

William O'Neill, S.J.
RSCE 4675 Thick or Thin? Ethical Criticism
Tuesday: 2:10-5:00 pm
CDSP 116

Fall 2006

The recognition of cultural, historical, and religious *difference* poses a perennial, yet particularly salient question for our study of ethical methodology. Conceived "thinly," i.e., as a set of universal (or universalizable) rules, precepts, or ideals, morality often seems chimerical. For many would concur with Philippa Foot that our moral codes derive their justification not from person, time, and place invariant norms, but rather from the "subjectively and conditionally necessary" aims of social living. Our appeals to universal or common warrants are but the "simulacra" of morality, in Alasdair MacIntyre's terms: "We continue to use many of the key expressions. But we have--very largely, if not entirely--lost our comprehension, both theoretical and practical, of morality." For MacIntyre, as for Richard Rorty, the discourse of "human rights" is thus finally fictitious, one with belief "in witches and unicorns."

Such sentiments inspire "thick" religious interpretations of morality--Stanley Hauerwas, for instance, contends that any attempt to establish a "universal ethic grounded in human nature per se" fails "to appreciate that there is no universal morality, but that in fact we live in a fragmented world of many moralities." Christian ethics is confined to an essentially "intramural" conversation; for we can no longer "claim that we can know the content of (Christian ethics) by looking at the human." The problematic defined by the quest for (or critique of) a common morality forms the backdrop of many of the questions raised in constructive Christian ethics or moral theology, e.g., whether respect for cultural *difference or particularity* in discussions of "multiculturalism" presupposes a *universal* rule of tolerance (and if so, how such a rule is to be justified); whether the discourse of human rights is consistent with differing cultural construals of the normatively human; whether claims for the hermeneutically privileged role of feminist and liberationist methodologies is consonant with the ideal of the *common* good; and whether distinctively or specifically Christian attitudes and beliefs can sustain a non-sectarian morality.

Our bibliography is drawn, in part, from the Comprehensive Reading List for Area IV Doctoral Students. Expectations: In addition to regular participation, each member of the seminar will be expected to lead one seminar session and complete a 20 pg. research paper, due the final week of class. In the seminar, the first hour will be devoted to a critical reconstruction of the text, i.e., (i) an analysis of the principal arguments advanced and (ii) a criticism of their coherence and adequacy. The seminar leader should then propose two or three pertinent questions for common discussion in the next hour. We will conclude with a prelection of the following week's readings.

Syllabus (tentative)

Part I: Introduction

Sept. 5th: The Scope and Limits of Moral Discourse: Methodological Considerations

(Sept. 12th, no class meeting; prepare Michael Walzer, Thick and Thin)

Part II: Philosophical and Theological Perspectives:

Sept. 19th: Walzer, Thick and Thin

Sept. 26th: Ethics and Inculturation: Gene Outka, John Reeder, eds., Prospects for a Common Morality : "Introduction"; Gewirth "Common Morality and the Community of Rights"; Donagan, "Common Morality and Kant's Enlightenment Project"; Farley, "Feminism and Universal Morality," Reeder, "Foundations without Foundationalism," Stout, "On Having a Morality in Common"; Rorty, "The Priority of Democracy to Philosophy," and "Truth and Freedom: A Reply to Thomas McCarthy"

Oct. 3rd: MacIntyre, After Virtue, 1-120

(Oct. 10th: no class meeting; *class rescheduled*: MacIntyre, After Virtue, 121-278)

Oct. 17th: Stanley Hauerwas, A Community of Character

Oct. 23rd - 27th: *Reading Week*

Nov. 7th: Jürgen Habermas, Moral Consciousness and Communicative Action, vii-115

Nov. 14th: Habermas, Moral Consciousness and Communicative Action, 116-215.

Nov. 21st: Seyla Benhabib, The Rights of Others

Nov. 28th: Martha Nussbaum, Women and Human Development

Part III: Conclusions:

Dec. 5th, 12th: Concluding Reflections and Student Presentations

William O'Neill, S.J. JSTB
 Mondays/Thursdays: 9:40am-11:00am
 CDSP 116

This course will explore contested moral issues in light of the modern rhetoric of human rights. We will consider the nature, scope, and limits of human rights discourse; assess principal modern and postmodern criticisms of human rights; and address the issues of immigration and refugee policy; domestic and global poverty; humanitarian intervention, et al. We will likewise consider the role and limits of religious belief in human rights advocacy in the public sphere. (An introductory course in moral theology or Christian ethics is presumed.) Students should become familiar with human rights theory, central issues raised by human rights, and fundamental criticisms raised with respect to the theory and practice of rights.

