



## Societies Without Borders

Volume 8 | Issue 1

Article 7


2013

# Grappling with Structure, Social Construction, and Morality: Towards a Human Rights Approach to Social Problems Instruction

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### Recommended Citation

Bonds, Eric. 2013. "Grappling with Structure, Social Construction, and Morality: Towards a Human Rights Approach to Social Problems Instruction." *Societies Without Borders* 8 (1): 137-162.

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*Notes From the Field*  
**Grappling with Structure, Social Construction,  
and Morality: Towards a Human Rights Approach  
to Social Problems Instruction**

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*Received July 2012; Accepted September 2012*

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**Abstract**

This essay proposes a human rights approach to social problems instruction, whereby social problems are defined as conditions in which a group's human rights are violated due to their position in a social structure. The approach advocated here draws upon the strengths of the values-structure and social constructionist heritages in the teaching of social problems, while also correcting for some of their individual weaknesses and limitations. The essay closes by outlining what such a class might look like and includes a list of possible teaching resources and a sample class syllabus.

**Keywords**

Social problems theory; Pedagogy; Social constructionism; Structural sociology; Universal Declaration of Human Rights

Notable sociologists have argued that the global human rights revolution has the potential to revitalize and reshape our discipline (Brunsma 2010; Moncado and Blau 2006). Indeed, some important headway has already been made with the establishment of the Human Rights Section of the American Sociological Association and with the continued publication of this journal, *Societies Without Borders*. However, it remains a distinct possibility that, at least in the U.S., human rights will become just another academic specialty, funneled into a few journals focused on the topic, taught almost exclusively in classes of the same name, and sharing just a handful of institutional homes. In the interest of averting such a process of academic ghettoization and in an effort to broaden the appeal of human rights within sociology, interested teachers should develop and share

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strategies of bringing human rights into standard classes taught in departments across the country. It is with this goal in mind that I make the case for a human rights perspective in social problems instruction.<sup>1</sup>

Social problems classes have long been a mainstay in sociology departments across the country. Nonetheless, these classes often suffer from two common inadequacies. First, there is no agreement as to what actually constitutes a social problem. Teachers using the values structure perspective in their instruction argue that something is problematic when it violates widely held values and ideals.<sup>2</sup> They do not, however, specify exactly what these ideals are nor do they account for the fact that values and ideals may differ in ideologically polarized societies such as the U.S. (Spector and Kitsuse 1977). Social constructionists teaching social problems attempt to skip this debate altogether by instead examining the social processes by which something becomes defined as problematic. In so doing, however, they deny that anything is inherently a problem, and as such espouse a kind of moral relativism. So, while both perspectives are useful and shed important insights, neither is in itself sufficient. The second common inadequacy in U.S. social problems instruction is, therefore, a lack of a coherent means to synthesize these two traditions. I believe that a human rights approach can provide one basis to address both inadequacies.

A human rights approach defines a social problem as any instance in which a group's human rights are violated due to their position in the social structure. By establishing this moral foundation in an explicit and conscientious manner, instructors may then move on to usefully draw upon the values-structure tradition in social problems to examine the structural reasons why such deprivations exist. The approach also draws, however, upon the constructionist tradition in sociology to make morality itself a topic of study. Human rights, from this approach, are not treated as "natural," God-given, or otherwise immutable. Rather, this approach simply defines human rights as widely-shared norms that have been codified and legitimated by some kind of broadly-recognized and representative deliberative process. In other words, this approach treats human rights as social constructions themselves, which are, as such, subject to ongoing processes of claims-making and interpretation.

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In order to make the case for a human rights approach to social problems, I first discuss some of the advantages and disadvantages inherent to the values-structure and constructionist traditions, when each approach is used individually. I then make the case for synthesizing the two perspectives, and show how the concept of human rights can provide one means of doing so. Lastly, I provide one outline of what such an approach would look like by discussing my own class and providing recommendations for teaching resources and a sample syllabus.

#### THE BENEFITS AND LIMITATIONS OF TRADITIONAL APPROACHES TO TEACHING SOCIAL PROBLEMS

Teaching approaches to social problems typically take either one of two forms (Best 2008). In this section, I provide an overview of both, arguing that each is valuable and insightful, but that neither approach is sufficient in and of itself.

##### *The Values-Structure Tradition in Social Problems Instruction*

The values-structure tradition, which is the predominate approach used in contemporary textbooks and the approach most used by instructors across the country, seeks to identify problems and study their objective conditions and causes based upon a shared set of values or a shared notion of “harm” (Best 2008).<sup>3</sup> For instance, Dolgon and Baker (2010:3) define a social problem as “a condition that harms a significant number of people, or results in the structural disadvantage of particular segments in any given society.” Mooney, Knox, and Schacht (2012:3) on the other hand, define a social problem as a, “condition that a segment of society views as harmful to members of the society and in need of remedy.”

