

Remarks at book launch for James Griffin's *On Human Rights*, January 23rd, 2008, Rainolds Room, Corpus Christi College, Oxford

Thank you everyone for coming today. I especially would like to thank Sir Tim Lankester and Peter Momtchiloff for their generosity in making this launch possible. I'm going to give a 10 minute introduction to the book, before inviting Jim to address us, reassured by the knowledge that he will be able immediately to correct any mistakes I might make.

There are so many things to admire about *On Human Rights*. It brings Jim's familiar combination of clarity, philosophical depth, moral sanity and austere elegance to a field that desperately needs all of those virtues. Although it is a philosophically rigorous book, unlike a lot of contemporary philosophy, it does not achieve rigour by the peculiar expedient of changing the subject. Anyone who cares deeply about human rights, whether they ultimately agree with Jim or not, will find it is that very topic, and not some philosophical counterfeit, that is at the heart of this book.

So, how does Jim's book fit into the contemporary landscape of philosophical writing on human rights? The short answer, it seems to me, is that it poses a deep challenge to certain prevalent philosophical theories of human rights by renovating an older, Enlightenment conception of human rights. It is an Enlightenment conception, because the underlying moral ideal that, according to Jim, generates human rights is the notion of personhood, understood as a combination of two values. First, autonomy, possessing and exercising the capacity to make choices among life-defining options. And second, liberty, being free to pursue those choices once I have made them.

Of course, there are other philosophers who defend a traditional, Enlightenment approach to human rights. But Jim is distinguished from most of them because he is not hostile to key elements of the human rights culture that has developed since 1945.

Above all, Jim defends so-called socio-economic rights or welfare rights, suitably understood, of course. By contrast, many traditionalists would have us believe that welfare rights are not rights at all, but merely utopian socialist aspirations. According to them, human rights can only generate negative duties of non-interference, not positive duties of assistance.

On Human Rights contains a powerful attack on this still-influential conservative interpretation. The contrast is nicely captured by the book's cover. For the conservative, human rights are protections against certain forms of extreme oppression; for Jim, they offer something more. They secure the conditions of a life of genuine normative agency, one that involves free choice from an array of worthwhile options.

So, Jim's theory holds out the great promise of re-connecting the contemporary human rights culture – the culture represented most strikingly in the Universal Declaration of Human Rights - with its Enlightenment heritage. And by so re-connecting it, the theory offers a much-needed critical perspective on the errors, obfuscations and downright silliness that also form part of the contemporary human rights scene. Contrast a whole legion of influential contemporary philosophers – including the three 'Rs', Rawls, Rorty

and Raz - who say that the contemporary human rights culture is only defensible if we cut it adrift from that heritage.

Let me say just a little more about the relationship of Jim's theory to rival contemporary approaches to human rights. Any philosophical theory of human rights must answer two central questions. The conceptual question: what are human rights? And the question about justification or grounds: how are claims that a human right exists justified?

Most philosophers would address these questions in a top-down manner, beginning with some ethical theory they have already endorsed on independent grounds, and trying to articulate an account of human rights within it. But this way of proceeding threatens to change the subject. After all, there is no guarantee that an approach driven by ethical theory will illuminate what matters to the long-standing tradition of human rights. This is why Jim proceeds in a bottom-up fashion, trying to work with the grain of the tradition of human rights, to identify what if anything in it can withstand critical scrutiny.

In answer to the conceptual question, what is a human right? he defends the orthodox view that a human right is a right possessed by all humans simply in virtue of their humanity, as opposed to some social status, relationship, achievement or transaction of theirs. This puts him at odds with a new political understanding of human rights, one that has been championed most influentially by John Rawls. According to this understanding, human rights are those rights the violation of which is capable of justifying intervention against the state perpetrating the violations.

In Rawls' hands, the kind of intervention that marks out human rights is military or coercive intervention – which is why I like to refer to his theory as the Coercive Intervention Account, or CIA for short, an acronym that nicely resonant of the role the language of human rights has sometimes played in US foreign policy. Jim has many powerful criticisms of this sort of view, but the fundamental one is this: Rawls and his followers go astray in commandeering the notion of human rights for their own special purposes, reducing it to a technical notion within their theories of humanitarian intervention.

As for the second question, about the existence-conditions of human rights, I have already said that Jim defends the idea that human rights are grounded in the values of personhood – i.e. autonomy and liberty – the values that, he thinks, make best sense of the widespread claim that human rights are protections of human dignity.

This puts him at odds with three prevalent ways of thinking about human rights. The first is the deontological approach, according to which human rights are not grounded in our interests - in what makes our life go well - but in our moral status. This is the view defended by another Corpus philosopher, Tom Nagel. Nagel thinks that if human rights are grounded in interests, they will be too readily subject to trade-offs, with the result that some end up being sacrificed for the benefit of others, which is what human rights are supposed to prevent.

The error of the deontologist is the assumption that interests are simply to be promoted, in consequentialist fashion, as opposed to being also respected or honoured. In other words, grounding human rights in a certain category of interests does not entail subsuming them under a consequentialist moral principle, like utilitarianism. So, secondly, Jim's theory also opposes fashionable consequentialist views. For those of us who think that the set-piece confrontation between deontology and consequentialism is a strait-jacket that has constrained and distorted contemporary moral philosophy, reading Jim's book will be a liberating experience.

Finally, Jim differs from most theorists who view human rights as grounded in universal human interests, because he thinks only two such interests – autonomy and liberty – and not the full range of interests, are relevant to the justification of human rights. To let all our interests play a role in justifying human rights – interests like knowledge, enjoyment, accomplishment and deep personal relations – would, Jim thinks, deprive human rights of their distinctive purpose. And it would encourage the proliferation of human rights claims that threatens to make the language of human rights a victim of its own popularity.

I have to admit that I'm still grappling with many of the ideas in his book, especially that last one. One indication of the book's power and the great impact it is likely to have is its inexhaustibility. When you re-read it – and I confess to having re-read some of these chapters more than half a dozen times – one is continually struck by fresh insights, fresh lines of thought.

Of course, I have barely scratched the surface in describing a few of these ideas and lines of thought – I have said nothing, for example, about the beautiful and profound chapter on conflicts of rights. Or the marvellous polemical chapters in which Jim rounds on the defenders of group rights and cultural pluralism. I could go on. But my time is up, so I have to stop.

Just over 20 years ago, Jim Griffin's great book *Well-Being* helped return the concept of well-being to the forefront of moral philosophy. Today, this book is set to do the same for the concept of human rights. It is a tremendous achievement, and we all have reason to be grateful to Jim for it, and to bask in his reflected glory.

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