

# HUMAN RIGHTS & RACIAL JUSTICE IN THE U.S.

**A Study Guide to Accompany the 15th Annual Valerie Gordon Lecture at  
Northeastern University School of Law  
Delivered by Gay McDougall,  
United Nations Independent Expert on Minority Issues  
March 3, 2008**

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# HUMAN RIGHTS & RACIAL JUSTICE

March 3, 2008

15th Annual Valerie Gordon Lecture

Study Guide

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“There really is now a rising tide of lawyers, advocates, even judges in this country that are actively working to rebuild our relations with the international movement for racial justice. And we're working, too, to bring human rights home. . . . What if we could make the right to education in the race convention, which was ratified by the U.S., mean that there is a right of every child in this country, white, black, rich or poor, to equal quality public education regardless of where the district line falls between the rich suburbs and the poor inner cities?”

-Gay McDougall, United Nations Independent Expert on Minority Issues



## I. Introduction

“Where, after all, do human rights begin,” asked Eleanor Roosevelt in 1958.\* The former first lady had been around the world on humanitarian missions and had served on the U.S. delegation to the United Nations General Assembly. She was called “First Lady to the World” by President Truman, in recognition of her international influence and popularity. But, wrote Roosevelt, human rights begin “[i]n small places, close to home - so close and so small that they cannot be seen on any maps of the world . . . Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”

Many of our schools still hold Eleanor Roosevelt up as the “mother of human rights.” What were you taught about this woman change agent? How has your knowledge of this champion

been shaped? Wouldn't we as a country be further along the path to racial justice, and social justice in general if “concerted citizen action” at home had taken place?

### Human Rights Today

More than fifty years after Eleanor Roosevelt made her observations, we can see some local communities implementing human rights and creating accountability in significant ways. Indeed, some have moved ahead of the national government in protecting human rights:

- In the 1980s, local governments in the U.S. – including 23 states, 14 counties, and 80 cities – responded to concerted citizen action and restricted their own investment in or procurement from South Africa. This political and economic pressure contributed significantly to South African anti-apartheid activists' efforts leading to the regime's demise in 1991;

- In 1990, a consortium of municipalities from around the world, including over 100 U.S. cities, created the International Council for Local Environmental Initiatives, stimulating coordinated local work on issues of global climate change;
- In 1998, San Francisco responded to a human rights education campaign and demands by women's groups by becoming the first city in the U.S. to adopt the International Convention on the Elimination of All Forms of Discrimination (CEDAW) as its own municipal law, resulting in a number of pro-active policy changes making local government more responsive to women's needs. The U.S. has not ratified CEDAW;
- In 2002, the State of Pennsylvania, responding to advocacy by the Kensington Welfare Rights Group, established a committee to examine the state's compliance with the Universal Declaration of Human Rights. The Committee's statewide hearings provided an important forum for discussing poverty, lack of adequate housing, and other human needs facing state residents;
- In 2008, the U.S. Supreme Court ruled that states need not notify non-citizen criminal defendants of their right to contact their nation's consulate, despite the requirements of the Vienna Convention on Consular Affairs. But the state of California has adopted provisions of the Vienna Convention as their own state law, so prisoners in

that jurisdictions are to be treated in accordance with internationally accepted standards.

In each of these examples, rather than leave protection and implementation of human rights to the national or international stage, social justice activists demonstrated the importance of acting locally to protect human rights both at home and abroad.

As you will see on the accompanying DVD, Gay McDougall speaks to the importance of accountability for racial justice as an important component of local human rights education and activism. Further, she points out that local human rights efforts are often led by those individuals and groups most affected by denials of human rights. Because of this, the human rights abuses and individual needs addressed by these activists are less likely to be sidetracked or co-opted by other political agendas.

## II. What Are Human Rights?

In the 21<sup>st</sup> century, consensus holds that human rights are rights held by all people simply by virtue of their humanity. These rights are universal, and are entitled to respect by governments as well as by other individuals and institutions.

At the time the United States was founded, human rights were generally accepted as part of the natural law that under-girded our legal system. Indeed, the Declaration of Independence observes that it is “self-evident that all men . . . are endowed by their Creator with certain unalienable Rights,” i.e., life, liberty, and the pursuit of happiness. These self-evident rights were not codified as formal law – they were simply implicit in human dignity. Over time, and as a result of sustained struggle, these rights were extended to men of color and women.

