COURSE SUMMARY

Most of us today believe that we humans have rights and that we possess these rights quite independently of any laws made by governments or international bodies such as the United Nations. (After all, we invoke these human rights as the reason for making laws which promote and protect them and for criticizing laws which fail to respect them.) Belief in such universal rights, moreover, plays a central role, both domestically and internationally, in justifying and evaluating social and political policies, programs and initiatives.

Despite the prominence of human rights, however, they remain puzzling, problematic and controversial in many respects. One problem concerns their justification. How do we really know that human rights exist, particularly in view of the fact that they cannot be identified with any legal rights guaranteed by actual laws? Where do these rights come from? What is their source? There are several competing answers to these questions, and it is not easy to determine which of them is correct. A second problem concerns the scope of human rights. Precisely what things do we have a right to? Civil and political rights, e.g. the right not to be imprisoned unjustly, are fairly uncontroversial. But do we also have a right to free health care, to an education, or to a decent job? And how is it to be determined whether we have a right to these and other things? A third major controversy about human rights concerns their universality. There appear to be cultures around the world that do not acknowledge the existence of many of the rights we take for granted. Are human rights, then, merely a Western cultural phenomenon, and is the attempt to impose them on other cultures merely another form of Western imperialism?

Our objective in this course is to investigate and explore these and other philosophical issues that arise in connection with human rights. In addition to this, however, we will also do our best to provide a detailed, rigorous, systematic and convincing defense of the conception of human rights embodied in the Universal Declaration of Human Rights and other prominent human rights documents.

REQUIRED TEXT

A course pack, with the title Readings in the Philosophy of Human Rights, has been prepared by the Instructor. This course pack can only be purchased at Haven Books, located at 43 Seneca Street, (613) 730-9888.

TEACHING METHODS AND CLASS FORMAT

The emphasis in the course will be on reasoning, analysis and critical evaluation of issues related to human rights. Readings will be assigned for each class, and students will be expected to come prepared to discuss them. The role of the Instructor will be to guide students through the readings, to ensure that discussions remain focused on relevant and important issues, and to illustrate the processes of interpretation, analysis and criticism by repeated example in class. The Instructor will not hesitate to defend particular positions or views, but it is to be understood that students must form their own opinions and be prepared to support them by their own arguments.
COURSE REQUIREMENTS

Midterm: There will be a midterm exam which will be worth 30% of the final grade. It has tentatively been scheduled for Wednesday, February 16, our last class before the winter break. Details regarding the format of the midterm will be announced in class early in the semester.

Term Paper: Students will be required to write a term paper worth 30% of the final grade. The paper will be 6-8 pages in length, and will be due in class, Wednesday, March 30. It will not be a research paper but will consist of a critical discussion of some topic or issue central to the course. A list of topics, along with instructions and guidelines for writing the paper, will be available early in the term.

Final Examination: There will be a final exam scheduled during the examination period, which will be worth 40% of the final grade. Details about the format for the final will be announced later in the semester.

OUTLINE OF TOPICS AND READINGS

I. Introduction


II. What are Human Rights?


III. Are Human Rights Dependent on Law?

Reading 4 (online): “Declaration of the Rights of Man and Citizen” Google this, or go to: http://www.hcr.org/docs/frenchdec.html
Reading 5 (Web CT): Jeremy Bentham, “A Critical Examination of the Declaration of Rights.” (The complete essay can be obtained online by Googling the title.)

IV. What is the Source or Foundation of Human Rights?


V. What is the Correct Definition (Analysis) of Human Rights?


VI. What are the Proper Limits to Free Speech and Other Liberty Rights?

Reading 13 : Readings on the case of the Danish Cartoons and other free speech controversies
Reading 14 (online): Time Magazine interview with Julian Assange, founder of WikiLeaks available at: http://www.time.com/time/world/article/0,8599,2034040-4,00.html
VII. Should There Be a Categorical Ban on the Use of Torture?


VIII. Are Human Rights Universal?


IX. Do Human Rights Neglect Human Duties (and Other Common Objections)?

**Reading 23 (online):** Andreas Follesdal, “Human Rights and Relativism”; to download, Google author and title

X. Are Human Rights Negative in Form, or Are Some Human Rights Positive?


XI. Are There Human Rights to Economic and Social Goods?


XII. Is There a Right to Economic Development?

**Reading 29 (online):** The Declaration on the Right to Development, available at: http://www.un-documents.net/a41r128.htm


### XIII. Has the Human Rights Movement Discriminated Against Women?

**Reading 34 (online):** Catherine MacKinnon, “Are Women Human?”


### XIV. Is the Concept of a Human Right Distinctively Western?


**Reading 41:** Xiarong Li, “’Asian Values’ and the Universality of Human Rights,” from *The Philosophy of Human Rights*, ed. P. Hayden, (St. Paul, Minnesota: Paragon House, 2001) pp. 397-08