Requirements: Informed discussion and participation in the daily sessions, a 4-5 page midterm applying the notion of human rights as expressed in the student's religious tradition to a particular case, and a final 10-15 page essay on the topic of human rights and an issue of your choice. (This may consist in a development of the midterm essay, a more theoretical treatment, or the application of our reflections upon rights to a particular form of ministry: e.g., the development of a lesson plan for high school curriculum, a series of homilies on pertinent Scriptural texts, etc.)

Texts:

Donnelly, Jack. Universal Human Rights, 2d. ed.. Ithaca and London: Cornell University Press, 2003.

Gewirth, Alan. The Community of Rights. Chicago: University of Chicago Press, 1996.

Glendon, Mary Ann. A World Made New. New York: Random House, 2001.

Nussbaum, Martha and Jonathan Glover, eds. Women, Culture, and Development. Oxford: Clarendon Press, 1995.

Outka, Gene and John P. Reeder, eds. Prospects for A Common Morality. Princeton: Princeton University Press, 1993.

Shue, Henry. Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy. 2d ed. Princeton, N.J.: Princeton University Press, 1996.

Timmerman, Jacobo. Prisoner without a Name, Cell without a Number

Other assigned and recommended texts will be available at the Jesuit School, 1735 Scenic Ave.

SYLLABUS (subject to revision)

Part I: Introduction

Sept. 7th: Introduction to the Course

Sept. 11th (No class meeting; prepare Timmerman, Prisoner without a Name, Cell without a Number)

Sept. 14th: Timmerman, Prisoner without a Name, Cell without a Number

Part II: Defining the Problematic: History and Analysis of Rights Discourse

Sept. 18th: John Mahoney, "The Basis of Human Rights" in Moral Theology: Challenges for the Future (available at Alma)

Sept. 21st: (No class meeting; prepare Mary Ann Glendon, A World Made New,

Sept. 25th: Glendon, A World Made New, xv-122.

Sept. 28th: Glendon, A World Made New, 123-241.

Part III: Elaborating the Problematic: Nature, Scope, and Limits of Rights Discourse: Domestic and Global Poverty, Humanitarian Intervention, Genocide

Oct. 2nd Alan Gewirth, The Community of Rights, pp. 1-30.

Oct. 5th: Gewirth, The Community of Rights, pp. 31-70.

Oct. 9th: Gewirth, The Community of Rights, pp. 71-105.

Oct. 12th: Guest Lecture:

Oct. 16th: (No class meeting; review)

Oct. 19th: Gewirth, The Community of Rights, pp. 106-165.

Oct. 23rd -27th: *Reading Week*

Oct. 30th: Jack Donnelly, Universal Human Rights in Theory and Practice, 1-37.
Midterm case study due.

Nov. 2nd: Donnelly, Universal Human Rights in Theory and Practice, 38-70.

Nov. 6th: Donnelly, Universal Human Rights in Theory and Practice, 127-181.

Nov. 9th: Donnelly, Universal Human Rights in Theory and Practice, 185-260.
(Genocide, Humanitarian Intervention)

Part IV: Elaborating the Problematic 2: The Case for Social and Economic Rights: Global and Domestic Hunger

Nov. 13th: Henry Shue, Basic Rights, ix-64.

Nov. 16th: Shue, Basic Rights, 65-152.

Part V: Visions and Revisions: The Implications of Cultural Critique and Women's Rights as Human Rights

Nov. 20th: Martha Nussbaum, "Introduction," and "Human Capabilities, Female Human Beings" with Commentary by Susan Wolf in Women, Culture, and Development.

Nov. 23rd: Jonathan Glover, "The Research Programme of Development Ethics," David Crocker, "Functioning and Capability: The Foundations of Sen's and Nussbaum's Development Ethic" in Women, Culture, and Development.

Nov. 27th: Amartya Sen, "Gender Inequality and Theories of Justice," Susan Moller Okin, "Inequalities Between the Sexes in Different Cultural Contexts" in Women, Culture, and Development.

Nov. 30th: Human Rights and the Forcibly Displaced: O'Neill, "What We Owe to Refugees and IDP's: Human Rights of the Forcibly Displaced" (to be distributed in class)

Dec. 4th: The Religious “Surplus of Meaning”: Selections from Robert Traer, Faith in Human Rights (to be distributed in class)

Dec. 7th, 11th, 14th: Review and Student Presentations

Dec. 15th: Final papers/projects due.