



Vulnerability and Human Rights: Which Compatibility?

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Accepted: 18 January 2023 / Published online: 18 March 2023
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Abstract

By embracing the ontological view of vulnerability and stressing its social basis, the paper aims to clarify the role of vulnerability within human rights paradigm.

Vulnerability is conceived of by the author as a heuristic notion, which works as a pillar for a general approach to some crucial challenges to human dignity. Both this heuristic notion and these challenges are regarded in the paper as hallmarks for the human rights paradigm.

In order to ground this view, the coherence between “vulnerability turn” and the rationale of human rights relies on a four-steps argument dealing with: (i) the denial of a necessary mismatch between the notion of vulnerability and the principle of autonomy; (ii) the appreciation of *relation* in human rights conceptualization; (iii) the complementarity between vulnerability, as a heuristic notion, and the principle of equality; (iv) the understanding of vulnerability as a “vehicle of empathy” not necessarily involving paternalist trends and therefore not in conflict with the empowerment purposes of human rights.

The relevance of “vulnerability turn” in human rights paradigm is defended in the paper within a view of human rights as basic rights, i.e. as means to prevent or fight against those threats that seriously affect basic human needs.

Keywords Basic rights · Equality · Human Rights · Judicial Reasoning · Ontological Vulnerability · Relational Autonomy

* I would like to thank the two anonymous reviewers for their remarks to the first version of the paper.

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Vulnerability And Human Rights Essays On Human Rights

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Vulnerability And Human Rights Essays On Human Rights:

Vulnerability and Human Rights Bryan S. Turner, 2015-10-29 The mass violence of the twentieth century's two world wars followed more recently by decentralized and privatized warfare manifested in terrorism ethnic cleansing and other localized forms of killing has led to a heightened awareness of human beings vulnerability and the precarious nature of the institutions they create to protect themselves from violence and exploitation This vulnerability something humans share amid the diversity of cultural beliefs and values that mark their differences provides solid ground on which to construct a framework of human rights Bryan Turner undertakes this task here developing a sociology of rights from a sociology of the human body His blending of empirical research with normative analysis constitutes an important step forward for the discipline of sociology Like anthropology sociology has traditionally eschewed the study of justice as beyond the limits of a discipline that pays homage to cultural relativism and the value neutrality of positivistic science Turner's expanded approach accordingly involves a truly interdisciplinary dialogue with the literature of economics law medicine philosophy political science and religion

Human Rights, Security Politics and Embodiment Aneira J. Edmunds, 2023-12-05 Virtuous institutions such as human rights ones have been neglected by securitization theory's focus on the national state apparatus as the key driver of security politics This book challenges this assumption showing the ways institutional human rights deemed the most progressive of rights have been complicit in rendering the body vulnerable While the book principally focuses on the treatment of the veiled woman it also considers wider cases involving torture the ultimate removal of control over one's body and biggest transgression of human rights supposed foundational commitment to bodily integrity

Environmental Change, Forced Displacement and International Law Isabel M. Borges, 2018-12-07 This book explores the increasing concern over the extent to which those suffering from forced cross border displacement as a result of environmental change are protected under international human rights law Formally they are not entitled to admission or stay in a third state country a situation that has been identified as an international legal protection gap The book seeks to provide answers to two basic questions whether and to what extent existing international law protects cross border environmental displacement and whether and how existing formalized regional complementary protection standards can interpretively solidify and conceptualize protection for cross border environmental displacement The discussion outlines that the protection of the human person is not only an ex post facto obligation of states but must be increasingly seen as an ex ante one The analysis further suggests that the European Union regionally orientated protection regime can help states to consolidate an evolving protection paradigm of proactive and reactive measures being erected at the international level It can also narrow the identified legal protection gaps In so doing it helps states to reconceptualise protection as a holistic and dynamic enterprise This book will be of great interest to academics in law political science and human rights policy makers and civil society organisations both at national and international level

