/should play in shaping legal scholarship and advocacy campaigns.

Seizing on the evocation of international and comparative law in Eighth Amendment case law, advocates are turning to international human rights law in their challenges to extreme sentences, like life without parole (LWOP). For example, in *Redeeming Justice*, Terrell Carter and Kempis Songster, two people who were sentenced to LWOP and are part of a broader movement to abolish this sentence, in partnership with human rights scholar Rachel López, set out their conceptualization of the right to redemption as a human right and documented how it aligned with jurisprudence around the world. . The authors explained that because they understood the human capacity for change “as a core part of humanity, belonging not just to the incarcerated but to all members of the human species, [they] adopted a human rights frame.”

Informed by this research, advocates are also now advancing this argument before the United Nations special procedures. On September 15, 2022, a national coalition of advocacy and legal groups submitted a complaint to several U.N. special procedures alleging that the United States is committing torture and violating the prohibition against racial discrimination by condemning people to “Death by Incarceration” (DBI), which includes life without parole (LWOP), life with parole, and “virtual life” sentences that exceed life expectancy. Emerging from a growing movement led by incarcerated people and their families, the complaint includes testimony from some of the more than 200,000 people imprisoned in the United States under DBI sentences and asks for the U.N. to call for the abolition of these sentences.

Guiding Questions: Why do you think that a human rights approach is important to this issue? Relatedly, do you think that there is something unique to the human rights frame that makes it particularly pertinent to advocacy in the criminal law space? Do you think that there is something about the human rights framing that makes it a particularly effective tool for organizing? For instance, is human rights law by its nature more “bottom up” in orientation than other legal regimes? Why might human rights be an appealing frame for promoting anti-racist ideals? Relatedly, what might Black activists hope to gain by raising domestic racial justice issues in international forums? In general, do you think human rights provide a better framework for addressing systemic racism against Black Americans than the U.S. domestic system?

Guest Speakers:

Rachel López is an Associate Professor of Law at the Thomas R. Kline School of Law at Drexel University and the Director of the Andy and Gwen Stern Community Lawyering Clinic. In 2021,

she was recently as an Inaugural Dean’s Research Fellow. Her scholarship primarily focuses on state responsibility for mass abuse, transitional justice, and the carceral state. For her research on transitional justice in Guatemala, Professor López was awarded a Fulbright Scholarship in 2016. She has also held visiting research fellowships at the Lauterpacht Centre for International Law at the University of Cambridge, the Orville H. Schell, Jr. Center for International Human Rights at Yale Law School, and the Max Planck Institute for Comparative Public Law and International Law.

Kempis “Ghani” Songster was imprisoned in 1987 for murder at age 15 after receiving a mandatory life sentence without parole. While in prison, Kempis developed and facilitated prison programs such as Cultural Awareness and Self-Enhancement (CASE) and From Trauma to Triumph, and also co-designed and co-facilitated the Fathers And Children Together (FACT) program. Since his release in 2017 at age 45, he co-founded outside nonprofits such as The Redemption Project and Ubuntu Philadelphia; and is a founding member of Right To Redemption, which helped launch Philadelphia’s Coalition to Abolish Death By Incarceration (CADBI) and has joined the staff at the Amistad Law Project.

Reading:

- Skim full complaint to the United Nations available here:
<https://www.deathbyincarcerationistorture.com/the-complaint>
- Read (attached) excerpted version of Redeeming Justice

Tuesday, March 14th
Human Rights Jeopardy

Thursday, March 16th
Skills Class: Collaboration

During this class you will discuss collaboration. Please fill out the Collaboration Style Self-Assessment. Please download the completed assessment in advance and bring it to class with you.

Reading:

- Susan Bryant, Collaboration in Law Practice, 17 Vt. L. Rev. 459 (1992-93)(Section C. Communication Style (p.503) through Section E. Process Values (p.523)).
- Tema Okun, White Supremacy Culture.

Tuesday, March 21st
A Human Rights Approach to Addressing the Root Causes of Migration

During this session, we will discuss the role of human rights in U.S. national security decision making. As a case study, we will examine the work of the Biden-Harris Administration to address the root causes of migration in Central America.

