University of St Andrews

DEPARTMENT OF PHILOSOPHY

PY 4652, The Philosophy of Human Rights (2016)

Credits: 30  Semester: 2

Description:

The course explores cutting-edge research on the nature, content, and justification of human rights. We examine the origins of human rights, and current debates about how this bears on the way in which we should conceive of human rights. We explore contemporary debates concerning orthodox and political conceptions of human rights; the relationship between their status as moral and legal norms; the significance of the fact that human rights are *rights*; and the nature of human dignity, to which the major human rights declarations appeal. We also examine critical perspectives on the human rights movement.

Lecturers: Elizabeth Ashford ([ea10@st-andrews.ac.uk](mailto:ea10@st-andrews.ac.uk)), and Adam Etinson ([ae45@st-andrews.ac.uk](mailto:ae45@st-andrews.ac.uk))

Learning Outcomes:

By the end of the module, students should have gained a good critical understanding of core debates in the philosophy of human rights. Students will be able to analyse and critically evaluate arguments on a range of approaches that have been taken in moral theorizing about human rights, and to articulate and offer a well-reasoned defence of their own views on them. To these ends, the requirements of the module are: Attendance at all classes; a careful reading of the assigned readings, allowing time to critically reflect on the arguments; preparation for both lectures and seminars; participation in seminar discussions; and completion of all formal assessment.

Teaching: One 2-hour lecture, and one 1-hour seminar per week starting in week 2

Lecture time: Monday 1-3, Arts Lecture Theatre

Seminars: Thursday 12-1, 1-2, 2-3 (all in Edgedcliffe G01). Sign up to a group via the MMS system.

Office Hours: Elizabeth Ashford, Friday 11-2; Adam Etinson

Assessment: Continuous assessment = 100%; Participation = 10%; argument reconstruction and analysis exercise (2500 words) = 30%, **due Monday 24th Oct** (week 7); final essay (4500 words) = 60%, **due Monday 5th Dec** (week 13).
Seminar aims:

The purpose of seminars is to provide an opportunity for you to raise questions you have about the lectures and readings in order to make sure you have understood them, and to discuss the arguments. Studying philosophy is principally about learning to philosophise: to critically analyse arguments, and offer a reasoned defence of your own views on the topics under discussion. It is in the seminars that you will actually be doing philosophy. The more willing you are to try out ideas, the faster you will learn. To benefit properly from seminars it is essential that you have done the reading in advance, so that you are in a position to raise questions over what you have found puzzling (remember that in philosophy, finding arguments puzzling is a sign that you are thinking deeply about them!), and to participate fully in the discussion. (On the other hand while participation is important, try not to dominate discussion, so as to allow a real dialogue.) Please bring your notes from the reading, together with questions about the readings and lectures. We may call on students at random to ask a question they came prepared with. Students will take it in turns to give short (5-10 minute max) presentations in the seminars. The class participation component of the course is a measure of critical engagement in class discussion; what is important is to do the readings in advance and to start thinking about the arguments, and what you find puzzling about them and what you find plausible or implausible.

Content and structure:

Class texts:


Other useful background texts:


Lecture topics and readings:

The following is a provisional list of lecture topics and readings. Some topics will take more than one lecture.
1. History:


**Further reading:**

- *The Universal Declaration of Human Rights* (1948) – Available online.

2. The Nature and Grounds of Human Rights:


**Further reading:**


3. The Orthodox-Political Debate:


**Further Reading:**


### 4. Methodological Issues I: History and Philosophy


**Further Reading:**


### 5. Methodological Issues II: Fidelity to the Practice


Further Reading:

• John Tasioulas, “Exiting the Hall of Mirrors: Morality and Law in Human Rights” (DRAFT PAPER – Available online)

6. Human Rights and Human Dignity:


Further Reading:


7. Critical Perspectives on Human Rights I: Feasibility


Further Reading:


8. Critical Perspectives on Human Rights II: Claimability


Further Reading:


9. Critical Perspectives on Human Rights III: Framings