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# GENDER, SEXUALITY, AND HUMAN RIGHTS

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Wednesday & Friday 10:05-11:20 AM  
**Prof. Ara Wilson**

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Women's Human Rights represents a new – and still contested – development in the broader field of post-WW II international Human Rights. This course considers the ways that Human Rights frameworks have been applied to issues of gender and sexuality, particularly through the emergence of Women's Human Rights and Sexual Rights. We consider the political movements and legal and policy arguments that helped formulation of Women's Human Rights, starting with feminist criticism of the gender bias in human rights frameworks and in Western liberal theory. More than almost any other domain of rights, gender and sexuality have been flashpoints for debates about cultural relativism and cultural imperialism in defining and enforcing HR provisions. Addressing the extension of Human Rights frameworks to gender and sexual issues thus raises wide-ranging questions about rights, including debates about universality; the Western origin of rights frameworks; formal versus substantive approaches; and the status of non-state actors as well as cultural and economic issues in defining and enforcing rights. The course provides a critical background for students to contribute to organizations involved in HR projects and to engage key conversations in feminist scholarship.

The objectives of the course are to enable students to:

1. Explain arguments for reconceptualizing rights to address gender and sexuality;
2. Identify key debates about cross-cultural applications of Human Rights;
3. Situate the expanse of Human Rights frameworks in social and historical context;
4. Reference key international instruments relevant to gender and sexuality.

## **COURSE READINGS**

Please complete the reading by the class for which it is intended. Required readings include handouts, articles that are on e-reserve (e), on-line, and/or on Blackboard, and these books:

- Merry, Sally Engle. *Human Rights and Gender Violence: Translating International Law into Local Justice*, Chicago Series in Law and Society. Chicago: University of Chicago Press, 2006.
- Ross, Fiona C. *Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa*, Anthropology, Culture, and Society. London; Sterling, Va.: Pluto Press, 2003. (can be purchased online at [www.addall.com](http://www.addall.com))
- Cynthia Rothschild/IGLHRC/ CWGL, *Written Out: How Sexuality is Used to Attack Women's Organizing*. Rutgers, NJ: Center for Women's Global Leadership.

## **SERVICE LEARNING**

This course will prepare students for work in Human Rights or other advocacy fields. The proposed course may include a class trip to a Washington, DC-based Human Rights organization focused on gender/sexuality. The service-learning component is not currently required for the course. However, students may also use service learning in the course, including long-distance participation (e.g., research reports, Web content, evaluations) or prior participation (e.g., summer internship). The arrangement for service learning is as follows:

- Approval of organization and participant's role or project, ideally before the beginning of the course at the latest by the second class meeting
- Target organizations should include explicit attention to Human Rights frameworks
- Final paper and presentation will be based on observation/research about the organization combined with at least 4 course readings
- One question on the midterm can discuss the organization in relation to 1-2 course readings

## **REQUIREMENTS, ASSIGNMENTS AND GRADES**

Instructions for assignments will be handed out and available on Blackboard.

Grading will be based on oral & written assignments and class performance:

- 20% Midterm (take-home, open book)
- 20% Final research paper (7-10 pages, typed)
- 20% 4 analytical summary papers (1 page, typed)
- 10% Class performance: participation (quantity and quality)
- 10% Attendance & on-time arrival
- 20% Class presentation (formal, rehearsed, polished; linked to final paper)

Plagiarism: Collaborative *research* and *discussion* are encouraged. Writing papers must be an individual effort. Please note that even unintentional plagiarism will be treated as academic misconduct.

A note on participation: I expect students to participate *on average* at least once a class. Regular class participation is a requirement like written work and exams: it is a responsibility of the student and not optional. If you are very uncomfortable with public speaking, please see me so that we can work on ways to help you participate more easily.

Accommodation of students with disabilities: Students who might need accommodations for a disability should alert the professor and request relevant arrangements. The student should arrange a meeting with the professor as soon to discuss course requirements and your needs to fulfill them.