The atrocities of World War II convinced many that more formal international human rights standards were necessary to prevent future human rights violations. In the wake of the war, national leaders came together in an attempt to codify human rights in ways that would better establish these rights as real law, inviolable and universal. The United Nations grew out of this effort, as did the Universal Declaration of Human Rights (UDHR), a non-binding declaration embodying widely-accepted principles

of international human rights law. Echoing the Declaration of Independence, the UDHR provides in Article I that “All human beings are born free and equal in dignity and rights.”

Over the years, three basic attributes of human rights have emerged and solidified through these international dialogues about the nature and extent of human rights:

1. **Universality:** The same human rights standards apply to all governments and all nations, and to every social and ethnic group. They are intrinsic to every person;
2. **Interdependence:** All rights are interconnected, and the fulfillment of one right may depend on the fulfillment of another; and
3. **Indivisibility:** All rights have equal status, and one may not be pursued at the expense of another; civil and political rights such as the right to free speech and the right to vote, are indivisible from economic, social and cultural rights such as the right to adequate food and housing.

Though these principles have gained wide acceptance internationally, they have often been met with ambivalence or even hostility from the U.S. In particular, the U.S.

government has long questioned whether economic, social and cultural rights are truly enforceable rights, and has rejected implementation of such rights on a national scale.

A number of formal treaties followed the completion of the UDHR in 1948. A treaty is a negotiated, written agreement that is binding on those nations that ratify it. Treaties constitute international law and serve as standards of conduct even for those nations that have not formally ratified a particular treaty. However, the U.S. *has* formally ratified three human rights treaties: the ICCPR, CERD, and CAT. While ratification does not mean that an individual can sue in U.S. courts to enforce the provisions of the ICCPR, CERD and CAT, ratification does give these treaties additional weight – treaties that are ratified by the U.S. government are recognized by the U.S. Constitution as “supreme law.”

Each of these treaties is summarized briefly below.

**International Covenant on Civil and Political Rights (ICCPR)**

The ICCPR was ratified by the U.S. on September 8, 1992. On the issue of racial equality, the Covenant specifically provides that participating nations “shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race [or] colour . . .” Countries that have ratified the ICCPR are required to submit periodic reports on measures they have adopted to implement the Covenant to the U.N. Human Rights Committee, which serves as the treaty’s monitoring body. A complete copy of the ICCPR is available on the DVD accompanying this study guide.

**International Convention on the Elimination of All Forms of Racial Discrimination (CERD)**

CERD was ratified by the United States on November 20, 1994. Among other things it provides that “States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races.” Specific issues addressed by the treaty include racial inequality in the full range of human rights, from access to the courts, to inequality in health, education and housing. The treaty specifically recognizes the appropriate role of “special measures,” i.e., affirmative action, to address persistent racial inequalities. CERD compliance is monitored by the Committee on the Elimination of Racial Discrimination, to which the U.S. submits periodic reports. A complete copy of CERD is available on the DVD accompanying this study guide.

**Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)**

CAT was ratified by the U.S. on November 20, 1994. Nations ratifying CAT commit to adopting legislative and administrative measures to prevent acts of torture, and the U.S. has adopted domestic legislation to that effect entitled the Torture Victims Protection Act. The U.S. has also submitted several periodic reports to the CAT monitoring body, the Committee Against Torture. A complete copy of CAT is available on the DVD accompanying this study guide.

The question remains: how does the existence on the books of these formal treaties and agreements shape everyday life and living in the United States today? What do you see in your local community and in the Commonwealth of Massachusetts?

**Important international human rights treaties include:**

- the International Covenant on Civil and Political Rights (ICCPR);
- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- the Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- the Convention on the Rights of the Child (CRC);
- the Convention on the Rights of Persons with Disabilities (CRPD); and,
- the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment of Punishment (CAT).