In 2021, the White House committed to investing nearly \$4 billion over four years to improve living conditions and address the causes of migration from El Salvador, Guatemala, and

Honduras. The U.S. Agency for International Development (USAID), the primary government agency responsible for administering civilian foreign aid and development assistance, launched the Northern Triangle Task Force to address chronic challenges—such as corruption, violence, food insecurity, educational inequities, natural disasters—through structural approaches. This taskforce and other initiatives represent a potential shift away from intensifying enforcement efforts while disregarding the political, economic, social, and environmental factors that drive migration from Central America.

Guiding questions: What place should human rights occupy in the formation of U.S. foreign policy? Under what circumstances, do human rights considerations supersede or overlap with state self-interest in the migration context? How can the United States shape initiatives to enhance due process, accountability, and equitable economic development; tackle corruption, violence, discrimination, and environmental degradation; and strengthen the rule of law in Northern Triangle address the underlying cause of migration? What are the risks involved in using foreign policy to address human rights issues abroad?

Guest speaker: Michael Camilleri is a Senior Advisor in the Office of USAID Administrator Samantha Power, where he leads the Agency's work on democratic bright spots. From April 2021 to December 2022 he served as Executive Director of USAID's Northern Triangle Task Force. Prior to joining USAID, Michael was Director of the Peter D. Bell Rule of Law Program at the Inter-American Dialogue. From 2012 to 2017, he served in the Obama-Biden Administration as the Western Hemisphere advisor on the Secretary of State's Policy Planning Staff and as Director for Andean Affairs at the National Security Council. Earlier in his career he worked as a human rights lawyer at the Organization of American States, the Center for Justice and International Law, and with a coalition of civil society organizations in Guatemala. A Maltese immigrant raised in Minnesota, Michael holds a B.A. in History from the University of Notre Dame and a J.D. from Harvard Law School.

Reading:

- Roberta Cohen, Integrating Human Rights in US Foreign Policy: The History, the Challenges, and the Criteria for an Effective Policy (2008), https://www.brookings.edu/wp-content/uploads/2016/06/04_human_rights_cohen.pdf
- Thomas L. Friedman, What Samantha Power Learned on the Job, NYTimes (2019), <https://www.nytimes.com/2019/09/10/books/review/the-education-of-an-idealist-samantha-power.html>
- Michael Camilleri, Generating Hope: A new focus on opportunities and good governance for citizens of El Salvador, Guatemala, and Honduras, USAID (2021), <https://medium.com/usaaid-2030/generating-hope-289ef2ca3b38>
- National Security Council, U.S. Strategy for Addressing the Root Causes of Migration in Central American (2021), <https://www.whitehouse.gov/wp-content/uploads/2021/07/Root-Causes-Strategy.pdf> (SKIM)
- WOLA, Biden's First Year Policies toward Latin America (2022), <https://www.wola.org/analysis/bidens-first-year-policies-toward-latin-america/#centralamerica>

Optional Reading

- Dexter Filkins, *The Moral Logic of Humanitarian Intervention*, *The New Yorker* (2019), <https://www.newyorker.com/magazine/2019/09/16/the-moral-logic-of-humanitarian-intervention>
- Wilson Center, *US Foreign Aid to the Northern Triangle 2014-2019: Promoting Success by Learning from the Past* (2020), <https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/US%20Foreign%20Aid%20Central%20America.pdf>
- Kenneth Roth, *Biden's Challenge: Redeeming a US Role for Human Rights*, <https://www.hrw.org/world-report/2021/bidens-challenge>
- Michael Ignatieff, [Introduction: American Exceptionalism and Human Rights](#) (2005)

Thursday, March 23rd

The Human Right to Housing in California

In California, there are approximately 161,000 men, women, and children who lack access to affordable housing. The state comprises approximately 12% of the nation's population but is home to half of all unsheltered people and a little over a quarter of all people who are unhoused. California has the second-highest rent in the nation. Most low-income households pay more than half of their incomes to housing. Despite the severe lack of available, affordable housing, less than 11% of housing units permitted in 2021 were moderately priced and 16% were in reach of lower-income residents.

California's legislature is the first in the nation to propose a constitutional amendment that recognizes the human right to housing. California Assembly Constitutional Amendment 10 (ACA-10) states:

The fundamental human right to housing is hereby declared to exist in this state. This right ensures access to adequate housing for all Californians. This right is exclusively enforceable by a public right of action. It is the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right through progressively implemented measures, consistent with available resources, within an aggressive but reasonable time frame.

