

NAME: KONGNSO EMILE TATA

STUDENT ID N°: UD74344HHU83509

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Human rights designate **a corpus of texts** taken, in the form of a universal “Declaration”, on October 10, 1948, and intended, as universal, both pre-state, because they are attached to nature itself. of man and not generated by any state, supra-state, because universally valid and erected above all constitutions. These texts are divided **into fundamental rights**, human rights in the narrow sense of the term: rights relating to the preservation of physical and mental integrity: right to life, law prohibiting torture, rights prohibiting slavery, rights prohibiting degrading human treatment; **in political rights**: prerogatives recognized to individuals through which they can participate in political life: right to vote, right to stand as a candidate, right to fair and fair elections, right to freely create or join parties; **and civil rights**: those which separate human rights in the narrow sense of political rights: freedom to come and go, respect for private life, freedom of conscience, freedom of expression, freedom of assembly, freedom of demonstration , freedom of association.

The context of the Declaration of Human Rights is that of the aftermath of the Second World War. War was then seen as an obstacle to progress, recently defeated fascism as a symbol of oppression likely to resurface if we are not careful, and peace as an absolute stake that only human rights, by their source and by their purpose, dignity, equality and solidarity, make it possible to prevent [firewall logic]. Presented as a civilizational value discovered and promoted by Europe and America, human rights abolish all barbarism and all oppression, but

are not easy to justify either in their nature, both moral and legal, or in their founding and universal claim. The concrete conditions for the fulfilment of their sacred office are slow to materialize. Faced with this difficulty, we can neither reject them as a proven imposture, nor adopt them as a dogma without fault. **In the expression "human rights", the word "rights" denotes a list of indisputable prerogatives; the genitive "of" denotes an origin, and the word "man" denotes each human, individual as well as collective, regardless of any other consideration.**

The Western world is using it as a civilizational conquest, a sign of progress, and the United Nations has seized it as a supranational legal instrument, indispensable for leading all humanity to peace and happiness. But the lobbies in turn seize it as a means of promoting a society of individuals accountable only to themselves.

Sociological approaches to Human Rights understand that rights are derived from the society and the state rather than abstract principles. That is why (Griffin 2008) was of the opinion that human rights should be understood as they are practised in social life not as stated in text and principles. Hannah Arendt once, suggested that the only universal human rights was the right to belong in a community that recognizes and protect rights. As such it is useless to say that human rights are anchored on universal truth or moral absolutes (Arendt, 2014). On the strength of the above reasoning sociology help us to understand how and why human rights have emerged as a powerful social force; how rights are

realized in practice; how society resolve competing rights claims; and what were the social conditions that made right important in a particular historical moment. Sociology's founders scorned the idea of human rights. Emile Durkheim, Karl Marx, and Max Weber believe that rights were nothing more than philosophical abstractions. These sociologists rejected human rights values that were independent of societal justifications. Though the practice of human rights vary from community to community, a rights culture is the way community interprets and applies rights in practice. (Clement, 2016). One can posit that, sociologist view rights from a African perspective, that is why the concept of solidarity rights emerged with the African system of Human Rights Protection In 1981.

Stages in the enhancement of the central idea of the universal dignity of man

In a context marked by the dislocation of Greek cities, the Stoics, philosophers of Greek antiquity, and in particular Zeno of Citium (335-224 BC) assert the idea of human dignity as an absolute. The Stoics support cosmopolitanism. That is to say, man must always be considered on a universal scale, because our true homeland is the whole earth. The world is full of friends, they say. They finally assert that reason is not only what in us tries to dominate the body without succeeding (Plato), nor what in us tries to temper our passions (Aristotle), but as what succeeds in triumphing over everything. That above all, they assert that human dignity should never be violated, and no one should be subjected to the will of

others. However, for all these key statements, the Stoic philosophers do not offer any justification.

Christianity also affirms a relative cosmopolitanism, because nations have their role to play. (Isaiah 56: 1-7). The inherent dignity of man is justified as borrowed dignity, based on the likeness of God. The episode of the Good Samaritan justifies love of neighbour regardless of any criteria. Christianity affirms the mysterious value of the whole man, body, soul, and spirit, and not only of reason, and which justifies God incarnating in him. Finally, Christianity values freedom and will in man to the point where God Himself respects man's choice, even when that choice consists in refusing the free offer of salvation. Against the absolute character of Roman citizenship, man's dependence on God frees the individual relativizes the dependence of a human on another human, including that of any state, as was the case in the Roman Empire.

