PLCY 570: HEALTH AND HUMAN RIGHTS

Benjamin Mason Meier, JD, LLM, PhD
Assistant Professor of Global Health Policy
Department of Public Policy
University of North Carolina at Chapel Hill
204 Abernethy Hall, CB #3435
Chapel Hill, NC 27599-3435
919-962-0542
bmeier@unc.edu
http://www.unc.edu/~meierb/

COURSE DESCRIPTION

Human rights are inextricably linked to the achievement of public health policy goals. This course provides an introduction to the relationship between health policy and human rights. As a survey course, it ranges broadly over theoretical approaches and concrete issues relating to the realization of human rights in the context of domestic and international public health policies. For public policy, public health, and law students seeking to gain an understanding of human rights, this course will complement other rights-based courses at UNC, giving students a foundation for future studies at the intersection of human rights and public health.

The focus of this course will be on rights-based approaches to health, applying a human rights perspective to selected public health policies, programs, and interventions. Specifically, this course will teach students how to apply a formalistic human rights framework to a wide range of critical issues in public health, exploring the role of human rights as both a safeguard against harm and a catalyst for health promotion. Upon completion, students will have acquired an understanding of the social, economic, cultural, legal, and political processes by which human rights inform public health objectives.

COURSE LEARNING OBJECTIVES

Students who successfully complete this course will be able to:

• Understand international legal documents and apply these texts to domestic and international health policies.
  o Distinguish the normative framework of international human rights standards from nonformalistic commitments to social justice, bioethics, and morality.
  o Describe the differential synergies between health and either positive (economic, social, and cultural) or negative (civil and political) human rights obligations.
• Identify the means through which human rights violations harm public health.
• Evaluate the policy mechanisms by which human rights can inform public health initiatives.
o Identify ways in which human rights are used to promote health.
o Identify ways in which human rights serve to protect individuals from harm.
• Analyze instances in which conflict can arise between public health priorities and human rights protections.

COURSE STRUCTURE

This course is divided into four major units with issues grouped so as to typify those issues most pressing in the health and human rights literature:

Unit 1: Issues in Human Rights, Impacts on Health
Unit 2: Health as a Human Right
Unit 3: Applications of Human Rights to Health Promotion and Disease Prevention
Unit 4: Ethics, Human Rights, and Health Professionals: Ethical Obligations of Health Professionals in the Face of Human Rights Violations

ASSIGNMENTS

Student grades will be based on:

Three (3) Position Papers 30%
Final Paper 45%
Participation 25%

Position Papers
The position papers should provide a succinct (<500 word) analysis and/or critique of a specific aspect of the readings. The three (3) position papers will be due one (1) week after the conclusion of each respective unit. (Note: There will be no position paper due at the conclusion of the fourth unit.) The position papers should not be summaries of the readings but should instead offer thoughtful reactions to several of the readings in that unit.

Final Paper
The final research paper is a substantial piece of writing (15-20 pages) relying heavily on secondary source material (and primary sources to the degree necessary). The paper should make use of both course and outside readings and investigate an issue of interest to the student.

Participation
The course is a seminar and will not rely entirely on professorial lecture. Consequently, attendance and participation are mandatory. Students should come to class having read all of the required readings, prepared to raise provocative questions for discussion.

As part of the student’s grade for participation, each student will be responsible for presenting a written and oral summary of a week’s readings. Summary assignments will be selected during the first class.
SEMINAR SCHEDULE

Unit 1: Issues in Human Rights, Impacts on Health

Week 1: Globalization of Public Health Policy: Employing International Law for Health

Required Readings


Optional Readings


Week 2: Human Rights vs. Social Justice as Tools for Health Policy

Required Readings


Optional Readings


Week 3: Positive vs. Negative Rights?

Required Readings

Optional Readings


Week 4: Cultural Relativism in Health

Required Readings

- Sandra D. Lane and Robert A. Rubinstein, Judging the Other: Responding to Traditional Female Genital Surgeries, 26 Hastings Center Rep. 31 (1996).

Optional Readings

Unit 2: Health as a Human Right

Week 5: Is There a Human Right to Health? Is There a Human Right to Health Care?

* First Position Paper Due

Required Readings


Optional Readings


Week 6: Applying the Right to Health to Global Governance: Access to Medications

Required Readings


Optional Readings


Week 7: Employing International Law to Advance the Right to Health: The Case of Global Tobacco Control

Required Readings


Optional Readings

- WHO Framework Convention on Tobacco Control.

Unit 3: Applications of Human Rights to Health Promotion and Disease Prevention

Week 8: Reproductive Health as a Human Right

* Second Position Paper Due

Required Readings


Optional Readings


**Week 9: Economic Development Policy for Public Health**

*One page outline of final paper due*

**Required Readings**


**Optional Readings**


**Week 10: Chronic Illness: A Human Rights Approach to Disability and Mental Health Policy**

**Required Readings**

- Aart Hendriks, Disabled Persons and Their Right to Equal Treatment: Allowing Differentiation While Ending Discrimination, in HEALTH AND HUMAN RIGHTS 113-29 (Jonathan M. Mann et al., eds. 1999).

**Optional Readings**

Unit 4: Ethics, Human Rights, and Health Professionals: Ethical Obligations of Health Professionals in the Face of Human Rights Violations

Week 11: The Nuremberg Principles: Health Workers as Agents of Harm
* Third Position Paper Due

Required Readings

Optional Readings

Week 12: Torture and Capital Punishment

Required Readings

Optional Readings

Week 13: Human Experimentation Policy

Required Readings


Optional Readings


Week 14: Human Rights vs. Public Health

Required Readings


Optional Readings


[Date]: Final Research Paper Due