### XV. Does the Issue of Climate Change Involve Human Rights?

**Reading 42 (Web CT):** Selected Readings on the Issue of Climate Change
Assignments:
Unless specifically told otherwise by their instructors, students:
- must not use a plastic or cardboard cover or paper clips
- must staple the paper
- must include the following in the lower right corner of the cover sheet:
  - student name
  - student number
  - course number and section
  - instructor’s name

- The Philosophy Department does not accept assignments by FAX. You may send them by courier, if necessary.
- No assignments will be accepted after the last day for handing in term work.
- Assignments handed in through the essay box (just inside the glass doors, Paterson Hall, Floor 3A) must be dropped into the box by 4:15 on a regular business day in order to be date-stamped with that day’s date. Assignments handed in after 4:15 or on a non-business day will be stamped as having been handed in on the next business day.
- Students are required to keep copies of their assignments. If your paper is lost at any point, you will be considered not to have submitted it if you cannot produce a copy immediately on request.

Deferrals for Term Work:
If you miss a final examination and/or fail to submit a final assignment by the due date because of circumstances beyond your control, you may apply for a deferral of examination/assignment. For deferred examinations, you must apply within 5 working days after the scheduled date of your exam. To apply for deferral of a final assignment, you must apply within 5 working days of the last scheduled day of classes. Visit the Registrar’s Office for more information.

Plagiarism:
It is the responsibility of each student to understand the meaning of ‘plagiarism’ as defined in the Undergraduate or Graduate Calendars, and to avoid both committing plagiarism and aiding or abetting plagiarism by other students. (Undergraduate Calendar Academic Regulations, section 14.3, page 56 or http://www.carleton.ca/cu0809uc/regulations/acadregsuniv14.html#14.3)

Academic Accommodation:
For Students with Disabilities: Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include but are not limited to mobility/physical impairments, specific Learning Disabilities (LD), psychiatric/psychological disabilities, sensory disabilities, Attention Deficit Hyperactivity Disorder (ADHD), and chronic medical conditions. Registered PMC students are required to contact the PMC every term to have a Letter of Accommodation sent to the Instructor by their Coordinator. In addition, students are expected to confirm their need for accommodation with the instructor no later than two weeks before the first assignment is due or the first in-class test/midterm. If you require accommodations only for formally scheduled exam(s) in this course, you must request accommodations by the last official day to withdraw from classes in each term.

For Religious Observance: Students requesting academic accommodation on the basis of religious observance should make a formal, written request to their instructors 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.

Students or instructors who have questions or want to confirm accommodation eligibility of a religious event or practice may refer to the Equity Services website www.carleton.ca/equity/holy_days/ for a list of holy days and Carleton’s Academic Accommodation policies.

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

Important Dates:
Sept. 9  Classes start (after Orientation events).
Sept. 22 Last day for registration and course changes in Fall term and two-term courses.
Sept. 30 Last day for entire fee adjustment when withdrawing from Fall term or two-term courses.
Oct. 8 University Day – no classes.
Oct. 11 Thanksgiving Day – university closed.
Nov. 22 Last day for tests or examinations in courses below 4000 level before the Final Examination period.
Dec. 6 Last day of classes, Fall term. Last day for handing in term assignments, subject to any earlier course deadline.
Dec. 6 Last day to withdraw from Fall term courses (academic purposes only).
Dec. 9-22 Final examinations for Fall courses, mid-terms for Fall/Winter courses.
Jan. 3 Winter term classes begin.
Jan. 14 Last day for registration and course changes in Winter term classes.
Jan. 31 Last day for entire fee adjustment when withdrawing from winter courses or winter portion of two-term courses.
Feb. 21 Family Day – university closed
Feb. 21-25 Winter Break, classes suspended.
Mar. 23 Last day for tests or examinations in courses below 4000 level before the Final Examination period.
Apr. 5 Last day of Fall/Winter and Winter term classes. Last day for handing in term assignments, subject to any earlier course deadline.
Apr. 5 Last day to withdraw from Fall/Winter and Winter term courses (academic purposes only).
Apr. 7-21 Final Examinations.

Addresses:
Department of Philosophy: 3A46 Paterson Hall
www.carleton.ca/philosophy
520-2110
Registrar’s Office: 300 Tory
www.carleton.ca/registrar
520-3500
Student Academic Success Centre: 302 Tory
www.carleton.ca/sasc
520-7850
Paul Menton Centre: 500 University Centre
www.carleton.ca/pmc
520-6608
Writing Tutorial Service: 4th Floor, Library
www.carleton.ca/wts
520-6632
MacOdrum Library
www.library.carleton.ca
520-2735