In a context marked by domination, the religious, intellectual and political triumph of the Catholic Church, the philosopher Saint Thomas Aquinas (1225-1274), puts forward the idea that universal human dignity can be justified on the basis of purely philosophical considerations, because what justifies the dignity of the human person is reasonable and free nature, common to all humans. But he thinks that dignity has degrees, because rationality is a process, and not all men have cultivated it to the same level. The more we cultivate our reason, the more we grow in dignity.

From the point of view of the primary intention of the philosophy of law, namely to establish law in its own domain, that is to say to found its autonomy, the question arises as to whether this posture can be that of rights of man. Jürgen Habermas would like the law to be based on itself and not on a pre-established theological morality, nor on a predominant political conception and / or action. However, in the public sphere, do not the politico-economic, or economic-political issues precede the ethical-legal debates? In other words, can we, as this author suggests, speak of an absolute autonomy of law, which would be founded only on the ethics of discussion? This ethic of discussion enshrines the modern idea of the right as a subjective right, an idea under discussion, **because to what extent can the legal question of human rights be dissociated from the moral question of the duties of man?** If the question of the dignity of man must be posed on the basis of that of the dignity of the other man, if therefore the question of human rights must involve the problematic of the duties of man, we must understand that law itself, at least in this area, can no longer be separated from morality. Human rights seem more and more incompatible with notions of authority and morals, of substantive citizenship; the individual no longer belongs to himself and in this sense we move from the rule of law to the society of law, which is a society of individuals.

On the one hand, human rights as reconfigured by socioconstructivism (all values have been made by society and can be defeated by individuals who regain

their freedom) aim to make transgression the heart of dignity of man founded this time on the transgressive capacity, on the other hand the first transgression on which the others depend is the transgression of identities considered as imposed and therefore opposed to freedom. Hence the symbolic value of the transgression of gender identities, and the intrinsic link between human rights ideology and gender promotion. Hence the following questions: **To what extent can the legal and moral question of human rights and the moral question of the duties of man be separated from the theological question of the rights of God?** God affirms the unity of the human race and the possibility of a spiritual union beyond the universal respectability of humans; all things which are contrary to tribal nationalism, administrative massacre, racial thought, etc. Hannah Arendt (The origins of totalitarianism), analyst of modernity, notes that political crimes on an unprecedented scale were committed by a society free of belief and reference to God, that is to say in a society based on the postulate of the loss of political relevance of faith.

The Sociological reflections of the idea of human rights

The fundamental requirement of humanism is the recognition of the intrinsic dignity of man, founded on the nobility and the autonomy of human action in the society (Erasmus, Rabelais), on the usefulness of human inter-comprehension (Montaigne , Barthélémy de Las Casas), on the idea of "human nature", of a common nature everywhere present and identical (Hobbes), on that

of a common possession of the same reason, power and superior and sovereign faculty (Descartes , Kant), or on that of a common belonging to the same universal history (Herder, Hegel).

Refusing to know that he is a creature, modern man resolves to pose as a creator in all respects, including moral law. This is why the dominant position of classical humanism is expressed in the 17th century with Descartes, in the Enlightenment of Kant, then in the 19th century with Hegel.

With regard to secularism, man would like to depend only on his own will, because he perceives any divine norm as aggressive and liberticidal. The principle of freedom of conscience tends to fall back on the principle of absolute tolerance, and the principle of religious freedom, on that of absolute secularism, that is to say of secularism, replacing the secularism of intercommunity coexistence by a secularism of anti-religious struggle. So man will want neither God, nor what seems to be his substitute, whether it is the state or morality.

Conclusion

Unless we consider that human rights, the place of promotion par excellence of private life, are only the alibi of a return of everyone to the dismal enjoyment of private life, while public spaces and political actions are subtly monopolized by lobbies and other multinationals, each must seize it to make it a moral weapon at least, a major historical conquest although precarious, while waiting for the law to allow an ever stronger and ever more recognition of it efficient. Though the

practice of human rights vary from community to community, a rights culture is the way community interprets and applies rights in practice. (Clement, 2016).