

SOC 496, A1: Human Rights in International Perspective

Department of Sociology, University of Alberta

Wednesday 1:00pm to 3:50pm.

Location: Tory 6-4

Course Description:

Human rights have transformed international politics, law, social movements and political culture over the past century. Human rights norms inform almost every social relationship, whether it is the family, marriage, crime, youth, etc. The challenge is to determine if societies have different rights cultures, and if there are limits to how far human rights can transform society. The course will examine the history, nature and function of human rights. Students will develop an appreciation for the way in which human rights are historically and culturally specific. This course will engage with controversial debates, while emphasizing comparative and interdisciplinary learning.

Professor:

Dr. Dominique Clément

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Office: Tory 4-24

Office Hours: Wednesday, 4:00-5:00pm

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Grading	
Seminar Leader OR Discussion Questions	15%
Book Review	25%
Participation	25%
Term Paper (December 2)	35%

I do not discuss grades or course content by email. Contact the Teaching Assistant or attend my office hours.

eClass: Grades are posted on eClass, and there is course content on the site. All assignments should be submitted electronically on eClass and hardcopy at the Sociology office Tory 5-21 (or in class).

Department Deferred exam date: NA

The final exam cannot be rescheduled. Students who miss the final exam must apply directly to the Faculty – not the professor – for a deferral. Please note that the professor cannot approve a deferred exam.

Deferred Exams: There is a proper procedure that needs to be followed to defer a final examination. A student is required to go to his/her Faculty, with the appropriate documentation, and formally apply for a deferred exam. The student's faculty will approve or deny the request. Departments and Instructors have no authority to grant deferred exams. Once the student has gone to his/her faculty and the deferred exam has been approved, the Faculty will advise the instructor. Once this has been done the department can make arrangements to write the deferred.

Late Assignment Policy: Assignments are not accepted electronically. Late assignments will be penalized by 5% per day (10% weekends) and the evaluation for late assignments will only consist of a final grade (no comments). None will be accepted after seven days, and students will be given a grade of '0' for that assignment. Extensions will only be provided in exceptional circumstances (e.g., computer problems are not accepted).

Sick Policy: The University's policy on sickness/absence prohibits professors from requiring notes from your doctor. If you are unable to complete an assignment due to illness, write a formal letter to the professor stating why you were unable to submit the assignment (you do not need to be specific – for instance, you can simply indicate that you were ill – and please keep the letter brief, only a few sentences). Attach the letter to the paper, and submit the paper to the professor. Your formal grade will be adjusted after the paper is evaluated. Papers submitted under this policy will be returned without written comments (only a letter grade).

University Policies:

Policy about course outlines can be found in §23.4(2) of the University Calendar.

As per the University Calendar §23.3(2)c of the Calendar, “A deferred final examination will not be approved if a student (a) has not been in regular attendance where attendance and/or participation are required, and/or, (b) excluding the final exam, has completed less than half of the assigned work.”

The University of Alberta is committed to the highest standards of academic integrity and honesty. Students are expected to be familiar with these standards regarding academic honesty and to uphold the policies of the University in this respect. Students are particularly urged to familiarize themselves with the provisions of the Code of Student Behaviour (online at www.governance.ualberta.ca) and avoid any behaviour which could potentially result in suspicions of cheating, plagiarism, misrepresentation of facts and/or participation in an offence. Academic dishonesty is a serious offence and can result in suspension or expulsion from the University.”

Audio or video recording of lectures, labs, seminars or any other teaching environment by students is allowed only with the prior written consent of the content author (s) or as a part of an approved accommodation plan. Recorded material is to be used solely for personal study, and is not to be used or distributed for any other purpose without prior written consent from the content author(s).

Assignment #1: Seminar Participation

No marks are allocated for only attending class. Four (4) missed classes will result in a failed Participation grade.

Participation marks are based on two factors: demonstrating an understanding of the assigned readings and participating consistently in class. A strong contribution to the class discussion involves demonstrating an understanding of some of the core themes in the weekly readings, and clearly articulating your thoughts to others.

This course places a heavy emphasis on participation in class. In order to receive a strong grade in participation, students must come to class and participate consistently in the discussion. It is essential that everyone feels comfortable debating the issues raised in class, responding to the work of others, and expressing their own personal views. When criticizing others, we need to remain respectful of each other's diverse views, experiences and manners. In engaging with the past, in particular, we will eventually encounter language that is no longer acceptable. One of the primary goals of a seminar course is to understand why this is the case, instead of condemning the language out of hand. Everyone is responsible for being sensitive to the dynamics of the seminar and to the sensibilities of everyone present. Each participant will bring to the class difference academic, cultural and personal experiences alongside myriad work histories and styles. Developing listening skills and self-criticism are important aspects of academic scholarship; in order to fully develop these skills, we must each learn to accept negative (but constructive) feedback from others.

