

Philosophy of Human Rights
Phil. 250-01
Fall 2010

PROFESSOR

Martin Gunderson

Office: Old Main 112

Office Hours: Tuesday 4:40-5:40, Thursday 4:40-5:40, and by
appointment

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COURSE DESCRIPTION

Although human rights play an obviously important role in international relations, philosophers have found them puzzling and difficult to justify. What does it mean to say a person has a moral right or a human right? What is the relationship between human rights stated in international covenants and human rights that are said to be morally binding? Aside from questions about the nature of human rights, the seminar will consider possible justifications of human rights, as well as arguments that there are no human rights. The seminar will also take up the issue of whether it is possible to adopt human rights while respecting the diversity of human cultures, religions, and moral views.

TEXTS

Charles R. Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press, 2009).

James Griffin, *On Human Rights* (Oxford and New York: Oxford University Press, 2008).

Martin Gunderson, "Writing Philosophy Papers" (electronic handout)

James Nickel, *Making Sense of Human Rights*, 2nd edition (Malden, MA and Oxford: Blackwell Publishing, 2007).

"Symposium on James Griffin's *On Human Rights*," *Ethics* (July 2010).
(electronic handout)

CLASS SCHEDULE

Part I Nickel on Human Rights: An Interest Theory

Week One:

Tuesday, September 7: Introduction to the seminar

Thursday, September 9: The Concept of Human Rights

Nickel, Chapters 1-3

Nickel, Appendices 1, 3, and 4

Week 2

Tuesday, September 14: Justifying Human Rights

Nickel, Chapters 4 and 5

Thursday, September 16: The Weight of Human Rights

Nickel, Chapters 6 and 7

Week 3

Tuesday, September 21: Types of Human Rights

Nickel, Chapters 8-10

Thursday, September 23: Human Rights Relativism

Nickel, Chapters 11-12

Part II Griffin on Human Rights: A Personhood Theory

Week 4

Tuesday, September 28: Griffin's Personhood Account

Griffin, Chapters 1 and 2
First short paper due

Thursday, September 30: Rights and Duties

Griffin, Chapters 3-5

Week 5

Tuesday, October 5: Human Rights Relativism again

Griffin, Chapters 6 and 7

Thursday, October 7: Types of Rights

Griffin, Chapters 8-10 and 15

Week 6

Tuesday, October 12: Philosophy and International Law

Griffin, Chapter 11

Thursday, October 14: Applications

Griffin, Chapters 12-14

Part III Beitz on Human Rights: A Practical Conception

Week 7

Tuesday, October 19: Current Practice

Beitz, Chapters 1 and 2
Review Nickel, Appendices 1,3, and 4.
Second Short Paper Due

Thursday, October 21 Critique of Naturalistic Theories

Beitz, Chapter 3

Week 8

Tuesday, October 26: Critique of Agreement Theories

Beitz, Chapter 4

Thursday, October 28 (No Class, Fall Break)

Week 9

Tuesday, November 2: A Practical Conception of Human Rights

Beitz, Chapters 5 and 6

Thursday, November 4: Applications

Beitz, Chapters 7 and 8

Part IV Recent Reactions to Griffin's Theory

Week 10: Symposium on Griffin's Book

Tuesday, November 9

Tasioulas, "Taking Rights out of Human Rights"
Griffin, "Human Rights: Questions of Aim and Approach," 741-751

Thursday, November 11

Buchanan, "The Egalitarianism of Human Rights"
Griffin, "Human Rights: Questions of Aim and Approach," 711-757

Week 11: Continued Discussion of Symposium on Griffin's Book

Tuesday, November 16

Forst, The Justification of Human Rights and the Basic Right to
Justification: A Reflexive Approach"
Griffin, "Human Rights: Questions of Aim and Approach," 757-760

Part V Our Insights on Human Rights

Thursday, November 18 Seminar Presentations

- 1.
- 2.
- 3.

Week 12: Seminar Presentations

Tuesday, November 23

- 4.
- 5.
- 6.

Thursday, November 25 (No Class, Thanksgiving Break)

Week 13: Seminar Presentations

Tuesday, November 30

- 7.
- 8.
- 9.

Thursday, December 2

- 10.
- 11.
- 12.

Week 14: Seminar Presentations

Tuesday, December 7

- 13.
- 14.
- 15.

Thursday, December 9 (Last day of class)

Concluding Discussion

Week 15: Finals Week

Wednesday, December 15 Revised Paper is Due

ASSIGNMENTS and GRADES

Short Paper (Due Sept. 28) 20% of Grade

The short papers can be on any topic related to the philosophy of human rights. The short papers should be about 6 pages long, but may not exceed 2,000 words. All papers will be graded on organization, clarity, mechanics such as grammar, and especially content.

Short Paper (Due Oct. 19) 20% of Grade

Paper and Presentation (TBA) 40% of Grade

The paper may be on any topic related to our course and should be 8-10 pages. The paper must not be longer than 3,000 words, however. It is due two class days before the scheduled presentation. Email the paper to all of the seminar participants. The grade will be based on a combination of the paper and the presentation. As with the short papers, the grade will be based on organization, clarity, mechanics such as grammar, and especially content.

Revision of Paper (Due December 15)

20% of Grade

The paper you presented should be revised in light of comments you received from the seminar participants including the professor. Attach a cover memo saying how you revised your paper in light of these comments. The grade for the revised paper will be based primarily on the quality of your revisions. Thus, a paper that initially received an A may receive a lower grade as a revised paper. Both the content of the argument or analysis and the mechanics of the writing are important.

Class Participation

Class participation can affect your final grade by one grade point. Thus, a student who earns a B on written work could receive a B+ or a B- depending on class participation. To receive a positive grade for class participation you must make regular contributions that reflect knowledge of the assigned reading. In addition, your comments should advance the class discussion. I will also call on students from time to time.

SOME POLICIES

Students who want an incomplete must petition for the incomplete in writing. The petition must include an incomplete form with your signature and suggested dates for completion of the work.

Grades for papers will be reduced by one grade point for each day they are late. I will read rough drafts of papers up to one week before they are due.

I am committed to providing assistance to help you be successful in this course. Reasonable accommodations are available for students with documented disabilities. Please meet with the Associate Dean of

Students, Lisa Landreman, who will serve as the coordinator for services for students with disabilities. It is important to meet with her at the beginning of the semester to ensure that your accommodations are approved and in place to begin the semester successfully. The Associate Dean can be reached in the Office of Student Affairs, 119 Weyerhaeuser, by phone at 651-696-6220, or email llandrem@macalester.edu.