



THE UNIVERSITY OF  
**SYDNEY**

**Faculty of Arts and Social Sciences**

PHIL 2616: The Philosophy of Human Rights

Semester 2, 2016

Lecture: Friday 10-12, Carslaw Lecture Theatre 173

Unit of Study Outline

Unit Coordinator: Dr. Alex Lefebvre

Location: S205 Quadrangle

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Consultation hour: Friday 9-10am

This Unit of Study Outline **MUST** be read in conjunction with the Faculty of Arts and Social Sciences Student Administration Manual ([http://sydney.edu.au/arts/current\\_students/student\\_admin\\_manual.shtml](http://sydney.edu.au/arts/current_students/student_admin_manual.shtml)) and all applicable University policies. In determining applications and appeals, it will be assumed that every student has taken the time to familiarise themselves with these key policies and procedure.

## **UNIT DESCRIPTION**

This unit addresses central themes from the history and philosophy of human rights. Topics may include the relationship between human rights and religion, natural law, moral and aesthetic justifications of human rights, claims and challenges to universality of the part of human rights, and tensions between human rights and state sovereignty. Thinkers may include Paine, Burke, Kant, Wollstonecraft, Tocqueville, Arendt, Schmitt, and Rawls.

This year we will look at the long-term theory and history of human rights, from its classical origins in the French Revolution to the contemporary period. In particular, we will ask how and why the two main events of political modernity – the French Revolution, and the Second World War and the Holocaust – led to declarations of human rights. Our first cluster of texts covers great classical authors of the human rights tradition: Burke, Paine, Tocqueville, Wollstonecraft, and Marx. Here we will see how the Declaration of the Rights of Man closes out the feudal age of inequality and privilege, for better or for worse. Our second set of texts addresses two issues. With Arendt and Levi we will examine the unprecedented attack on human dignity in the Second World War. And, with our contemporary authors, we will track the rise of the contemporary global human rights regime. Through the study of these two foundational events, we will achieve a concrete understanding of the shifting purposes and practices of human rights and also the different kinds of abuses they are meant to check.

## **OBJECTIVES AND OUTCOMES**

1. Analyse core concepts in the philosophy of human rights, such as dignity, rights, duty, sovereignty, natural law, universality, witnessing, and violence.
2. Distinguish traditions in the philosophy of human rights, such as natural law, positivist, liberal, and capabilities.
3. Contrast major thinkers in human rights, such as Burke, Paine, Toqueville, Arendt, and Nussbaum.
4. Develop critical reading skills of primary texts.

## **ONLINE COMPONENTS**

You will find the following resources on the eLearning site:

- Unit of Study Outline
- PowerPoint Slides for each week, posted the morning of the lecture
- Lecture for each week, posted afternoon after lecture

This unit requires regular use of the University's Learning Management System (LMS), also known as Blackboard. You will need reliable access to a computer and the internet to use the LMS. The University uses learning analytics to understand student participation on the LMS and improve the student learning experience.

The easiest way to access the LMS is through MyUni (click on the 'MyUni' link on the university home page, <http://sydney.edu.au> or link directly to the service at <https://myuni.sydney.edu.au/>. There is a 'Blackboard LMS' icon in the top row of the QuickLaunch window on the left hand side of the screen.

If you have any difficulties logging in or using the system, visit the Student Help area of the LMS site, <http://sydney.edu.au/elearning/student/help/>.

The University's Privacy Management Plan governs how the University will deal with personal information related to the content and use of its web sites. See <http://sydney.edu.au/privacy.shtml> for further details.

## Lecture Recording

Lectures delivered in University-owned lecture theatres are recorded and may be made available to students on the LMS. However, you should not rely on lecture recording to substitute your classroom learning experience.

## UNIT SCHEDULE AND READINGS

All the readings for this unit are found in the PHIL2616 unit of study reader and can be purchased at the University Copy Centre.

Week	Week beginning	Content and Reading. All readings are found in the unit of study reader.
1	29 July	Introduction
2	05 August	Alexis de Tocqueville (1856), <i>Ancien Regime</i> , 1-7, 11-46, 59-70, 76-79, 127-135
3	12 August	Edmund Burke (1790), <i>Reflections on the Revolution in France</i> , 232-276, 308-318, 323-339, 347
4	19 August	Thomas Paine, <i>Rights of Man</i> (1791), 249-259, 273-278, 294-298, 313-317, 338-344, 348-375, 398-400
5	26 August	Mary Wollstonecraft (1792), <i>Vindication of the Rights of Woman</i> , 67-125
6	02 September	Karl Marx (1844), "On the Jewish Question", 1-21
7	09 September	Hannah Arendt (1951), <i>The Origins of Totalitarianism</i> , 267-302
8	16 September	Primo Levi, <i>Survival at Auschwitz</i> (1947), 9-11, 13-29, 36-37, 50-51, 87-108, 119-22, 123-130
9	23 September	Required: Michael Ignatieff (2001), <i>Human Rights as Politics and Idolatry</i> , 1-12, 14-22, 53-58, 63-92 Judith Shklar (1989), "The Liberalism of Fear", 3-20