Routledge Handbook of Human Rights and Disasters Flavia

Zorzi Giustiniani, Emanuele Sommario, Federico Casolari, Giulio Bartolini, 2018-03-15 The Routledge Handbook of Human Rights and Disasters provides the first comprehensive review of the role played by international human rights law in the prevention and management of natural and technological disasters Each chapter is written by a leading expert and offers a state of the art overview of a significant topic within the field In addition to focussing on the role of human rights obligations in disaster preparedness and response the volume offers a broader perspective by examining how human rights law interacts with other legal regimes and by addressing the challenges facing humanitarian organizations Preceded by a foreword by the International Law Commission's Special Rapporteur on the Protection of Persons in the Event of Disasters the volume is divided into four parts Part I Human rights law and disasters in the framework of public international law Part II Role and application of human rights law in disaster settings Part III Categories of rights of particular significance in a disaster context Part IV Protection of vulnerable groups in disaster settings Providing up to date and authoritative contributions covering the key aspects of human rights protection in disaster settings this volume will be of great interest to scholars and students of humanitarianism international law EU law disaster management and international relations as well as to practitioners in the field of disaster management

Redirecting Human Rights A. Grear, 2010-04-09 Against the backdrop of globalization and mounting evidence of the corporate subversion of the Universal Declaration of Human Rights paradigm Anna Grear interrogates the complex tendencies within law that are implicated in the emergence of corporate humanity Grear presents a critical account of legal subjectivity linking it with law's intimate relationship with liberal capitalism in order to suggest law's special receptivity to the corporate form She argues that in the field of human rights law particularly within the Universal Declaration of Human Rights paradigm human embodied vulnerability should be understood as the foundation of human rights and as a key qualifying characteristic of the human rights subject The need to redirect human rights in order to resist their colonization by powerful economic global actors could scarcely be more urgent

Sociology and Human Rights: New Engagements Patricia Hynes, Michele Lamb, Damien Short, Matthew Waites, 2014-02-25 Sociology and Human Rights New Engagements is the first collection to focus on the contribution sociological approaches can make to analysis of human rights Taking forward the sociology of human rights which emerged from the 1990s it presents innovative analyses of global human rights struggles by new and established authors The collection includes a range of new work addressing issues such as genocide in relation to indigenous peoples rights based approaches in development work trafficking of children and children's rights in relation to political struggles for the decriminalisation of same sex sexual activity in India It examines contexts ranging from Rwanda and South Korea to Northern Ireland and the city of Barcelona The collection as a whole will be of interest to students and academics working in various disciplines such as politics law and social policy and to practitioners working on human rights for various governmental and non governmental organisations as well as to sociologists seeking to develop understanding of the sociology of human rights This book was published as a

special issue of the International Journal of Human Rights The New Blackwell Companion to Social Theory Bryan S. Turner, 2016-09-26 A comprehensive new collection covering the principal traditions and critical contemporary issues of social theory Builds on the success of The Blackwell Companion to Social Theory second edition with substantial revisions entirely new contributions and a fresh editorial direction Explores contemporary areas such as actor network theory social constructionism human rights and cosmopolitanism Includes chapters on demography science and technology studies and genetics and social theory Emphasizes key areas of sociology which have had an important impact in shaping the discipline as a whole **The Oxford Handbook of Global LGBT and Sexual Diversity Politics** Michael J. Bosia, Sandra M. McEvoy, Momin Rahman, 2020-03-02 Struggles for LGBT rights and the security of sexual and gender minorities are ongoing urgent concerns across the world For students scholars and activists who work on these and related issues this handbook provides a unique interdisciplinary resource In chapters by both emerging and senior scholars the Oxford Handbook of Global LGBT and Sexual Diversity Politics introduces key concepts in LGBT political studies and queer theory Additionally the handbook offers historical geographic and topical case studies contextualized within theoretical frameworks from the sociology of sexualities critical race studies postcolonialism indigenous theories social movement theory and international relations theory It provides readers with up to date empirical material and critical assessments of the analytical significance commonalities and differences of global LGBT politics The forward looking analysis of state practice transnational networks and historical context presents crucial perspectives and opens new avenues for debate dialogue and theory At the Limits of the Secular William A. Barbieri Jr., 2014-07-12 This volume presents an integrated collection of constructive essays by eminent Catholic scholars addressing the new challenges and opportunities facing religious believers under shifting conditions of secularity and post secularity Using an innovative keywords approach At the Limits of the Secular is an interdisciplinary effort to think through the implications of secular consciousness for the role of religion in public affairs The book responds in some ways to Charles Taylor s magnum opus A Secular Age although it also stands on its own It features an original essay by David Tracy the most prominent American Catholic theologian writing today and groundbreaking contributions by influential younger theologians such as Peter Casarella William Cavanaugh and Vincent Miller CONTRIBUTORS William A Barbieri Jr Peter Casarella William T Cavanaugh Michele Dillon Mary Doak Anthony J Godzieba Slavica Jakelic J Paul Martin Vincent J Miller Philip J Rossi Robert J Schreiter David Tracy Islam in der Moderne, Moderne im Islam , 2018-04-10 This Festschrift brings together a range of scholars who congratulate Reinhard Schulze on the occasion of his 65th birthday by shedding light and reflecting on the relation between Islam and modernity Scholars from the fields of Islamic studies religious studies sociology and Arabic literature connect in various ways to Reinhard Schulze s work to constructively criticize a Eurocentric understanding of modernity The more specific aspects dealt with under the overarching topic of Islam and modernity make for the four thematic sections of this volume the study of religion Islam and Islamic

