

Poverty & Human Capability 423
&
Law 391
Poverty: A Research Seminar

1:25-2:55 TTh

Lewis Hall, Classroom F

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Office Hours
MWF: 3-6
TTh: 3-6
Mattingly 301

About This Course

This seminar for undergraduate juniors and seniors and second- and third-year law students assumes a combination of academic maturity, familiarity with scholarly discussions regarding domestic and international poverty, and volunteer experience working with impoverished people. This course employs three means to advance an overall goal. First, we will deepen our knowledge of the scholarly treatments of poverty by reading and discussing studies of domestic and international poverty from four different disciplinary perspectives: legal studies, philosophy, politics, and policy analysis. Second, each student participant will gain expert knowledge of a topic of interest from among her or his specialized fields of study by conducting research culminating in an essay of approximately twenty-five, double-spaced pages. Third, we will critically engage these specialized research papers from several disciplinary perspectives through focused discussions following oral presentations of your papers. The overall goal of the Shepherd Program is to inform and prepare future professional, civic, and political leaders to address the problem of domestic and international poverty more effectively.

The seminar portion of the course (twelve class meetings, beginning on January 15) should deepen our general knowledge of domestic and international poverty and provide us with a common experience and body of knowledge from which to discuss each other's papers. Many of you will draw on the array of readings and discussions during the first six weeks of the course for the papers you write during the second half of the course. However, you are not required to do so. The six-week seminar can stand alone, and your knowledge of the readings will be tested orally in each seminar session and in short essays on portions of each book we read.

Required Texts

Normal Daniels	<i>Just Health: Meeting Health Needs Fairly</i>
Christopher Howard	<i>The Welfare State That Nobody Knows: Debunking Myths About U.S. Social Policy</i>
William H. Simon	<i>The Community Economic Development Movement: Law, Business, & the New Social Policy</i>

All books are available through the Washington and Lee Bookstore or internet book outlets. The Daniels book is on back order at the Bookstore. These books were all used last year. Please secure copies as soon as feasible.

Requirements

Seminar Participation: We require active participation in the discussions of each assigned reading. The discussions are prompted by a two-page, single-spaced “**response**” to the assigned readings and one-page, single-spaced “critiques” of the “response.” The “response” identifies the major issues in the assigned readings and offers evaluative comments or raise critical questions. Although the “response” should address the assignment as a whole, it should be a summary. It should consider the most important issues addressed by the author and respond critically.

Remember, our anchoring topic is poverty. What does the reading tell us about poverty, what it is, what causes it, what obligations we have in relation to it, and what policies and practices could diminish it. We examine poverty with readings from three perspectives: political and policy analyses of U.S. poverty and welfare programs (broadly conceived) (Howard); an analysis of the law and philosophy of non-profit organizations, contracts, and property rights pertaining to the development of depressed communities (Simon); and a moral philosophical analysis of domestic and international policy and practices regarding provision for human health (Daniels).

Each class begins with a participant’s **oral presentation** based on a written “**critique**,” a single-page, single-spaced commentary on the “response” concluding with critical comments or questions for the author of the “response” (and the other seminar participants). The “critique” should indicate agreements and disagreements with the “response” as well as raise the most important omissions in the “response.” (Please post the written “critique” just before or immediately after the class; it will not be presented in writing to the class.) Do not waste our time and your precious words telling us how good the response is. We will all evaluate the quality of the “response” for ourselves.

All seminar participants should be prepared to raise questions and comments for the author of the “response,” which of course assumes reading and reflecting on the assignment *and* the “response” prior to class. I highly recommend that each participant come to class with notes that enable him or her to pose pertinent questions and comments. When you are called upon, you should be able to participate extemporaneously. (The “response” will be **posted the evening prior to class (by 8:00 p.m. or earlier if the author of the “critique” needs it earlier)** so that it will be available for all seminar participants in plenty of time to read it before class.) I may begin some class sessions with brief remarks in order to offer background and context for the ensuing discussion, but most seminars will begin with the oral “critique.” (**Attendance is imperative.** If you must miss a class, you may compensate with a two-page, single-spaced paper written in the pattern of the “response” described above. It should be submitted no later than the next class meeting following the absence. There are no excused absences. The compensatory essays, if used infrequently constitute participation for the day a participant is absent. Although compensatory essays require more work for the instructor, I will gladly read and comment on

them when absences are unavoidable. (**NB:** that we have only twelve class meetings. Missing one without a compensatory essay leaves a gap.)

