You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: [http://www2.carleton.ca/equity/](http://www2.carleton.ca/equity/)

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: [http://www2.carleton.ca/equity/](http://www2.carleton.ca/equity/)

**Academic Accommodations for Students with Disabilities:** The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable) at [http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/](http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/)

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at [http://www2.carleton.ca/equity/](http://www2.carleton.ca/equity/)

**Course description**

The fourth year seminar in controversies in rights theory provides a specialized opportunity to undertake a comparative study at an advanced level in the field of human rights. The main objective of the course is to explore the plurality of challenges criticising the universalistic grounding, claim, and promise of the mainstream human rights discourse having been prevailed from the issuance of the Universal Declaration of Human Rights in 1948. Having become a dominant discourse backed by legal, institutional, and political support, this perspective to human rights not only has undermined transformations in different stages of its internal development, but has also been facing theoretical, ethical, epistemological, and political-ontological encounters
each of which provide strong critical questions about the legitimating of the mainstream discourse. Having roots in controversial modern philosophical accounts of human being to be the Romantic expressivism and multiculturalism, Marxism, post-Kantian perspectives, Critical Theory tradition (of Frankfurt School), Post-Colonialism, and/or recently emerging dialogical accounts and liberation ethics, the challengers are neatly spreading their claims around in both academic and socio-advocacy. Undoubtedly, the process of globalization has also provided a new horizon to draw doubt on the theoretical accuracy of the theoretical grounding of mainstream human rights. Challengers launch the powerful criticism that if human rights is about the rights of human beings, then let's see who comes to define and interpret humans and their rights and for what purposes. If humans are self-interpreting beings, each with their own horizon of meanings and values, then how an enforced overlapping consensus can be articulated that determines a common ground for rights and duties of people of different cultures and identities.

The course begins with a prolegomena to the philosophical justification of human rights and then moves toward an analysis of an enforcement-centered and consensus approach inspired by John Rawls. The course extends beyond these liberal accounts and further delves into deeper critical layers of the discourse by exploring Capabilities Approach to human rights, Post-Colonial encounters, voice of Asian Values, Neo-Marxism, and human rights and human difference as a point of reflection on an unforced overlapping consensus on human rights. However, all these accounts of human rights will be discussed critically in order to unpack the political and power-relations that might be hidden in each of these perspectives and theories.

**General course objectives**

- To highlight the main controversy on theories of human rights with the aim of exploring how to define a common ground for human rights
- To evaluate comparatively the widespread doctrines and theories of human rights
- To analyze and explore critically the weaknesses of the theories of human right
- To identify the main factors affecting the mainstream approach to human rights
- To explore the complexity of the controversy for the aim of disclosing the political and power-relations dimensions and elements behind the controversy
- To understand ethical strength and emancipator force of the controversial perspectives to human rights
- To be capable of setting a scene on which human rights can be displayed from a consensual base for consideration and respect.

**Teaching Methods**

The course has been structured as a fourth year honours seminar. The course of composed of lectures, active participation, and intensive reading and discussion groups. Accordingly, to achieve the objectives of the course which is a collective project, that is a deep familiarity with and critical analysis of controversial accounts and theories of human rights, and active participation is required.

Each class is divided into two sections. In the first section, around 70-80 minutes length, a lecture is given by the professor. In this lecture the main ideas, theoretical aspects, and practical dimensions of the topic of the week is analyzed. In the second section, the discussion group section, the students are divided into sub-discussion groups to analyze the theme of investigation. This requires a careful reading of the all materials assigned to the topic of the week in advance. In this discussion group that lengths around one hour, students provide their feedback and impression of readings, bring about ethical questions and reflections from concrete instances, and discuss and answer the questions. Failure in the advanced reading of the texts may then cause inability in understanding of the arguments and lectures.
Evaluation procedure – All Components must be completed in order to pass this course

- **Weekly summary of supplementary readings: 10 Marks for a total of 10 summaries:** Students must submit a two-page double-spaced and typed-written summary of one of the required readings two days in advance of each class (i.e. on Monday).

