

Human Rights Human Dignity And Cosmopolitan Ideals Essays On Critical Theory And Human Rights Rethinking Political And International Theory

How do we determine right from wrong? Conscience illuminates the answer through science and philosophy. In her brilliant work *Touching a Nerve*, Patricia S. Churchland, the distinguished founder of neurophilosophy, drew from scientific research on the brain to understand its philosophical and ethical implications for identity, consciousness, free will, and memory. In *Conscience*, she explores how moral systems arise from our physical selves in combination with environmental demands. All social groups have ideals for behavior, even though ethics vary among different cultures and among individuals within each culture. In trying to understand why, Churchland brings together an understanding of the influences of nature and nurture. She looks to evolution to elucidate how, from birth, our brains are configured to form bonds, to cooperate, and to care. She shows how children grow up in society to learn, through repetition and rewards, the norms, values, and behavior that their parents embrace. Conscience delves into scientific studies, particularly the fascinating work on twins, to deepen our understanding of whether people have a predisposition to embrace specific ethical stands. Research on psychopaths illuminates the knowledge about those who abide by no moral system and the explanations science gives for these disturbing individuals. Churchland then turns to philosophy—that of Socrates, Aquinas, and contemporary thinkers like Owen Flanagan—to explore why morality is central to all societies, how it is transmitted through the generations, and why different cultures live by different morals. Her unparalleled ability to join ideas rarely put into dialogue brings light to a subject that speaks to the meaning of being human.

The language of human rights has become the public vocabulary of our contemporary world. Ironically, as the political influence of human rights has grown, their philosophical justification has become ever more controversial. Building on a theory of discourse ethics and communicative rationality, this book addresses the politics and philosophy of human rights against the background of the broader social transformations that are shaping the modern world. Rejecting the reduction of international human rights to the Trojan horse of a neo-liberal empire's bid for world power, as well as the conservative objections to legal cosmopolitanism as encroachments upon democratic sovereignty, Benhabib develops two key concepts to move beyond these false antitheses. International human rights norms need contextualization in specific polities through processes of what she calls 'democratic iterations.' Furthermore, such norms have a 'jurisgenerative power,' in that they enable new actors to enter fields of social and political contestation; they promote new vocabularies for public claim-making and anticipate a justice to come. Ranging over themes such as sovereignty, citizenship, genocide, European anti-semitism, the crisis of the nation-state, and the 'scarf affair' in contemporary Europe and Turkey, this major new book by one of our leading political theorists reflects upon the political transformations of our times and makes a compelling case for a cosmopolitanism without illusions.

Contains a detailed argument for the truth of Christianity based on legal evidence. "Tackles the tricky subject of human rights . . . with legal precision and theological acuity." (Dr. Harold O. J. Brown) "This book is vintage Montgomery . . . Anyone interested in the justification of human rights or the relationship between law and religion will find many ideas, arguments, and issues to challenge them." (Prof. Irving Hexham, University of Calgary)

The book provides the historical setting of Turkey related to the development of democracy, human rights issues, the treatment of cultural and ethnic minorities, and the short- and long-term consequences of the crackdown including impacts on individuals, institutions like education and the media, the criminal justice system, the economy, and Turkey's standing in the international community. Since the foundation of the Republic of Turkey, the military and the media have been the main traditional powers of oppressive, secularist, and nationalist regimes in the country. After a period of initial reforms, rather than eliminating the structures of the authoritarian state, Recep Tayyip Erdoğan seized the levers of power and used them aggressively against his political enemies. He turned Turkey into a one-man regime after the failed coup attempt on July 15, 2016, and his actions included the widespread violation of human rights. This book tells the tale of the consequences of the measures taken after the failed coup attempt that have adversely impacted the development of democracy and human rights in Turkey, altering the nation's course of history. Beginning with a State of Emergency that was declared in July of 2016, Turkey has moved to a more authoritarian state. Among the consequences of the actions taken have been imprisonment of hundreds of thousands, the shuttering of media, the dismissal of public employees, the dismissal of academics, jailed elected Kurdish politicians, and the misuse of the criminal justice to victimize the population. Adverse effects have included widespread violations of human rights, torture, and mistreatment of prisoners, false imprisonment, and the absence of the right to a fair trial. This book examines some of the thorniest questions of Turkish democratization and human rights, including the underlying reasons for the decay of democracy and what has happened as a result of this decay. Among these is a deterioration of the educational system, a reduction in economic stability, the absence of the rule of law and due process, a radical transformation of the country, and violations of universal human rights.