# III. The Gordon Lecture: A 21st Century Global View of Racial Discrimination

The 15<sup>th</sup> annual Gordon Lecture was delivered by U.N. Independent Expert Gay McDougall in March 2008. As Ms. McDougall describes, in the 1940s, as formal human rights law was taking shape, racial justice activists were at the forefront of efforts to apply human rights standards within the U.S. For example, the NAACP Legal Defense and Educational Fund, along with others, presented a petition to the U.N. in 1951 challenging U.S. policies of segregation and Jim Crow. But by the late 1950s, racial justice activists had been forced to curtail their human rights activities because of intense U.S. government pressure during the height of the Cold War to avoid international scrutiny of domestic affairs. This pressure was intense, and indeed, went far beyond mere political pressure to include threats to activists' life and livelihood.

Now, with the Cold War long over and after several decades during which U.S. activists avoided invoking international human rights standards, activists are once again exploring the role that human rights can play in promoting domestic social justice.

The Gordon Lecture is approximately 45 minutes long. Take the time to listen to the lecture on the accompanying DVD, then consider the following questions:

- Gay McDougall observes that “racism is ubiquitous, it's a global phenomenon.” How does that insight affect your view of the racial inequities in Massachusetts? How does it influence your view of what approaches would be most effective to combat racism in this state or in your local community?
- Speaking of the international human rights legal system, Ms. McDougall states that “the key to making this system of accountability work is a seemingly irrational fact and that is that countries care about being criticized in international forums.” Is the U.S. government sensitive to such

## Listening to, and Discussing, the DVD:

Gay McDougall's speech is powerful and requires some intense listening. Find a comfortable place to sit and take a few moments to center your thoughts before you begin. A pad of paper might come in handy for taking notes. At the close of the lecture, choose some of the questions set out above for more in-depth consideration. If your group is large, you should consider dividing into smaller, more conversational groups. A larger group should also divide up for consideration of the case studies, with each group working through one of the studies. Following the case studies, a final set of questions is set out in the Conclusion below. If you have divided into groups, try to reconvene for a final group discussion with a designated leader, giving groups an opportunity to report on their consideration of the case studies before you move into a collective discussion of final questions.

- international criticism? Are the government of Massachusetts or local municipal governments in the state sensitive to international human rights scrutiny and criticism? Are there additional factors – for example, media coverage -- that might encourage greater responsiveness by the federal, state or local government?
- Ms. McDougall says that “times are changing,” and world affairs are seen as less remote from the U.S., encouraging more U.S. lawyers to engage in human rights advocacy. Do you agree that the times are changing? If so, why are they changing now? Are legislators, courts and other policy-makers on the local level more interested in international standards or models than they once were?
- CERD requires that participating nations guarantee the equal right of everyone, without regard to race, to “[t]he right to education and training.” How would the existence of a human right to education change the debate on public education and racial segregation in the U.S.? CERD also requires that the participating nation guarantee the equal right of everyone to “public health, medical care, social security and social services.” How would recognition of a human right to medical care health affect the debate on the racial disparities in medical outcomes in the U.S.?



# IV. How could international human rights treaties and standards relate to local social justice activism in Massachusetts? Could a wider group of local activists use human rights?

Local social justice activists draw on many tools as they struggle for progressive social change. Human rights law is one of those tools. Local activists have found that it can be a particularly effective tool because it:

- Appeals to our common humanity. For example, one social justice organization in Atlanta found that framing its concerns about the allocation of AIDS-related grants in human rights terms provoked rapid, positive reactions from the local planning council, which immediately re-examined its procedures;
- Enlists new allies. For instance, when the U.S. presented its periodic report to the CERD Committee in 2008, hundreds of U.S. activists participated in the briefings leading up to the U.S. review, forming common cause across issue-areas to address U.S. compliance with the Race Convention. In the wake of the U.S. review, these same groups are now working together across issues to ensure that the U.S.

government responds to the CERD Committee’s concluding recommendations;

- Embodies positive government obligations that are generally missing from U.S. law. For example, San Francisco’s municipal CEDAW follows international law by mandating that government agencies pro-actively examine their practices to eliminate subtle instances of gender bias.

The three brief case studies below set out in greater detail how local activists have used human rights standards to further social justice. As you read them, consider whether local activists in Massachusetts could use human rights framing more effectively in local and state advocacy? How so?