Copies of the “response” will be posted on Sakai. Authors of the “critiques” will post their work by class time or immediately thereafter. Please post “critiques” as a “follow-up” (“reply” to the “response” it addresses.) I will post comments on the “responses” (also as a reply”) and on the “critiques” (as a “reply” to the “critique”) for all participants to read, if they choose too. I will e-mail grades and any additional remarks, if needed, to the authors of the “responses” and “critiques.” All seminar participants may post comments in response to any posted document, my comments included, under “reply” to that specific post. If effective, these additional posted comments will contribute to a positive evaluation of your seminar participation. They are not required but welcomed.

The seminar portion of the course is divided into three segments: 1) readings from Howard, 2) readings from Simon, and 3) readings from Daniels. Students who do not write a “response” or “critique” during a segment will post a 3-5 page (double-spaced) essay within five days after we finish that segment. These essays should identify one or two major issues and offer your evaluative judgments about the authors’ claims. Unlike the responses for discrete assignments, these papers should not be comprehensive with regard to the readings. They should attend to salient and considered, not minor and merely mentioned, themes in the readings, and they should address matters directly pertinent to poverty. In other words, focus on themes pertaining to poverty and worthy of your critical response. Once again, I will post comments on sakai and e-mail grades and additional remarks, if necessary, to the authors. No one is required to read all or any of these papers or my commentaries, but this procedure makes our written work available to all of us. It allows me to refer other members of the class to some of your ideas and puts our work in a semi-public sphere.

These requirements mean that each of you will write a total of three brief essays, one for each author. You will write a “response,” a “critique,” or an essay after we finish the segment.

The written and oral participation in this part of the seminar constitutes **at least** one-third (and as much as one-half) of the course grade. The grade is based on my evaluation of your overall contributions to the seminar. Grades and comments on written work will indicate the level of your performance along the way. (This procedure may remind law students of their undergraduate days, but undergrads are accustomed to intermittent grades.) The seminar constitutes a significant portion of the final grade in part because it should help prepare you for the tutorials in the second half of the course, whether or not you directly use the seminar readings in your research papers. Diligent participation in the seminars will hone the kinds of skills required for the research papers.

Research and Essay: Each participant will complete a research essay of approximately twenty-five pages (always more than twenty pages and rarely more than thirty pages). This assignment permits an in-depth investigation of a topic of particular interest drawing on your specialized field(s) of study. (Hence, sophomores and first-year law students, no matter how intelligent they may be, are not ready to take the poverty seminar.) Choose your topics in consultation with me and with advisers from the law school faculty or (for undergraduates) from

faculty in the principal discipline you use for your paper, normally your major. Some undergraduates may not need a specific adviser; or, I may refer you to multiple advisers knowledgeable about your research. **Law students are required** to have an advisor and should, if possible, arrange for advisers appropriate to their general topic within the first four weeks of the term. Please report to me as soon as you have a topic and adviser to propose.

Proposals should state the question you seek to answer or the thesis that you think you will defend and include an outline or narrative plan for examining the question or thesis. The proposals should be no more than one or two, single-spaced pages and include a preliminary bibliography, annotated to the extent possible.

