

DISCIPLINA: <b>CITIZENSHIP: MEMBERSHIP, RIGHTS &amp; EQUALITY</b>	CÓDIGO: <b>GRDDIRELE0140</b>
PROFESSOR: <b>THOMAZ PEREIRA</b>	CARGA HORÁRIA: <b>30h</b>
<p><b>EMENTA</b> Citizenship and its relationship to rights and political participation are central to constitutional law. This concept is at the core of the political demands that have recently taken to the streets from Cairo to Rio de Janeiro. In this context, this seminar will explore how constitutional democracies grapple with the fundamental issues of membership, rights and equality in a political community.</p>	
<p><b>OBJETIVOS GERAIS</b> The seminar has two main purposes: first, to introduce students to the different aspects and meanings on the issue of citizenship and its ramifications; and second, through engagement with pertinent readings, to encourage critical thinking about fundamental issues regarding constitutional law and theory.</p>	
<p><b>OBJETIVOS ESPECÍFICOS</b> Throughout the course we will deal with the following questions: How do communities define themselves and their membership? How do aspirations to treat all persons as rights-holders inform practices that differentiate between members and nonmembers within a polity? What forms of discrimination among members are consistent with guarantees of dignity and equality? Do federated systems of government offer distinctive answers to these questions? What roles do supranational norms play in shaping or challenging national responses?</p>	
<p><b>METODOLOGIA</b> This seminar will meet once a week and its focus will be on deep discussions regarding the required readings. This will require student's active participation, which will comprise a significant part of the grade. Students are expected to do the readings in advance of each class, and student's engagement in the classroom discussion should reflect this.</p>	
<p><b>PROGRAMA</b></p> <ol style="list-style-type: none"> <li><b>1. The Meaning(s) of Citizenship</b> <ol style="list-style-type: none"> <li>1.1. Citizenship and Social Class</li> <li>1.2. Citizenship, Culture, and Constitutionalism</li> <li>1.3. Citizenship, Membership, and the Nation-State</li> <li>1.4. Borders, Migration, and Citizenship</li> </ol> </li> <li><b>2. Citizenship and Federalism</b> <ol style="list-style-type: none"> <li>2.1 Citizenship, Membership, and Federations</li> <li>2.2. Citizenship, Ethnicity and Federations</li> </ol> </li> <li><b>3. Citizenship, Equality, and Rights</b> <ol style="list-style-type: none"> <li>3.1. Citizenship and Social Rights</li> <li>3.2. Citizenship, Gender, and Parity</li> </ol> </li> <li><b>4. Citizenship and the International</b> <ol style="list-style-type: none"> <li>4.1. Citizenship, Constitutionalism, and Human Rights</li> <li>4.2. Citizenship and Law as Affiliation</li> <li>4.3. Citizenship, Patriotism, and Nationalism</li> </ol> </li> </ol>	
<p><b>CRITÉRIOS DE AVALIAÇÃO</b> 1. Students will be graded on the class participation. 2. Each student will be assigned to write two short (5 pages) response papers during the course of the term. 3. For the final examination students will be asked to answer one or more questions - the questions will be either handed out or sent electronically to all students, in either case, students will have 48 hours to hand their answers in. The breakdown for grading in the class is as follows: 1. Class Participation: 20%; 2. two short response papers: 30% (15% each); 3. Final examination: 50%.</p>	

**BIBLIOGRAFIA OBRIGATÓRIA**

BENEDICT ANDERSON, *IMAGINED COMMUNITIES* (1983, 1991 ed.), pp. 1-7.

VICKI JACKSON, *CONSTITUTIONAL ENGAGEMENT IN A TRANSNATIONAL ERA*, (2010), pp. 17-38.

Jeremy Waldron, *Foreign Law and the Modern Jus Gentium*, 119 HARV. L. REV. 129 (2005).

**BIBLIOGRAFIA COMPLEMENTAR**

Robert Post & Reva Siegel, *Constitutional Patriotism and Constitutional Culture* (Pt I, pp 1-14) ([http://www.law.yale.edu/documents/pdf/sela/RevaSiegelandRobertPost\\_English\\_.pdf](http://www.law.yale.edu/documents/pdf/sela/RevaSiegelandRobertPost_English_.pdf)).

Vicki C. Jackson & Mark Tushnet (eds.), *Federalism: Power Sharing and Minority Protection*, in *COMPARATIVE CONSTITUTIONAL LAW* (2006), pp. 1102-1116.

Jed Rubinfeld, *Unilateralism and Constitutionalism*, 79 N.Y.U. L. REV. 1971 (2004), pp. 1991-1999. (<http://www.nyulawreview.org/issues/volume-79-number-6/unilateralism-and-constitutionalism>)

Jack Balkin & Reva Siegel, *Principles, Practices and Social Movements*, 154 U. PA. L. REV. 927 (2006), pp. 946-950. ([http://digitalcommons.law.yale.edu/fss\\_papers/234/](http://digitalcommons.law.yale.edu/fss_papers/234/))

Roger P. Alford, *Misusing International Sources to Interpret the Constitution*, 98 AM. J. INT'L. L. 57 (2004). ([http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1570&context=law\\_faculty\\_scholarship](http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1570&context=law_faculty_scholarship))

Robert M. Cover, *Nomos and Narrative*, 97 HARV. L. REV. 4 (1983), pp. 4-11, 40-46, 60-68.