



# STUDY GUIDE

## *THE PHILOSOPHY OF HUMAN RIGHTS: THE CONTEMPORARY DEBATE*

Organised by

*Università degli studi di Catania*





## 1. IDENTIFYING DATA.

• <b>Course Name.</b>	<i>The Philosophy of Human Rights: The Contemporary Debate</i>
• <b>Coordinating University.</b>	<i>Università degli studi di Catania</i>
• <b>Partner University(ies) Involved.</b>	
• <b>Course Field(s).</b>	<i>Political Philosophy</i>
• <b>Related Study Programme.</b>	
• <b>ISCED Code.</b>	<i>0312</i>
• <b>SDG.</b>	<i>4</i>
• <b>Study Level.</b>	<i>Master</i>

• <b>Number of ECTS credits allocated.</b>	<i>6</i>
• <b>Mode of Delivery.</b>	<i>online live</i>
• <b>Language of Instruction.</b>	<i>English</i>
• <b>Course Dates.</b>	<i>4.3.2024-9.4.2024</i>
• <b>Precise Schedule of the Lectures.</b>	<i>Mon-Tue-Wed 12-14, six weeks</i>
• <b>Key Words.</b>	<i>Human Rights, Philosophical Foundation, democracy, Islamic and Asian Challenges, Animal Rights, Feminism, Responsibility to Protect</i>
• <b>Catchy Phrase.</b>	<i>“There is Nothing More Practical Than A Good Theory” (Kurt Lewin)</i>

• <b>Prerequisites and co-requisites.</b>	<i>Previous experience in philosophy is not necessary and yet students should be prepare to analyse and evaluate complex arguments. Hence basic concepts of political theory would be beneficial. Fluency or near fluency in English is required</i>
• <b>Number of EUNICE students that can attend the Course.</b>	<i>15</i>
• <b>Course inscription procedure(s).</b>	<i><a href="https://www.unict.it/it/didattica/studenti-internazionali">https://www.unict.it/it/didattica/studenti-internazionali</a></i>

## 2. CONTACT DETAILS.

• <b>Department.</b>	<i>Dipartimento di scienze politiche e sociali</i>
• <b>Name of Lecturer.</b>	<i>Luigi Caranti</i>





• <b>E-mail.</b>	<i>lcaranti@unict.it</i>
• <b>Other Lecturers.</b>	

### 3. COURSE CONTENT.

Although discussions about international issues often make reference to the notion of Human Rights – the war in Syria and the ensuing migration of refugees, the killing of demonstrators in Myanmar, the shortage of anti-Covid vaccines for poor countries are obvious examples – the philosophical foundations of these rights, their claim to cross-cultural universality, their ability to be a sort of secularized religion of mankind are controversial. This class aims to introduce students to the philosophical debate on the foundational issue and to stimulate independent yet informed thinking

### 4. LEARNING OUTCOMES.

The seminar aims to enable students to master the complexity surrounding the philosophical foundation of human rights. It also offers the possibility to gain a detailed knowledge regarding the application of human rights to questions particularly pressing in our days: the responsibility to protect, the cultural legitimacy of human rights in non-western contexts, the relation between human rights and armed conflicts.

### 5. OBJECTIVES.

- 1) *Enable students to appreciate the complexity of human rights and their alleged foundations*
- 2) *Introduce to the problem of HR universal validity and to the parochial objection*
- 3) *Analyze the cultural and religious challenge to HR*
- 4) *Investigate the complex relation between human rights and animal rights*
- 5) *Assess the feminist critique of the common understanding of human rights as possibly stained by patriarchal ideology*
- 6) *Assess humanitarian intervention in the language of the responsibility to protect*

### 6. COURSE ORGANISATION.

#### UNITS

1.	<i>Introduction. Three philosophical perspectives on human rights</i>
2.	The political approach
3.	The orthodox approach
4.	The instrumental approach
5.	Human rights and democracy. Recognizing and assessing the tension between two major political values of our times
6.	International legal rights Vs moral human rights





7.	The egalitarianism of human rights
8.	Asian values and human rights
9.	The Islamic challenge
10.	Universality and cultural diversity
11.	The responsibility to protect
12.	Human rights and armed conflicts
13.	Animal rights and human rights

### LEARNING RESOURCES AND TOOLS.

*Students will be provided with most of the readings in the syllabus*

### PLANNED LEARNING ACTIVITIES AND TEACHING METHODS.

*Instructor's lectures, students' presentations, in-class discussions. The course presupposes active and informed participation by students*

## 7. ASSESSMENT METHODS AND CRITERIA.

The course presupposes active participation. Students are required to select at least one text from the reading list and present it to their colleagues. Classes will be run as seminars: it is expected that students read the material before class and participate in the discussion of the material presented. In addition to in-class presentations, students are required to write a 10-15 page final paper on a topic relevant to the course, and to take a final oral exam.

### OBSERVATIONS.

## 8. BIBLIOGRAPHY AND TEACHING MATERIALS.

### Required Readings:

Adopted texts: Cruft R., Liao S. M., and Renzo M. (eds.) *Philosophical Foundations of Human Rights* Oxford University Press 2015 9780199688630 Besson, S. and Tasioulas J. (eds.) *The Philosophy of International Law* Oxford University Press 2010 9780199208586.

### Suggested Readings:

Nickel, James, "Human Rights", 13-35 in *Stanford Encyclopaedia of Philosophy*, (on-line text available) Li, Xiarong "Tolerating the Intolerable: the Case of Female Genital Mutilation", pp. 2-8, in *Philosophy and Public Policy Quarterly* (Winter 2001); on-line [www.puaf.umd.edu/IPPP/reports](http://www.puaf.umd.edu/IPPP/reports) Donnelly, Jack "Human Rights and Cultural Relativity" pp. 89-106 in Donnelly, *Universal Human Rights in Theory and Practice*, Cornell University Press 2003, 2nd edition





Nickel, James, "Universal Rights in a Diverse World" chapt 4 of his Making Sense of Human Rights, ([www.spot.colorado.edu/~nickelj/mshor-welcome.htm](http://www.spot.colorado.edu/~nickelj/mshor-welcome.htm)) Teson, Ferdinand "International Human Rights & Cultural Relativism" pp 379-96 PHR Charles Taylor "A World Consensus on Human Rights?" pp 409-22, PHR Langlois, Andrew "The Real Asian Values Debate", pp. 46-72 in his The Politics of Justice and Human Rights; Cambridge University Press 2001 An Naim, Abdullahi A. "Toward a Cross-Cultural Approach to Defining International Standards of Human Rights: The Meaning of Cruel, Inhuman, or Degrading Treatment..." in Human Rights in Cross Cultural Perspectives, edited by An-Na'im, University of Pennsylvania Press pp. 19-43 , from now on CCP El Fadl, Khaled About "The Place of Tolerance in Islam". Boston: Beacon Press 2002. Shapiro, Ian and Kymlicka, Will (eds.) "Introduction" to Ethnicity and Group Rights Kymlicka, Will "The Good, the Bad, and the Intolerable: Minority Group Rights" pp 445-61 in PHR Donnelly, Jack "Group Rights and Human Rights", pp. 204-24 in his Universal Human Rights in Theory and Practice. McDonald, Michael "Should Communities Have Rights? Reflections on Liberal Individualism" pp 33-61, CCP Franck, Thomas M. "The Emerging Right to Democratic Governance" pp. 46-01 in The American Journal of International Law, vol. 86, no. 1 (Jan. 1992) John Rawls The Law of Peoples, "Decent Consultation Hierarchy" pp. 71-78 Rao, Arati "Right in the Home: Feminist Theoretical Perspectives on International Human Rights" pp. 505-25 in PHR Li, Xiarong "Tolerating the Intolerable: the Case of Female Genital Mutilation", pp. 2-8, in Philosophy and Public Policy Quarterly (Winter 2001); on-line reserve and on-line [www.puaf.umd.edu/IPPP/reports/](http://www.puaf.umd.edu/IPPP/reports/) Ashworth, Georgina "The Silencing of Women", pp. 259-76 in Dunne and Wheeler, Human Rights in Global Politics Smith, Michael J. "Humanitarian Intervention: an Overview of the Ethical Issues" pp.478-501 in PHR Nardin, Terry "The Moral Basis of Humanitarian Intervention" Ethics and International Affairs vol. 16 no. 1, (2000): 57-70 and in Dunne and Wheeler, Human Rights in Global Politics Donnelly, Jack "Genocide and Humanitarian Intervention" pp. 242-60 in his Universal Human Rights in Theory and Practice Shue, Henry "Nationality and Responsibility" pp. 131-52 in his Basic Rights; Steiner and Alston "Challenges to Universalism-- Children" pp. 511-37 in, International Human Rights in Context Loescher, Gil "Refugees: a global human rights and security crisis" pp. 233-58 in Dunne and Wheeler, Human Rights in Global Politics Cranston, Maurice "Human Rights, Real and Supposed" pp 163-73, PHR Buchanan, Allen "Rules for a Vanished Westphalian World" 697-721 Ethics (July 2000; Sen Amartya, "Elements of a Theory of Human Rights", Philosophy & Public Affairs, 32, n 4, Sept 2004, pp 315-56 Pogge, Thomas "An Egalitarian Law of Peoples", Philosophy & Public Affairs, vol. 23, no.3 (Summer 1993) Pogge, Thomas. "How Should Human Rights be Conceived?" in World Poverty and Human Rights. Polity 2008: 58-76 Smith, Michael J., "Humanitarian Intervention: An Overview of the Ethical Issues" Singer, Peter, "How Can We Prevent Crimes against Humanity?" Human Rights, Human Wrongs. Oxford Amnesty Lectures, edited by N. Owen, p.89-137 Rorty, Richard "Human Rights, Rationality and Sentimentality", in The Philosophy of Human Rights (henceforth PHR), edited by Patrick Hayden, Paragon Press, 2001, pp 241-56 Caranti, L., "Kant's Theory of Human Rights," in T. Cushman (Ed.), Handbook of Human Rights, Routledge 2011, 35-44. Nickel, James, "Human Rights", 13-35 in Stanford Encyclopaedia of Philosophy, (on-line text available) Li, Xiarong "Tolerating the Intolerable: the Case of Female Genital Mutilation", pp. 2-8, in Philosophy and Public Policy Quarterly (Winter 2001); on-line [www.puaf.umd.edu/IPPP/reports/](http://www.puaf.umd.edu/IPPP/reports/) Donnelly, Jack "Human Rights and Cultural Relativity" pp. 89-106 in Donnelly, Universal Human Rights in Theory and Practice, Cornell University Press 2003, 2nd edition Nickel, James, "Universal Rights in a Diverse World" chapt 4 of his Making Sense of Human Rights, ([www.spot.colorado.edu/~nickelj/mshor-welcome.htm](http://www.spot.colorado.edu/~nickelj/mshor-welcome.htm)) Teson, Ferdinand "International Human Rights & Cultural Relativism" pp 379-96 PHR Charles Taylor "A World Consensus on Human Rights?" pp 409-22, PHR Langlois, Andrew "The Real Asian Values Debate", pp. 46-72 in his The Politics of Justice and Human Rights; Cambridge University Press 2001 An Naim, Abdullahi A. 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"The Emerging Right to Democratic Governance" pp. 46-01 in The American Journal of International Law, vol. 86, no. 1 (Jan. 1992) John Rawls The Law of Peoples, "Decent Consultation Hierarchy" pp. 71-78 Rao, Arati "Right in the Home: Feminist Theoretical Perspectives on International Human Rights" pp. 505-25 in PHR Li, Xiarong





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