

Philosophical Foundations of Human Rights Spring 2015

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In this class we will explore the philosophical foundations of human rights, investigating theories of how our shared humanity in the context of an interdependent world gives rise to obligations of justice. We will begin with influential historical treatments of justice beyond the boundaries of the nation, starting with the Roman philosopher and statesman Cicero's defense of universal justice on the basis of cosmopolitanism and ending with Immanuel Kant's attempt to ground international justice in the idea of a peaceful order of nations. We will then move on to contemporary theories of human rights that draw on this rich tradition. First, we will consider John Rawls' liberal reimagining of Kant's project in *The Law of Peoples*. Next we will consider Martha Nussbaum's reimagining of Cicero's project in her capabilities approach. Throughout we will be asking questions such as, "What makes something a human right?" "What role does the nation and the individual play in our account of human rights?" "When can one nation legitimately intervene in the affairs of another nation?" "How can we respect the demands of justice while also respecting cultural difference?" And so on. (This course is the first of three courses in the core sequence of the Human Rights Program. For more information on the human rights program, visit <http://humanrights.uchicago.edu/>.)

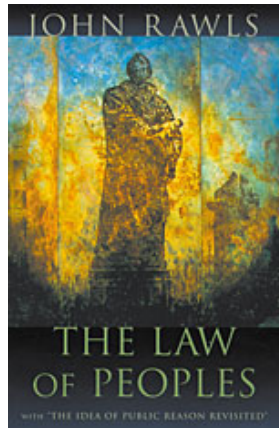
COURSE WEBSITE: This course has a chalk. You should get in the habit of checking the website at least once a week. To access the chalk go to www.uchicago.edu and click on "student". Chalk should appear as a button on the left hand side. Clicking on that should take you to a list of chalks for the courses in which you are enrolled. All readings, aside from John Rawls can be found on the chalk for this course under the "assignments" button, grouped in folders by week. You will also be able to find this syllabus, and contact information for your CA and me. Course material (paper assignments, handouts, study guides, etc.) will regularly be made available on the site.

GRADING:	FINAL EXAM:	30%
	PAPER ONE:	30%
	PAPER TWO:	30%
	PARTICIPATION:	10%

For due dates for papers, consult the syllabus below. Papers will be penalized at 1/3 of a letter grade for each day they are late. Participation credit accrues to those who regularly attend both the lecture and discussion sections, and who participate actively in

discussions there. Credit is also given for evident effort and improvement. Note that if you decide to take this class pass/fail, you must make your request by the end of 5th week.

REQUIRED TEXTS



There two required texts for this course: Martha Nussbaum's *Frontiers of Justice*, and John Rawls' *The Law of Peoples*. These texts are available at the Seminary Coop Bookstore. All other readings will be available on Chalk.

SYLLABUS OF READINGS

Part I: Historical Figures

WEEK 1: Introductions

3/30 INTRODUCTION

4/1 CICERO, *On Obligations*
BOOK I, SECTIONS 1-59
AMARTYA SEN, "ASIAN VALUES AND HUMAN RIGHTS"

WEEK 2: Cicero's Cosmopolitanism

4/6 CICERO, *On Obligations*
BOOK I, SECTIONS 1-59
JOEL FINEBERG, "THE NATURE AND VALUE OF RIGHTS"

4/8 CICERO, *On Obligations*
BOOK I, SECTIONS 1-59

WEEK 3: Two Very Different Critiques of Global Inequality

- 4/13 PETER SINGER, "Famine, Affluence and Morality"
- 4/14 THOMAS Pogge, "Global Poverty as a Human Rights Violation"
- 4/19 **FIRST PAPER DUE BY 5PM**

WEEK 4: Kant on Perpetual Peace

- 4/20 IMMANUEL KANT, *Towards Perpetual Peace*
FIRST SECTION & SECOND SECTION, PAGES 93-108
PAULINE KLEINGELD, "KANT'S THEORY OF PEACE"
- 4/22 IMMANUEL KANT, *Towards Perpetual Peace*
APPENDIX I & II, PAGES 116-130

WEEK 5: From Kant to the United Nations

- 4/27 JURGEN HABERMAS, "KANT'S PERPETUAL PEACE WITH 200 YEARS HINDSIGHT"
PARTS 1-3, PAGES 113-134
- 4/29 RAWLS INTRODUCTION AND BACKGROUND
NO READING

Part II: Contemporary Theories: John Rawls

WEEK 6: On Liberal and Decent Peoples

- 5/4 JOHN RAWLS, *The Law of Peoples*
INTRODUCTION AND PART I, 3-58
- 5/6 JOHN RAWLS, *The Law of Peoples*
PART II, 59-88
DAVID REIDY, "POLITICAL AUTHORITY AND HUMAN RIGHTS"

WEEK 7: On Burdened Peoples and Outlaw States

- 5/11 JOHN RAWLS, *The Law of Peoples*
PARTS III
SAMUEL FREEMAN, "DISTRIBUTIVE JUSTICE AND THE LAW OF PEOPLES"
- 5/13 JOHN RAWLS, *The Law of Peoples*
PARTS IV

Part III: Contemporary Theories: Martha Nussbaum

WEEK 8: Critique of Rawls and the Capabilities Approach

5/18 MARTHA NUSSBAUM, *Frontiers of Justice*
CHAPTER 4, SECTION I-V, PAGES 224-264

5/20 MARTHA NUSSBAUM, *Women and Human Development*
CHAPTER 1, SECTIONS I-V, 34-98

WEEK 9: Capabilities and Rights

5/25 MEMORIAL DAY—NO CLASS!

5/27 MARTHA NUSSBAUM, *Frontiers of Justice*
CHAPTER 5, PAGES 273-324
FINAL PAPER DUE FOR GRADUATING STUDENTS IN LECTURE

WEEK 10: Nussbaum Continued

6/1 MARTHA NUSSBAUM, *Frontiers of Justice*
CHAPTER 5, PAGES 273-324

6/3 WRAPPING UP. REVIEW FOR THE FINAL. NO NEW READINGS.
FINAL PAPER DUE FOR NON-GRADUATING STUDENTS IN LECTURE
FINAL EXAM TO BE COMPLETED DURING LECTURE FOR GRADUATING STUDENTS
(MORE INFORMATION TO COME)