Undergraduates will submit **topics** to me in writing and follow up with **tentative proposals** in writing during **the first week of the undergraduate term**—January 7-11—before the spring term for the law school and our seminars begin. We will meet to discuss the topics and the proposals. You may revise your proposals during the seminar portion of the course, but these proposals will help focus your reading during the seminar and allow you to begin preliminary research for the papers. Undergraduates are not limited to their majors but should rely only on a discipline that they have not studied extensively. (For example, do not propose an analysis of fiction depicting Appalachian poverty if you have not studied American fiction.) This is an opportunity to develop and apply your special expertise and to anticipate future professional practice or civic involvement. If possible, choose topics that refer to your fieldwork in a Shepherd Alliance or some other poverty-related internship in order to build on firsthand experience working with impoverished person or communities. Students occasionally cite their own journals in these papers.

Law students will submit **topics and proposals**, simultaneously or sequentially, during the **undergraduate winter break**—**February 20-24**—and meet with me to discuss them. You will have to have selected a law faculty adviser by this time, and you can also use the week to begin research for your papers. Please to not select an adviser and topic from an area of law that you have not studied. If possible, choose a topic related to the area of the law in which you intend to practice. Law student papers will utilize legal scholarship, which may include using case law for presenting a legal argument, examining legal strategies or professional ethics, or analyzing and evaluating statute or administrative law and policies. (Whichever approach you take should focus on poverty, broadly defined.)

For all participants, this paper should inform your anticipated professional career and civic involvement over the next decade and help shape it for a lifetime.

Final research proposals with a partial bibliography and a preliminary outline, notes, or prose are due during **the week of March 5**, following the last week of our seminar. Schedule a meeting with me to discuss these submissions. **Law students** should also submit these proposals to their **faculty advisers**, if they have not already done so. Law students who are leaving town for their academic break may submit proposals at the beginning of the week of March 12 and schedule another tutorial with me late in that week. We will schedule additional tutorial meetings to review installments on your research papers each week for the four weeks begin March 12. I

will offer written and, where appropriate, oral feedback on your work each week and answer questions that you have.

DO NOT SUCCUMB TO THE TEMPATION TO DELAY WORK ON THIS RESEARCH. WORK INCREMNTALLY AND REPORT ON YOUR RESEARCH AND PROGRESS EACH WEEK. IT REAPS DIVIDENDS MANIFESTED IN THE QUALITY OF THE FINAL PRODUCT. I strongly advise that you set aside the same time for this paper that you set aside for preparation and participation in the seminars.

You will offer a complete first draft for the last tutorial in order to revise a complete draft at least one time. **Law students should also turn this preliminary complete draft into their advisers for comments. Remember that your advisers will participate in the evaluation (and grading) of your final paper.** Undergraduates may also ask advisers for comments on this first complete draft. I urge everyone to rely on me as much as possible for advice and comments—we do not want to overburden advisers—but I also encouraged you to consult your advisers when they can offer indispensable assistance. Advisers are usually most helpful at the beginning of the process in framing the paper and supplying resources and in offering comments on a complete draft. They can also help along the way when you need their expertise.

A complete draft of these essays is due no later than **Saturday, April 6**. Most oral presentations will be completed during undergraduate final week beginning on **Monday, April 8**. We can arrange for a few presentations earlier, if necessary. The **final draft** of the research papers is due no later than **Sunday, April 21, at 6:00 p.m.** Law students may consult with me about a short extension if necessary but it will extend into your final examinations. Undergraduates, I will likely have to assign you a work-in-progress for your grade for the winter term until I have time to read and assess all of the papers.

Each student is responsible for a thirty-minute presentation/discussion of his or her paper. The oral presentations should be polished and may use outlines and other visual aids. (Power point has become standard, but don't use it for a crib for yourself. It should focus the listener and supplement what you present orally.) Please **limit your presentation to 15 to 20 minutes**, leaving time for questions and discussion. You are encouraged to invite your faculty adviser and other interested persons to the presentation of your paper. Friends and family members often attend. Possible times for these presentations are listed below.

You are also expected to attend and participate in discussions of at least **six presentations** other than your own. Support for others' presentations is part of the evaluation process. Be prepared to ask your colleagues good and penetrating questions. Attending additional presentations offers another extra-credit opportunity, but it is not required.