Philosophical interest in disability is rapidly expanding. Philosophers are beginning to grasp the complexity of disability—as a category, with respect to well-being and as a marker of identity. However, the philosophical literature on justice and human rights has often been limited in scope and somewhat abstract. Not enough sustained attention has been paid to the concrete claims made by people with disabilities, concerning their human rights, their legal entitlements and their access to important goods, services and resources. This book discusses how effectively philosophical approaches to distributive justice and human rights can support these concrete claims. It argues that these approaches often fail to lend clear support to common disability demands, revealing both the limitations of existing philosophical theories and the inflated nature of some of these demands. Moving beyond entitlements, the author also develops a unique conception of dignity, which she argues illuminates the specific indignities experienced by people with disabilities in the allocation of goods, in the common experience of discrimination and in a wide range of interpersonal interactions. Disability with Dignity offers an accessible and extended philosophical discussion of disability, justice and human rights. It provides a comprehensive assessment of the benefits and pitfalls of theories of human rights and justice for advancing justice for the disabled. It brings the moral importance of dignity to the centre, arguing that justice must be pursued in a way that preserves and promotes the dignity of people with disabilities.

This book argues that the idea of human rights is not exclusively religious, but that its realization in practice requires urgent action on the part of people of all faiths, and of none. Acknowledging the ambiguous moral legacy of their own tradition, Christianity, the authors draw on christological themes to draft blueprints for a culturally sensitive "theology of human rights."

The Universal Declaration of Human Rights establishes that everyone's dignity and freedom to develop as a person are secured through economic, social and cultural rights. This volume examines the origins of the article of the Declaration that introduced the purpose of economic, social and cultural rights in this way and recognized that every member of society is entitled to their realization through national effort and international cooperation. The article's concepts have been the subject of significant articulation and interpretation. Accordingly, the book analyzes the meaning and application of economic, social and cultural rights and the nature of the related obligations developed in the International Covenant on Economic, Social, and Cultural Rights and other international instruments. The book also explores the contribution of the article's legal concepts to philosophical theories of social justice and increasingly to the practice expected of States, individually and in cooperation with international organizations and non-state actors in development and other activities. This volume should provide a convenient tool for human rights advocates, practitioners, lawyers, scholars, and others involved with and interested in the role of human rights in seeking economic, social and cultural security for all.

Connecting three generations of critical theorists, this edited collection focuses on the mutual complementarity between the concept of "human dignity" and the theory and practice of human rights. Human dignity has recently emerged as a controversial theme in the philosophy of human rights and has become the subject of a growing debate involving theological, political, juridical, moral, and biomedical perspectives. Previously, interpretations of this concept took for granted specific definitions of this term without accounting for the perspective offered by a "Critical Theory of Human Rights." This interdisciplinary perspective relies on a tradition that goes from Immanuel Kant to Jürgen Habermas, influences new generations, and sheds more light on how human dignity is used (and abused) in contemporary discourses. Based on this tradition, the contributors sustain an engaged discussion of the topic and address issues such as domination, colonialism, multiculturalism, globalization, and cosmopolitanism. Informed by different contexts, each author offers a unique contribution to distinctive aspects of the necessary internal correlation between human dignity and human rights. This book will be of interest to students and researchers in human rights in Europe, North America, and Latin America and readers in the areas of political science, philosophy, sociology, law, and international relations.