Assignment #2 (choice): **Seminar Leaders **OR** **Discussion Questions****

Developing discussion questions forces you to consider the issues from numerous points of view and to critically read the material. Questions should be broad and open-ended, rather than solicit a single response. Grades will be based on demonstrating an understanding of the readings and developing effective discussion questions that encourage discussion in class. A good discussion also links the various readings together under common themes instead of discussing each reading separately. To help prepare your discussion questions, consider first these basic issues: What is the thesis of each chapter/article? How does the author prove her/his thesis? What are the broader issues/themes for the readings as a whole for this week? How do the readings for this week relate to previous weeks? How do the readings link to the course themes?

Discussion Questions: Students who *are not* leading a seminar must submit three discussion questions relating to the readings *for each seminar week*. The questions

should address themes that relate to all of the readings assigned for that week. ***The questions are to be submitted on eClass every Wednesday by 12:00pm preceding class.***

Seminar Leader: Students who are leading a seminar are only required to submit discussion questions for the week that they are leading a seminar (post the questions in the same manner/time as weekly discussion questions). Seminar leaders must submit 10 discussion questions based on the readings for that week. Leading a discussion is a useful exercise in examining debates from a variety of perspectives. Seminar leaders are expected to have carefully examined the readings for that week and attend class with questions that stimulate discussion. Leaders can introduce their topic but should not lecture the class. A good leader draws out the issues through group discussion, not by lecturing the group.

Assignment #3: Book Review (4 pages)

The paper should include a title page, page numbers, endnotes (or in-text citations) and a bibliography. Use Time New Roman 12 font, double-spaced.

The written assignment is due at 1:00pm on the due date. **Please note that you will not be able to submit your review on eClass after the assigned time.**

Your submission should be no more than four (4) pages (double spaced) in length. This is a review, not a research paper: you do **not** need to write an **introduction** or **conclusion**. Your review should address the key themes and arguments in this book. There is a particular emphasis on good writing in this assignment. Examining an entire book in four pages is a difficult task. A good writer can avoid repetition, vague comments and unnecessary detail. But the review should not be a summary of the book. Your paper should also be a critical review of the author's argument. *The most common error in writing a critical review is basing your analysis on opinion, speculation or broad generalizations. Any critique must be based on material drawn from the course readings.*

The evaluation for this assignment will be based on three factors: (a) is the paper well written, (b) does the paper demonstrate a sufficiently strong grasp of the book by addressing the most critical themes and arguments in the book; and (c) how does the paper draw on other course content to analyze the book.

The book assigned for the seminar is: Mary-Ann Waldron. *Free to Believe: Rethinking Freedom of Conscience and Religion in Canada* (Toronto: University of Toronto Press, 2013).

Textbooks Available at the UofA Bookstore:

Mary-Ann Waldron. *Free to Believe: Rethinking Freedom of Conscience and Religion in Canada* (Toronto: University of Toronto Press, 2013). \$20

Most of the articles in this course are available electronically through the library catalogue. Search the title of the book or the title of the journal (not the title of the article) on the library website. **I strongly recommend that you download/print the articles in the first week of classes to avoid restrictions on how many people can view the reading at the same time.**

Search the title of the journal or the title of the book (**NOT** the title of the article or chapter) on the library website under “periodical title” (journal) or “title” (book). If articles are not available electronically, journals and books can be borrowed from the library.

The following required readings are not available on the internet. They are available on the shelf at the Rutherford Library Reserve for short-term loan to photocopy:

Mikael R. Madsen and Gert Verschraegen, eds., *Making Human Rights Intelligible: Towards a Sociology of Human Rights* (Hart Publishing, 2013): pp., 1-24, 61-80.

Judy Fudge and Eric Tucker, eds., *Work on Trial: Canadian Labour Law Struggles* (Toronto: University of Toronto Press, 2010): 315-54.

Henry Shue, *Basic Rights: Subsistence, Affluence and U.S. Foreign Policy, Second Edition*, Princeton University Press, 1996). pp. 13-51, 91-110. **NOT the first edition.**

Jane K. Cowan, Marie-Bénédicte Dembour and Richard A. Wilson, eds., *Culture and Rights: Anthropological Perspectives* (Cambridge University Press, 2001): 80-101, 201-226.

Thomas Thorner, ed., *'A Country Nourished on Self-Doubt': Documents in Post-Confederation Canadian History* (Peterborough: Broadview Press, 2010): 388-396.