## COURSE SCHEDULE

\* *subject to change*

|     |               |  |
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|     | <u>Week 1</u> | <b><u>INTRODUCTION</u></b>   |
| Fri | Jan 12        | <b>Introduction to Course: Women's Human Rights</b>  |
|     | <u>Week 2</u> | <b><u>PUBLIC RIGHTS, PRIVATE WRONGS</u></b>  |
| Wed | Jan 17        | <b>HUMAN RIGHTS OVERVIEW</b><br><br>The Universal Declaration of Human Rights. United Nations 1948.<br><a href="http://www.un.org/Overview/rights.html">http://www.un.org/Overview/rights.html</a><br>Handout: Rosalie Abella 1993 "From Civil Liberties to Human Rights: Acknowledging the Differences"   |
| Fri | Jan 19        | <b>PUBLIC/PRIVATE AND GENDER</b><br><br>Donna Sullivan, "The Public/Private Distinction in International Human Rights Law" in <i>Women's Rights, Human Rights</i><br>Karen Engle, "After the collapse of the public-private distinction: Strategizing women's rights" in Dorinda Dollmeyer (ed.) <i>Reconceiving Reality: Women and International Law</i> (1993)<br>Recommended: Ruth Lister, "Citizenship: Towards a Feminist Synthesis" <i>Feminist Review</i> 57 1997<br><br><b>First analytical summary due in class: 1 page, 1-1/2 spaced discussion of either Sullivan or Engle</b>  |
|     | <u>Week 3</u> | <b><u>FRAMING WOMEN'S HUMAN RIGHTS</u></b>   |
| Wed | Jan 24        | <b>Rights and Women</b><br><br>Charlotte Bunch. 1995. "Transforming Human Rights from a Feminist Perspective" In Peters and Wolper, eds. <i>Women's Rights/Human Rights: International Feminist Perspectives</i> . NY/London: Routledge. pp. 11-17.<br>Hilary Charlesworth. 1994. "What Are 'Women's International Human Rights'?" In R. J. Cook, ed. <i>Human Rights of Women: National and International Perspectives</i> . Philadelphia: University of Pennsylvania. pp. 58-84.<br><u>Background</u> : Keck and Sikkink ch. 3 & 5 from <i>Activists beyond borders: advocacy networks in international politics</i> .<br>Karen Engle, "International Human Rights and Feminisms: When Discourses Keep Meeting," in <i>Feminist Perspectives on International Law</i> (Dorris Buss & Ambreena Manji eds., 2005). |
| Fri | Jan 26        | <b>Women's Human Rights</b><br><br>Margorie Agosin, 2002. <i>Women, Gender, and Human Rights</i> . Pp. 15-82.<br><b>Second analytical paper due</b> : Synthesize 2 articles, discuss how feminists critique Human rights frameworks and what they modify to address gender/sexuality.  |