		Recommended: Universal Declaration of Human Rights (1948) Wendy Brown (2004), “The Most We Can Hope For...’: Human Rights and the Politics of Fatalism”, 451-463
<b>BREAK</b>	<b>26 Sept – 02 Oct</b>	
10	07 October*	John Rawls (1997), “The Idea of Public Reason Revisited”, 765-807 Samuel Moyn (2010), <i>The Last Utopia</i> , 1-10 Samuel Moyn (2015), <i>Christian Human Rights</i> , 1-15
11	14 October	Danielle Celermajer (2015), “International Review: Current Approaches to Human Rights Teaching in the Law Enforcement and Security Sectors,” 1-40
12	21 October	Martha Nussbaum (2010), <i>Creating Capabilities</i> , ix-xii, 1-16, 17-45, 62-68, 89-93, 96-97, 166-170, 180-184
13	28 October	J. M. Coetzee (1999), <i>The Lives of Animals</i> , 15-69
<b>STUVAC</b>	<b>31 October</b>	
<b>EXAMS</b>	<b>07 November</b>	

## ASSESSMENT TASKS AND DUE DATES

<b>Assessment Name</b>	<b>Individual / Group</b>	<b>Length</b>	<b>Weight</b>	<b>Due Time</b>	<b>Due Date</b>
<i>Weekly questions</i>	<i>Individual</i>	<i>2 short questions on each reading per week</i>	<i>10%</i>	<i>10am</i>	<i>Start of each lecture</i>
<i>Midterm Essay</i>	<i>Individual</i>	<i>1500 words</i>	<i>35%</i>	<i>23:59</i>	<i>09-Sept-2016</i>
<i>Final Essay</i>	<i>Individual</i>	<i>2500 words</i>	<i>55%</i>	<i>26:59</i>	<i>11-Nov-2016</i>

## ASSESSMENT TASKS DESCRIPTION

### Weekly Questions: 10%

Each week students are expected to prepare two questions based on the relevant reading. Each question can be as long as a paragraph or as short as a sentence. The questions will be counted, not graded. But to count they must reflect a real engagement with the relevant reading. (E.g., to ask when reading Burke, “Why do the rights of man make Burke so angry?” is not a real engagement. A good question is: “Burke objects to both the content (e.g., equality) as well as the form (e.g., as abstract) of natural rights. What is the relationship between the two?”) **These questions must be submitted in print in person at the start of lecture each week. Please write your name and tutorial time (e.g., John Smith, Friday 1-2 pm).** Emailed submission or submission in tutorial will not be accepted. Submission by someone other than yourself will not be accepted. Each set of questions will count as 1% toward your final grade, up to a maximum of 10%.

### Midterm Assignment: 35%

On August 26<sup>th</sup>, you will receive a short 1500 word (maximum) midterm assigned on questions provided in class. The midterm assignment is due **September 9<sup>th</sup>**. A late penalty of 2% per working day will apply. See the Faculty Policy on Course Work below.

### Final Essay: 55%

On October 21<sup>st</sup>, you will receive a 2500 word (maximum) final essay assigned on questions provided in class. The final essay is due **November 11<sup>th</sup>**. A late penalty of 2% per working day will apply. See the Faculty Policy on Course Work below.

## SECONDARY READING

An aim of this class is to closely engage with a limited number of primary texts in order to dwell on key themes, and, more generally, to slow reading down. Students are not expected to read more widely than the assigned materials. If you wish to consult secondary material, however, I have placed the following texts on reserve at Fisher Library:

- Furet and Ozouf, eds. *A critical dictionary on the French Revolution*. This volume has an outstanding entry on Tocqueville’s *Ancien Regime*. 944.04 282
- Lynn Hunt. *Inventing Human Rights: a History*. Cultural history of human rights, concentrating on the 18<sup>th</sup> century. 323.09 5

- Jack Donnelly. *Human Rights Theory and Practice* (2013). Good general introduction to the theory and practice of human rights. 323 11 B
- Sally Engle Merry. *Human Rights and Gender Violence* (2006). Excellent introduction to the United Nations human rights mechanisms. 362.83 39
- Douzinas and Gearty, eds. *The Meaning of Rights: the Philosophy and Social Theory of Human Rights* (2014). Wide range of essays on topics in philosophy of human rights. Available as an ebook through Fisher.

Two more useful resources: 1. The Cambridge Companion series. These volumes are provide excellent introductions to dedicated authors and topics, such as Burke, Tocqueville, Wollstonecraft, Levi, and Arendt. They are available in fulltext through Fisher Library. 2. The online [Stanford Encyclopaedia of Philosophy](#). It has useful entries on Arendt, Burke, Human Rights, Rights, Respect, and much more. If you wish for further advice on secondary readings please send me an email.