Susan Moller Okin, ed., *Is Multiculturalism Bad for Women?* (Princeton: Princeton University Press, 1999): 7-26.

In Clifford Bob, ed., *The International Struggle for New Human Rights* (Philadelphia: University of Pennsylvania Press, 2009): 30-51, 93-107.

Week 1 (September 2): Introduction

No readings.

Follow my postings on Twitter or Facebook. I will share current news relating to human rights and social movements:

Twitter @ HistoryOfRights

Facebook: HistoryOfRights

Week 2 (September 9): Sociology of Human Rights

[Rutherford Reserve] M.R. Madsen and Gert Verschraegen, "Making Human Rights Intelligible: An Introduction to a Sociology of Human Rights." In Mikael Rask Madsen and Gert Verschraegen, eds., *Making Human Rights Intelligible: Towards a Sociology of Human Rights* (Portland: Hart Publishing, 2013): 1-24.

[Rutherford Reserve] Gert Verschraegen, "Differentiation and Inclusion: A Neglected Sociological Approach to Fundamental Rights." In Mikael Rask Madsen and Gert Verschraegen, eds., *Making Human Rights Intelligible: Towards a Sociology of Human Rights* (Portland: Hart Publishing, 2013): 61-80.

[eClass] Required Reading: Read all four newspaper articles on eClass on the Aboriginal right to healing case (each article is approximately 1-2 pages).

Week 3 (September 16): Human Rights Law

Pearl Eliadis. *Speaking Out on Human Rights: Debating Canada's Human Rights System* (Montreal & Kingston: McGill-Queen's University Press, 2014): pp.25-29, 33-56.

[eClass] Pearl Eliadis. "The Controversy Entrepreneurs." *Maisonneuve* 29 (2010): 38-45.

[eClass] Required Reading: Read any 15 newspaper articles from the sample list on eClass on free speech (each article is approximately 1-2 pages).

[Rutherford Reserve] Judy Fudge and Hester Lessard. "Challenging Norms and Creating Precedents: The Tale of a Woman Firefighter in the Forests of British Columbia." In Judy Fudge and Eric Tucker, eds., *Work on Trial: Canadian Labour Law Struggles* (Toronto: University of Toronto Press, 2010): 315-54.

Week 4 (September 23): Human Rights as Freedom

[Rutherford Reserve] Henry Shue, *Basic Rights: Subsistence, Affluence and U.S. Foreign Policy, Second Edition* (Princeton: Princeton University Press, 1996): **pages 13-51, 91-110. NOT the first edition.**

John Christman, "Liberalism and Individual Positive Freedom." *Ethics* 101, 2 (January 1991): 343-359.

Week 5 (September 30): Human Rights as Women's Rights

[eClass] Judy Fudge. "The Effect of Entrenching a Bill of Rights Upon Political Discourse: Feminist Demands and Sexual Violence in Canada." *International Journal of the Sociology of Law* 17 (1989): 445-63.

Lori Chambers. "In the Name of the Father': Children, Naming Practices, and the Law in Canada." *UBC Law Review* 43, 1 (2010-2011): 1-45.

Wanda Wiegers. "Gender, Biology, and Third Party Custody Disputes." *Alberta Law Review* 47, 1 (2009): 1-37.

Week 6 (October 7): (dis)Ability

Aart Hendriks. "Disabled Persons and Their Right to Equal Treatment: Allowing Differentiation while Ending Discrimination." *Health and Human Rights* 1, 2 (1995): 152-173.

David Engel and Frank Munger. "Rights, Remembrance and Reconciliation of Difference." *Law & Society Review* 30, 1 (1996): 7-53.

Week 7 (October 14): International Law and Domestic Practice

David Black. "The Long and Winding Road: International Norms and Domestic Political Change in South Africa." In Thomas Risse, Stephen C. Ropp and Kathryn Sikkink, eds., *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999): 78-108.

Anja Jetschke. "Linking the Unlinkable? International Norms and Nationalism in Indonesia and the Philippines." In Thomas Risse, Stephen C. Ropp and Kathryn Sikkink, eds., *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999): 134-171.

Jan Eckel. "Under a Magnifying Glass': The International Human Rights Campaign Against Chile in the Seventies." In Stefan-Ludwig Hoffman, ed. *Human Rights in the Twentieth Century* (Cambridge: Cambridge University Press, 2011): 321-343.

Week 8 (October 21): Human Rights and Social Change

[Rutherford Reserve] Clifford Bob, "'Dalit Rights Are Human Rights': Untouchables, NGOs, and the Indian State," In Clifford Bob, ed., *The International Struggle for New Human Rights* (Philadelphia: University of Pennsylvania Press, 2009): 30-51.