By using a values-structure approach to social problems, an instructor attempts to explain the real, or objective, processes that give rise to conditions that are deemed problematic. Such efforts might be undertaken from a number of different value-orientations. The formalization of “social problems” as a topic of study was first created by sociologists in the early half of the Twentieth Century, who believed that their proper role as scientists was to uncover the causes of various social “pathologies” such as crime, poverty, and racism (Skura 1976). These sociologists identified social problems as “social

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ills” that disrupted the smooth and normal functioning of society (Spector and Kitsuse 1977). While the social pathology approach is little-used today, contemporary feminist and social justice scholars may also teach from a values-structure position to explore with their students the causes of injustice and oppression within contemporary societies, such as the existence of sexism, racism, and worker abuse.

Whatever the particulars, all these approaches share one commonality: each utilizes a normative framework to identify something wrong or unfortunate about the existing world, and then sets out to explain its existence. There are advantages to doing so. The first advantage is obvious: teachers utilizing this approach are able to point to matters that are often of great concern within society as a whole—and likely to their students as well—and, at least ideally, help explain the causes of such conditions. In this sense, the values-structure perspective does not suffer from the same kind of moral relativism that I will argue plagues the constructionist approach. Moreover, those who undertake social problems teaching from an explicitly normative position often argue that an additional benefit to their approach is honesty and clarity. All teachers, after all, are human beings whose instruction is influenced by values and norms. The benefit to the values-structure approach then, according to this argument, is that the instructor is at least attempting, in one way or another, to make these values explicit and to make sure students are clear how they are being employed in order to name something as a problem. Despite these potential advantages, such a position also comes with its own perils and limitations. Consequently, explicitly normative positions in the study of social problems have received sustained criticism since the 1970s.

#### *The Constructionist Tradition to Social Problems*

Spector and Kitsuse (1977) made a big impact on the study and instruction of social problems with their critique of values-structure approaches. They argued that if sociologists using this perspective define social problems as conditions that violate widely-cherished norms, it raises numerous troubling questions. How many persons, after all, must cherish such a norm? What exactly does cherish mean? More generally, what must people do “in order for the sociologist to place the condition in the social problem

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category” (Spector and Kitsuse 1977:74). To these critics, there were no good answers. Spector and Kitsuse (1977) argue that those teaching from the values-structure perspective are, in fact, simply cloaking their own values by passing them off as something more universal.

But there are other problems to the values-structure approach as well, according to constructionists. First, if sociologists study only “harmful conditions” in society, then they are likely to ignore the fact that many things that may not seem to be “real” and “really harmful”—such as a “Facebook addiction epidemic” or an “epidemic” of road rage—nonetheless may be treated as very real and serious social problems by large segments of the public (Best 2008). Additionally, sociologists from a values-structure perspective may have a difficult time accounting for the fact that many conditions that are recognized as harmful *by sociologists*—say poverty, environmental degradation, or institutionalized sexism or racism—may not necessarily be widely recognized as social problems by a large segment of the public (Heiner 2011). Does this mean that they are not necessarily problems? Hardly. But sociologists in the values structure camp are not well positioned to study them as social problems per se, at least according to their critics, when there are conflicting values-orientations in an ideologically polarized society. The values-structure approach, in sum, provides no good answer on what to do when values clash and, consequently, there are competing ideas about what constitutes a problem and what does not.

For these reasons, social constructionists argue that the sociological study of social problems should not focus on supposedly harmful conditions themselves, but instead upon the process by which putative conditions become—and cease to become—interpreted as problematic (Best 2008; Spector and Kitsuse 1977). Because anything—discrimination based on height or body shape, UFOs, the supposed overburdening of the rich by too many taxes, etc—could potentially be deemed problematic in contemporary societies, constructionists argue that social scientists are without any means to definitively say what is or what is not a real social problem without simply imputing their own values. Sociologists can, however, study the “careers” of social problems as social constructions, that is the ways that claims-makers may come to define or frame a putative condition

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as problematic, the ways such claims might be amplified by news media or otherwise disseminated, and the ways policy-makers may seek to ignore, defuse, or stifle such claims or, alternatively, champion them and ultimately use them to create new institutional policies (Best 2008; Spector and Kitsuse 1977). From this perspective then, a social problem is defined “in terms of people’s subjective sense that something is or isn’t a social problem” (Best 2008: 9).

The social constructionist perspective rose to prominence in the study of social problems during the 1990s (Brekhus, Brekhus, and Galliher 2001). Certainly, the perspective provides many benefits to teachers over the less theoretically developed values-structure camp. For one, a social constructionist take on social problems can account for the cultural and historical variability in social problems; that is the way some features of the world—real or imagined, such as child labor or witchcraft—are given attention as problems in some cultures or historical eras but not in others. Moreover, the perspective is undoubtedly useful for teachers who would like to promote their students’ critical thinking, as it encourages students to treat claims-making with due skepticism and to ponder if putative conditions that are deemed problematic really should be treated as such. Additionally, the social constructionist approach provides some sociologists with a kind of “out” regarding the always sticky issues of values and normative bias. This has long been an issue of concern to sociologists, but especially so for those studying and teaching social problems. How, after all, could sociologists study such inherently morally laden issues as “social problems” without themselves being perceived—and possibly criticized—as being too ideological or as being partisans of a cause? Social constructionism may provide a kind of solution to this predicament for some sociologists as it allows for the study of morality and values without, supposedly, imposing one’s own normative framework into the mix (see Spector and Kitsuse 1977).

