**UPOL/Department of Philosophy**

**COURSE PROPOSAL**

**Summer Semester 2017**

**Introduction to the Philosophy and Sociology of Human Rights**

**Course Syllabus**

**12 classes plan**

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The last 70 years have marked a period of intense international human rights proliferation and rights-driven social movements making claims on the governments. Sociology of human rights focuses on how ‘human rights revolution’ has impacted the organisation of our societies as well as the formation of our identities.

Unlike political sociology, which examines the relationship between society and political institutions, the sociology of rights focuses on the complex and mutually interwoven relationship between society and the law. Sociology of human rights concentrates specifically on the social impact of the human rights systems and their potential for social change. It is due to a social content they comprise that legal norms can mirror a particular societal design, or as Schepele (1994) has put it: “legal doctrine is like a rough draft of social theory”.

(Human) rights can be analysed at multiple registers– of normative moral aspirations (morality), codification and doctrines (epistemology), and mechanisms of institutions of enforcement (politics) (Somers and Roberts 2008). Considered in this complex light, they are also legitimate subject of sociological research. Sociology of rights “refuses to separate rights from social life as a whole and issues of power in particular” (Woodiwiss (2003). It postulates some form of a mutual inter-dependence and intersectionality between the design of legal norms and patterns of social relations.

We will dispute a potential constitutive role of human rights discourses for social organisation of contemporary societies. We will also examine under what conditions do human rights function as relevant sources of social cohesion and a paradigm for social organisation and social relations.

The course (a composition of lectures and seminars held in English) will concentrate on the social, historical and political context of international human rights systems. It will critically examine the development, the content, and epistemological and political privilege of various human rights treaties (the French Revolution’s Declaration of the Right of Man, UN Universal Declaration of Human Rights (UDHR, 1948), Council of Europe’s European Convention of Human Rights (ECHR, 1950) and the Charter of Fundamental Rights of the European Union (2000). It will look into a context, composition and cohesion of three generations of human rights and their nexus to citizenship rights. It will further point out specific critical approaches to human rights developed by various socio-political movements of the 20th and 21st centuries (anti-racism, postcolonial and subaltern critique, Marxism, feminist and gender equality, and environmental movements). The course will close with a reflection on intersectional, critical race and cosmopolitan theories and the future role of the state and society in upholding (human) rights vis-à-vis recent challenges of terrorism, wars and migration.

**Course Plan**

1. What is philosophy of rights and sociology of human rights? (theories of the origin of rights, on the relationship between law and society, right-bearers and citizens, individual claim-rights, human rights as claims against the state)
2. Natural rights philosophical traditions (Plato, Aristotle, Augustine, Thomas Aquinas, Moore, Hobbes, Locke, Bentham)
3. The rights of men of the first (modern) Declarations (of the newly formed nations against kings and empires) (USA, France, Haiti, Rousseau, Burke, Paine, Jefferson)
4. Civil and political rights and equality – theories of liberalism
5. Cultural and collective rights and equality – theories of multiculturalism
6. Socio-economic rights and equality – theories of socialism
7. UDHR (1948) in the social, historical, (geo-) political and institutional context (UN bodies, UN treaties, UN procedures, UN legitimacy), ECHR (1950 in the social, historical, (geo-) political and institutional context (CoE bodies, ECtHR, their procedure, CoE legitimacy), Charter of Fundamental Rights of the EU (2000) in the context in the social, historical, (geo-) political and institutional context (EU bodies, ECJ, their procedures, EU legitimacy)
8. Human rights and Others I – citizenship, political community (Arendt, Agamben, Ranciere, Douzinas)
9. Human rights and others II - racism, orientalism, ethnic discrimination and cultural relativism (Fanon, Said, Todorova, Wingfield)
10. Human rights and Others II – Marxist Critique (East-West division, class exploitation, ignored socio-economic rights, welfare states, socialism, socio-economic inequalities)
11. Human rights and Others III – postcolonial critique (colonialism, Euro-centrism, North-South division, subaltern studies, hegemony, profesionalisation and NGO-isation of human rights)
12. Human rights and Others IV – feminism, gender and women’s rights critique (CEDAW, gender divisions, women’s rights ignored, unequal pay, domestic work)
13. Human rights and Others VI – the newest generation: environmental, rights, disability rights (CRPD), LGBTQR rights, children’s rights, domestic workers
14. Theories of multiple discrimination, intersectionality and critical race theory

**CONDITIONS FOR AWARDING CREDITS:**

1. Active participation at the lectures and seminar (2/3 classes attendance)
2. One presentation and hand-out for colleagues (15 min. presentation and 1 page hand-out sent to MS a day before presentation)
3. A reading summary – producing reading summaries (1 page) on assigned readings for each class, which should include 4 parts: arguments, questions, connections, and implications.
4. In case of missing to submit reading summaries in 2/3 of (all) classes, or missing to make a presentation, you would need to submit a paper on an agreed topic (approximately 7-8 standard pages)
5. The student evaluation will depend on the quality of presentation, submitted reading summaries and level of participation in the classes

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