**“States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.”**

-CERD, Art 2.2



## V. Case Studies

### Case Study I: A Human Rights Success Story: The Treatment of Prisoners in New York City

While the human rights movement in the United States has been gaining great momentum in recent years, it is by no means a new movement. One example of successful local implementation of international human rights standards dates back to the late 1970s when New York City passed its first set of Minimum Standards for Correctional Facilities. These regulations copied much of the structure of the United Nations Standard Minimum Rules for the Treatment of Prisoners, elaborating on the principles contained therein. An infamous prisoner uprising – the Attica Riots at the Attica Penitentiary in New York – paved the way for implementation of these human rights standards.

The Attica rebellion began on September 13, 1971, largely precipitated by living conditions and racial tensions inside the prison. In the months preceding the incident, inmates had appealed to state officials to address overcrowding, poor sanitation and hygiene allowances, but their pleas were ignored. Days before the riot, prison officials had used force to stop a struggle between two inmates who were then both put into solitary confinement. Rumors spread that the two were being tortured. This incident sparked the uprising, and the prisoners successfully took over the prison, holding thirty-three prison corrections officers hostage.

Following the takeover, the prisoners demanded to negotiate with public officials. At the core of their demands were better overall prison conditions. While officials agreed to a majority of the prisoners' demands, they refused to grant amnesty to those who had taken part in the rebellion. The inmates would not back down on this point. Eventually, Governor Nelson Rockefeller called in the National Guard and the rebellion ended with 39 people dead and 89 seriously wounded.

In the wake of the Attica Rebellion, New York City developed a citizen's review board to analyze the prison conditions and consider the demands of the prisoners. The New York City Board of Correction was given the task of developing new prison regulations. Gay McDougall, then a recent law school graduate, was staff attorney to the Board of Corrections. According to McDougall, "[w]e decided to use the United Nations [Standard] Minimum Rules for the Treatment of Prisoners as the basis for the legislation and argued that it was the international standard to be followed."

The New York City Board of Corrections first published and presented the Minimum Standards for Correctional Facilities in 1978.<sup>1</sup> These standards have subsequently been updated but they retain the core principles and language articulated in 1978. A comparison of the Board of Correction's document with the UN Standards reveals that they contain many of the same or similar subheadings. For example, the UN Standards first and foremost articulate a nondiscrimination standard, as do the 1978 New York standards. Also, both documents contain specified sections on personal hygiene, which include standards on hair, clothing, laundering and bedding among other things. Following the New York City model, several states have now also adopted the UN standards as their own domestic treatment standards for prisoners, bringing these states into line with accepted human rights standards.

<sup>1</sup>The regulations are codified at N.Y. Comp. Codes R. & Regs. tit. 9, Subt. AA, Ch. V, Pt. 7600 - 7695

#### **Discussion Questions:**

1. Why did the NYC Board of Corrections look to international standards to improve prison conditions rather than looking to other domestic standards? What were the benefits of this approach?
2. Should international human rights norms be used to create a uniform standard for all prisons in the U.S.?
3. Are there any drawbacks to incorporating international human

rights norms and standards into local initiatives?

4. What other issues plaguing local communities across the U.S. might benefit from the implementation of international human rights norms?

### Case Study II: Using Human Rights Norms to Challenge Government: The Case of Public Housing after Katrina

Hurricane Katrina struck New Orleans and the surrounding region on August 29, 2005. Battering the Gulf Coast with heavy rains and strong winds, Katrina, though at one point a Category 5 storm, made landfall as a Category 3 storm. The levees built to protect New Orleans from Lake Pontchartrain could not withstand the 125 mph winds and eventually broke causing loss of human life and massive damage to the region. Over 1800 people were killed, and hundreds of thousands were displaced from their homes.

The storm had an especially damaging effect on low income residents, mainly African American, living in the region. Prior to Katrina, many Black New Orleans residents already faced significant barriers finding adequate, affordable housing. The storms wiped out the areas where many low-income Black families lived, exacerbating the housing crisis in New Orleans. With most affordable housing options now destroyed, many families were left with nowhere to go and were forced deeper into poverty.