ACA-10 would recognize that every Californian has the fundamental human right to adequate housing on an equitable and non-discriminatory basis. State and local jurisdictions would be required to take progressive steps to fully realize adequate housing as a right—not a privilege. Originally introduced after group of women and children used the human right to housing to justify the occupation of a vacant West Oakland home in late 2019, the recognition of human rights to housing has the support of not only of housing advocates but 66% of Californians—including 54% of those identifying as Republicans—according to one poll.

Guiding questions: What does a human rights analysis tells us about why there is a homelessness crisis in the United States? What are the challenges and benefits of pursuing ACA 10? How could constitutional recognition of the right to housing improve the lives of unhoused people in California?

Guest speaker: Eric Tars serves as the National Homelessness Law Center’s legal director, leading its human rights, civil rights, and children’s rights programs and managing its cutting-edge litigation, strategic policy advocacy, and outreach and training initiatives at the international, national, and local levels. Before coming to the Law Center, Eric was a Fellow with Global Rights’ U.S. Racial Discrimination Program and consulted with Columbia University Law School’s Human Rights Institute and the US Human Rights Network, where he currently serves as the vice-chair of the Network’s Board. Eric received his J.D. from Georgetown University and his B.A from Haverford College.

Reading:

- Rob Rosenthal and Maria Foscarinis, [*Responses to Homelessness: Past Policies, Future Directions, and a Right to Housing*](#) in *A Right to Housing: Foundation for a New Social Agenda* (2006)
- Assembly Member Matt Haney, [*Assembly Constitutional Amendment 10*](#)
- The Right to Adequate Housing, 3-15 (2021), https://www.ohchr.org/sites/default/files/Documents/Publications/FS21_rev_1_Housing_en.pdf

Tuesday, April 4th

Skills Class: Writing

Please submit the outline of your final paper via bCourses by 5 pm.

During this class, we will discuss the fundamentals of persuasive writing.

Guest Speaker: Urmila Taylor, Professor of Legal Writing (utaylor@berkeley.edu)
Urmila Taylor joined the faculty of the First Year Skills program as a Professor of Legal Writing in 2021. She received her J.D., cum laude, from Georgetown University Law Center, where she was Notes Editor of the Georgetown Law Journal. Before she began her academic career, Taylor served as Director of the Social Security Administration’s litigation practice in the Ninth Circuit. She developed agency-wide trainings on administrative law and regulatory practice, as well as legal writing and research, oral argument, and appellate advocacy. Taylor began her legal career in the antitrust practice at O’Melveny and Myers, LLP.

Reading;

- Richard Wydick and Amy Sloan, *Plain English for Lawyers* (2019), Chapters 4 (Prefer the Active Verb), 5 (Use Short Sentences), and 7 (Choose Your Words Carefully)

Thursday, April 6th

Human Rights in Supply Chains of U.S. Multinationals

During this session, we will discuss how advocates are using international standards, including OECD and United Nations guidelines, to connect workers along global supply chains. According to the International Labour Organization (ILO), more than 450 million people work in supply chain-related jobs. While the global economy brought economic opportunity to some, human

rights abuses—such as forced labor, unsafe working conditions, child labor, debt bondage, and the use of violence, fraud, or coercion towards vulnerable workers— have been documented at all stages of global supply chains across sectors, including construction, auto manufacturing, fishing, farming, food, clothing, and textiles.

These human rights violations impact not only workers in supplier factories typically located in the “Global South”, but also increasingly workers in retail stores and distribution hubs located in the “Global North”. For example, workers in the U.S. garment sector often experience excessive overtime, low wages, and potentially deadly health and safety risks. A range of scholars and advocates have argued that transnational labor collaboration is needed to improve workers’ bargaining power.

The pandemic and the rise in cost-of-living have made supply chain human rights violations more evident and amplified a growing global call to hold companies responsible. Companies are facing increased scrutiny by governments as they also face pressure to protect human rights in their supply chains from consumers, shareholders, and business partners. However, multinational corporations, many headquartered in the United States, including some of the wealthiest and most powerful entities in the world have failed to mitigate or effectively address human rights risks.

Guiding questions: What are human rights violations faced by supply chain workers? In what ways have governments intervened to ensure that companies act to identify, mitigate or end, and remedy human rights risks? How does establishing transnational worker collaboration—i.e. direct relationships among workers along the supply chain—strengthen the ability of workers to address human rights risks?

