

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

1:25-2:55 TTh

Lewis Hall, Classroom F

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MWF: 3-6  
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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) 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.

Required Texts

Normal Daniels

*Just Health: Meeting Health Needs Fairly*

Christopher Howard

*The Welfare State That Nobody Knows: Debunking Myths About U.S. Social Policy*

William H. Simon

*The Community Economic Development Movement: Law, Business, & the New Social Policy*

All books are available through the Washington and Lee Bookstore.

## 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” should identify the major issues in the assigned readings and offer evaluative comments or raise critical questions. Although the “response” should address the assignment as a whole, we do not seek a summary. It should consider the most important issues addressed by the author and respond critically. Our anchoring topic is poverty. 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 an **oral presentation** of the assigned “**critique,**” a 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.) **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.” I highly recommend that each participant come to class with notes that enable him or her to pose pertinent questions and comments. If 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. All participants are expected to read and think about the “response” prior to 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, but you may, if necessary, compensate for an absence with this essay. Compensatory essays require more work for the instructor, but I am glad to read and comment on them when absences cannot be avoided. 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.) [You will soon receive instructions about posting on the 423 Sakai site. 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 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 certainly not required.

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 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.

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

statue or administrative law and policies. (Whichever approach you take should focus on poverty.) Undergraduates are not limited to their majors but should rely only on a discipline that they have not studied extensively. (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. For all participants, we hope this paper informs your professional careers and civic involvement over the next decade and help shape it for a lifetime.

**Our first class will be on Tuesday, January 10.**

Research proposals with a bibliography are due no later than **Monday, February 27**. We will not have class during the week of February 20, which is undergraduate winter break. I welcome research proposals earlier in electronic format. Law students will submit proposals and meet with me during the week undergraduates are on winter break. Please schedule a meeting with me to discuss your proposal, which will be first of six tutorials with each student. 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. Consult with your advisers during this stage of your project.

After our first tutorial meeting, we meet weekly to discuss whatever writing you have completed. Professor Charlie Lowney and I will share the principal advising process this year. Your second and fifth (penultimate) meetings with the advisor should be with Professor Lowney. I will meet with you to discuss the proposal, the third and fourth partial drafts, and the complete draft for your sixth meeting. Professor Lowney's e-mail is [lowneyc@wlu.edu](mailto:lowneyc@wlu.edu). Contact him about the meeting time and send him your partial drafts in advance of the meeting. (In the early stages, you may submit notes and outlines intermixed with some prose. ***We will discuss your inchoate written ideas for the project even in the early stages. Do not proceed with research without meeting us at each stage of the essay. Our advice will become a part of your research progress. 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 me and Professor Lowney 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 **Sunday, April 8**. Most oral presentations will be completed during undergraduate final week beginning on **Monday, April 9**. We can arrange for a few presentations earlier, if necessary. The **final draft** of the research papers is due no later than **Sunday, April 22, at 6:00 p.m.** for undergraduates and **Wednesday, April 25** for law students. 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 even family members have attended in the past. 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.

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**

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

Response: Joe Landry  
Critique: Page Minton

Jan. 12      Howard: "Twice in a Lifetime," pp. 53-69; Ogres, Onions, and Layers," pp. 73-91 (34 pages)

Response: Jordan Wilson  
Critique: Antoinette Kitch

- Jan. 17 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: Joe Gannett  
Critique: Henri Hammond Paul
- Jan. 19 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: Alex Carr  
Critique: Christina M. Becker Ellis
- Jan. 24 Simon: “Introduction,” pp. 1-5; “Background: The Turn to Community-Based Organizations in Social Policy,” pp. 7-40 (40 pages).
- Response: Tyler Gehrs  
Critique: Olivia Kantwill
- Jan. 26 Simon, “Three Logics of Community Action,” pp.41-68 (28 pages).
- Response: Ellen Stauffer  
Critique: Megan Tomlinson
- Jan. 26 Howard Papers Due at midnight
- Jan. 31 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: Michael Hartley  
Critique: Joe Landry
- Feb. 2 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: Christine M. Becker Ellis  
Critique: Catherine McColloch
- Feb. 7 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: Danielle Breidung  
Critique: Laura Steitz
- Feb. 9 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: Kelli Jarrell  
Critique: Susie Giamplamo

Feb. 9 Simon Papers Due at Midnight

Feb. 14 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: Jessica Morris  
Critique: Chris Blackwell

Feb. 16 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: Page Minton  
Critique: Vanessa Nedge

Feb. 18-26 Washington Holiday–Undergraduate School

**Feb. 27 Latest date for a research proposal with preliminary bibliography.** Please schedule the first tutorial meeting to discuss the proposal and plan the research and writing process during **the week of Feb 27**. (Law students should submit proposals and schedule a meeting with me during the undergraduate Washington holiday. You will have one fewer week classes than undergraduates following their Washington holiday. Undergraduates are free to turn in proposals earlier as well. We can also meet earlier.) We will meet weekly thereafter. Share a revised version of your proposal with your adviser for guidance and bibliography.

**Feb. 28 Daniels Papers Due at Midnight**

Feb. 20-April 6 Weekly tutorials and paper drafts; six meetings with the instructor, plus 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.

March 3-11 Law School Break

April 7-13 Final Exams for Undergraduates

**April 8 Complete Draft of Paper Due at 6:00 p.m.**

April 9-12 Oral Presentations

April 14-16 Law School Reading Days

April 14-22 Term Break for Undergraduates

**April 22 Final Draft of Paper Due at 6:00 p.m. for Undergraduates**

**April 25 Final Draft of Paper Due at 6:00 p.m. for Law Students**

April 17-25 Law School Final Examinations

April 23 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 9. If some students finish earlier and wish to present on Thursday afternoon or evening, Friday afternoon, or Sunday afternoon or evening, April 5, 7, or 8, we will try to accommodate them.

Possible times for paper presentations/discussions follow. We can discuss up to three papers during each session. 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, powerpoints (that are not used as cribs), and other visuals are welcome.

Monday, April 9, 1:00-2:30 p.m. (up to three sessions): Location TBA

Monday, April 9, 3:30-5:00 p.m. (up to three sessions): Location TBA

Monday, April 9, 6:00-7:30 p.m. (up to three sessions): Location TBA

Tuesday, April 10, 1:00-2:30 p.m. (up to three sessions): Location TBA

Tuesday, April 10, 3:30-5:00 p.m. (up to three sessions): Location TBA

Tuesday, April 10, 6:00-7:30 p.m. (up to three sessions): Location TBA 4

Wednesday, April 11, 3:30-5:00 p.m. (up to three sessions): Location TBA

Wednesday, April 11, 3:30-5:00 p.m. (up to three sessions): Location TBA

Wednesday, April 11, 6:00-7:30 p.m. (up to three sessions): Location TBA

Thursday, April 12, 1:00-2:30 p.m. (up to three sessions): Location TBA

Thursday, April 12, 3:30-5:00 p.m. (up to three sessions): Location TBA

Thursday, April 12, 6:00-7:30 p.m. (up to three sessions): Location TBA