[Coercion and the Law](#)

[Human Rights and Constitutionalism in Europe](#)

[The Basic Policies of an International Law of Human Dignity](#)

[Conscience: The Origins of Moral Intuition](#)

[Casebook on Human Dignity and Human Rights](#)

[Hannah Arendt and the Fragility of Human Dignity](#)

[Human Rights and World Public Order](#)

[The Cambridge Handbook of Human Dignity](#)

[Natural Law and Human Dignity](#)

[Dignity Rights](#)

[Free Speech and Human Dignity](#)

[Dignity, Degrading Treatment and Torture in Human Rights Law](#)

This book explores human dignity, human rights and social justice based on a Chinese interdisciplinary dialogue and global perspectives. In the Chinese and other global contexts today, social justice has been a significant topic among many disciplines and we believe it is an appropriate topic for philosophers, theologians, legal scholars, and social scientists to sit together, discuss, enrich each other, and then deepen our understanding of the topic.

Many of them are concerned with the conjuncture between social justice, human rights, and human dignity. The questions this volume asks are: what's the place of human rights in social justice? How is human dignity important in the discourse on human rights? And, through these inquiries, we ask further: how is possible to achieve humanist justice? This volume presents the significance, challenges, and constraints of human dignity in human rights and social justice and addresses the questions through philosophical, theological, sociological, political, and legal perspectives and these are placed in dialogue between the Chinese and other global settings. We are concerned with the norms regarding human dignity, human rights and social justice while we take seriously into account their practice. This volume consists of two main sections. The first section examines Chinese perspectives on human rights and social justice, in which both from Confucianism and Christianity are considered and the issues such as patriotism, religious freedom, petition, social protest, the rights of marginalized people, and sexual violence are studied. The second section presents the perspectives of Christian public theologians in the global contexts. They examine the influence of Christian thought and practice in the issues of human rights and social justice descriptively and prescriptively and address issues such as religious laws and rights, diaconia, majoritarianism, general equality, social-economic disparities, and climate justice from global perspectives including in the contexts of America, Australia, Israel and Europe. With contributions by experts from mainland China, Hong Kong, South Korea, Australia, New Zealand, the UK, USA and Norway, the book provides valuable cross-cultural and interdisciplinary insights and perspectives. As such it will appeal to political and religious leaders and practitioners, particularly those working in socially engaged religious and civil organizations in various geopolitical contexts, including the Korean Peninsula and Japan.

The 21st century has witnessed a proliferation of international institutions, including traditional intergovernmental organizations, non-governmental organizations, private sector entities, and other partnerships. The premise of this anthology is that these institutions need a common, animating principle in the service of the person, which is the ultimate end of global politics. The concept of human dignity, the editors claim, serves this purpose and transcends the seemingly intractable conflicts in human rights debates: political rights v. social and economic rights. Conceptually, human dignity rests on two principles: exercising agency to realize one's potential, and recognition by society of one's worth. In light of this formulation of human dignity, the anthology has two purposes: First, contributors will examine the degree to which traditional and emerging institutions are already advancing human dignity as a central mission. Second, in the spirit of developing best practices and prescriptive recommendations, contributors will identify strategies, methods, and modalities to make human dignity more central to the work of global institutions.

Focusing on contemporary debates in philosophy and legal theory, this ground-breaking book provides a compelling enquiry into the nature of human dignity. The author not only illustrates that dignity is a concept that can extend our understanding of our environmental impacts and duties, but also highlights how our reliance on and relatedness to the environment further extends and enhances our understanding of dignity itself.

This book makes a significant contribution to the on-going international dialogue on the meaning of concepts such as human rights, humanity, and cosmopolitanism. The authors propose a new agenda for research into a Critical Theory of Human Rights. Each chapter pursues three goals: to reconstruct modern philosophical theories that have contributed to our views on human rights; to highlight the importance of humanity and human dignity as a complementary dimension to liberal rights; and, finally, to integrate these issues more directly in contemporary discussions about cosmopolitanism. The authors not only present multicultural perspectives on how to rethink political and international theory in terms of the normativity of human rights, but also promote an international dialogue on the prospects for a critical theory of human rights discourses in the 21st century.

