

## **PIP88011 | Theories of Rights**

---

**Credits:** 10 ECTS

**Contact Hours:** 2

**Pre-requisite:** N/A but basic knowledge of moral/political theory is assumed (e.g., utilitarianism, deontology, etc)

**Semester:** Michaelmas Term

**Module Leader:** Adina Preda

**Contact E-mail:** Predaa@tcd.ie

**Room Number:** 3051

**Office Hours:** By appointment

**Lecturer(s):**

**Contact E-mail:**

**Room Number:**

**Office Hours:**

---

### **Module Outline:**

The language of moral rights is pervasive both in everyday life and in legal, moral, and political philosophy; they are commonly invoked in support of claims of a certain weight or importance. But there is no philosophical consensus on what rights are, what strength or weight they have or indeed who can have rights and what their content would be. This module will examine some of the most important questions about moral rights using the tool of contemporary analytic legal, moral, and political philosophy.

The first part of the module will examine the foundations of rights, which will then be used in the second, more applied part of the module. We will start by looking at the concept of rights and specifically the different forms of right identified by the legal theorist W.H. Hohfeld, the axiom of correlativity, and the two main philosophical theories about the nature of a right: the choice and the interest theory. We will then examine issues relating to the strength of moral rights and their role within a moral theory, such as conflicts of rights, the relation of rights to utility and/or other values.

The second part of the module will look at the content of rights, and specifically contested types of rights or right-holders. Contested right-holders include non-human animals, future generations, and groups while contested types of right include socio-economic human rights, human rights against social deprivation etc.

### **Learning Outcomes:**

By the end of the module, the students are expected to

- be familiar with theories about the nature of rights and be able to apply them to different cases
- be able to critically examine different ascriptions of rights
- have an understanding of the potentially distinctive role that rights play within a moral theory, which in turn requires understanding the relationship between the deontic and the evaluative

### **Recommended Reading List**

Peter Jones – *Rights*

Kramer, M., Simmonds, N. & H. Steiner – *A debate over rights*

Wenar, L. – 'Rights', *Stanford encyclopaedia of philosophy*

### **Assessment:**

**10 ECTS**

**2 essays (25% each) worth 50% of the module**

**1 (2-hour) examination worth 50%**