Nonetheless, the constructionist approach has three main drawbacks in social problems instruction that, I argue, have kept it from being more widely used by sociology instructors. First, and very simply, many professors hope to use their social problems class as an opportunity to explain the structural causes of the issues of major concern to their students. A strictly constructionist approach,

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however, with its overwhelming emphasis upon discourse and interpretation, does not allow for the development of such explanations. Second, many instructors are likely uncomfortable with the moral relativism upheld by a strong constructionist stance, by which no condition can be defined as a problem due to its inherent qualities. But, on the other hand, any condition could potentially be deemed problematic if claims-making constructs it as such. To many sociology instructors, however, this kind of approach denies the common ground that may indeed exist between teacher and students—and between students themselves—in terms of values-orientations.<sup>4</sup> Third, most sociologists teaching social problems seem to believe that social inequalities should be studied because they cause real human suffering and deprivation. A constructionist analysis, however, is not well-equipped to address these topics because suffering and deprivation is so often treated as non-problematic in U.S. society when experienced by people with little political power.

In sum then, social constructionists have raised important critiques and provided critical insights in the teaching of social problems. But the constructionist perspective in social problems has its own blind spots and its own values troubles, and consequently its contributions are given a brief nod or only incorporated in an ad hoc fashion in most social problems classes. As such, I argue that there is a need for a more synthetic approach that can be achieved through an emphasis on human rights.<sup>5</sup>

#### HUMAN RIGHTS AND SOCIAL PROBLEMS INSTRUCTION

As I have shown, the values-structure tradition argues that a social problem is some real condition in society that violates widely upheld values. Its main benefit is that it provides a morally-grounded method for the study of social problems and provides a means for teachers to give explanations that attend to issues of social structure. The main problem with the approach is that it provides no means to determine what these supposedly shared values are. So, according to Best (2000: 8), while sociologists in this camp, “argue that social problems are harmful conditions, they don’t specify what constitutes harm.” In the remaining portion of this paper, I would like to provide just such a method based upon the idea of human rights. From this standpoint, a social problem is defined as any condition whereby a

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group's human rights are violated due to their position in society. As I hope to demonstrate, this approach is not only useful because it addresses constructionist critiques of the values-structure perspective, but also because it draws upon the constructionist perspective itself by treating human rights as social constructions.

From a sociological perspective, human rights are broadly shared agreements about what every person born into today's global society deserves and should be protected from in life, which have been codified through some widely-recognized deliberative body. Different sociologists have sought to justify human rights in different ways. Turner (2006), for instance, argues that all human bodies are inherently frail and vulnerable to pain, injury, disease, or malnutrition. Human rights, to Turner (2006), are a means by which contemporary societies acknowledge this shared vulnerability and act to ameliorate it. On the other hand, human rights might also be based on a shared recognition that all persons have the potential to contribute to the development of the societies in which they are born (Blau and Moncado 2009). Sjoberg, Gill, and Williams (2001) think of human rights differently still; as claims upon power arrangements within societies that are necessary to promote human life and dignity in the aftermath of the genocides and totalitarian political regimes of the Twentieth Century.

Regardless of how sociologists theorize the basis of human rights, all agree that they are not "natural." Rather human rights, from a sociological perspective, must be viewed as social constructions that are the product of long histories of state development, globalization, and citizen/social movement advocacy (see Blau and Moncado 2009; Tilly 1990; Wallerstein 2011). Human rights, then, are social constructions. But they are not just any kind of social construction. They are widely-agreed upon norms and ethical guidelines with centuries-long histories of conflict and consensus.

Instructors teaching from this perspective will need some kind of baseline to determine, for the class, what exactly should be considered a human right. In my own teaching, I have found the Universal Declaration of Human Rights to be an extremely useful document.<sup>6</sup> The Declaration was adopted by the United Nations in 1948 as an attempt to enumerate the rights to which every human is entitled, explain how rights are interlinked, and to justify their

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existence (Blau and Moncado 2009). The Declaration is not itself a legally-binding treaty, but a document created through international consensus-building to promote global standards for human wellbeing after the devastation and mass-murder of World War Two (Nickel 2007). Nonetheless, the Declaration later became the basis for several important international treaties and is widely considered to be the basis for contemporary international human rights law (Nickel 2007).

Because the Universal Declaration of Human Rights enumerates many rights on topics of long-standing interest to sociologists teaching in social problems—for instance the rights to education, healthcare, general well-being, along with the rights to the freedom from racial and gender discrimination—it can easily be incorporated into classes taught from a values-structure perspective. As I have already written, this tradition has been hampered by its inability to answer the question: whose values? By utilizing a human rights perspective and by drawing upon the Universal Declaration of Human Rights, the answer is: the values of many nations that came together in the wake of the tremendous devastation caused by genocide and a world war. With this moral framework in place, an instructor is enabled to provide his or her students with a means of evaluating their society from a normative perspective. Further, the instructor is well positioned to then move on to teach about the particular social forces that cause what can now be named social problems.

