Human Dignity
HMRT 26150

Winter Quarter 2015
Tuesdays 3:00 – 5:50
Location: Cobb 112

INSTRUCTOR

Dr. Adam Etinson

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TEACHING ASSISTANT

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COURSE DESCRIPTION

This advanced undergraduate/graduate course will examine the notion of human dignity, with a special eye towards its role in contemporary human rights discourse. The course begins by tracing the historical development of the idea of human dignity both in philosophy and in law, and from there it moves on to examine contemporary usages. Questions to be examined include the following: What is the meaning of "human dignity"? Is it basic to morality? Is there a distinction to be made between dignity, on the one hand, and human dignity, on the other? What is the connection, if any, between having dignity and having rights? Does respect for human dignity require the abolition of capital punishment and/or the permission of assisted suicide, among other controversial practices? Is it an inherently religious idea? What grounding might it have in secular ethics?
COURSE REQUIREMENTS

(20%) Class Participation: All students will be expected to ask questions and respond to questions posed by the instructor. The hope is that this will facilitate active and engaged class discussions of the course material. Students will be evaluated in accordance with their effort and engagement in class discussions. Basically: don’t be shy. If you have something on your mind, we are all interested in hearing it.

(30%) Midterm Prospectuses: Students will be required to submit two research prospectuses (i.e., outlines) for this course, each worth 15% of their grade. The first prospectus is due in class on February 10th, and cannot be on the same topic as your final paper. The maximum length for the prospectus is 2 pages. The prospectus should give the instructor (a) a clear sense of the main question the imagined paper will address, (b) a statement of the proposed thesis, (c) an explanation of how it will be argued, ideally including the use of an example or an argument, (d) an outline of the structure of the paper (which cannot include the use of direct quotes), and which will include a brief summary of the main arguments that the paper intends to discuss. Finally, the prospectus must include (e) a preliminary bibliography, and (f) an explanation of how the paper adds to the literature on the topic at hand. In terms of topic selection, students are permitted to select any topic covered in the syllabus. That said, students are encouraged to formulate a question about a specific set of readings, e.g., readings on Kant’s conception of dignity (as featured below), or on dignity and the issue of assisted suicide (also featured below).

The second, final paper prospectus, is due in class on March 3rd. Here, the idea is much the same as in the previous case, only now students will be expected to submit a prospectus for their final paper, described below. This will help students sharpen up their thoughts for the final paper, and the instructor will be available to discuss the prospectus during office hours both before and after it is submitted. Sometime during the middle of the term, the instructor will offer some suggestions of particular essay questions that might be fruitfully pursued in a final paper, although if a student would like to propose an original topic that will be absolutely fine as well, so long as the instructor is consulted beforehand.

(50%) Final Paper (Due by email on March 17th, before midnight): As a final written assignment, students will be expected to write a final paper (13-15 pages for undergraduates, 15-18 pages for graduates). In general, research papers will be assessed on the basis of (i) lucidity, (ii) effort, (iii) relevance to the chosen question, (iv) independence of thought, and (v) comprehension of the relevant readings.

Note: Papers and prospectuses submitted late will be penalized by 1/3 grade per day (e.g. A- instead of A if the paper is one day late).

COURSE MATERIALS

There are three books required for purchase in association with this course. Two other books will also be useful reading for the course, and are listed below as well. All five books have been placed on reserve in the Regenstein library. All other readings listed below are
available on Chalk, electronically. There are also a few supplementary readings placed on electronic library reserve.

**REQUIRED TEXTS:**


There are a few books that appear infrequently in the syllabus but that would nevertheless be a useful purchase for any student intent on continuing to study human rights at the graduate level. These include the following:

**RECOMMENDED TEXTS:**


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**SYLLABUS**

I. HISTORICAL SOURCES

**JANUARY**

6 SOME HISTORICAL BACKGROUND


*Supplementary Readings*

13 **IS HUMAN DIGNITY A RELIGIOUS IDEA?**

(2) Pope John Paul II’s encyclical, *Evangelium Vitae* (March 25, 1995). (Skim through it).

**Supplementary Readings**


20  IMMANUEL KANT’S CONCEPTION OF DIGNITY


Supplementary Readings


II. DIGNITY AND RIGHTS

27  DIGNITY, RIGHTS, AND THE INVIOABILITY OF PERSONS

(1) John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Harvard University Press, 1999), Preface (pp. xvii-xxii); Ch. I (§1-5, pp. 3-24); Ch. II (§11, pp. 52-57); Ch. III (§20-30, pp. 102-170); Ch. IV (§33-35; §39-40, pp. 180-194, pp. 214-227), Ch. VII (§66-67, pp. 380-392); Ch. VIII (§77, pp. 441-450); & Ch. IX (§87, pp. 506-516).

Supplementary Readings

### February

3 **Dignity, Rank, and Rights**


*Supplementary Readings*


10 **Dignity and Human Rights**

(1) Preambles to UDHR and ICCPR (online).

*Supplementary Readings*
III. APPLICATIONS

17 SCEPTICISM ABOUT DIGNITY

Polemical Skepticism

(2) Ruth Macklin, “Dignity is a Useless Concept” in British Medical Journal (2003), 327:419.

Skepticism in a Legal Context


Supplementary Reading


24 DIGNITY, DWARF-THROWING, AND PORNOGRAPHY

Dwarf-Throwing

(2) UN Human Rights Committee, Wackenheim v. France.

Pornography


Supplementary Readings

(c) Martha Nussbaum, Sex and Social Justice (Oxford: Oxford University Press, 1999), Ch. 11, pp. 276-298. (Electronic Reserve).
3 CRUEL, INHUMAN, AND DEGRADING TREATMENT, AND THE DEATH PENALTY

The Prohibition Against “Inhuman and Degrading” Treatment

(1) Geneva Conventions, Common Article 3 (online).
(2) European Convention on Human Rights, Article 3 (online).

The Death Penalty

(1) Furman v. Georgia 408 U.S. 238 (1972). (Search for “dignity”)
(2) Gregg v Georgia 428 US 153 (1976). (Brennan opinion)
(3) Kindler v Canada (Minister of Justice) [1991] 2 SCR 779 (See also discussion in McCrudden's article, from Topic 3, at 687-8).
(4) State v. Makwanyane 1994 (3) SA 868 (A), (South African death penalty case).

Supplementary Readings


10 DIGNITY, CLONING, AND ASSISTED SUICIDE

Human Cloning and Human Dignity

(1) President’s Council on Bioethics, Human Cloning and Human Dignity: An Ethical Inquiry (Washington D.C., 2008), Executive Summary and Ch.6, pp. xxi-1, 117-172.

Human Dignity and Assisted Suicide


Supplementary Readings