This timely collection brings together a diverse array of field-leading contributors in order to offer an interdisciplinary investigation into a discourse, research, and action agenda in pursuit of the universal application of human dignity.

Debates over hate speech, pornography, and other sorts of controversial speech raise issues that go to the core of the First Amendment. Supporters of regulation argue that these forms of expression cause serious injury to individuals and groups, assault

A novel and multidisciplinary exposition and theorization of human dignity and rights, brought to bear on current issues in bioethics and biolaw. "Human dignity" has been enshrined in international agreements and national constitutions as a fundamental human right. The World Medical Association calls on physicians to respect human dignity and to discharge their duties with dignity. And yet human dignity is a term—like love, hope, and justice—that is intuitively grasped but never clearly defined. Some ethicists and bioethicists dismiss it; other thinkers point to its use in the service of particular ideologies. In this book, Michael Barilan offers an urgently needed, nonideological, and thorough conceptual clarification of human dignity and human rights, relating these ideas to current issues in ethics, law, and bioethics. Combining social history, history of ideas, moral theology, applied ethics, and political theory, Barilan tells the story of human dignity as a background moral ethos to human rights. After setting the problem in its scholarly context, he offers a hermeneutics of the formative texts on *Imago Dei*; provides a philosophical explication of the value of human dignity and of vulnerability; presents a comprehensive theory of human rights from a natural, humanist perspective; explores issues of moral status; and examines the value of responsibility as a link between virtue ethics and human dignity and rights. Barilan accompanies his theoretical claim with numerous practical illustrations, linking his theory to such issues in bioethics as end-of-life care, cloning, abortion, torture, treatment of the mentally incapacitated, the right to health care, the human organ market, disability and notions of difference, and privacy, highlighting many relevant legal aspects in constitutional and humanitarian law.

Readership: This book would be suitable for students, academics and scholars of law, philosophy, politics, international relations and economics

[Dignity, Mental Health and Human Rights](#)

[Human Rights and Human Dignity](#)

[Human Rights Frameworks for Health and Why They Matter](#)

[Assaults on Human Dignity](#)

[The Ends of Article 3 of the European Convention on Human Rights](#)

[Christianity and the Global Struggle for Human Dignity](#)

[Power, Suffering, and the Struggle for Dignity](#)

[Justice, Human Rights and Equal Status](#)

[A Critical Legal Argument](#)

[Interdisciplinary Perspectives](#)

[Human Rights in Troubled Times](#)

[Human Rights in Turkey](#)

Directed at a diverse audience of students, legal and public health practitioners, and anyone interested in understanding what human rights-based approaches (HRBAs) to health and development mean and why they matter, this book provides a solid foundation for comprehending what a human rights framework implies and the potential for social transformation it entails.

Ernst Bloch was one of the most original and influential of contemporary European thinkers, leaving his mark in fields ranging from philosophy and social theory to aesthetics and theology. This book represents a unique attempt to reconcile the traditional oppositions of the natural law and social utopian traditions, providing basic insights into the meaning of human rights in a socialist society.

This volume presents essays on the place of "dignity" or "human dignity" in the moral and juridical universe of the U.S. Constitution. It is dedicated to William J. Brennan, Jr., whose tenure as a Supreme Court associate justice marks the high point of efforts to include the idea of dignity as "implicit in the scheme of ordered liberty" that is part "of the deepest held conviction of a civilized people." The essays are of two kinds: efforts to define human dignity, or studies of human dignity as a principle in the structure of liberty found in the Bill of Rights and the Civil War amendments. The essays argue for the recognition of the idea of dignity as part of the very foundation of the constitution of rights, liberties, and obligations celebrated in the 1991 bicentennial of the Bill of Rights. An exception is a vintage piece by Raoul Berger, in which he rejects Brennan's approach to constitutional interpretation. ISBN 0-8014-2650-2. \$32.50.