But of course the Universal Declaration of Human Rights is also a document that is far from complete, failing to enumerate rights that many wish to claim. For one, it was written during a time when colonialism was very real, and consequently vast numbers of the world's population from the Global South had no opportunity for representation during its drafting. Moreover, the wording in the document is, necessarily, quite vague. As such, many of the rights it enumerates might be interpreted in a number of different ways. Finally, the entire notion of rights can be viewed as being contradictory, in the sense that respecting one group's rights might seem to violate those of another (Sardi 2012). For all of these reasons, social constructionism is also needed as a method of analysis in a human rights-based study of social problems.

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It is only through a social constructionist lens that instructors can help explain the process by which certain normative agreements or demands upon power arrangements can become legitimated as “human rights.” Moreover, instructors must use constructionism if they hope to teach the process by which aggrieved populations may use claims-making in order to mobilize for political action to assert their rights, and the processes by which their claims may or may not be recognized (see Iyall Smith 2011). Finally, instructors may well want to draw upon critical constructionism, which focuses on the ways inequality and power differentials influence claims-making (Heiner 2013). Such a perspective would be useful to teach how power relations influence the interpretation of rights and how one group’s rights may prevail over those of others in instances when rights are seen as contradictory. In this sense, a human rights orientation in social problems would best incorporate the insights of social constructionism while, at the same time, provide a counter-balance to the moral-relativism of the perspective by asserting that there are at least some shared values that can be used as a means of identifying and defining certain conditions as problematic in the contemporary world.

In sum, a human rights perspective on social problems does not attempt to supplant the values-structure or constructionist traditions in social problems. Rather, it draws upon both in order to provide a normative foundation for the study of social conditions that are deemed problematic, as well as a study of norms themselves. With this in mind, I would now like to take a moment to clarify what such an approach might look. First, a human rights approach to social problems instruction should take the position that human rights are always norms-in-the-making and are far from being universal. Such a position gives students room to debate the wisdom of codifying or not codifying certain norms as rights, and allows them the freedom to develop and defend their own interpretations. Second, teaching social problems from a human rights perspective might well be classified as a type of “real utopianism” (Wright 2011), in the sense that instructors might well want to acknowledge that the full granting of the rights enumerated by the Universal Declaration to all persons is not possible under contemporary social formations. At the same time, the rights listed in the Declaration might provide a kind of roadmap to a more

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just and equitable society, even if the final destination, that place and time in which they become real for all persons, is likely impossibly far away and will never be reached.

Instructors taking up this approach will need to guard against at least two misconceptions that might readily be made by students. The first misconception is that such an orientation necessitates a study of human rights treaty-making and international law. While such a focus is entirely appropriate in classes on the sociology of law or the sociology of human rights per se, here it misses the mark. The point, instead, is to focus on human rights as broadly agreed upon norms; the Universal Declaration of Human Rights, after all, is simply that, an effort to develop a common ethical framework. Another possible misconception is that the class will focus exclusively on extremely poor nations or those governed by authoritarian regimes. A human rights analysis of social problems should be levied at wealthy nations in the Global North as well, including the United States, and there are increasingly some very good materials available to help teachers and students do so (see Armaline, Glassberg, and Purkayastha 201; Blau et al 2009; or Hertal and Libal 2011). Having outlined the general contours of what a human rights orientation in social problems might look like, and having argued what its advantages might be, I close by showing how such a class might work in practice by discussing my own particular approach.

#### A HUMAN RIGHTS ORIENTATION TO SOCIAL PROBLEMS: ONE APPROACH

The goal of a human rights perspective is to provide an explicitly moral approach to the study of social problems, based upon widely-shared values expressed in well-recognized human rights agreements. But the point is not, of course, to impose one single interpretation of such agreements, or to argue that the norms expressed therein are in some way immutable and not subject to ongoing development and controversy. This approach, I argue, can enrich the study of social problems by allowing students to grapple with both the social nature of rights and the very nature of society itself.

In my own teaching, I first begin by introducing students to more traditional orientations to the study of social problems, using the

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example of a “non-problem” problem—such as so called sex-addiction or Facebook-addiction “epidemics”—to demonstrate the utility of the constructionist approach (see Appendix I for a sample syllabus). I then use readings in the sociology of human rights to problematize a pure constructionist position, and lay out a human rights orientation to the study of social problems, as advocated in this essay (See Appendix I also for a list of recommended readings). While I advocate a human rights approach, I also use readings to demonstrate to students the potentially contradictory nature of rights and their incomplete nature. Sardi’s (2011) essay on human rights and male neonatal circumcision is especially useful in this regard, in which she argues that approaches to human rights are necessarily ethnocentric and that granting secular rights to some may mean diminishing the religious rights of others. Lessig’s (2010) analysis of U.S. political campaign finance is also useful to demonstrate the contradictory nature of rights, in the sense that political contributions have been interpreted as protected forms of speech in the U.S., regardless that great disparities in wealth mean that some individuals will have vastly more capacity to influence policy making than most, in effect undermining the guaranteed political rights of others.