- **Participation: 10 Marks** – The objective of this section is to fill in the gap between the theory and practice in the ethical/legal accountability in management. It involves the analysis of the actual cases under different ethical traditions of though. Accordingly, attendance in seminars is necessary, but not sufficient, to constitute the participation. This portion of marks is dedicated to your participation in discussion groups as well as your impression and critique of the readings assigned for the week. This is a composite mark and is constructed based on the evaluation of your performance over the entire term.

- **Mid-Term Test: 20 Marks** - There will be a mid-term test in class on Wednesday, February 20th. The test will be 2:00 hours in length. The test includes the assigned readings as well as the topics and analyzed issues covered in the lectures. The test includes explanatory/descriptive answer questions.

- **Short Research Essay: 20 Marks** - You are required to write one research essay. The essay must not exceed 8 typed pages – double-spaced, using 12 point font. You can choose a topic which is of the interest to you. However, it must be related to doctrines and theories of human rights. You can consult, if necessary, with me about your topic of interest. The essay must follow proper essay style and structure, and must use a recognized referencing style (the referencing style must be correct and consistent). Essay should also be properly cited and be accompanied by a bibliography. This essay is due on March 5th until mid-night and must be submitted electronically on CuLearn. A rubric as well as guidelines and directions about how to write your essay have already been posted on CuLearn.

- **Final Exam: 40 Marks** - The exam will be comprehensive. It covers all materials for the entire term. Final exam will include explanatory questions, analysis of scenarios, and an essay question.

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<thead>
<tr>
<th>Evaluation format</th>
<th>Weight</th>
<th>Date</th>
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<tbody>
<tr>
<td>10 Critical summary</td>
<td>10% in total</td>
<td>Monday evening of each week</td>
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<tr>
<td>Participation</td>
<td>10%</td>
<td>Regular in-class weekly discussion groups</td>
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<tr>
<td>Mid-term test</td>
<td>25%</td>
<td>February 20th</td>
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<tr>
<td>Research essay</td>
<td>20%</td>
<td>March 5th (until mid-night)</td>
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<tr>
<td>Final exam</td>
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<td>Total</td>
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**Late Assignments:**
Extensions beyond the original due date will not be granted. If you are ill (with a doctor’s note) or have another legitimate reason for lateness, please see the professor as soon as possible (preferably before the due date). Three marks per day will be deducted for late assignments.

Special Needs, OR Inability to Complete Assignments on Dates Indicated: If the student has special needs that require particular arrangements or which will make it difficult to complete assignments or examinations on the dates indicated, it is the student’s responsibility to seek the appropriate university approval AND advise the professor at the BEGINNING of the term (maximum by the end of the third week of classes).
** An updated version of the syllabus will be provided on CuLearn internet site for this course. It is the student’s responsibility to consult the internet for the latest information on assigned readings, due dates and other matters.

**Required Text**
- Other readings are in the reserve section in the library and/or have been posted on WebCT.
- Complementary readings have been provided to you to deepen your knowledge of theories of human rights.

**Course Schedule**

**Week 1 (January 09) Introduction to the Course, Syllabus and Assignments**
Readings:
- Universal Declaration of Human Rights.

Supplementary:

**Week 2 (January 16) Relativism and Ethnocentrism**
Readings:

Supplementary:
Week 3 (January 23)  
**Maximalist Challenge to Human Rights Justification**

Readings:
- Kao, “Maximalist Challenge to Human Rights Justification” in *Grounding Human Rights in a Pluralist World*, pp. 31-.

Supplementary:

Week 4 (January 30)  
**An Enforcement-Centered Approach to Human Rights**

Readings:
- Kao, op. cit., pp. 57-76.

**Supplementary:**

**Week 5 (February 06) Consensus Approaches to Human Rights**

**Readings:**

**Supplementary:**

**Week 6 (February 13) The Capabilities Approach to Human Rights**

**Readings:**

Supplementary:
- Izete Pengo Bagolin, “Capability Approach as an Alternative to Conventional Social Indicators”.
- Benedetta Giovanola, “Personhood and Human Richness: Good and Well-Being in the Capability Approach and Beyond,” Review of Social Economy lxiii, no. 2 (June 2005).