Guest Speaker: JJ is the executive director of Global Labor Justice. JJ is an attorney, organizer, and human rights strategist advocating for human rights, decent work for all, and fair migration. For over two decades, JJ has used legal, policy, and advocacy strategies to win access to rights and collective power for low-wage workers and advised workers’ centers on transnational grassroots collaborations. Global Labor Justice follows a more than ten-year record in the post-Katrina Gulf Coast where JJ created a new model of movement lawyering as the founding legal and policy director for the National Guestworker Alliance and the New Orleans Workers’ Center for Racial Justice. JJ has litigated cases before trial and appellate courts and led the human, labor, and migrants rights strategy for campaigns including the Signal workers, who exposed labor trafficking from India to the Gulf Coast after Hurricane Katrina, and the Justice @ Hershey’s campaign, where hundreds of foreign students won new regulations for the cultural exchange visa program.

Readings:

- HRW, Human Rights in Supply Chains A Call for a Binding Global Standard on Due Diligence (2016), <https://www.hrw.org/report/2016/05/30/human-rights-supply-chains/call-binding-global-standard-due-diligence>

- Marti Flacks and Catherine Zou, To Build Resilient Global Supply Chains, Incorporate Respect for Human Rights (2022), <https://www.csis.org/analysis/build-resilient-global-supply-chains-incorporate-respect-human-rights>
- GLJ-ILRF Stands in Solidarity With New Jersey Workers Who Exposed Forced Labor and are Demanding Transnational Labor Justice Across the BAPS Global Supply Chain (2021), <https://www.justicefortemplestoneworkers.com/glj-statement>
- OECD Specific Instance: Twenty garment sector unions, Asia Floor Wage Alliance (AFWA) and Global Labor Justice - International Labor Rights Forum (GLJ-ILRF) vs. Nike (2023), <https://globallaborjustice.org/wp-content/uploads/2023/02/OECD-Fact-Sheet-Nike.pdf>
- OECD, OECD Due Diligence Guidance for Responsible Business Conduct, pages 15-19 (2018), <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

Optional Reading:

- Re:Structure Lab, Blueprint (2022), <https://www.restructurelab.org/blueprint>

Tuesday, April 11th

Environmental Justice & Human Rights

This class will explore the intersection between human rights and climate change by learning about the environmental justice movement in the US and abroad and their advocacy efforts around a just energy transition and the implementation of global standards. The class will focus on how environmental justice organizers are building a transnational solidarity network between the North and South by mobilizing the resources of a large, US-based organization: Sierra Club. In particular, we will discuss examples of frontline communities in Kenya, India, Vietnam, and the US suffering from climate change and toxic waste. And we will reflect on the role of Sierra Club and its transformation, from doing only conservation work to supporting grassroots organizations and assisting in diasporic engagements. This class will build on the question of who our audience is when thinking about human rights strategies and who we aim to mobilize.

Guiding Questions: What is environmental justice and how is it different from conservation and other environmental movements? Who are key actors in the environmental movement and how have their roles shifted with the emergence of international standards around human rights and climate change? How can international delegations be mobilized and what role do they play in building transnational solidarity? When deciding advocacy strategies, who do we usually listen to and who should we listen to instead?

Guest Speaker: Neha Mathew-Shah is the former Associate Director of the International Climate & Policy Campaign at the Sierra Club. Neha is also the Co-Founder and former President of the Progressive Workers Union (PWU). Neha is a first-generation immigrant to the US, born in Hyderabad, India and has lived in California, Washington D.C. and New York. She recently became a parent and is equal parts hopeful and anxious about the future.

Readings:

- Office of the United Nations High Commissioner for Human Rights, Understanding Human Rights and Climate Change (2021), <https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/COP21.pdf> (pgs. 2-4, 13-22)
- Sierra Club, Global Impact Podcast, <https://www.sierraclub.org/global-impact-podcast> (students should listen to episode 3 on Kenya and 4 on India)
- Neha Mathew-Shaw, Global Grassroots Advocates Are Leading the Way (2021), <https://www.sierraclub.org/articles/2021/06/global-grassroots-advocates-are-leading-way> (read text and watch the first 12-minute video titled “The Breach”)
- Lena Moffit, A Toxic Tour Through the Gulf South (2016), <https://www.sierraclub.org/compass/2016/07/toxic-tour-through-gulf-south> (read the whole thing)

