

Outline: The Moral Foundations of Human Rights

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1. What are rights?
 - The variety of types of rights (e.g. human rights, promissory rights, rights created by regulations...)
 - Rights and correlative duties
 - Duties and agent-relativity
2. How to justify any rights and duties
 - The 'paradox of deontology', and the difficulty it presents for rights
 - Overcoming this difficulty: Agent-relativity as constitutive of valuable relationships and communities
 - Respect for agent-relativity endorsed by collective principles
3. Human rights: moral foundations
 - Various meanings for 'human rights' (legal, moral...)
 - Two key components to the moral foundations of human rights:
 - (a) Human rights as constitutive of the 'community of humankind' (without which there would be no justification for human *rights*)
 - (b) 'Trumping' or 'powerful' need-based reasons as distinctive grounds for human rights
4. Human rights: positive as well as negative?
 - Does point (b) support implausible assistance rights (because needs can be met as much by assistance as by noninterference)?
 - The importance of demandingness and conflicts
 - Human rights as held against *the collective* rather than (or as well as?) *the individual*
5. Conclusion: What kind of 'human community' are we?
 - The policy implications of our reflections on moral foundations

Bibliography

Key text: Raz, Joseph, *The Morality of Freedom* (OUP 1986), Ch. 7, 'The Nature of Rights'. Also available in an earlier version as an article, 'On the Nature of Rights', *Mind*, 93 (1984) Note: students with access to JSTOR should be able to download this article from:
<http://links.jstor.org/sici?sici=00264423%28198404%292%3A93%3A370%3C194%3AOTNOR%3E2.0.CO%3B2-H>

Further reading

Relevant to sections 1 and 2:

Jones, Peter, *Rights* (Macmillan 1994), Ch. 1.

Nagel, Thomas, *The View from Nowhere* (OUP 1986), Ch. IX, 'Ethics', especially section 4, 'Deontology'

Dorsey, Dale, 'Global Justice and the Limits of Human Rights', *Philosophical Quarterly*, 55 (October 2005).

Relevant to sections 3, 4 and 5:

The key Raz reading is highly relevant here. In addition, the following are useful:

Dworkin, Ronald: 'Rights as Trumps', in *Theories of Rights* (OUP 1984), ed., Jeremy Waldron.

O'Neill, Onora: *Towards Justice and Virtue* (CUP 1996), Ch. 5, 'Structure: obligations and rights', especially sections 5.2 and 5.3.

Pogge, Thomas: *World Poverty and Human Rights* (Polity 2002), Ch. 2, 'How Should Human Rights be Conceived?'

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