Grades for the research and tutorial process, the completed essays, the oral presentations, and the discussions of others presentations may constitute up to two-thirds of the course grade and will be determined by me in consultation with your respective advisers. Undergraduate advisers usually make only minor contributions to the overall assessment of the papers. **Law School faculty advisers play a co-equal role in establishing grades for the research papers.** They assess the legal scholarship.

Schedule of Classes and Other Important Dates

Jan. 7-11 Undergraduates will meet with me in Mattingly 301 in order to discuss topics and proposals for their research papers. We may need to meet twice during that week.

NB: You will note that each of you has been assigned responses and critiques. Where I have some idea of students' special interests and abilities, I have assigned responses and critiques accordingly. If two of you agree to switch assignments, you are welcome to do so. Please notify me far in advance.

Jan. 15 Howard: "Introduction, pp. 1-10; "She's So Unusual," pp. 12-26; "Tracks of My Tiers," pp. 27-52 (50 pages)

Response: Camie Carlock
Critique: Angelica Tillander

Jan. 17 Howard: "Twice in a Lifetime," pp. 53-69; Ogres, Onions, and Layers," pp. 73-91 (34 pages)

Response: Annie Zhang
Critique: Chrishon McManus

Jan. 22 Howard: "Programs for the Poor Are Not Always Poor Programs," pp. 92-108; "Shaq is Still Pretty Tall: Public Support for the American Welfare State," pp. 109-24; "The World According to the AARP," pp. 125-149 (55 pages)

Response: Virginia McGarry
Critique: Chis Wagner

Jan. 24 Howard: "The American States: Laboratories of Democracy or Cryogenic Chambers?" pp. 153-77; "Race Still Matters," pp.178-91; "Change Versus Progress," pp. 192-209 (54 pages)

Response: Danny Murray
Critique: Natasha Lerner

Jan. 29 Simon: "Introduction," pp. 1-5; "Background: The Turn to Community-Based Organizations in Social Policy," pp. 7-40 (40 pages)

Response: Kalli Havens
Critique: Laura Berry

Jan. 29 Howard Papers Due at midnight

Jan. 31 Simon, "Three Logics of Community Action," pp.41-68 (28 pages).

Response: Christopher Wagner
Critique: Meredith Roberts

- Feb. 5 Simon, “The Community as Beneficiary of Economic Development,” pp. 69-95; “The Community as Agent of Economic Development,” pp. 113-137 (50 pages); optional, pp. 95-111, 137-41.
 Response: Noel Price
 Critique: Emily Warner
- Feb. 7 Simon, “Constrained Property: Rights as Anchors, pp. 143-45, 156-62; “Induced Mobilization,” pp. 167-69, 173-89, “Institutional Hybridization,” pp.196-211; “The Limits of CED,” pp. 219-27 (50 pages); optional, pp. 145-55, 162-65, 169-73, 189-73, 189-93, 211-17
 Response: Chrishon McManus
 Critique: Annie Zhang
- Feb. 12 Daniels, Part I, Chapter One, “Three Questions of Justice,” pp. 11-14, 16-26; and Chapter Two, “What is the Special Importance of Health?” pp. 29-30, 42-47, 51-71, 74-78 (45 pages)
 Response: Mary Galbraith
 Critique: Kerry Cotter
- Feb. 14 Simon Papers Due at Midnight
- Feb. 14 Daniels, Part I, Chapter Three, When Are Health Inequalities Unjust: The Social Determinants: pp. 79-97, 101-02; Chapter Four, “How Can We Meet Health Needs Fairly When We Can’t Meet them All? Accountability for Reasonable Resource Allocation,” pp.103-119, 134-39; and Chapter Five, “What Do We Owe Each Other? Implications of an Integrated Theory of Justice and Health,” pp. 140-44; 147-58 (fewer than 60 pages)
 Response: Rachel Petry
 Critique: Danny Murray
- Feb. 16-24 Washington Holiday–Undergraduate School
Law Students Submit Topics and Proposals in Meetings with Me
- Feb. 26 Daniels, Part III, Chapter Nine, “Fairness in Health Sector Reform,” pp. 243-262, 267-74; and Chapter Ten, “Accountability for Reasonableness in Developing Countries: Two Applications,” pp. 274-96 (45 pages).
 Response: Natasha Lerner
 Critique: Camie Carlock
- Feb. 28 Daniels, Part III, Chapter Twelve, “Priority Setting and Human Rights,” pp. 313-32; and Chapter Thirteen, “International Health Inequalities and Global Justice: A Concluding Challenge, pp. 333-55 (42 pages).
 Response: Ali Greenberg
 Critique: Johanna Cho
- March 2 Daniels Papers Due at 6:00 p.m.**