studies Islamic knowledge cultures and normativity language and literature as media of modernity Islam and Islamic studies in the public sphere Die Beitragenden zu dieser Festschrift gratulieren Reinhard Schulze zu seinem 65 Geburtstag indem sie mit der Beziehung zwischen Islam und Moderne ein Lebensthema des Jubilars beleuchten Vertretende der Islamwissenschaft Religionswissenschaft Soziologie und der arabischen Literaturwissenschaft beziehen sich in verschiedener Hinsicht auf Reinhard Schulzes Werk um ein eurozentrisches Verständnis von Moderne konstruktiv zu kritisieren Die unter dem Oberthema Islam und Moderne näher behandelten Aspekte sind aus den vier thematischen Sektionen des Bandes ersichtlich Islam wissenschaft Religion und der Eigensinn der Moderne islamische Wissenskulturen und Normativität Sprache und Literatur als Medien der Moderne Islam wissenschaft in der Öffentlichkeit Contributors are Mona Abaza Hseyin Aui eno lu Aziz al Azmeh Katajun Amirpur Monica Corrado Ahmad Dallal Peter Dov Susanne Enderwitz Anne Gröne Stephan Guth Kai Hafez Albrecht Hofheinz Michael Kemper Hans G Kippenberg Karin Kollmar Paulenz Felix Konrad Gudrun Krümer Volkhard Krech Anke von Kgelgen Jamal Malik Jürgen Paul Frank Peter Stefan Reichmuth Armando Salvatore Johannes Stephan Anna Trechsel Yves Wegelin Florian Zemmin

Disability, Human Rights and the Limits of Humanitarianism

Michael Gill, Cathy J. Schlund-Vials, 2016-05-23 Disability studies scholars and activists have long criticized and critiqued so termed charitable approaches to disability where the capitalization of individual disabled bodies to invoke pity are historically socially and politically circumscribed by paternalism Disabled individuals have long advocated for civil and human rights in various locations throughout the globe yet contemporary human rights discourses problematically co-opt disabled bodies as evidence of harms done under capitalism war and other forms of conflict while humanitarian non governmental organizations often use disabled bodies to generate resources for their humanitarian projects It is the connection between civil rights and human rights and this concomitant relationship between national and global which foregrounds this groundbreaking book's contention that disability studies productively challenge such human rights paradigms which troublingly eschew disability rights in favor of exclusionary humanitarianism It relocates disability from the margins to the center of academic and activist debates over the vexed relationship between human rights and humanitarianism These considerations thus productively destabilize able bodied assumptions that undergird definitions of personhood in civil rights and human rights by highlighting intersections between disability race gender ethnicity and sexuality as a way to interrogate the possibilities and limitations of human rights as a politicized regime

Routledge Handbook of Gender and Security Caron E. Gentry, Laura J.

Shepherd, Laura Sjöberg, 2018-09-03 This handbook provides a comprehensive look at the study of gender and security in global politics The volume is based on the core argument that gender is conceptually necessary to thinking about central questions of security analytically important for thinking about cause and effect in security and politically important for considering possibilities of making the world better in the future Contributions to the volume look at various aspects of studying gender and security through diverse lenses that engage diverse feminisms with diverse policy concerns and working

with diverse theoretical contributions from scholars of security more broadly It is grouped into four thematic sections Gendered approaches to security including theoretical conceptual and methodological approaches Gendered insecurities in global politics including the ways insecurity in global politics is distributed and read on the basis of gender Gendered practices of security including how policy practice and theory work together or do not Gendered security institutions across a wide variety of spaces and places in global politics This handbook will be of great interest to students of gender studies security studies and IR in general Autonomy and Human Rights in Health Care David N. Weisstub,Guillermo Díaz Pintos,2007-12-20 Autonomy and Human Rights in Healthcare An International Perspective is a group of essays published in memory of David Thomasma one of the leading humanists in the field of bioethics during the twentieth century A pioneer in the field of multidisciplinary research having integrated major theological and philosophical traditions in the west with modern science Thomasma was a role model to the authors who have devoted essays to his major avenues of inquiry The authors represent many different countries and disciplines throughout the globe The volume deals with the pressing issue of how to ground a universal bioethics in the context of the conflicted world of combative cultures and perspectives

