

This special issue of *Nordicum-Mediterraneum* contains selected proceedings from three research circles within the *Nordic Summer University* (NSU): *Human Rights and International Relations*, *Understanding Migration in Nordic and Baltic Countries* and *Patterns of Dysfunction in Contemporary Democracies; Impact on Human Rights and Governance*. The meetings took place in Saulkrasti, Latvia, from 29/7 to 2/8 2017 and in Copenhagen, Denmark, from 2/2 to 4/2 2018.

The program of the research circle, *Human Rights and International Relations*, ran from 2015 to 2017. This circle explored how human rights militancy and more generally the protection of human rights are affected by the international human rights regime and the way this regime enters state relations, and it also examined how the international human rights regime modifies the relations between states and how this is explained in international relations theory.

Understanding Migration in Nordic and Baltic Countries runs from 2017 to 2019. This circle addresses contemporary migration through the lens of representation. Interpreted broadly as various means of capturing, contextualizing, interpreting, and defining people, institutions, politics, and histories, representation should encompass both tangible renderings – such as photographs and films – and also a wide range of practices and processes whose representational forms serve in specific ways to produce the subject matter itself.

The study circle about the *Patterns of Dysfunction in Contemporary Democracies; Impact on Human Rights and Governance* runs from 2018 to 2020. This circle endeavours to study different patterns of dysfunction in contemporary democracies and in particular the insidious processes which undermine the traditional canons of liberal democracy, notably encapsulated in the rule of law and human rights. Many factors are involved in these insidious processes and the state of the various democracies can be seen as nodal points between different factors that are criss-crossing and thus creating a unique constellation: populism, nationalism, corruption, fear, social isolation, ignorance, poverty, luxury, injustice, rootlessness in its various forms are signs of unbalances within democracies on

both the global, national and local levels.

The contributions from these circles evolve around the issues of human rights, democracy (including citizenship) and religion.

Jean-Pierre Cléro approaches democracy from the perspective of generational justice. Acquired pensions rights collide with the constraints of democracy and create dilemmas. Lucas L. O. Cardiell addresses other kinds of dilemmas when measures of citizen deprivation send the international protection of citizens' rights on collision course with citizenship as the *domaine réservé* of states. Eyassu Gayim studies the contentious issues behind and between democracy and human rights and considers the possible conflicts involved in using the Human Rights-Based Approach to measure democracy.

Julio Jensen examines the origins of human rights and points at the important work of Bartolomé de las Casas and Francisco de Vitoria as initiators of a certain kind of resistance against state power. Marianna Barchuk-Halyk approach human rights from the increasingly important notion of human security and the new UN doctrine about the Responsibility to Protect. Magdalena Tabernacka examines the human right of freedom of religion, and emphasizes the discrepancy found in Poland between the formal adoption of relevant legal measures and the effective protection of the right.

Giorgio Baruchello addresses religious and philosophical beliefs about abortion and their relation to claims about human rights, and how possible conflicts spell out in various social contexts. Welfare provisions and positive attitudes to pregnancy tend to make abortion less necessary. Magdalena Tabernacka discusses the implementation of religious freedom in Poland and how circumstances and will impact the effective implementation of this freedom. Julio Jensen considers how an egalitarian tradition within Judeo-Christian thinking has inspired resistance against state power.

The special issue contains the following papers

Jean-Pierre Cléro

University of Rouen, France

Democracy Put to the Test of Age

A Case Study Concerning the Dysfunction of Modern Democracy

Abstract: After having defined with some degree of precision the concept of a dysfunction which has a very particular meaning within politics, since a regime – be it democratic – can bring forth situations which over time will not be sustainable, we will analyse the case of the retirement pension system in which the generation at work takes care of the generation not working any more. This care meets with some particular difficulties linked to inequalities in what regards economy, politics (resulting from demography), health and social conditions. Certainly, these inequalities can be covered up for some time by a play of fictions which is partly analysed here. A situation seemingly without future considering the age pyramid is strangely enough viable in fact as certain sociological studies have shown, and we endeavour to find a clue to this fact in a dialogue between two persons, who separated by about forty years cross their points of view on how contemporary relations between generations play out. However, we are not quite sure that this play between fictions is a full substitute for the economic realities. We outline here some first steps in an area rich with contradictions, which we endeavour to illuminate by some elements of a theory of fictions.