After providing this brief introduction to the sociology of human rights, I then move on to discuss economic rights and poverty in the United States. The Universal Declaration of Human Rights, for instance, explicitly stipulates the right to be free from want and destitution. Article 23 of the Declaration states that all persons have the right to work or the right to protection from unemployment, and that every person has “the right to just and favorable remuneration ensuring for himself [or herself] and his [or her] family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection” (see UDHR 1948). Elsewhere, the Declaration claims that all people have the right to rest and leisure (Article 24) and the rights to food, shelter, and medical care (Article 25). Students in the U.S., of course, are not normally socialized to think about rights in this way. With some introspection, however, I have found that many students agree that such rights—conceived of as shared norms and expectations—are indeed consistent with their own values-frameworks they bring to the class.<sup>7</sup> With this moral

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foundation established, I then move on to discuss the structural impediments to the realization of these rights, and what kinds of adjustments could be made to more fully secure them for greater numbers of people. Throughout my treatment of poverty, I continue to draw upon a social constructionist analysis because there is no fixed or universal agreement about what such rights mean; such words as “dignity” and “leisure” used in the Declaration, after all, are hardly unambiguous, as such the rights listed in the document are subject to differing interpretations. I have found that debates and discussions about various interpretations enrich the class.

Discussing the creation and maintenance of inequalities based on gender and race are key components of most social problems classes, as they are in my own human rights-based class. The Universal Declaration of Rights of course calls for the elimination of discrimination based on sex or race, and so provides a useful moral grounding from which students can begin an exploration of racism and sexism in contemporary society. Framing the outcomes of racist and sexist dynamics—for instance the prevalence of domestic violence in the U.S.—from a human rights lens may help students see the problem in a fresh way and may help overcome initial opposition from some students, which is frequently encountered by social problems teachers.

I have found that the value of the human rights perspective really stands out in terms of its ability to combine both the constructionist and values-structure heritages in exploring the connections between race, incarceration, and drug policy in the United States. The approach provides an evocative way to engage students in a critical evaluation of the U.S. “War on Drugs.” In my own class, I provide a historical overview of the social construction of drug problems in the U.S. and their frequent association with the politics of race. After having done so, I then encourage students to ponder the “problemicity” of recreational drug use in terms of the harm it may or may not cause to individuals or to society using a human rights framework. Regardless of what they might decide, and my experience is that this varies widely, students have an opportunity to utilize both constructionist and human rights frameworks and are well positioned to then consider the extent to which U.S. criminal justice policies not only may lead to violations of the right to privacy and a fair trial

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entitled to all persons according to the Universal Declaration, but also violate rights to freedom from discrimination by disproportionately impacting poor people and people of color (see Alexander 2010).

Professors teaching social problems classes may increasingly wish to cover the topics of the environment and sexuality. I have found that these topics may pose a challenge to the human rights approach, but one in which the value of the orientation ultimately becomes apparent. Written in the 1940s, the Universal Declaration does not, of course, advance a right to the environment. It does, however, seek to establish a right to life and a right to be free from discrimination. Environmental degradation, which shortens people's lives and is often disproportionately experienced by the poor, people of color, and those living in the Global South, might then be studied from this moral vantage. In my own teaching, after having established that certain forms of environmental degradation are human rights violations, I then move on to explore the structural forces in contemporary societies that produce such problematic conditions, an approach that predominates the field of environmental sociology itself (Rudel, Roberts, and Carmen 2011).

Much like concerns regarding the environment, the Universal Declaration, written from its particular historical context, does not promote a right to sexuality. But again, it does insist on the right for all people to be free from discrimination and does pronounce a right to the family. I have found that establishing this moral groundwork allows for meaningful class discussions about the causes and consequences of bias and discrimination against lesbian, gay, and transsexual persons. Furthermore, teaching about the environment and sexuality from this perspective increases students' understanding of the evolving and unsettled nature of rights, which are subject to ongoing processes of claims-making and interpretation. In my own class, I make this point by drawing students' attention to the global trend in which an increasing number of governments have declared "rights to the environment" within their own national constitutions (Jeffords 2011) and by pointing out the increasing number of countries and U.S. states that are granting rights to same-sex marriage or partnerships. I use both topics then to demonstrate the evolving nature of rights and the capacity for social movements and other civil society actors to advocate for rights and make them real.