Optional readings:

- Neha Mathew-Shaw, A Growing Movement To #SaveSundarbans (2016), <https://www.sierraclub.org/compass/2016/04/growing-movement-savesundarbans>
- Global Grassroots Leaders Climate Summit (2021), <https://www.sierraclub.org/global-grassroots-leaders-climate-summit>
- Sierra Club, The U.S. Export-Import Bank’s Dirty Dollars (2014), https://drive.google.com/file/d/10qR-6UD7hG_d245CRqncU4rkKFT6mJwt/view?usp=sharing
- Sierra Club, What World Leaders Can Learn from India and Global Grassroots Calls for Climate Action (2021), <https://www.sierraclub.org/articles/2021/04/what-world-leaders-can-learn-india-and-global-grassroots-calls-for-climate-action>
- Commission for Racial Justice, Toxic Wastes and Race in the United States (1987), http://d3n8a8pro7vhm.cloudfront.net/unitedchurchofchrist/legacy_url/13567/toxwrace87.pdf?1418439935
- Dumping in Dixie by Robert Bullard, <https://www.nytimes.com/interactive/2020/06/05/climate/racism-climate-change-reading-list.html>

Thursday, April 13th

The Human Right to Reproductive Freedoms in the United States

This class will examine the limits of reproductive rights as traditionally conceptualized, examine contributions made by the reproductive justice movement, and explore advocacy efforts that center people’s bodily autonomy. The class will explore how lawyers in the reproductive rights, health, and justice movement in the United States have used international human rights law and strategies to set new standards domestically and internationally. In particular, we will discuss how the use of shadow reports, the participation of representative delegations at international forums, and documentation efforts—among other strategies beyond litigation and enforcement—can shape the law to reflect the lived experiences of marginalized groups.

Guiding Questions: What are reproductive rights? What are the limits to the protections of reproductive rights established by international and U.S. law? Who has been historically

included and excluded from efforts to promote and defend reproductive rights? And who should be centered in the work and how? How might integration of the reproductive justice framework and collaboration with reproductive justice leaders change the goals and strategies lawyers use to defend or expand reproductive rights?

Guest Speaker: Pilar Herrero is a Senior Staff Attorney with the Center for Reproductive Rights. She uses international human rights law to strengthen domestic legal advocacy for reproductive freedom and to hold the U.S. accountable for human rights violations. Pilar co-leads the Center's work on maternal health in the U.S., which seeks to advance racial/ethnic and gender justice in and through reproductive health. Before joining the Center, Pilar worked on a range of social justice issues from both legal and non-legal angles, including immigration, education, criminal justice, and the rights of incarcerated parents. Pilar earned her LL.M. in international legal studies from NYU School of Law. She earned her J.D. and a UW Law Merit Award from the University of Washington and holds a B.S. in biology, also from the University of Washington.

Required readings:

- Center for Reproductive Rights, Black and Indigenous Delegation at the UN Committee on the Elimination of Racial Discrimination (CERD), <https://reproductiverights.org/un-cerd-us-abortion-maternal-health-racial-discrimination/>
- Center for Reproductive Rights, Systemic Racism and Reproductive Injustice in the United States: A Report for the UN Committee on the Elimination of Racial Discrimination, https://reproductiverights.org/wp-content/uploads/2022/08/2022-CERD-Report_Systemic-Racism-and-Reproductive-Injustice.pdf
- Color of Change, Reproductive Justice Part 1: <https://www.youtube.com/watch?v=mWyJ2Gz52fw>

Optional readings:

- Berkeley Law professor Khiara M. Bridges: “The past will be present when Roe falls”, <https://news.berkeley.edu/2022/03/04/podcast-khiara-bridges-reproductive-justice/>
- Letter to UN experts on human rights impacts of Dobbs (2023)

Tuesday, April 18th

In-class presentations on Migration, White Supremacy & Policing & Workers' Rights

Thursday, April 20th

In-class presentations on Violence & Impunity on the Border, Reproductive Justice & Gun Violence

Tuesday, April 25th

In-class presentations on Housing, Indigenous Rights & Environmental Justice

Thursday, April 27th

Final Class: The Future of Human Rights Advocacy in the United States

Final Papers due by 5 pm via bCourses.