

Human Responsibilities: A Relational Account of Human Rights

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Overview

What is and should be the scope of our appeals to human rights? To what desiderata should our theory of human rights adhere? On my proposal, human rights (i) are inherently relational, and (ii) play an important background role in our broader normative practices. Human rights derive from a foundational community relationship that human beings stand in with one another qua human beings. They are not, as naturalistic conceptions have it, grounded in the possession of any specific capacities such as high levels of rationality. They are also not, as political or practical conceptions claim, grounded in more specific relationships such as those between state and citizen. Unlike the current approaches, my relational approach offers both a non-derivative justification for recognizing all living human beings as human rights bearers and all human agents as duty-bearers. Rights holder status and duty bearer status both have their source in this basic relationship shared by human beings. As such, neither precedes the other. The relationship gives rise to both. As an upshot, the view accounts for a variety of cases where we ordinarily do not invoke human rights even when their content is relevant, such as in cases of violent crimes or in interpersonal relationships. In turning to these examples, I consider not merely under what conditions human rights exist, but also under what conditions they ought to be invoked. Thus while they have a universal scope, we need not always appeal to them as human rights.

My inquiry into the grounds of human rights begins with a paradox that emerges for both naturalistic and political conceptions of human rights. Namely, even though human rights have their place in social and political relations, they are often conceived in ways that are blind to the basic role that these relations play in constituting them. While they inhere in individual human beings, the function and content of human rights is largely dependent on facts about human relationships. This paradox is particularly striking in the case of anti-discrimination rights, which many naturalistic views struggle to include as these rights derive not from any particular capacity, but from a comparative egalitarian premise. Instead, a relational view can point directly toward the damaging effects of severely unequal social attitudes – of failures to recognize one another as fellow human beings. Despite these differences, there are ‘natural’ and ‘political’ elements to my proposal as well, though both notions get reinterpreted. The natural, insofar as it figures in my account, is the relational framework in which individual human beings live their lives. The political consists in these overlapping networks of social relations. Thus the natural and the political coincide, and in effect my approach falls in neither of the two traditional camps. Instead, by focusing on the relationship between all human beings and conceiving of this relationship as both natural and social/political, I aim to formulate a genuinely new account of human rights.

Chapter Breakdown

Chapter 1

Is there a normatively significant relationship that exists between human beings simply as fellow human beings? If so, how might we characterize that relationship?

I begin my argument with a controversial premise – that there is a normatively significant relationship that exists between all human beings. Taking this to be the weightiest premise for my approach, I devote the first two chapters of my dissertation to defending it. In doing so, I draw on work from the philosophical literature on special obligations (e.g., Niko Kolodny, Samuel Scheffler, Ronald Dworkin). In the first chapter, I expand on Samuel Scheffler’s conception of membership-dependent reasons and develop an account of an additional source of relational reasons, which I refer to as community-dependent reasons. These reasons arise from membership in particular communities, where communities are more general than the groups that Scheffler emphasizes, and need not always have clearly defined goals and norms. Nonetheless, their members have shared frameworks of experience that warrant regarding oneself and others as members of the community. Engaging with contributions on worrying features of speciecism (e.g., Cora Diamond, Jeff

McMahan, Matthew Liao), I argue that the shared framework of experience relevant for human beings is characterized by biological, agential, social, and historical dimensions that in turn help us identify the content of the responsibilities that result from valuing one's membership in the human community. Though individual human beings might have very different values and experiences, this framework undergirds them.

Chapter 2

Does valuing one's membership in the human community generate responsibilities? What is the content of those responsibilities? How are those responsibilities related to human rights?

In the second chapter, I respond to the worry that these similarities fail to characterize a community, but instead merely identify the relevant capacities for status as a rights holder (eg. Martha Nussbaum, Iris Marion Young, TM Scanlon). I argue that valuing our own humanity, and in particular our own human relationships, projects, and group memberships, entails recognizing and valuing other human beings as fellow members of the human community. The value of many of our projects relies on a belief that there will be future human beings to benefit from our projects, or past human beings to whom we believe we are fulfilling debts. Our networks of overlapping valuing, and our reliance on others to help constitute the value of our projects, relationships, and memberships helps clarify why we ought to regard one another as members of the same community.

Chapter 3

What is the scope of human rights? When should we appeal to human rights? What insights might we gain about the nature of human rights by looking at cases where the content of human rights is implicated but where we often do not invoke them?

In the remainder of my dissertation, I argue that human rights play a particular role in our normative practices, which I refer to as a background role. In my third chapter, I argue that all rights claims invoke relationships of different types, and that human rights claims in particular invoke the basic human relationship that I characterize in the first half of my dissertation. Invoking them is to assert a failure of another to regard you as a fellow human being. Because we generally stand in additional, more substantive relationships with other human beings, we often do not need to invoke human rights even when their content is implicated. Nonetheless, human rights exist in these cases, and it is important that they do; they provide recourse when other means of response are ineffective, and they do so in part because they are coercive and because they are distancing. An implication of this view, which I develop by engaging with Jeremy Waldron and Elizabeth Anderson, is that human rights can be fulfilled, at least in part, without invoking them as human rights. My view also emphasizes the methods by which human rights are fulfilled, rather than instances of their violation. This chapter begins with an emphasis on close personal relationships and expands outward to more general relationships, such as those between fellow citizens.

Chapter 4

How does this account of human rights relate to the international practice of human rights in a global political context? What action-guiding insights does it offer?

My fourth and final chapter focuses on human rights in a global political context. In particular, I argue that we most often ascribe human rights duties and human rights violations to large group agents like states and corporations both because our relationships with them are not reciprocal and because we have more limited means of communicating with them. Thus while fulfilling human rights is a positive project that spans our social relationships, we most often need to invoke them *as human rights* in this particular political domain. It is here that I explain in more detail how my notion of social/political contexts differs from the narrower notion of the political employed by Charles Beitz, Joseph Raz, and others; and why I think the so-called political conception is vulnerable to a paradox charge, namely that though it aims to focus on political relations it neglects the most basic political relations, those that are usually called 'social'.