The government's slow response to the overwhelming humanitarian needs of low-income people in New Orleans has ignited a movement that extends beyond local and national borders. The movement includes both newly emerged grass roots organizations and established human rights organizations. Many, if not most, of the leaders of the movement are those who have been directly affected by the Katrina tragedy and its aftermath. Though these groups represent a wide

range of issues in the wake of Katrina, one goal is common—the desire to return people back to the city and help them rebuild economically and socially strong communities. To accomplish this goal, many have appealed to international bodies for assistance and are using international principles to support their positions and proposed remedies.

International bodies, like the UN, have been an important venue for raising these issues. For example, in their 2008 report on U.S. compliance with the Race Convention, the CERD Committee acknowledged “the disparate impact that this natural disaster [Katrina] continues to have on low-income African American residents, many of whom continue to be displaced after more than two years after the hurricane.” The Committee recommended that the U.S. “increase its efforts in order to facilitate the return of persons displaced by Katrina to their homes ... or to guarantee access to adequate and affordable housing.” Further, the Committee urged the U.S. to “ensure that every effort is made to ensure genuine consultation and participation of persons displaced by [Katrina] in the design and implementation of all decision affecting them.”

Individual U.N. experts have also turned their attention to the situation in New Orleans. For example, UN Independent Expert on Minority Issues, Gay McDougall, and UN Special Rapporteur on adequate housing, Miloon Kothari, recently issued a statement calling upon the U.S. to adhere to international human rights laws and standards. McDougall and Kothari noted that “the spiraling costs of private housing and rental units, and in particular the demolition of public housing” have only intensified poverty and homelessness. They further noted that although the government plans to replace the housing it will demolish, the replacement housing will deny thousands of Blacks “their right to return to housing from which they

were displaced.” In arguing for the displaced residents, McDougall and Kothari highlight violations of internationally recognized human rights, including the right to an adequate standard of living and due process of law, both of which are embodied in the Universal Declaration of Human Rights.

Finally, efforts are being mounted to convince the U.S. to define Katrina victims as Internally Displaced Persons (“IDP”) in accordance with international standards.<sup>2</sup> In fact, these standards are well-accepted domestically, and USAID has compiled guiding principles for handling IDPs that incorporate the UN Guiding Principles on Internal Displacement. If the U.S. took the next step and classified Katrina victims as IDPs, Katrina victims would be afforded more protection under U.S. law. For example, as IDPs, survivors would not face possible “eviction” because a key goal of the Guiding Principles is to address all phases of displacement, including reintegration and transition.

These three examples of local reliance on international human rights do not even begin to represent the tactics organizations are using to seek justice for the thousands of Katrina victims still displaced. It remains to be seen, however, whether human rights appeals will make a difference. To date, U.S. has been unresponsive. In public statements, the U.S. government has brushed off the CERD Committee report saying that “post-Katrina issues were a result of poverty...rather than racial discrimination *per se*.” Public housing demolition has gone forward in New Orleans despite the intervention of U.S. representatives McDougall and Kothari. And the U.S. has refused to define displaced Katrina victims as IDPs. Does shining an international light on these issues help? Undoubtedly yes, even if all it does is prevent backsliding because of the potential for shame that comes with international scrutiny and accountability. But with a U.S. government that routinely defies

international law, the progress forward is slow indeed.

### **Discussion Questions:**

1. Why is the U.S. so reluctant to incorporate international human rights values into its post-Katrina reconstruction policies?
2. Gay McDougall and Miloon Kothari argue that tearing down public housing units and replacing them with mixed income units is an eviction of Katrina victims without due process of law. Is this really a human rights violation? What process should victims receive?
3. The CERD Committee sees the post-Katrina response as producing a “disparate impact” on racial minorities. The U.S., however, claims that the correlation between race and poverty is what makes this look like a racial issue. Is this a racial issue, or does the correlation produce this coincidence? Is the U.N. interfering with a purely domestic issue?
4. How effective can international organizations, like the CERD Committee, be when the federal government is unresponsive? What does the CERD Committee's actions contribute to the domestic effort?
5. Should the Katrina victims be classified as IDPs? Why might the U.S. be reluctant to grant such a classification?
6. What can other organizations not involved in post-Katrina work learn from these examples of human rights advocacy? How might these organizations form common cause with organizations focused on post-Katrina work?