Julio Jensen

University of Copenhagen, Denmark

A Note on the Origins of Human Rights:

Bartolomé de las Casas and Francisco de Vitoria

Abstract: In the wake of the Spanish arrival in America, a controversy arose with respect to the legitimacy of the conquest and the colonial rule. This debate was started by the Dominicans in the New World, who denounced the oppression of the native population. The most renowned participants in these discussions were Bartolomé de las Casas and Francisco de Vitoria. The former received the title of “Defender of the Indians”, while the latter is remembered as a central figure in the foundation of international law. Through the debates concerning the conquest of America, one precondition – noted by Habermas – for the emergence of human rights is explored namely resistance against state power on the basis of the egalitarian tradition belonging to Judeo-Christian thinking.

Lucas L. O. Cardell

Migration Institute of Finland

Citizenship Deprivation: A Violation of Human Rights?

Abstract: In the past few years, the issue of citizenship deprivation has risen considerably on the agenda of the international community following the recent terrorist attacks in many States. Many citizens have been deprived of their nationality based on involvement in terrorist activities or possibly on the ground of national security. In consequence, an increasing body of legal and political discourse on citizenship deprivation has been added to the literature and the academic discussions on the topic at hand. This paper argues that despite the progress in IL/IHRL, which usually creates limitations in the attribution and deprivation of citizenship, the right to citizenship falls within the *domaine réservé* of states. It also argues that even though there are certain legal instruments that prohibit nationality deprivation resulting in statelessness, as of the 1961 statelessness convention, the issue of

nationality deprivation most likely creates a legal vacuum for individuals concerned when the acquisition of other rights is necessarily linked to nationality.

Magdalena Tabernacka

Uniwersytet Wrocławski, Poland

The Human Right to Freedom of Religion in the Polish Education System

Abstract: Teaching religion in public schools has a significant bearing on the implementation of the individual's right to freedom of religion and belief. Even if the state outlines a model for teaching religion that is compliant with the standards for the protection of human rights, an infringement of these rights may occur due to faulty execution of the existing provisions. The fact that a given belief system obtains the status of a majority religion does not exempt the state from its obligation to ensure the effective protection of the rights of non-believers and members of minority religions.

Marianna Barchuk-Halyk

Precarpathian National University named after

Vasyl Stefanyk, city of Ivano-Frankivsk, Ukraine

Human Rights as a Part of the Human Security of Ukraine

Abstract. The paper is dedicated to questions of human security, the importance of which grows in international relations, yet its legal and political meanings remain ambiguous. The human security concept is about the protection of a human being or a minority group

conceived as the responsibility of the states, or the international community, when the national governments cannot guarantee this security or when they consciously violate these rights. The concept of Responsibility to Protect is connected with human security. The concept is about the state's duty to ensure the security of a person.

Giorgio Baruchello

University of Akureyri, Iceland

Religious Belief, Human Rights, and Social Democracy: Catholic Reflections on Abortion in Iceland

Terms such as “pro-life” and “pro-choice” evoke animated responses in the Anglophone world and can even win, or lose, major elections to political parties, candidates and movements. In the Nordic countries, however, the same terms and related responses are generally perceived as academic, at best, or as American, at worst. The issue of abortion seems to have been settled long ago in the Nordic context, both legally and, above all, socially. Does it mean that it has also been settled ethically? I argue that this is far from being the case and present an Iceland-based approach to the issue that, while leaving women's rights and freedoms untouched, can accommodate to a worthy extent the defence of Scandinavian-style social democracy as well as the traditional Catholic opposition to abortion.

Eyassu Gayim

University of Gothenburg, Sweden

Democracy, Human Rights and the UN Human Rights-Based Approach

Although democracy and human rights are universally shared values, their content has always been contested. The controversy concerns the nature of the human being, how the self relates to the community and the state, and how social and political relations should be formed. The UN followed its own political philosophy regarding this when the international regime of human rights was developed by acknowledging individual and people's rights and democracy. This study highlights the core contentious issues behind democracy and human rights, how these concepts are intertwined and what the implications of using the Human Rights-Based Approach is to measure democracy."