



## Theories of Rights | PIU44104

|                          |  |
|--------------------------|--|
| Year                     | Senior Sophister                                 |
| ECTS Credits             | 5  |
| Contact Hours            | 22 (11 x 2-hour seminars)                        |
| Pre-requisite            | None   |
| Semester                 | 2  |
| Module Leader & Lecturer | Adina Preda                                      |
| Contact Email            | <a href="mailto:predaa@tcd.ie">predaa@tcd.ie</a> |

### Module Outline:

This module will examine some of the most important questions about moral rights using the tools of contemporary analytic legal, moral, and political philosophy. The first part of the module is more theoretical and examines the foundations of rights while the second is more applied.

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 rights: 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 (e.g. socio-economic human rights, human rights against social deprivation) or right-holders (e.g. non-human animals, future generations, and groups).

### Assessment:

1 Essays (end of module) 50%: 1 Examination (end of module) 50%.

### Recommended Reading List:

An extensive and detailed reading list will be made available at the start of the module. But among the essential readings for the early weeks of the course will be:

- Peter Jones (1994) *Rights*, London: MacMillan Press
- Kramer, M., Simmonds, N. & H. Steiner (1998) *A debate over rights*, Oxford University Press
- Wenar, L. – 'Rights', *Stanford encyclopaedia of philosophy*