*Over the past fifty years, debates about human rights have assumed an increasingly prominent place in postcolonial literature and theory. Writers from Salman Rushdie to Nawal El Saadawi have used the novel to explore both the possibilities and challenges of enacting and protecting human rights, particularly in the Global South. In Fictions of Dignity, Elizabeth S. Anker shows how the dual enabling fictions of human dignity and bodily integrity contribute to an anxiety about the body that helps to explain many of the contemporary and historical failures of human rights, revealing why and how lives are excluded from human rights protections along the lines of race, gender, class, disability, and species membership. In the process, Anker examines the vital work performed by a particular kind of narrative imagination in fostering respect for human rights. Drawing on phenomenology, Anker suggests how an embodied politics of reading might restore a vital fleshiness to the overly abstract, decorporealized subject of liberal rights. Each of the novels Anker examines approaches human rights in terms of limits and paradoxes. Rushdie's *Midnight's Children* addresses the obstacles to incorporating rights into a formerly colonized nation's legal culture. El Saadawi's *Woman at Point Zero* takes up controversies over women's freedoms in Islamic society. In *Disgrace*, J. M. Coetzee considers the disappointments of post-apartheid reconciliation in South Africa. And in *The God of Small Things*, Arundhati Roy confronts an array of human rights abuses widespread in contemporary India. Each of these literary case studies further demonstrates the relevance of embodiment to both comprehending and redressing the failures of human rights, even while those narratives refuse simplistic ideals or solutions.*

Human dignity is now a central feature of many modern constitutions and international documents. As a constitutional value, human dignity involves a person's free will, autonomy, and ability to write a life story within the framework of society. As a constitutional right, it gives full expression to the value of human dignity, subject to the specific demands of constitutional architecture. This analytical study of human dignity as both a constitutional value and a constitutional right adopts a legal-interpretive perspective. It explores the sources of human dignity as a legal concept, its role in constitutional documents, its content, and its scope. The analysis is augmented by examples from comparative legal experience, including chapters devoted to the role of human dignity in American, Canadian, German, South African, and Israeli constitutional law.

Society and Law: Grit Kamir

The right to dignity is now recognized in most of the world's constitutions, and hardly a new constitution is adopted without it. Over the last sixty years, courts in Latin America, Europe, Asia, Africa, the Middle East, and North America have developed a robust jurisprudence of dignity on subjects as diverse as health care, imprisonment, privacy, education, culture, the environment, sexuality, and death. As the range and growing number of cases about dignity attest, it is invoked and recognized by courts far more frequently than other constitutional guarantees. Dignity Rights is the first book to explore the constitutional law of dignity around the world. Erin Daly shows how dignity has come not only to define specific interests like the right to humane treatment or to earn a living wage, but also to protect the basic rights of a person to control his or her own

life and to live in society with others. Daly argues that, through the right to dignity, courts are redefining what it means to be human in the modern world. As described by the courts, the scope of dignity rights marks the outer boundaries of state power, limiting state authority to meet the demands of human dignity. As a result, these cases force us to reexamine the relationship between the individual and the state and, in turn, contribute to a new and richer understanding of the role of the citizen in modern democracies.

In recent years, there has been an explosion of writing on the topic of human dignity across a plethora of different academic disciplines. Despite this explosion of interest, there is one group – critical legal scholars – that has devoted little if any attention to human dignity. This book argues that these scholars should attend to human dignity, a concept rich enough to support a whole range of progressive ambitions, particularly in the field of international law. It synthesizes certain liberal arguments about the good of self-authorship with the critical legal philosophy of Roberto Unger and the capabilities approach to agency of Amartya Sen, to formulate a unique conception of human dignity. The author argues how human dignity flows from an individual's capacity for self-authorship as defined by the set of expressive capabilities s/he possesses, and the book demonstrates how this conception can enrich our understanding of international human rights law by making the amplification of human dignity its fundamental orientation.