**Week 7 (February 20)**  Midterm test

**Week 8 (October 27)**  Study break, no class

**Week 9 (March 06)**  Neo-Marxism and Human Rights

Readings:

Supplementary:
Week 10 (March 13)  Post-colonialism and Human Rights

Readings:

Supplementary:

Week 11 (March 20)  Challenges Coming from Asia

Readings:

**Supplementary:**

**Week 12 (March 27)**

**On the Minimal Global Ethics: Charles Taylor on Human Rights and Human Difference**

**Readings:**

**Complementary readings:**

**Week 13 (April 03) concluding Remarks**

**For Religious Observance:** Students requesting accommodation for religious observances should apply in writing to their instructor for alternate dates and/or means of satisfying academic requirements. Such requests should be made during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist, but no later than two weeks before the compulsory academic event. Accommodation is to be worked out directly and on an individual basis between the student and the instructor(s) involved. Instructors will make accommodations in a way that avoids academic disadvantage to the student. Instructors and students may contact an Equity Services Advisor for assistance (www.carleton.ca/equity).

**For Pregnancy:** Pregnant students requiring academic accommodations are encouraged to contact an Equity Advisor in Equity Services to complete a *letter of accommodation*. Then, make an appointment to discuss your needs with the instructor at least two weeks prior to the first academic event in which it is anticipated the accommodation will be required.

**Plagiarism:** The Undergraduate Calendar defines plagiarism as: “to use and pass off as one’s own idea or product, work of another without expressly giving credit to another.” The Graduate
Calendar states that plagiarism has occurred when a student either: (a) directly copies another's work without acknowledgment; or (b) closely paraphrases the equivalent of a short paragraph or more without acknowledgment; or (c) borrows, without acknowledgment, any ideas in a clear and recognizable form in such a way as to present them as the student's own thought, where such ideas, if they were the student's own would contribute to the merit of his or her own work. Instructors who suspect plagiarism are required to submit the paper and supporting documentation to the Departmental Chair who will refer the case to the Dean. It is not permitted to hand in the same assignment to two or more courses. The Department's Style Guide is available at: [http://www.carleton.ca/polisci/undergrad/Essay%20Style%20Guide.html](http://www.carleton.ca/polisci/undergrad/Essay%20Style%20Guide.html)

**Oral Examination:** At the discretion of the instructor, students may be required to pass a brief oral examination on research papers and essays.

**Submission and Return of Term Work:** Papers must be handed directly to the instructor and will not be date-stamped in the departmental office. Late assignments may be submitted to the drop box in the corridor outside B640 Loeb. Assignments will be retrieved every business day at 4 p.m., stamped with that day's date, and then distributed to the instructor. For essays not returned in class please attach a stamped, self-addressed envelope if you wish to have your assignment returned by mail. Please note that assignments sent via fax or email will not be accepted. Final exams are intended solely for the purpose of evaluation and will not be returned.

**Approval of final grades:** Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by an instructor may be subject to revision. No grades are final until they have been approved by the Dean.

**Course Requirements:** Students must fulfill all course requirements in order to achieve a passing grade. Failure to hand in any assignment will result in a grade of F. Failure to write the final exam will result in a grade of ABS. FND (Failure No Deferred) is assigned when a student's performance is so poor during the term that they cannot pass the course even with 100% on the final examination. In such cases, instructors may use this notation on the Final Grade Report to indicate that a student has already failed the course due to inadequate term work and should not be permitted access to a deferral of the examination. Deferred final exams are available ONLY if the student is in good standing in the course.

**Carleton Email Accounts:** The Department of Law and Legal Studies strongly encourages students to sign up for a campus email account. Important course and University information will be distributed via the Carleton email system. See [http://www6.carleton.ca/ccs/students/](http://www6.carleton.ca/ccs/students/) for instructions on how to set up your account.