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| <b><u>Week 4</u></b> |        | <b>THE CULTURAL QUESTION</b>  |
| Wed                  | Jan 31 | <p><b>Difference, Diversity, and Culture</b></p> <p>Mallika Dutt, “Reclaiming a Human Rights Culture: Feminism of Difference and Alliance”</p> <p>Arati Rao, “The Politics of Gender and Culture in International Human Rights Discourse,” in <i>Women’s Rights, Human Rights</i></p>   |
| Fri                  | Feb 2  | <p><b>Local Cultures and Rights</b></p> <p>Radhika Coomaraswamy, “To Bellow like a cow: Women, ethnicity and the discourse of rights” in Rebecca Cook (ed.) <i>Human rights of Women: National and International Perspectives</i> (University of Pennsylvania Press, 1994).</p> <p>Report of the Special Rapporteur on Violence against Women, its causes and consequences, Ms. Radhika Coomaraswamy, “Cultural Practices in the Family that are Violent towards Women,” E/CN.4/2002/83, (esp. paragraphs 12-20), at <a href="http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2002.83.En?OpenDocument">http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2002.83.En?OpenDocument</a>.</p> |
| <b><u>Week 5</u></b> |        | <b>RELATIVISM AND UNIVERSALISM</b>  |
| Wed                  | Feb 7  | <p><b>Anti-Relativism</b></p> <p>Susan Moller Okin, “Is Multiculturalism Bad For Women” Boston Review online <a href="http://www.bostonreview.net/BR22.5/okin.html">http://www.bostonreview.net/BR22.5/okin.html</a></p> <p>Look at one response to Okin in this issue</p>  |
| Feb 7                |        | <p><b>Situating Universalism</b></p> <p>Haitian Lu, “Women’s Human Rights, Universalism and Cultural Relativism”</p> <p>Clip, Laura Bush on Afghanistan, You Tube, <a href="http://www.youtube.com/watch?v=90AJh77MEFo">http://www.youtube.com/watch?v=90AJh77MEFo</a></p>  |
| <b><u>Week 6</u></b> |        | <b>ADVOCACY AND APPLICATIONS</b>  |
| Wed                  | Feb 14 | <p><b>CEDAW</b></p> <p>CEDAW <a href="http://www.un.org/womenwatch/daw/cedaw/">http://www.un.org/womenwatch/daw/cedaw/</a></p> <p>Review government exceptions to CEDAW</p>   |
| Fri                  | Feb 16 | <p><b>International Criminal Tribunals: Rwanda and Rape</b></p> <p>Kelly Dawn Askin, “Gender Crimes Jurisprudence in the ICTR: Positive Developments,” 3 <i>J. Int’l Crim. Just.</i> 1007 (September 2005).</p> <p>Peggy Kuo, “Prosecuting Crimes of Sexual Violence in an International Tribunal,” 34 <i>Case W. Res. J. Int’l L.</i> 305 (Fall 2002).</p> <p>Binaifer Nowrojee, “ ‘Your Justice Is Too Slow’: How the ICTR Failed Rwanda's Rape Victims,” in <i>Women and Armed Conflict</i>, (UNRSD: Zubaan Books 2005)</p>  |
| <b><u>Week 7</u></b> |        | <b>TRUTH, RECONCILIATION, AND GENDER</b>  |
| Wed                  | Feb 21 | <p><b>South Africa</b></p> <p>Ross, <i>Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa</i> – first half</p>  |
| Fri                  | Feb 23 | <p><b>Knowledge, Gender, and Justice</b></p> <p>Ross, <i>Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa</i> – second half</p> <p>South African Constitution – excerpts</p>  |

