

Human rights law

with Bernardo de Mello

Talking points

Knowledge

1. Which Norwegian sociologist proposed the theory of violence that supports Bernardo's taxonomy?
2. Who was George Floyd?

Comprehension

3. What are the differences between the three forms of violence discussed in Bernardo's article?
4. What is the limitation of traditional human rights law when it only examines discrimination based on a single characteristic?

Application

5. Imagine you were a human rights lawyer presiding over a complex case of discrimination. How would you use Bernardo's taxonomy to help you handle the case?
6. Suppose a company's recruitment system consistently excludes minority applicants. How would you apply Galtung's theory of violence to explain the cultural and structural elements behind this exclusion?

Analysis

7. Why does Bernardo describe his taxonomy as a "map" rather than a set of rigid boxes?
8. What does Bernardo mean when he states that the taxonomy is designed to prevent "legally inconvenient parts of a person's experience from disappearing"?

Evaluation

9. Evaluate the impact of Bernardo's background as a researcher from the Global South on the development of this taxonomy. Why might this perspective be important?
10. Do you agree with Bernardo when he says that "rest is part of doing good research"? How does stepping away from a problem contribute to finding a solution?

Activity

Choose one of these perspectives that Bernardo's research has been influenced by: feminism, critical race theory or decolonial thought.

Do some research to find out more about your chosen perspective and answer the following questions:

- Who are the foundational thinkers behind the perspective?
- What is the injustice that the perspective is contesting?
- How would the perspective change things to counteract the injustice?
- Where is the perspective applied in real-world situations?
- Why is this perspective important today?

Choose one of the following rules and examine it from your chosen perspective:

- At work, promotions require overtime and attendance at evening events
- At school, your hair must be kept in a neat, professional style
- In exams, classical European literature is used

Deconstruct your chosen rule using your chosen perspective by answering the following questions:

- What is the intended purpose of the rule?
- Whose identities and lived-realities are ignored by this rule?
- How does this create unfair harm?

Bernardo advises students to "practise explaining complicated ideas in ordinary language." Using what you have learnt from his article and your own research, create a 2-minute pitch advocating for a change to your chosen rule from your chosen perspective. Explain why the rule is unfair and how you would change it to remove the potential for discrimination. Share your pitch with a classmate, listen to theirs and provide feedback for each other.

More resources

- Read this article on the Global South Network to learn more about Bernardo's research: globalsouthnetwork.com/laws-labyrinth-a-taxonomy-of-discrimination-as-the-ball-of-thread-to-navigate-the-maze
- Amnesty International has a suite of educational resources about human rights law: amnesty.org.uk/knowledge-hub/education-and-training/education-themes/education-resources-introducing-human-rights