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In closing, I would like to acknowledge that, as anyone taking up the approach will find, a human rights orientation to social problems instruction is not without its troubles and limitations. Nevertheless, I think it provides a viable means of accomplishing what all the best classes in social problems do. First, by asking questions about norms and morals—such as: do all persons have a right to life? do all persons have the right to be free from discrimination? Do all persons have a right to dignity?—the approach asks students to grapple with and clarify their own values frameworks that they bring to the class. Second, the approach makes explicit the ways values and morals are incorporated into the framework of the class itself, which can then be used as a touchstone to undertake more traditional explorations of society. In this way, the approach includes yet another component of what all the best social problems classes do, which is to thoroughly cover the concept of social structure and to show how social inequalities become consequential to people’s lives. Finally, by underscoring the socially constructed nature of rights and by demonstrating how people’s political action can influence what is and what is not considered a right, this approach ideally achieves one last goal: encouraging students as political actors themselves to get involved and change the world in which they live. In sum, by making values and morality a topic of study, by providing a moral foundation for an introduction to the study of society, and by encouraging student political participation, the approach may deliver the things that our students most need as they mature into a volatile world that seems to hold both peril and promise in regard to the human condition.

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Wallerstein, Immanuel. 2011. *Centrist Liberalism Triumphant, 1789-1914*. Berkeley, CA: University of California Press.

Wright, Erik Olen. 2011. *Envisioning Real Utopias*. New York: Verso.

### Endnotes

1. Elsewhere, Padilla (2011) makes an important argument about the value of incorporating service learning and human rights education within social problems classes. This particular essay is different from, but may be viewed as complementary to, her work because it situates a human rights approach within the larger theoretical terrain of traditional social problems instruction.

2. Best (2008) refers to this approach as the “objectivist” method. However, because this name frequently confuses students, who think it implies objectivity or value-neutrality, which it does not, I instead use the term “values-structure.”

3. I make these claims based on an informal review of social problems textbooks and social problems class syllabi cataloged on the American Sociological Association’s Trails teaching website.

4. In contemporary societies, for instance, most people agree that unequal treatment or unequal life chances due to race or gender is wrong. Therefore it seems perfectly appropriate to call such conditions problematic. Likewise, other real or quite plausible conditions—such as genocides, nuclear war, or the potentially catastrophic effects of global climate change—might reasonably be considered problematic by both instructors and students, regardless of the presence or absence of claims-making that constructs them as such.

5. Heiner (2013) took an important first step toward developing a synthesis between the values/structure and constructionist camps with his advocacy of “critical constructionism” in the teaching of social problems. According to Heiner (2013:12), “critical constructionism is different from social constructionism only in that it emphasizes the role of elite interests in problem construction.” To Heiner, it is very consequential that some individuals have much greater capacity to determine which factors of the world are

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constructed as social problems and which are not because it means they can do so in ways that promote their own power. However, like those in the values-structure camp, Heiner does not specify any kind of universal means of assessing what constitutes harm or what makes a social problem real. So here too, we are left without a method of knowing what kinds of conditions do and do not constitute a social problem.

6. As an alternative, an instructor may choose to draw upon a broad range of international human rights treaties as one kind of basis, for instance using such treaties as the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social, and Cultural Rights; or the Convention on the Rights of the Child. As another idea, instructors may opt to use regional, state, or local human rights charters. Finally, one last possibility is that an instructor lead his/her class in an effort to establish their own shared declaration of rights, perhaps using other historical documents as examples.

7. I attempt make this agreement explicit by asking students if anyone would be personally willing to give up any of the rights advanced in the Universal Declaration. Typically students are unwilling to do so, at least in a substantive way. I then indicate to the class that the document might then indeed express some broadly shared values and could therefore be used as a means to identify what is and what is not a social problem in contemporary U.S. society.

**APPENDIX: AUTHOR RECOMMENDATIONS SAMPLE SYLLABUS**

In order to teach social problems from a human rights perspective, I recommend partnering a more traditional textbook on the subject with a book or other readings specifically rooted in a human rights approach. I have found Robert Heiner's *Social Problems: An Introduction to Critical Constructionism* (New York: Oxford University Press, 2013) particularly effective due to the author's use of social constructionism along with the strong focus he places on social structure and inequalities in U.S. society. Heiner's methodology of critical constructionism, or paying attention to the ways that power influences interpretation, is particularly useful later in the course when

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discussing conflicting interpretations of human rights. I have found that Shareen Hertel and Kathryn Libal have put together a very useful reader, entitled *Human Rights in the United States: Beyond Exceptionalism* (New York: Cambridge University Press, 2011). The reader addresses many topics typically covered in social problems classes from a human rights orientation, including poverty and welfare policy, health care inequalities, discrimination against persons identifying as LGBT, and domestic violence. William Armaline, Davita Silfen Glasberg, and Bandana Purkayastha's book *Human Rights in Our Own Backyard: Injustice and Resistance in the U.S.* (Philadelphia: University of Pennsylvania Press, 2011) provides teachers with a similar resource that also deserves consideration.

