UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Philosophy of Human Rights and Pluralism

2122-4-A5810260

Learning objectives

The course of Philosophy of Human Rights and Pluralism aims at providing students with a wide overview on human rights and their impact on the increasing pluralistic structure of contemporary societies. In particular, during the course students will gradually learn to tackle complex issues concerning the concept of human rights in relation to pluralism within the constitutional rule of law and the international legal order.

Focusing on some specific human rights, students will be also guided in understanding the extent to which pluralism represents the ultimate test bench for human rights practice or a sound reason for rethinking their universalistic claims.

Contents

After a conceptual overview on the gradual emergence of human rights, attention will be given to their normative and theoretical configuration within the constitutional rule of law and the international legal order. Such a preliminary analysis will lead to an adequate comprehension of pluralism as an ongoing process and stable factor of cultural, ethnic, and religious diversification.

For the purpose of grasping the manyfold fragility of our societies, the relation between human rights and pluralism will be scrutinized in both general terms and with reference to specific human rights (notably the right to freedom of religion).

Detailed program

The course will investigate the following topics:

-from sovereign States to sovereign subjects;

- human rights and the concept of State sovereignty;

- a new international legal order and the place of human rights;

-the theoretical structure of human rights;

-secular *vs* religious perspectives on human rights;

- a philosophical reading of pluralism;

-human rights and the implementation of pluralism;

-a case study: the right to freedom of religion;

-pluralism and French *laïcité(s)*;

-contested human rights and fragile pluralism.

Prerequisites

An adeguate level of spoken and written English is an essential prerequisite.

Teaching methods

Frontal classes with active participation of students in analysis and comment.

All relevant presentations and papers will be made available on the e-learning page of the course.

Assessment methods

Oral test in English at the end of the course with specific focus on:

- the lectures' contents;

- a number of selected readings.

Textbooks and Reading Materials

M. Delmas-Marty, *Le Pluralisme ordonné. Les Forces imaginantes du droit (II),* Paris: Seuil, 2006.

S. Besson, J. Tasioulas (eds), *The Philosophy of International Law*, Oxford: Oxford University Press, 2010.

A. Cassese (ed), *Realizing Utopia. The Future of International Law,* Oxford: Oxford University Press, 2012.

R. Cruft, S. M. Liao, M. Renzo (eds), *Philosophical Foundations of Human Rights,* Oxford: Oxford University Press,

2015.

D. Little, *Essays on Religion and Human Rights. Ground to Stand On,* Cambridge: Cambridge University Press, 2016.

P. Portier, *L'Etat et les religions en France. Une sociologie historique de la laïcité,* Rennes: Presses Universitaires de Rennes, 2016.

Non attending students are kindly asked to contact the lecturer (michele.saporiti@unimib.it).