### Case Study III: The Potential for Human Rights Approaches at Home: Race Discrimination and Infant Mortality in Boston

Barbara Ferrer is the Commissioner of Public Health of the City of Boston. The information presented in this case study is drawn from her presentation on a panel following the Gordon lecture, on March 3, 2008.

According to Dr. Ferrer’s studies of Boston residents, in general, Black people fare far worse on a series of health indicators that do white people. The data is particularly dramatic in the area of infant mortality. In the years since Dr. Ferrer has been collecting data, Black babies in the city of Boston died between two and four times the rate of white babies. For 2006, the most recent data available, Black babies in Boston died at a rate of about 13 babies per one thousand births. As Dr. Ferrer notes, “we have twelve teaching hospitals, twenty-six health centers and some of the most stellar medical institutions in the country, and black babies continued in 2006 to dies at rates three times the rate for white babies.” “What’s happening?” she asks.

First, Dr. Ferrer observes, this disparity cannot be accounted for by differences in income or education or other race-neutral variables. Based on national data, an African American woman who has graduated from college is one and a half times more likely to have her baby die in its first year of life than a white woman who didn’t finish high school. Similarly, overall health does not explain this disparity. For example, a Black woman who has never smoked has almost a two-fold risk of losing her baby in the first year of life compared to a white woman who smoked during her entire pregnancy. Likewise, a Black woman who enters prenatal care early and receives it consistently through the pregnancy is still at greater risk of losing her baby than a white woman who enters prenatal care late or not at all.

Second, Dr. Ferrer’s data indicates that Black women who were born in the U.S. have a much higher chance of



having poor birth outcomes than Black women born in Africa. The women in Boston who are most likely to have low birth weight babies are Black women who are born here.

Finally, Dr. Ferrer postulates that racism itself contributes to these poor outcomes. Racism can lead directly to chronic stress that affects women's hormonal production and influences birth outcomes. Similarly, race is directly correlated with the level of care that individuals receive in hospitals and other facilities. According to Dr. Ferrer, “once you get into care, if you’re a Black person in America, you’re likely to get care that in fact looks different than the care that white people are getting.” In addition, racism cuts across the other social determinants of poor birth outcomes, such as poor housing, poor health and so on. In Boston, for example, residential segregation is particularly high; high residential segregation correlates with poor health outcomes for minority groups, often because of lack of access to exercise, healthy foods, health care facilities and so on.

In her work, Dr. Ferrer does not frame these issues as human rights issues. Yet there are many places where international human rights law addresses various aspects of the right to health. The International Covenant on Economic, Social and Cultural Rights

provides for a right to the highest attainable standard of health. CERD provides for racial equality in accessing that right to health care. The questions below explore how a human rights framework might shape advocacy on the issue, racially disparate infant mortality, that Dr. Ferrer has identified.

#### Discussion Questions:

1. Does Dr. Ferrer’s data indicate that there are human rights violations happening in Boston? What are these violations?
2. Would using human rights language to describe the disparate health outcomes for Black Bostonians make a difference – To the local government? To the affected individuals? To other institutional actors that might be involved, such as hospitals and doctors? To the media? To the courts?
3. How might Boston advocates work together to use human rights approaches to address this situation? What models might they draw on? What allies might they enlist across issues or geographic borders?
4. Are there other health issues in Boston or other communities in Massachusetts that might benefit from a human rights framework?

## VI. Conclusion

Massachusetts is generally identified as a liberal state, with a strong tradition of concern for human rights. But that concern has traditionally focused abroad rather than on the “small places, close to home” where state and local governments might have the greatest influence. One exception is the legislation establishing the Massachusetts Commission on the Status of Women. Because of the activism and hard work of women who attended the U.N.'s Fourth World Conference on Women in Beijing, the state statute creating the MCSW charges it with implementing the Beijing Platform for Action within Massachusetts. In addition, local Human Rights Commissions are increasingly exploring their potential role as monitors of international human rights violations within their jurisdictions.