Additionally, a professor may want to provide students with a broader overview of the human rights approach. Judith Blau and Alberto Moncado's book, *Human Rights: A Primer* (Boulder, CO: Paradigm Publishing, 2009), provides one clearly written and very accessible introduction to the sociology of human rights. And Lauren Sardi's article, "The Male Neonatal Circumcision Debate: Social Movements, Sexual Citizenship, and Human Rights" in *Societies Without Borders: Human Rights and the Social Sciences* (Volume 6, pp. 304-329) can be used by teachers who would like students to be aware of the potential limitations in using a human rights approach. While I ultimately disagree with Sardi's contention that human rights are too contradictory and so inherently ethnocentric to provide a blueprint toward a more just society, I have found the article to be very useful as a tool to generate class discussion about the nature of rights and to teach about the very real challenges confronting those who would like use human rights as a moral foundation for the critique and improvement of society.

Beyond lecturing, holding class discussions, and activities, a professor may well want to invite local organizations working to address human rights concerns into the classroom. In the past, I have partnered with a local organizations fighting rape and sexual assault and working to provide civil legal assistance to poor and low-income persons in my community. Instructors might consider inviting other organizations, including unions, student activist groups, anti-homelessness organizations, and other groups working to promote social justice or to increase human well-being in a particular locale.

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These sorts of partnerships can be extended by offering students class credit for their service or activism in support of such causes, as advocated by Padilla (2011).

**SAMPLE SYLLABUS:  
SOCIAL PROBLEMS FROM A HUMAN RIGHTS  
APPROACH**

**Description:** What exactly is a “social problem?” This question, it turns out, does not have an easy answer. After all, each of us have our own personal troubles and difficulties. And we may share different sets of values and normative perspectives when we individually attempt to point out what seem to be the most problematic aspects of contemporary life. So what should we do? This class proposes that we use an international human rights framework as a means of identifying major social problems in American society, which can then be used as a touchstone for a more general sociological exploration of the forces and dynamics that shape our world.

**Student Learning Outcomes:** By successfully completing this class, students will be able to:

- Understand and use several different theoretical orientations to identify and study social problems;
- Use an international human rights framework as a means of evaluating human well-being at both a local and national level;
- Explain how social inequalities—especially in terms of gender, race, class, and access to state power—contribute to the development and continuation of human rights deprivations;
- Explain how and why traditionally marginalized and/or exploited groups may work to assert their human rights;
- Engage in a class dialogue about what kind of society the United States is, and what kind of a society they would like it to be.

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**Required Readings:**

Heiner, Robert. 2013. *Social Problems: An Introduction to Critical Constructionism*. New York: Oxford University Press.

Hertel, Shareen and Kathryn Libal. 2011. *Human Rights in the United States: Beyond Exceptionalism*. New York: Cambridge.

Other readings provided by your professor.

**Application Paper:**

To successfully complete this class, students will either do six hours of community service on a human rights related issue of their choice or conduct more traditional academic research regarding either a local, state, or regional human rights concern. Along with the quality of service or research, students will be graded on how well they are able to use class concepts or theories to understand their chosen topics.

**Class Calendar**

**Week One:** What is a “Social Problem”

**Readings:** (1) Heiner 1-19

- (2) Lee, Chris. 2011. “The Sex Addiction Epidemic.” *Newsweek*, Nov 25. Read at: [www.thedailybeast.com/newsweek/2011/11/27/the-sex-addiction-epidemic.html](http://www.thedailybeast.com/newsweek/2011/11/27/the-sex-addiction-epidemic.html)

**Week Two:** Inequality, Mass Media, “Social Problems”

**Readings:** (1) Heiner 24-51

- (2) Morrison, Patrick. 2011. “Media Monopoly Revisited: The 20 Corporations that Dominate our Information and Ideas.” *Fair and Accuracy in Reporting Report*, October. Read at: <http://www.fair.org/index.php?page=4443>

**Week Three:** Social Problems from an International Human Rights Framework

**Readings:** (1) Selections from Judith Blau and Alberto Moncado’s (2009) *Human Rights: A Primer*. New York: Paradigm Press.

- (2) *The Universal Declaration of Human Rights*

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- (3) Sardi, Lauren. 2011. "The Male Neonatal Circumcision Debate: Social Movements, Sexual Citizenship, and Human Rights." *Societies Without Borders: Human Rights and the Social Sciences* 6: 304-329.

**Week Four:** A Multitude of Contradictions: Rights, Poverty, and Wealth Inequality

**Readings:** (1) Heiner 51-63

- (2) Thompson, Gabriel. 2012. "Everyone Only Wants Temps." *Economic Hardship Reporting Project*. <http://economichardship.org/everyone-only-wants-temps/>
- (3) Howard-Hassmann, Rhoda. "The Yellow Sweatshirt: Human Dignity and Economic Human Rights in Advanced Industrial Democracies." In Hertal and Libal 25-45.
- (4) Neubeck, Ken. "Human Rights Violations as Obstacles to Escaping Poverty: The Case of Lone-Mother-Headed Families." In Hertal and Libal 234-251.

**Week Five:** Rights, Poverty, and Wealth Inequality, Continued

**Readings:** (1) Abramovitz, Mimi. "The U.S. Welfare State: A Battleground for Human Rights." In Hertal and Libal 46-67.