[Securing Dignity and Freedom Through Human Rights](#)

[The Constitution of Rights](#)

[Dignity as a Human Right?](#)

[Philosophical Foundations of Human Rights](#)

[Perspectives from a Critical Theory of Human Rights](#)

[Courts, Constitutions, and the Worth of the Human Person](#)

[Human Dignity and the Future of Global Institutions](#)

[Article 22 of the Universal Declaration of Human Rights](#)

[Human Rights, Human Dignity, and Cosmopolitan Ideals](#)

[The New Language of Global Bioethics and Biolaw](#)

[The Age of Dignity](#)

[Human Dignity and American Values](#)

Why are all persons due equal respect? Andrea Sangiovanni rejects the view that human dignity is grounded in our capacities for reason, love, etc. Rather than focus on the basis for equality, we should focus on inequality: Why and when is it wrong to treat others as inferior? Moral equality, he writes, is best explained by a rejection of cruelty.

Professor John Douglas Macready offers a post-foundational account of human dignity by way of a reconstructive reading of Hannah Arendt. He argues that Arendt's experience of political violence and genocide in the twentieth century, as well as her experience as a stateless person, led her to rethink human dignity as an intersubjective event of political experience. By tracing the contours of Arendt's thoughts on human dignity, Professor Macready offers convincing evidence that Arendt was engaged in retrieving the political experience that gave rise to the concept of human dignity in order to move beyond the traditional accounts of human dignity that relied principally on the status and stature of human beings. This allowed Arendt to retrofit the concept for a new political landscape and reconceive human dignity in terms of stance—how human beings stand in relationship to one another. Professor Macready elucidates Arendt's latent political ontology as a resource for developing strictly political account of human dignity hat he calls conditional dignity—the view that human dignity is dependent on political action, namely, the preservation and expression of dignity by the person, and/or the recognition by the political community. He argues that it is precisely this “right” to have a place in the world—the right to belong to a political community and never to be reduced to the status of stateless animality—that indicates the political meaning of human dignity in Arendt's political philosophy.

Although scholars have shown longstanding interest in the boundaries of interpretation of the right not to be subjected to torture and other prohibited harm, the existing body of work does not sufficiently reflect the significance of the interpretive scope of degrading treatment. This book argues that the degrading treatment element of the right is a crucial site of analysis, in itself and for understanding the parameters of the right as a whole. It addresses how, methodologically, the scope of meaning and application of the right not to be subjected to degrading treatment should best be identified and considers the implications thereof. It systematically examines the diverse aspects of degrading treatment's scope, from foundations of legal interpretation to the drivers of humiliation. It draws on wide-ranging literature and extensive analysis of more than 1,500 judgments of the European Court of Human Rights, which has pioneered the right's interpretive growth. The book aims to explore how the interpretive possibilities, and limits, of the right not to be subjected to degrading treatment turn upon the axes of human dignity and state responsibility, and aims to show how this right's protection can be achieved as well as limited through processes of interpretation. Dignity, Degrading Treatment and Torture in Human Rights Law provides interpreters with analytical tools to advance the application of the right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment in international, regional and domestic human rights law. It will appeal to all who have an interest in understanding the right's meaning, development, and potential scope of application, as well as those with an interest in methodologies of human rights interpretation.

Human dignity is one of the most challenging and exciting ideas for lawyers and political philosophers in the twenty-first century. Even though it is rapidly emerging as a core concept across legal systems, and is the first foundational value of the European Union and its overarching human rights commitment under the Lisbon Treaty, human dignity is still little understood and often mistrusted. Based on extensive comparative and cross-disciplinary research, this path-breaking monograph provides an innovative and critical investigation of human dignity's origins, development and above all its potential at the heart of European constitutionalism today. Grounding its analysis in the connections among human dignity, human rights, constitutional law and democracy, this book argues that human dignity's varied and increasing uses point to a deep transformation of European constitutionalism. At its heart are the construction and protection of constitutional time, and the multi-dimensional definition of humanity as human beings, citizens and workers. Anchored in a detailed comparative study of case law, including the two European supranational courts and domestic constitutional courts, especially those of Germany, the UK, France and Hungary, this monograph argues for a new understanding of European constitutionalism as a form of humanism.

