

## Summary

### *“Charity or Human Rights? A human rights sociological and philosophical reflexion of the new UN convention on disability rights”*

by Sigrid Graumann

In December 2006 the General Assembly of the United Nations adopted the Convention on the Rights of Persons with Disabilities, which subsequently came into effect in May 2008. The Convention grants equal rights for all disabled persons. It emphasises binding claims to a self-determined and independent life, to barrier-free access to all public spaces, and to full and equal social inclusion, as well as to help, support and care, based on a spirit of solidarity. Thus, the Convention takes a major step from a policy of charity and welfare for disabled persons to a policy based on rights. However, its implementation into national law will pose a great challenge for the signatory states. In this context I discuss whether the Convention can be understood as a consistent and continuing development of the concept of human rights, or if it is asking too much. Therefore, I differentiate between a sociological understanding of human rights, which focuses on its social worth, and a philosophical understanding that questions its moral validity.

From a sociological viewpoint, protection from violence, abuse and neglect is required in private and family life to accommodate the high requirements for the individual's self-expression and his or her ability to assume roles within modern society. But from a philosophical viewpoint, deviation from the traditional separation of private and public life and suggesting the equal relevance of economic, social and cultural rights, including civil and political rights, are often countered with scepticism. I argue against popular philosophical positions that both statements are necessary requirements for the principle of universal respect of human rights with regard to the special needs and living conditions of disabled persons.