[Rutherford Reserve] Madeline Baer and Alison Brysk, "New Rights for Private Wrongs: Female Genital Mutilation and Global Framing Discourses," In Clifford Bob, ed., *The International Struggle for New Human Rights* (Philadelphia: University of Pennsylvania Press, 2009): 93-107.

Sally F. Goldfarb. "A Clash of Cultures: Women, Domestic Violence, and Law in the United States." In Dorothy L. Hodgson, *Gender and Culture at the Limits of Rights* (Philadelphia: University of Pennsylvania Press, 2011): 55-80.

Week 9 (October 28): No class

Class cancelled. Read Waldron for next week and prepare assignment.

Week 10 (November 4): Book Review

Book Review Due, eClass & hardcopy @ Tory 6-4.

Mary-Ann Waldron. *Free to Believe: Rethinking Freedom of Conscience and Religion in Canada* (Toronto: University of Toronto Press, 2013).

Week 11 (November 11): No class

Remembrance Day. No class.

Week 12 (November 18): Group Rights

[Rutherford Reserve] Neil Bissoondath, "Selling Illusions: The Cult of Multiculturalism, 1994." In Thomas Thorner, ed., *'A Country Nourished on Self-Doubt': Documents in Post-Confederation Canadian History* (Peterborough: Broadview Press, 2010): 388-396.

[Rutherford Reserve] Susan Moller Okin, "Is Multiculturalism Bad for Women?" In Susan Moller Okin, ed., *Is Multiculturalism Bad for Women?* (Princeton: Princeton University Press, 1999): 7-26.

Janice Gross Stein. "Searching for Equality." In Janice Gross Stein et al., *Uneasy Partners: Multiculturalism and Rights in Canada* (Waterloo: Wilfrid Laurier University Press, 2007): 1-22.

Will Kymlicka. "Disentangling the Debate." In Janice Gross Stein et al., *Uneasy Partners: Multiculturalism and Rights in Canada* (Waterloo: Wilfrid Laurier University Press, 2007): 137-156.

Week 13 (November 25): Rights in Conflict

[Rutherford Reserve] Heather Montgomery. "Imposing Rights? A Case Study of Child Prostitution in Thailand." In Jane K. Cowan, Marie-Bénédicte Dembour and Richard A. Wilson, eds., *Culture and Rights: Anthropological Perspectives* (Cambridge: Cambridge University Press, 2001): 80-101.

[Rutherford Reserve] Rachel Sieder and Jessica Witchell. "Advancing Indigenous Claims Through the Law: Reflections on the Guatemalan Peace Process." In Jane K. Cowan, Marie-Bénédicte Dembour and Richard A. Wilson, eds., *Culture and Rights: Anthropological Perspectives* (Cambridge: Cambridge University Press, 2001): 201-226.

Amalia Lucia Cabezas. "Tourism, Sex Work, and Women's Rights in the Dominican Republic." In Alison Brysk, ed., *Globalization and Human Rights* (Berkeley: University of California press, 2002): 44-58.

Week 14 (December 2): Right to die

A.C. Grayling. "The Right to Die: The Moral Basis of the Right to Die is the Right to Good Quality Life." *British Medical Journal* 330, 7495 (9 April 2005): 799. 1pg.

Required Reading: The entire collection of newspaper articles on eClass for this week including the Council of Canadians with Disabilities file on the Latimer case.

Term Paper: 8 pages maximum

Submit the Term Paper on eClass by 4:30pm on Wednesday, 2 December 2015.

The paper should include a bibliography, proper citations, title page and page numbers. Use Cambria, 12 font, double-spaced. The bibliography, citations and title page are not included in the page limit.

The research paper, which is based on the course readings and seminars, should answer the following question:

What are human rights, and is it a discourse of transformative social change?

Your paper should have a clear thesis. **DO NOT SUMMARIZE THE SEMINARS AND READINGS.** This is absolutely essential. A key factor in the evaluation of your paper is if you have produced an explicit thesis and proven your argument.

The paper should be based on the seminars and readings for the entire course. A strong paper will draw on as many of the assigned readings as possible.

Grade Breakdown			
Description	Percentage	Grade	Value
Excellent	90-100	A+	4.0
	85-89	A	4.0
	80-84	A-	3.7
Good	76-79	B+	3.3
	74-75	B	3.0
	70-73	B-	2.7
Satisfactory	66-69	C+	2.3
	65-66	C	2.0
	60-64	C-	1.7
Poor	55-59	D+	1.3
Minimal Pass	50-54	D	1.0
Fail	0-49	F	0.0