This book examines the place of human dignity as a normative standard, principle, or right in domestic and global health care decision-making. The contentious issue of end-of-life care serves the foundation of the analysis of human dignity as a human right.

This introduction to human dignity explores the history of the notion from antiquity to the nineteenth century, and the way in which dignity is conceptualised in non-Western contexts. Building on this, it addresses a range of systematic conceptualisations, considers the theoretical and legal conditions for human dignity as a useful notion and analyses a number of philosophical and conceptual approaches to dignity. Finally, the book introduces current debates, paying particular attention to the legal implementation, human rights, justice and conflicts, medicine and bioethics, and provides an explicit systematic framework for discussing human dignity. Adopting a wide range of perspectives and taking into account numerous cultures and contexts, this handbook is a valuable resource for students, scholars and professionals working in philosophy, law, history and theology.

Adopting an interdisciplinary perspective, this volume explores the reality of the principle of human dignity – a core value which is increasingly invoked in our societies and legal systems. This book provides a systematic overview of the legal and philosophical concept in sixteen countries representing different cultural and religious contexts and examines in particular its use in a developing case law (including of the European Court of Human Rights and of the Inter-American Court of Human Rights). Whilst omnipresent in the context of bioethics, this book reveals its wider use in healthcare more generally, treatment of prisoners, education, employment, and matters of life and death in many countries. In this unique comparative work, contributing authors share a multidisciplinary analysis of the use (and potential misuse) of the principle of dignity in Europe, Africa, South and North America and Asia. By revealing the ambivalence of human dignity in a wide range of cultures and contexts and through the evolving reality of case law, this book is a valuable resource for students, scholars and professionals working in bioethics, medicine, social sciences and law. Ultimately, it will make all those who invoke the principle of human dignity more aware of its multi-layered character and force us all to reflect on its ability to further social justice within our societies.

In this book I argue for an approach that conceives human rights as both moral and legal rights. The merit of such an approach is its capacity to understand human rights more in terms of the kind of world free and reasonable beings would like to live in rather than simply in terms of what each individual is legally entitled to. While I acknowledge that every human being has the moral entitlement to be granted living conditions that are conducive to a dignified life, I maintain, at the same time, that the moral and legal aspects of human rights are complementary and should be given equal weight. The legal aspect compensates for the limitations of moral human rights the observance of which depends on the conscience of the individual, and the moral aspect tempers the mechanical and inhumane application of the law. Unlike the traditional or orthodox approach, which conceives human rights as rights that individuals have by virtue of their humanity, and the political or practical approach, which understands human rights as legal rights that are meant to limit the sovereignty of the state, the moral-legal approach reconciles law and morality in human rights discourse and underlines the importance of a legal framework that compensates for the deficiencies in the implementation of moral human rights. It not only challenges the exclusively negative approach to fundamental liberties but also emphasizes the necessity of an enforcement mechanism that helps those who are not morally motivated to refrain from violating the rights of others. Without the legal mechanism of enforcement, the understanding of human rights would be reduced to simply framing moral claims against injustices. From the moral-legal approach, the protection of human rights is understood as a common and shared responsibility. Such a responsibility goes beyond the boundaries of nation-states and requires the establishment of a cosmopolitan human rights regime based on the conviction that all human beings are members of a community of fate and that they share common values which transcend the limits of their individual states. In a cosmopolitan human rights regime, people are protected as persons and not as citizens of a particular state.

