Course outline

Sociology of Human Rights (Erasmus)

Zoltán Fleck
ELTE Faculty of Law
Center for Theory of Law and Society
building A, room 311.
zfleck@ajk.elte.hu

Course aim: The student understands the main arguments dealing with human rights as social fact. Accepts the values and theoretical starting points of the sociology of human rights. Student is open for making own arguments and opinions on problems of human rights.

Themes:

1. Meaning and territories of the discipline
   - discussing the course requirement
   - overview of the readings
   - personal introduction
   - exercise: formulating one sentence about what sociology of human rights could be
   - discussing the TED talk “how to stop torture”
     http://www.ted.com/talks/karen_tse_how_to_stop_torture
   - Presentation: Legal System (two models of law)

2. Universal or individual rights
     - Presentation: Universality
   - exercise: arguing in a case (Muslim women’s headwear) Reading: S. Edwards:
     Defacing Muslim Women: Dialectical Meanings of Dress in the Body Politic

3. Rights-language and cultural meanings
   - sociological theories and concepts dealing with human rights Reading: Deflem,
     Chicoine: The Sociological Discourse on Human Rights: Lessons from the Sociology of Law
   - Legal system and cultural context: Presentation 1.

4. Vulnerability as a social basis of human rights
   - human suffering as basic concept: Presentation 2.
     Reading: B. Turner: Vulnerability and Human Rights
     Exercise: discussing the text: “What kind of suffering?” Collecting and cataloguing human problems in group work

5. Counter-arguments and theoretical critical points
   - critics of human rights: counter-arguments and dilemmas
- *Reading*: Posner: Twilight of Human Rights Law, Pogge: World Poverty and Human Rights
- exercise: discussing the main lines of the texts

6. Education of human rights
- humanity and education: *Presentation 3.*
- *Reading*: Almqvist: Human Rights, Culture, and the Rule of Law
- how human rights education can develop humanity?

7. Implementing human rights
- problems of implementation: *Presentation Implementation*
- the concept of legal culture, cultural elements in law and legal implementation
- *Reading*: Galligan, Sandler: Implementing Human Rights

8. Legal culture, locality, history
- post-communist legal culture and human rights
- *Reading*: Kurkichian: The Illegitimacy of Law in Post-Soviet Societies
- Discussion: the weakness of human rights culture in East-Central Europe

9. Social movements
- human rights movement, international NGO’s
- activities of human rights professionals
- discussion: the effects of civil activities
- *Reading*: Stammers: Social movements and the social construction of human rights,
  Loveday: Activating the Legal Responses of NGOs to Gross Rights Violations

10. Legal mind of the society
- Legal consciousness and claiming in human rights
- *Presentation*: Constructionism
- Discussion: Why claiming is complicated? Social factors of avoiding law

11. Special rights as human rights I.
- Development and problems of sexual rights
- *Reading*: Turner: Vulnerability and Human Rights (Chapter 4.)
- Discussion: What do gender equality and reproductive rights mean?
- http://www.ippfen.org/home

12. Special rights as human rights II.
- Right to health and health-care
  - selecting and discussing articles from Health and Human Rights Journal
  http://www.hhrjournal.org

13. EU and human rights evolution
European implementation of human rights: social and cultural factors
European Convention on Human Rights and its effects
Reading: Greer: Towards a Socio-legal Analysis of the European Convention on Human Rights

14. State of exception
- Human rights in a state of emergency, terrorism
- violence and state coercion systems

Reading:


