

**PHILOSOPHY 338 – Philosophy of Human Rights**June 22<sup>nd</sup> – August 21<sup>st</sup> | MWF 12:00-1:40 | EEB 025**Office:** CDH 511A | **Office Hours:** Wednesday 1:40-3:40 or by appointment**Course Website:** <https://catalysttools.washington.edu/workspace/olsenb3/6125>**E-mail:** olsenb3@u.washington.edu**COURSE DESCRIPTION:**

This course is designed as an introduction to and exploration of issues in the philosophy of human rights. Throughout the quarter, we will discuss how one ought to conceive of and justify human rights, guided by a close examination of various themes and controversies that surround these issues. Among other lines of inquiry, we will consider whether rights should include positive rights (roughly, rights to be provided something) or only negative rights (roughly, rights to not be harmed or interfered with), we will address pluralistic challenges to human rights theories – both domestic (e.g., issues of multiculturalism) and international (e.g., issues of cultural relativism and/or the International Criminal Court) – and we will question whether rights can be extended to groups as well as individuals. In general, our approach will be topic-based, drawing on theory as appropriate to help us make sense of the problems and conflicts we encounter. Students will have the option of doing service learning with a Seattle-based human rights organization in conjunction with this course (see below for more information). *This course meets the I&S requirement, and students will be able to receive Writing Credit for the course.*

**TEXT(S):***The Philosophy of Human Rights*, ed. Patrick Hayden, Paragon House, 2001. (Text)*Course Reader* (Reader)*Course E-Reserve* (Reserve)**ASSIGNMENTS:**

In this course, you will be required to complete two short (1-3 page) response assignments (a third, optional response can be completed to replace the lowest grade of the first two responses), two longer (5-7 page) papers – which will be based, in part, on some of the work done in the response assignments – an outline/draft for the second longer paper, and three in-class quizzes. (We will discuss each assignment in more detail in class).

Overall, the grading policy for all assignments will be as follows:

- Responses – 30% (15% Each)
- Paper #1– 15%
- Paper #2 – 25% (Outline/  
Draft 10%, Final Product 15%)
- Quizzes – 30% (10% Each)

The **due dates** for all assignments will be as follows:

- Response #1 [on weeks 1-3] – **due by 7/13**
- Response #2 [research on human rights  
issue/service learning report] – **due by 8/3**
- Response #3 [on weeks 6-9] – **due by 8/21**
- Paper #1 – **due by 7/27**
- Paper #2 outline/draft – **due by 8/14**
- Paper #2 (final product) – **due by 8/21**

**LATE ASSIGNMENT POLICY:**

All assignments will be turned in electronically (to a catalyst drop box). Assignments are considered late if they are not turned in by midnight on the day they are due. Unless I grant an extension in advance, late work will be penalized.

**PLAGIARISM POLICY:**

Don't plagiarize others' work. I assume you are familiar with what constitutes plagiarism and the University of Washington's rules concerning academic conduct. If you are not, I suggest you find out immediately, either by asking me or tracking the information down elsewhere (such as the University of Washington website). While I encourage you to talk with others about assignments, concepts, etc., I expect that all work you submit in this course is your own, except to extent to which you give credit to other sources, texts, and/or people. If I find an instance of plagiarism, I will do whatever I can to ensure that the responsible party is sufficiently penalized.

**CAVEAT:**

The procedures written above, and the course schedule below, are subject to change in the event of unusual extenuating circumstance; students will be given advance notice of such changes.

**COURSE TOPICS AND READINGS**

## Introduction/Foundations

1. *Universal Declaration of Human Rights* (1948) [Text: 353-358].
2. Joel Feinberg, "The Nature and Value of Rights" [Text: 174-186].
3. Maurice Cranston, "Human Rights, Real and Supposed" [Text: 163-173].
4. Henry Shue. *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, 2<sup>nd</sup> Edition (Princeton University Press, 1980) pp. 13-34 [Reader].
5. William Talbott, *Which Rights Should be Universal?*, Chaps. 3-4 [Reader].
6. Thomas Pogge, "How Should Human Rights Be Conceived?" [Text: 187-211].

## Theories of Rights

1. John Locke, *The Second Treatise of Government* [Text: 71-79]
2. Jean-Jacques Rousseau, *The Social Contract* [Text: 80-87]
3. John Stuart Mill, *Utilitarianism* and *On Liberty* [Text: 136-147].
4. Martha Nussbaum, "Capabilities and Human Rights" [Text: 212-240].
5. John Rawls, *Political Liberalism* (excerpts from "Fundamental Ideas" and "The Basic Structure as a Subject"), pp. 15-28 and 271-278 [Reader].

**COURSE TOPICS AND READINGS (continued)**

## Pluralistic/Relativistic Challenges

1. American Anthropological Association, "Statement on Human Rights" (1947) [Reserve].
2. American Anthropological Association, "Declaration on Anthropology and Human Rights" (1999) [Reserve].
3. Kwasi Wiredu, "An Akan Perspective on Human Rights" [Text: 298-313].
4. Abdullahi An-Na'im, "Human Rights in the Muslim World" [Text: 315-334].
5. Charles Taylor, "A World Consensus on Human Rights?" [Text: 409-422].

## Feminist Perspectives/Women's Rights

1. *Convention on the Elimination of All Forms of Discrimination Against Women* [Text: 660-668].
2. Arati Rao, "Right in the Home: Feminist Theoretical Perspectives on International Human Rights" [Text: 505-525].
3. Catharine MacKinnon, "Rape, Genocide, and Women's Human Rights" [Text: 526-542].

## Group Rights/Individual Rights

1. Susan Moller Okin, "Is Multiculturalism Bad for Women?" & "Reply" [Reader].
2. *African Charter on Human and Peoples' Rights* [Text: 359-366].
3. James Crawford, "The Rights of Peoples: 'Peoples' or 'Governments?'" [Text: 427-444].
4. Will Kymlicka, "The Good, the Bad, and the Intolerable: Minority Group Rights" [Text: 445-461].
5. *Draft U.N. Declaration on the Rights of Indigenous Peoples* (1994), [Text: 652-657].
6. Karl Marx, "On The Jewish Question" [Text: 126-135].

## Global Enforcement of Human Rights

1. *Convention on the Prevention and Punishment of the Crime of Genocide* [Text: 658-659].
2. Michael Smith, "Humanitarian Intervention: An Overview of the Ethical Issues" [Text: 478-501].
3. Jamie Mayerfeld, "Who Shall Be Judge? The United State, the ICC, and the Global Enforcement of Human Rights" [Reserve].
4. Michael Blake, "Tolerance and Theocracy: How Liberal States Should Think of Religious States" [Course Reserve].

## A Universal Right to Democracy?

1. Tony Evans, "If Democracy, Then Human Rights?" *Third World Quarterly* 22:4 (2001) 623-642 [Reserve].
2. Anthony Langlois, "Human Rights without Democracy? A Critique of the Separationist Thesis," *Human Rights Quarterly* 25 (2003) 990-1019 [Reserve].
3. Amartya Sen, "The Importance of Democracy," *Development as Freedom* (Knopf, 1999) 146-159 [Reader].
4. Jeremy Waldron, "Participation: The Right of Rights," *Law and Disagreement* (Oxford University Press, 1999) 232-254 [Reader].

## COURSE SCHEDULE

(What follows is a *rough* schedule of when we will be discussing each reading.)

## WEEK # 1:

Mon. 6/22 – *Universal Declaration of Human Rights* (1948) [Text]

Wed. 6/24 – Feinberg, “The Nature and Value of Rights” [Text];

Cranston, “Human Rights, Real and Supposed” [Text]

Fri. 6/26 – Shue, *Basic Rights* (excerpt) [Reader]

## WEEK # 2:

Mon. 6/29 – Pogge, “How Should Human Rights Be Conceived?” [Text]

Wed. 7/1 – Talbott, *Which Rights Should be Universal?* (excerpt) [Reader]

Fri. 7/3 – NO CLASS

## WEEK # 3:

Mon. 7/6 – Locke, *The Second Treatise of Government* [Text]; Rousseau, *The Social Contract* [Text]

Wed. 7/8 – Mill, *Utilitarianism* and *On Liberty* [Text]

Fri. 7/10 – Nussbaum, “Capabilities and Human Rights” [Text]

## WEEK # 4:

Mon. 7/13 – Nussbaum, “Capabilities and Human Rights” (continued); Rawls, *Political Liberalism* (excerpts) [Reader] / **Response #1 Due**

Wed. 7/15 – Rawls, *Political Liberalism* (excerpts) (continued) / **Quiz Review**

Fri. 7/17 – **Quiz #1**

## WEEK # 5:

Mon. 7/20 – American Anthropological Association, “Statement on Human Rights” (1947) [Reserve]; An-Na’im, “Human Rights in the Muslim World” [Text]

Wed. 7/22 – Wiredu, “An Akan Perspective on Human Rights” [Text]

Fri. 7/24 – Taylor, “A World Consensus on Human Rights?” [Text]; American Anthropological Association, “Declaration on Anthropology and Human Rights” (1999) [Reserve]

## WEEK # 6:

Mon. 7/27 – *Convention on the Elimination of All Forms of Discrimination Against Women* [Text]; Rao, “Right in the Home: Feminist Theoretical Perspectives on International Human Rights” [Text] / **Paper #1 Due**

Wed. 7/29 – *African Charter on Human and Peoples’ Rights* [Text]; Marx, “On The Jewish Question” [Text]

Fri. 7/31 – Crawford, “The Rights of Peoples: ‘Peoples’ or ‘Governments?’” [Text]

## WEEK # 7 –

Mon. 8/3 – Okin, “Is Multiculturalism Bad for Women?” & “Reply” [Reader] / **Response #2 Due**  
 Wed. 8/5 – Kymlicka, “The Good, the Bad, and the Intolerable: Minority Group Rights” [Text];  
*Draft U.N. Declaration on the Rights of Indigenous Peoples* (1994) [Text]  
 Fri. 8/7 – Discussion of Paper #2 / **Quiz #2**

## WEEK # 8:

Mon. 8/10 – *Convention on the Prevention and Punishment of the Crime of Genocide* [Text]; Michael  
 Smith, “Humanitarian Intervention: An Overview of the Ethical Issues” [Text]  
 Wed. 8/12 – Evans, “If Democracy, Then Human Rights?” [Reserve]  
 Fri. 8/14 – Langlois, “Human Rights without Democracy? A Critique of the Separationist Thesis”  
 [Reserve] / **Paper #2 Outline Due**

## WEEK # 9:

Mon. 8/17 – Sen, “The Importance of Democracy” [Reader]  
 Wed. 8/19 – Jeremy Waldron, “Participation: The Right of Rights” [Reader]  
 Fri. 8/21 – **Paper #2 Due; Response #3 Due (optional); Quiz #3 / Course Conclusion**

**SERVICE-LEARNING OPTION**

Service-learning provides students a unique opportunity to connect coursework with life experience through public service. Offered as an integral part of many University of Washington courses, service-learning provides students an opportunity to experience theories traditionally studied within classrooms come to life, through serving with community-based organizations. Choosing to engage in service-learning is a way to demonstrate your commitment to your community and your ability to link your academic studies to practical, real-world experiences. The Carlson Leadership and Public Service Center, located in 120 Mary Gates Hall, facilitates contacts with community-based organizations and will help you to coordinate your service-learning opportunity.

How Do I Sign Up?

Instructions for how to browse a list of organizations and service-learning positions matched with this course will be presented the first day of classes. You can also visit the Carlson Center web site at [www.depts.washington.edu/leader](http://www.depts.washington.edu/leader) and follow the link to SUMMER 2009 Service-Learning. You can log in using your UW Net ID to browse positions starting on Thursday, June 18th. For this course, service-learning registration opens at 8 am on Wednesday, June 24th and closes at 5 pm on Thursday, June 25th.

All students are expected to complete an orientation with their registered service-learning organization as soon as possible after registering for service-learning (unless otherwise noted in the description). Please be proactive in contacting your organization (after your service-learning registration is confirmed) by phone and e-mail to either 1) schedule an orientation or 2) confirm your attendance at an already scheduled orientation session. It is expected that all service-learning students will have completed an orientation and begun their service-learning experience prior to the July 3rd/4th holiday weekend. This is essential given the shorter length of summer quarter.

Carlson Center staff are available between the hours of 9:00 am-4:00 pm Monday-Friday to assist you. Feel free to e-mail, [serve@u.washington.edu](mailto:serve@u.washington.edu) with any questions you may have, or to call the office at (206) 616-2885 if you are unable to come to Mary Gates Hall 120.