

法律學系課程委員會 108-2 學期第 8 次通訊投票 暨 法律學院課程委員會 108-2 學期第 1 次通訊投票

通訊投票期間：109 年 6 月 20 日至 6 月 23 日。

通訊投票通知對象：院課程委員會委員代表共 18 位（名單如下）

沈冠伶教授、李茂生教授、陳忠五副教授、姜皇池教授、王皇玉教授、林彩瑜教授、莊世同教授、蔡英欣副教授、王能君副教授、周漾沂副教授、李素華副教授、陳韻如助理教授、黃瑞明大法官、周占春院長、邱琦法官、研究生學會代表、科法所學會代表、系學會代表

通訊投票結果：投票截止共 11 位委員回覆同意，0 位委員回覆不同意，7 位委員未回覆。

記錄：王鍾菁

【討論事項】

第一案：109-1 學期新開課程同意案

說明：

- 一、 依「國立臺灣大學課程開授及異動處理要點」第二條：各課程之開授應經系（所、學位學程、學群）課程委員會及院課程委員會通過後，始得排入課表。
- 二、 本次 109-1 學期申請新開課程共 4 件，檢附新開課程清單(附件一)，是否同意？請討論。

決議：同意。

第二案：109 學年度第 1 學期客座教授課程同意案

說明：

- 一、 依「國立臺灣大學課程開授及異動處理要點」第二條：各課程之開授應經系（所、學位學程、學群）課程委員會及院課程委員會通過後，始得排入課表。
- 二、 檢附 109 學年度第 1 學期客座教授新開課程名單（附件二），是否同意，請討論。

決議：同意。

附件一

109-1 新開課程清單

編號	適用年級	課號與識別碼	授課教師	課名	備註
1	大學部 碩博班	A21 U6630 LAW5444	葉俊榮	全球疫病與身體管制	
2	大學部 碩博班	A21 U6640-50 LAW5607-08	林鈺雄	刑法專題討論一二	
3	大學部 碩博班	A21 U0280 LAW5445	謝煜偉	最近刑事判決專題討論	
4	碩博班	A21 M0540-70 LAW7367-70	許恒達	刑罰思想史專題研究一~ 四	

109-1 客座教授 (2020.8.1-2021.1.31)

客座教授	訪問期間	所屬學校	中/外文課名	組別
Camilo Perez Bustillo 羅牧	109.9-110.6	1. Fellow, Center for Advanced Study in the Behavioral Sciences, Stanford University。2019年9月1日至2020年6月30日止。 2. Director of Research and Advocacy, Hope Border Institute。2019年9月1日至2020年6月30日止。 3. Research Fellow, University of Dayton Law School。2019年8月1日起迄今	Human Rights from Below: the Global Poor, Migrants and Indigenous Peoples 貧移原民：全球化下的弱勢人權 (2學分/學期課)	

1. Camilo Perez Bustillo 羅牧 Human Rights from Below: the Global Poor, Migrants and Indigenous Peoples 貧移原民：全球化下的弱勢人權

This course will explore the contested history of human rights from a global, critical, and intercultural perspective. In the U.S, Western Europe and Latin America international law and human rights are typically taught and conceived of as if they were of uniquely Western, and even more specifically European (or even Anglo-American) origin, within the context of Modernity, the Enlightenment, and their universalist pretensions. From this perspective, the task for non-Western societies is to Westernize themselves through processes of economic, political, social, and cultural “development” to a degree sufficient to enable the flourishing of the kinds of rights ostensibly enjoyed in Western contexts. Meanwhile global poverty and inequalities are intensifying sharply in the wake of the current COVID 19 pandemic.

This is in essence the “hegemonic” version of human rights history and theory, which has been increasingly challenged in the academy and in the streets from “counter-hegemonic” perspectives grounded in the Global South, both beyond- and within- the Global North (e.g immigrant communities and movements and those of other marginalized groups such as people of African descent, women, those identified as LGBTQ, etc.). Such alternative approaches instead emphasize the extent to which hegemonic Western conceptualizations and practices of human rights in fact pose key obstacles to the full recognition of these rights, which reflect the costs and impacts of the historical and contemporary crimes of the West (such as conquest, African slavery, genocide, colonialism, imperialism, and neo-colonialism), which are understood as constitutive of the emergence and spread of the capitalist mode of production and thus of Modernity itself.

From this perspective there are alternative routes to fuller conceptions and practices of human rights, which are capable of transcending their limitations and distortions in the context of Western hegemony. Such approaches are often described- or dismissed- as “utopian”. This reflects the intertwined, contested relationship between human rights, hegemony, and utopia, which provides a guiding thread for this course. Such contradictions are heightened whenever hegemonic powers such as the U.S seek to justify their

interventions elsewhere as part of an overall civilizational project “in defense of human rights” accompanied with the kinds of moral, political, and/or religious claims of universality associated with U.S. exceptionalism. Initiatives of this kind also tend to stigmatize and criminalize resistance to this overall project and its components as necessarily of a terrorist character, or as uniquely grounded in competing global communities and visions such as that of Islam.

What would it look like if the history, conceptualization, and practice of human rights were taught and approached differently than it is typically in Western contexts? This task is especially urgent in settings such as Latin America, Africa, and Asia where colonial legacies continue to permeate contemporary societies, and in other contexts such as the U.S and Western Europe where the increasing presence of communities rooted in the Global South challenges long held assumptions as to equality, identity, diversity, and inclusion.