The case studies set out here, along with the audio version of Gay McDougall's Gordon Lecture, map out some possible directions for Massachusetts-based human rights advocacy in pursuit of social justice, particularly racial equality. In light of this information, consider these final questions:

1. How do you see yourself – your organizations and networks – linking social justice and human rights advocacy and accountability to community change?
2. How might we contribute to building a culture of human rights in the Commonwealth of Massachusetts?
3. How are you modeling support for accountability around human rights at various levels of government?
4. What might we do together? How can we better channel our commitments to social justice?

Human rights is a powerful concept. But as Eleanor Roosevelt recognized, without “concerted citizen action” in Massachusetts to secure and enforce human rights and racial justice, these principles will remain simply paper promises.

Notes:

\*Valerie Gordon, an alumnae of Northeastern University School of Law, was an emerging human rights and racial justice activist when she died tragically in 1993. At Northeastern, she was a leader in the Black Law Students Association and a champion of curricular reform to address issues of racial justice.

\*\*Eleanor Roosevelt, married to U.S. President Franklin Delano Roosevelt, was not only the First Lady during President Roosevelt's twelve years in office, but was a well-known advocate for civil rights and human rights. Among other things, she served as a member of the U.S. delegation to the United Nations General Assembly and participated in drafting the Universal Declaration of Human Rights.

\*\*\*US Human Rights Network, *Hold the US Accountable: The US Human Rights Network's Internally Displaced Persons (IDP) Human Rights Campaign*, <http://www.ushrnetwork.org/projects/katrina> (last visited March 20, 2008).

## VII. Resources

### Organizations:

**US Human Rights Network, [ushrnetwork.org](http://ushrnetwork.org).** Founded in 2003, the Network provides support, education and coordination for member organizations furthering human rights in the U.S.

**Program on Human Rights and the Global Economy (PHRGE), <http://www.slaw.neu.edu/clinics/phrge>.** This program of Northeastern University School of Law works to further economic, social and cultural rights worldwide through research, scholarship and advocacy.

**National Economic and Social Rights Initiative (NESRI), [www.nesri.org](http://www.nesri.org).** NESRI works with

organizers, policy advocates and legal organizations across the country to incorporate a human rights perspective into their work and build human rights advocacy models tailored for the United States.

### On-line Databases:

**ESCR Net, <http://www.escr-net.org/>.** A collaborative initiative of groups worldwide sharing information on economic, social and cultural rights.

**United Nations, [www.un.org/rights/](http://www.un.org/rights/).** A central repository for all U.N. human rights materials.

**Books and Study Guides:**

**Carol Anderson, *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (Cambridge University Press 2003).** This meticulously researched book tells of the the aftermath of World War II and the Holocaust, when African American leaders, led by the NAACP, went before the United Nations to fight against against the conditions of segregation and inequality in the United States. The “prize” they sought was not political or civil rights, it was human rights including the right to education, health care, housing, and employment.

**Combating Racism Together: A Human Rights Education Resource (2006).** This hip guide, distributed by Teaching for Change, [www.teachingforchange.org](http://www.teachingforchange.org), is designed

to be an entry point for learning and discussing the international dimensions of racism. It presents the human rights framework as the single most powerful tool for combating racism and related discrimination in the U.S. and abroad.

**Cynthia Soohoo, Cathy Albisa, and Martha F. Davis, eds., *Bringing Human Rights Home* (Praeger 2008).** This three-volume work chronicles the history and growth of the human rights movement in the United States. Volume I includes a first-person interview with Gordon Lecturer Gay McDougall. Other contributors include Dr. Paul Farmer, founder of Partners in Health; Larry Cox, Executive Director of Amnesty International USA; and Louise Arbour, United Nations High Commissioner for Human Rights.



This study guide was written to accompany the Valerie E. Gordon Lecture delivered on March 3, 2008, by Gay McDougall, the first United Nations Independent Expert on Minority Issues. A MacArthur “genius” award winner, a leader in the U.S. anti-apartheid movement, and now a leader in bringing human rights standards to bear in domestic U.S. advocacy, Ms. McDougall spoke on “A 21<sup>st</sup> Century Global View of Racial Justice.” The lecture drew on her experiences as a United Nations representative monitoring racial justice issues worldwide. While Ms. McDougall’s expertise and responsibilities are global, her message to U.S.-based social justice advocates was that human rights activism can help shine new light on social injustices, mobilize new allies and bring to bear new pressures for social justice.

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