[Universal Declaration of Human Rights](#)

[Humanity Without Dignity](#)

[A Chinese Interdisciplinary Dialogue with Global Perspective](#)

[The Oxford Handbook of International Human Rights Law](#)

[Human Dignity and Human Rights](#)

[Human Dignity, Human Rights, and Responsibility](#)

[Moral Equality, Respect, and Human Rights](#)

[Concept of Human Dignity in Human Rights Discourse](#)

[Dignity in Adversity](#)

[Comparative Perspectives](#)

[Faith and Human Rights](#)

[Human Dignity, Human Rights, and Social Justice](#)

In 1980, Professors McDougal, Lasswell, and Chen published the original edition of Human Rights and World Public Order to present a "comprehensive framework of inquiry" from which to approach international human rights law, and international law, and inadequacies therein in the discourse of that time by combining theme, structure, method, and process. As a classic text of the New Haven School of International Law, this book explores human rights and international law in the broadest sense, taking into account social sciences research while embracing all values secured, or consequently fulfilled, or needed to thus be achieved. The book endured as a lasting contribution that reframed human rights within the New Haven School tradition, and as a magnificent work of scholarship freed from the confines of positivism and the static concerns of any one political or historical period. Co-author Lung-chu Chen spearheaded the re-issuance of this venerable title, complete with a contemporary, fresh Introduction to unveil this work to a new generation of scholars, students, and practitioners of international law and human rights. This Introduction surveys the major developments in human rights since 1980, including many doctrines and concepts that have emerged since. It covers contemporary events to provide today's readers with the opportunity to contextualize the chapters and to apply the book's framework to future endeavors.

Human dignity: social movements invoke it, several national constitutions enshrine it, and it features prominently in international human rights documents. But what is human dignity, why is it important, and what is its relationship to human rights? This book offers a sophisticated and comprehensive defence of the view that human dignity is the moral heart of human rights. First, it clarifies the network of concepts associated with dignity. Paramount within this network is a core notion of human dignity as an inherent, non-instrumental, egalitarian, and high-priority normative status of human persons. People have this status in virtue of their valuable human capacities rather than as a result of their national origin and other conventional features. Second, it shows how human dignity gives rise to an inspiring ideal of solidaristic empowerment, which calls us to support people's pursuit of a flourishing life by affirming both negative duties not to block or destroy, and positive duties to protect and facilitate, the development and exercise of the valuable capacities at the basis of their dignity. The most urgent of these duties are correlative to human rights. Third, this book illustrates how the proposed dignitarian approach allows us to articulate the content, justification, and feasible implementation of specific human rights, including contested ones, such as the rights to democratic political participation and to decent labour conditions. Finally, this book's dignitarian approach helps illuminate the arc of humanist justice, identifying both the difference and the continuity between the basic requirements of human rights and more expansive requirements of social justice such as those defended by liberal egalitarians and democratic socialists. Human dignity is indeed the moral heart of human rights. Understanding it enables us to defend human rights as the urgent ethical and political project that puts humanity first.

This book explores the human rights consequences of recent and ongoing revisions of mental health legislation in England and Ireland. Presenting a critical discussion of the World Health Organization's 'Checklist on Mental Health Legislation' from its Resource Book on Mental Health, Human Rights and Legislation, the author uses this checklist as a frame-work for analysis to examine the extent to which mental health legislation complies with the WHO human rights standards. The author also examines recent case-law from the European Court of Human Rights, and looks in depth at the implications of the United Nations Convention on the Rights of Persons with Disabilities for mental health law in England and Ireland. Focusing on dignity, human rights and mental health law, the work sets out to determine to what extent, if any, human rights concerns have influenced recent revisions of mental health legislation, and to what extent recent developments in mental health law have assisted in protecting and promoting the human rights of the mentally ill. The author seeks to articulate better, clearer and more connected ways to protect and promote the rights of the mentally ill though both law and policy.

The Oxford Handbook of International Human Rights Law provides an authoritative and original overview of one of the key branches of international law. Forty contributors comprehensively analyse the role of human rights in international law from a global perspective, examining its origins and principles, and measuring its impact on the world.

[Making Human Dignity Central to International Human Rights Law](#)

[Interdisciplinary Perspectives on Human Dignity and Human Rights](#)

[Disability with Dignity](#)

[Beyond the Habermasian Account of Human Rights](#)

[Reconciling Law and Morality in Human Rights Discourse](#)

[The Constitutional Value and the Constitutional Right](#)

[Human Dignity and the Adjudication of Environmental Rights](#)

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