

International Law/Public Law Seminar

The Moral Reality of Human Rights

Speaker: **Dr John Tasioulas**
Department of Philosophy, Oxford University

Date: Tuesday 16 March 2004
Time: 5.30-6.30pm
Place: Staff Library, Faculty of Law, Building 5
corner Fellows and East Roads, ANU

Dr Tasioulas is a Fellow and Tutor in Philosophy at Corpus Christi College, Oxford. His research interests are in ethics, philosophy of law and political philosophy.

His presentation will defend a version of the view that the existence of human rights falls to be decided by relatively pure moral reasoning rather than by a process that involves reference to institutional facts. More specifically, it is a question of whether certain interests are universal and have the significance needed to impose duties on others. On this picture, it is claimed, one can defend a human right to be free from severe poverty (HRP). This view is then defended against two broad objections: that it is an existence-condition of human rights that they be (a) enforceable and (b) claimable. Both theses, if true, would entail the non-existence of a HRP in the current state of the world, since such a right is neither enforceable nor claimable by all human beings.

Dr Tasioulas argues that both (a) and (b) should be rejected by an adherent of an interest-based account of rights. He then goes on to raise doubts about the need to take sides in the debate between proponents of interactional and institutional accounts of human rights: both theories, it is argued, place unnecessary conceptual restrictions on the deontic implications of human rights.

Enquiries

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