March 5-11 Law School Break

Week of March 5 Final research proposal with tentative annotated bibliography accompanied by outline, notes, or prose installment to the extent possible. Schedule second tutorial meeting, which will be followed by four additional tutorial meetings beginning the week of March 12. Law students may meet early in the week of March 12 and follow-up with four additional tutorial meetings during that week and the following three weeks prior to April 5. Law students must present proposals to their law faculty adviser if they have not already done so earlier.

March 12-April 5 Weekly tutorials and paper drafts; four additional meetings with the instructor, plus any necessary meetings with special area advisers. Devote the same time each week that you devoted to course preparation and seminar participation during the first six weeks of the course.

April 6-12 Final Exams for Undergraduates

April 6 Complete Draft of Paper Due.

April 8-11 Oral Presentations

April 13-21 Term Break for Undergraduates

April 20-22 Law School Reading Days

April 21 Final Draft of Paper Due at 6:00 p.m. for Undergraduates; I will be delighted to receive final drafts early.

April 23 Final Draft of Paper Due at 6:00 p.m. for Law Students; I will be delighted to receive these final drafts early.

April 23- May 1 Law School Final Examinations

April 22 Undergraduate Spring Term Begins

Presentations and Discussions of Papers

You will submit a complete draft of your essay prior to the oral presentation, but you may revise it and submit a final draft following the presentation. Scheduled presentations will begin on **Monday, April 8**. If some students finish earlier and wish to present on Thursday afternoon or evening, Friday afternoon, or Sunday afternoon or evening, April 4, 5, or 7, we will try to accommodate them.

Possible times for paper presentations/discussions follow. Both students from Dr. Pickett's class and my class will present during this period and you may attend sessions for either class. We can discuss up to three papers during each session and up to four during evening sessions. You will post your time and the topic (or title) of your research project on Sakai, so that all students in both seminars will know the time and place of the presentations. You may choose which of the six or more presentations (in addition to your own) that you would like to hear and discuss. Each seminar will begin with an oral presentation by the author of the paper (**only 15 to 20 minutes please**) explaining why she or he chose the topic and summarizing the paper's conclusions and the principal supporting arguments. Printed outlines, power points (that are not used as cribs), and other visuals are welcome.

Monday, April 8, 1:00-2:30 p.m. (up to three sessions): Location TBA

Monday, April 8, 3:30-5:00 p.m. (up to three sessions): Location TBA
Monday, April 8, 6:00-8:00 p.m. (up to three sessions): Location TBA
Tuesday, April 9, 1:00-2:30 p.m. (up to three sessions): Location TBA
Tuesday, April 9, 3:30-5:00 p.m. (up to three sessions): Location TBA
Tuesday, April 9, 6:00-8:00 p.m. (up to three sessions): Location TBA
Wednesday, April 10, 3:30-5:00 p.m. (up to three sessions): Location TBA
Wednesday, April 10, 3:30-5:00 p.m. (up to three sessions): Location TBA
Wednesday, April 10, 6:00-8:00 p.m. (up to three sessions): Location TBA
Thursday, April 11, 1:00-2:30 p.m. (up to three sessions): Location TBA
Thursday, April 11, 3:30-5:00 p.m. (up to three sessions): Location TBA
Thursday, April 11, 6:00-8:00 p.m. (up to three sessions): Location TBA