

Lingnan University
Department of Philosophy

Course Title	: Philosophical Perspectives on Human Rights
Course Code	: PHI3263
Recommended Study Year	: 3 rd Year
No. of Credits/Term	: 3
Mode of Tuition	: Sectional
Class Contact Hours	: 3 hours per week
Category in Major Programme	: Programme Elective - Ethics and Practical Philosophy Profile
Prerequisite(s)	: N/A
Co-requisite(s)	: N/A
Exclusion(s)	: N/A
Exemption Requirement(s)	: N/A

Brief Course Description

Just what are human rights? Are some rights more fundamental than others? Is it ever justifiable to violate these rights? Rights have been expressed as being a part of natural law as well as within the context of the greatest good or even as being essential for the existence of human dignity. In addition, rights have been perceived as being universal or alternatively as existing purely within a relative context. These questions are of fundamental importance for those individuals who wish to gain a deeper understanding of their own role in the social and political context.

Aims

This course seeks to consider both recent international human rights policies and underlying moral and political issues that surround them. The objective of this course is to present to students both a balanced and comprehensive interpretation of the human rights debate.

Learning Outcomes

The course is designed to equip students to:

1. Demonstrate a familiarity with the literature and controversies surrounding human rights discourse.
2. Demonstrate a familiarity of the relevant human rights conventions as well as their foundational rationale
3. Demonstrate an understanding of the nature of rights, in terms of powers, liberties, claims and immunities.
4. Be able to write and speak indicating an appreciation of the fundamental value of rights.

Indicative Content

1. The idea of natural law.
2. The Positivist project.
3. The post-war reappraisal; The Nuremberg War Crimes Tribunal and commentary
4. The founding of the United Nations
5. The UN Charter and the Universal Declaration of Human Rights
6. Cultural relativism and universalism
7. The 'Asian Values' debate;
8. Civil and Political rights, Social and Cultural rights
9. Woman's Rights as Human Rights
10. The Role of Non Governmental Organizations

Teaching Method

The course employs a seminar approach, including lectures as well as group discussion. Lectures are designed to introduce students to the techniques of argument analysis and assessment. Discussions are meant to allow students to reinforce general concepts within the context of both group discussion and practice.

Measurement of Learning Outcomes

Students' progress toward the intended learning outcomes will be assessed as follows:

1. In this seminar based course class participation is of particular importance. Therefore students will be expected to actively participate in class discussion, in terms of contributing their own questions and observations based on the reading material. Refers to Learning Outcomes 1-4
2. Students will also be required to take a final examination where they will be able to properly identify specific issues and then apply course material in aid of their answers. Refers to Learning Outcomes 1-4
3. Students will write an academic paper which will be on a selected topic within the discipline of social and political philosophy. Refers to Learning Outcomes 1, 2 and 4.
4. In both class participation and in the written component, students will also be able to argue a position on a selected question topic and then move from their premises to conclusion through reasoned arguments. Refers to Learning Outcomes 1, 3 and 4.
5. Instead of writing a research paper, students may opt to volunteer for a service-learning component. In the service-learning component, students will devote a total of 30 hours during the academic semester at a pre-selected service-learning agency within the community. They shall also keep regular entries in a journal and submit an essay at the end of the semester. The optional Service-Learning practicum, presentation and reflective essay will reflect the students' ability to apply the theories learned in class to contemporary issues pertaining to applications of human rights theories. Students are expected to be able to use the theories, supplemented with basic research about their service area, in order to discuss the human rights issues they encountered during service. Refers to Learning Outcomes 1, 3 and 4.

Assessment

Class participation: 20%

Research Paper/Service Learning Option: 30%

Quizzes: 10%

Final Examination: 40%

Required Readings

Dworkin, Ronald, *Taking Rights Seriously*, Cambridge: Harvard University Press, 1977.

Steiner & Alston, *International Human Rights in Context*, Oxford: Oxford University Press, 1996.

Supplementary Readings

Gewirth, Alan, *The Community of Rights*. Chicago: University of Chicago Press, 1998.

Glendon, Mary Ann, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, New York: Random House, 2001.

Goldie, Mark, (ed.), Locke, John, *Two Treatises of Civil Government*, London: Everyman. 1993

Ishay, Micheline, R., (ed.), *The Human Rights Reader*, New York: Routledge, 1997.

Koh, Harold, Hongju, & Slye, Ronald, C. ed., *Deliberative Democracy & Human Rights*, New Haven: Yale University Press, 1999.

Koh, Hongju, Harold, Slye, Ronald, (eds.) *Deliberative Democracy & Human Rights*, New Haven:

Yale University Press, 1999.
Lauren, Paul Gordon, *The Evolution of International Human Rights*, Philadelphia: University of Pennsylvania Press, 1998.
Naomi Roht-Arriaza, ed., *Impunity and Human Rights in International Law and Practice*, Oxford: Oxford University Press, 1995.
Perry, Michael J., *The Idea of Human Rights: four inquiries*, Oxford: Oxford University Press, 1999.
Pettit, Philip, *Republicanism: A Theory of Government*, Oxford: Oxford University Press, 1997.
Robertson, Geoffrey, *Crimes Against Humanity*, London: Penguin Books, 1999.

Important Notes

- (1) Students are expected to spend a total of 9 hours (i.e. 3 hours of class contact and 6 hours of personal study) per week to achieve the course learning outcomes.
- (2) Students shall be aware of the University regulations about dishonest practice in course work, tests and examinations, and the possible consequences as stipulated in the Regulations Governing University Examinations. In particular, plagiarism, being a kind of dishonest practice, is “the presentation of another person’s work without proper acknowledgement of the source, including exact phrases, or summarised ideas, or even footnotes/citations, whether protected by copyright or not, as the student’s own work”. Students are required to strictly follow university regulations governing academic integrity and honesty.
- (3) Students are required to submit writing assignment(s) using Turnitin.
- (4) To enhance students’ understanding of plagiarism, a mini-course “Online Tutorial on Plagiarism Awareness” is available on <https://pla.ln.edu.hk/>