

Philosophy of Human Rights
Phil. 250-01
Fall 2012

PROFESSOR

Martin Gunderson

Office: Old Main 112
Office Hours: Tuesday and Thursday 2:00-3:00 and by appointment
Phone: Office: 651-696-6153
Home: 651-699-2749
Email: gunderson@macalester.edu

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.

READINGS

Books:

Charles R. Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press, 2009). ISBN: 978-0-19-960437-1

James Griffin, *On Human Rights* (Oxford and New York: Oxford University Press, 2008). ISBN: 978-0-19-957310-3

James Nickel, *Making Sense of Human Rights*, 2nd edition (Malden, MA and Oxford: Blackwell Publishing, 2007). ISBN: 978-1-4051-4535-0

Essays:

Elizabeth Anderson, "What Is the Point of Equality?"

Joshua Cohen, "Is There a Human Right to Democracy?"

Pablo Gilabert, "The Feasibility of Basic Socioeconomic Human Rights"

Pablo Gilabert, "Humanist and Political Perspectives on Human Rights"

Carol Gould, "Structuring Global Democracy: Political Communities, Universal Human Rights, and Transnational Representation"

Martin Gunderson, "Democratic Equality and the Scope of Human Rights"

Martin Gunderson, "Does the Human Right to Health Lack Content?"

Martin Gunderson, "The Human Right to Health and Democratic Institutions"

David Reidy, "On the Human Right to Democracy: Searching for Sense without Stilts"

CLASS SCHEDULE

Week One

Thursday, September 6: Philosophical Issues Regarding Human Rights

Week 2

Tuesday, September 11: Skepticism and Approaches to Human Rights

Readings

Griffin, Chapter 1

Beitz, Chapter 1

Thursday, September 13: The Concept of Human Rights

Reading: Nickel, Chapters 1-3

Week 3

Tuesday, September 18: The Content of Human Rights

Reading, Gunderson, "Does the Human Right to Health Lack Content?"

Thursday, September 20: Nickel's Justification of Human Rights

Reading: Nickel, Chapters 4 and 5

Week 4

Tuesday, September 25: The Problem of Human Rights Inflation

Readings:

Nickel, Chapter 6 and Appendices 1-4
Gilibert, "The Feasibility of Basic Socioeconomic Human Rights"

Thursday, September 27: Human Rights Inflation Continued

Readings:

Anderson, "What Is the Point of Equality?"
Gunderson, "Democratic Equality and the Scope of Human Rights"

Week 5

Tuesday, October 2: Griffin's Personhood Account

Reading: Griffin: Review Chapter 1 and read Chapter 2.

Thursday, October 4: Rights and Duties

Reading: Griffin, Chapters 3-5

Week 6

Tuesday, October 9: Human Rights and Relativism

Readings:

Griffin, Chapters 6 and 7
Nickel, Chapter 11

Thursday, October 11: Human Rights and Relativism Continued

Week 7

Tuesday, October 16: Autonomy and Liberty

Reading: Griffin Chapters 8 and 9

Thursday, October 18: Due Process

Reading: Nickel, Chapter 8

Week 8: Social and Welfare Rights

Readings:

Nickel, Chapter 9
Griffin, Chapter 10

Tuesday, October 23: A Human Right to Life and to Death?

Reading: Griffin, Chapter 12

Thursday, October 25 (No Class, Fall Break)

Week 9

Tuesday, October 30: Group Rights

Readings:

Nickel, Chapter 10
Griffin, Chapter 15

Thursday, November 1: Human Rights and Democracy

Readings

Griffin, Chapter 14
Cohen, "Is There a Human Right to Democracy?"

Week 10

Tuesday, November 6: Human Rights and Democracy Continued

Readings:

Reidy, "On the Human Right to Democracy: Searching for Sense without Stilts,"
Gould, "Structuring Global Democracy: Political Communities, Universal Human Rights, and Transnational Representation,"
Gunderson, "The Human Right to Health and Democratic Institutions"

Thursday, November 8: Philosophy and International Law

Readings:

Griffin, Chapter 11
Beitz: Review Chapter 1 and read Chapter 2.

Week 11

Tuesday, November 13: The Practice of Human Rights

Readings:

Review Beitz, Chapter 2
Gilabert, "Humanist and Political Perspectives on Human Rights"

Thursday, November 15: Justification of Human Rights: Naturalistic Theories

Reading: Beitz Chapter 3

Week 12

Tuesday, November 20: Justification of Human Rights: Agreement Theories

Reading: Beitz, Chapter 4

Thursday, November 22 (No Class, Thanksgiving Break)

Week 13

Tuesday, November 27: Discussion of Agreement Theories Continued

Thursday, November 29: A Practical Conception of Human Rights

Readings:

Beitz, Chapter 5
Review Gilabert, "Humanist and Political Perspectives on Human Rights"

Week 14

Tuesday, December 4: Minimalism and Toleration

Reading: Beitz, Chapter 6

Thursday, December 6: Beitz on Social and Political Rights

Reading: Beitz, Chapter 7

Week 15

Tuesday, December 11 (Last Day of Classes): Conclusions

Reading:

Beitz, Chapter 8
Nickel, Chapter 12

Finals week

There is no final exam for this course.

ASSIGNMENTS AND GRADES

First Paper	(Due 10-9)	25% of Grade
-------------	------------	--------------

The first three papers may be on any topic related to human rights broadly construed. The papers should be about 8-10 pages long, but cannot exceed 3,000 words. I will be happy to go over rough drafts until five days before the paper is due.

Second Paper	(Due 11-1)	25% of Grade
--------------	------------	--------------

Third Paper	(Due 11-29)	25% of Grade
-------------	-------------	--------------

Fourth Paper	(Due 12-13)	25% of Grade
--------------	-------------	--------------

The fourth paper is a rewritten version of one of the previous papers. 50% of the paper grade is based on the extent to which the paper is improved. Please write a brief cover memo explaining how you improved the paper. There is also a 3,000-word limit on the fourth paper.

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. It is important that your comments in class not dominate or stifle the 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 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.