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| <u><b>Week 8</b></u>  |        | <u><b>FEMINIST CRITIQUES OF WOMEN'S RIGHTS</b></u>   |
| Wed                   | Feb 28 | <b>Problematizing Women's Rights</b><br>Inderpal Grewal, 'Women's Rights as Human Rights': The Transnational Production of Global Feminist Subjects" in <i>Transnational America</i>   |
| Fri                   | Mar 2  | <b>Navigating Critiques and Practice</b><br>Rosalind Petchesky, excerpt from <i>Global Prescriptions: Gendering Health and Human Rights</i>  |
| <u><b>Week 9</b></u>  |        | <u><b>ISLAM AND WOMEN'S RIGHTS</b></u>   |
| Wed                   | Mar 7  | <b>Muslim as "Problem"</b><br>Lila Abu-Lughod, Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and its Others, <i>American Anthropologist</i> (2002)<br>Ann Elizabeth Mayter, "Cultural Particularism as a Bar to Women's Rights: Reflections on the Middle Eastern Experience," in <i>Women's Rights, Human Rights</i><br>Recommended: Abdullahi A. An-Na'im, "Islamic Foundations of Religious Human Rights," in Witte and van der Vyver, eds., <i>Religious Human Rights in Global Perspective</i> , pp. 337-359.  |
| Fri                   | Mar 9  | <b>Islamic Rights</b><br>Film: "Divorce Iranian Style"<br>Riffat Hassan, "Rights of Women Within Islamic Communities," in Witte and van der Vyver, eds., <i>Religious Human Rights in Global Perspective</i> , pp. 361-386.<br>Cairo Declaration on Human Rights in Islam<br><a href="http://www.religlaw.org/interdocs/docs/cairohrislam1990.htm">http://www.religlaw.org/interdocs/docs/cairohrislam1990.htm</a><br>Riffat Hassan, "Are the Rights of Women Compatible with Islam?"<br><a href="http://www.religiousconsultation.org/hassan2.htm">http://www.religiousconsultation.org/hassan2.htm</a> |
| <u><b>Week 10</b></u> |        | <u><b>BREAK</b></u>  |
| <u><b>Week 11</b></u> |        | <u><b>TRANSLATING RIGHTS</b></u>   |
| Wed                   | Mar 21 | <b>Violence Against Women</b><br>Sally Engle Merry, first half, <i>Human rights and gender violence</i>  |
| Fri                   | Mar 23 | <b>Translations and Vernacularization</b><br>Sally Engle Merry, second half, <i>Human rights and gender violence</i>   |
| <u><b>Week 12</b></u> |        | <u><b>SEXUAL RIGHTS</b></u>  |
| Wed                   | Mar 28 | <b>Asylum Based on Sexuality</b><br>Kristen Walker, "The Importance of Being Out: Sexuality and Refugee Status," <i>Sydney Law Review</i> 18 (1996): 568-97.   |
| Fri                   | Mar 30 | <b>Sexual Rights as Imperialism?</b><br>Joseph Massad, "Re-Orienting Desire: The Gay International and the Arab World"<br><a href="http://muse.jhu.edu/journals/public_culture/v014/14.2massad.html">http://muse.jhu.edu/journals/public_culture/v014/14.2massad.html</a><br>Scott Long, "Trials of Culture: Sex and Security in Egypt"<br><a href="http://www.merip.org/mer/mer230/230_long.html">http://www.merip.org/mer/mer230/230_long.html</a>   |
| <u><b>Week 13</b></u> |        | <u><b>SEXUALITY AS TACTIC</b></u>  |

Wed Apr 4 **Sexuality as Tactic**  
IGLHRC, chaps 1-2, *Written Out: How Sexuality is Used to Attack Women's Organizing*

Fri Apr 6 **Local Organizing around Sexual Rights**  
IGLHRC, ch. 3-4, *Written Out: How Sexuality is Used to Attack Women's Organizing*

**Week 14** **ADVOCACY AND ANALYSIS**

Wed Apr 11 **Practioner Reflections**  
Niki Johnson, Peggy Antrobus, Gina Vargas, selections, [\*Pause for Thought: Lessons Learnt and Ways forward for women's human rights advocacy\*](#)

Fri Apr 13 **Student Presentations**

**Week 15** **PRESENTATIONS**

Wed Apr 18 **Student Presentations**

Fri Apr 20 **Student Presentations**

**Week 16** **BREAKING NEWS**

Wed Apr 25 **Women's/Sexual Rights: Current Issues**  
Discussion of recent Rights issue in the news, linked with course themes  
Last day: discussion and wrap-up

## RESEARCH GUIDE

### HUMAN RIGHTS INTERNET RESOURCES

#### GENDER, SEXUALITY, AND RIGHTS

[WHR Net \(Womens Human Rights Net\)](#)

□ [Women's Human Rights Resources](#)

Human Rights Tools – [Sexual Orientation](#) ; [Sexual Violence](#) ; [Women](#)

UN Special Rapporteur on Violence against Women - - [Violence against Women](#):

#### GENERAL HUMAN RIGHTS

*Human Rights Quarterly* □

*Human Rights Dialogue* □

[UN High Commissioner for Human Rights](#) □

[UN Human Development Report](#) □

[Minnesota Human Rights Library](#) □ [Project](#)

[DIANA at Yale University](#) □

[University of Cincinnati College of Law](#)

□ [Amnesty International homepage](#) □

[United Nations homepage](#) □

[U.S. State Department Country Reports on Human Rights](#)

[UN page for the Vienna World Conference on Human Rights](#)

□ [5 Year Review of the Vienna World Conference on Human Rights](#)

□ [Foreign Affairs Online \(links to sites in international law, human rights, and the UN\)](#)