- (2) Selections from Yates, Micheal. 2009. *Why Unions Matter*. New York: Monthly Review Press.
- (3) Lessig, Lawrence: 2010. "Democracy after Citizens United" *Boston Review*, September/October. Read at: <http://bostonreview.net/BR35.5/lessig.php>

**Week Six:** Rights to Food and Shelter

**Readings:** (1) Finger, Davida and Rachel E. Luft. "No Shelter: Disaster Politics in Louisiana and the Struggle for Human Rights." In Hertal and Libal 274-290.

- (2) Ehrenreich, Barbara. 2009. "Is it now a Crime to be Poor?" *New York Times*, August 8. Read at: <http://www.nytimes.com/2009/08/09/>

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- (3) Cummings, Matthew M. 2011. "The Continued Illegalization of Compassion: United States v. Millis and its Effects on Humanitarian Work with the Homeless." *Boston College Third World Law Journal* 31: 439-456.

**Week Seven: Rights and Gender Inequality**

**Readings:** (1) Heiner: 78-85

- (2) Engle-Merry, Sally and Jessica Shimmin. 2011. "The Curious Resistance to Seeing Domestic Violence as a Human Rights Violation in the United States." In Hertal and Libal 113-131.
- (3) Rabin, Roni. 2011. "Nearly 1 in 5 Women in U.S. Survey Say They Have Been Sexually Assaulted." *New York Times*, December 14th. Read at: <http://www.nytimes.com/2011/12/15/health/nearly-1-in-5-women-in-us-surveyreport-sexual-assault.html>

**Week Eight: Drugs, Race, and Incarceration in the U.S.**

**Readings:** (1) Heiner: 70-78 25

- (2) Selections from Butler, Paul. 2011. *Let's Get Free: A Hip-Hop Theory of Justice*. New York: The New Press.

**Week Nine: Drugs, Race, and Incarceration in the U.S., Continued**

**Readings:** (1) Heiner: 134-172

- (2) New York Civil Liberties Union. 2012. *Stop and Frisk*. Report available at: <http://www.nyclu.org/publications/report-nypd-stop-and-frisk-activity-2011-2012>

**Week Ten: Rights to Sexuality and Health**

**Readings:** (1) Mertus, Julie. "LGBT Rights as Human Rights in the United States: Opportunities Lost." In Hertal and Libal 274-290.

- (2) Heiner: 89-94

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- (3) Carmalt, Jean Connolly, Sarah Zaidi, and Alicia Yamin. "Entrenched Inequality: Health Care in the United States." In Hertal and Libal 153-174.

**Week Eleven:** The Environment and Rights

**Readings:** (1) Heiner: 183-213

- (2) Pellow, David and Robert Brulle. 2007. "Poisoning the Planet: The Struggle for Environmental Justice." *Contexts* 6: 37-41.
- (3) Bauer, Joanne. "Business and Human Rights: A New Approach to Advancing Environmental Justice in the United States." In Hertal and Libal 175-194.

**Week Twelve:** Human Rights in the "War on Terrorism"

**Readings:** (1) Hooks, Gregory and Clayton Mosher. 2005. "Outrages Against Personal Dignity: Rationalizing Abuse and Torture in the War on Terror." *Social Forces* 85: 1627-1646.

- (2) Shachtman, Noah. 2012. "U.S. Drones can Now Kill Joe Schmo Militants in Yemen." *Wired Magazine*, April 26. Read at: [www.wired.com/dangerroom/2012/04/joe-schmo-drones/](http://www.wired.com/dangerroom/2012/04/joe-schmo-drones/)
- (3) Amnesty International. 2010. "Wikileaks Cable Corroborates Evidence of US Airstrikes in Yemen." AI Report, December 6. Read at: [www.amnesty.org/en/news-and-updates/wikileaks-cable-corroborates-evidence-us-airstrikes-yemen-2010-12-01](http://www.amnesty.org/en/news-and-updates/wikileaks-cable-corroborates-evidence-us-airstrikes-yemen-2010-12-01)

**Week Thirteen:** Human Rights and War

**Readings:** (1) Altheide, David and Jennifer Grimes. 2005. WAR PROGRAMMING: The Propaganda Project and the Iraq War. *Sociological Quarterly* 46: 617-643.

- (2) Goldstein, Joshua and Steven Pinker. 2011. "War Really is Going Out of Style." *The New York Times*, December 17. Read at: <http://www.nytimes.com/2011/12/18/opinion/sunday/war-really-is-going-out-ofstyle.html?scp=1&sq=war%20going%20out%20of%20style&st=cse>

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**Week Fourteen: Human Rights, Citizenship, and Our Shared Future**

**Readings:** (1) Kaufman, Risa E. 2011. "State and Local Commissions as Sites for Domestic Human Rights Implementation." In Hertal and Libal 89-110.

(2) Selections from Loeb, Paul. 2010. *Soul of a Citizen: Living with Conviction in a Cynical Time*. New York: St. Martin's Press.

**Acknowledgements**

The author would like to acknowledge the helpful comments on an earlier draft of this essay given by Leslie Martin, Nora Hui-Jung Kim, and Kristina Kahl.

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