Theoretical Perspectives on Human Rights and Literature Elizabeth Swanson Goldberg,Alexandra Schultheis Moore,2013-03-01 What can literary theory reveal about discourses and practices of human rights and how can human rights frameworks help to make sense of literature How have human rights concerns shaped the literary marketplace and how can literature impact human rights concerns Essays in this volume theorize how both literature and reading literarily can shape understanding of human rights in productive ways Contributors to Theoretical Perspectives on Human Rights and Literature provide a shared history of modern literature and rights theorize how trauma ethics subjectivity and witnessing shape representations of human rights violations and claims in literary texts across a range of genres including poetry the novel graphic narrative short story testimonial and religious fables and consider a range of civil political social economic and cultural rights and their representations The authors reflect on the imperial and colonial histories of human rights as well as the cynical mobilization of human rights discourses in the name of war violence and repression at the same time they take seriously Gayatri Spivak s exhortation that human rights is something that we cannot not want exploring the central function of storytelling at the heart of all human rights claims discourses and policies **Interdisciplinary Approaches to Human Rights** Rajini Srikanth,Elora Halim Chowdhury,2018-10-30 Interdisciplinary Approaches to Human Rights History Politics Practice is an edited collection that brings together analyses of human rights work from multiple disciplines Within the academic sphere this book will garner interest from scholars who are invested in human rights as a field of study as well as those who research and are engaged in the praxis of human rights Referring to the historical and cross cultural study of human rights the volume engages with disciplinary debates in political philosophy gender and women s studies Global South Third World studies international relations psychology and anthropology At the same time the authors employ diverse

methodologies including oral history theoretical and discourse analysis ethnography and literary and cinema studies Within the field of human rights studies this book attends to the critical academic gap on interdisciplinary and praxis based approaches to the field as opposed to a predominantly legalistic focus drawing from case studies from a wide range of contexts in the Global South including Bangladesh Colombia Haiti India Mexico Palestine and Sudan as well as from Australia and the United States in the Global North For students who will go on to become researchers practitioners policy makers and activists this collection of essays will demonstrate the multifaceted landscape of human rights and the multiple forces philosophical political cultural economic historical that affect it

Disability in International Human Rights Law Gauthier de Beco, 2021-08-12 This book examines what international human rights law has gained from the new elements in the UN Convention on the Rights of Persons with Disabilities CRPD It explores how the CRPD is intricately bound up with other international instruments by studying the relationship between the Convention rights and those protected by other human rights treaties as well as the overall objectives of the UN Using a social model lens on disability the book shows how the Convention sheds new light on the very notion of human rights The book provides a theoretical framework which explicitly integrates disability into international human rights law It explains how the CRPD challenges the legal subject by drawing attention to distinct forms of embodiment before introducing the idea of the disabled subject which stems from a recognition that all individuals encounter disability related issues during their lives The book also shows how to apply this theoretical framework to several rights and highlights the consequences for the implementation of human rights treaties as a whole It builds upon the literature of disability studies and legal and political theory as well as drawing upon the recommendations of treaty bodies and reports of UN agencies and disabled people's organisations This book thereby provides an agenda setting analysis for all human rights experts by showing the benefits of placing disabled people at the heart of international human rights law

Migration and the European Convention on Human Rights Başak Çalı, Ledi Bianku, Iulia Motoc, 2021-02-25 This edited collection investigates where the European Convention on Human Rights as a living instrument stands on migration and the rights of migrants This book offers a comprehensive analysis of cases brought by migrants in different stages of migration covering the right to flee who is entitled to enter and remain in Europe and what treatment is owed to them when they come within the jurisdiction of a Council of Europe member state As such the book evaluates the case law of the European Convention on Human Rights concerning different categories of migrants including asylum seekers irregular migrants those who have migrated through domestic lawful routes and those who are currently second or third generation migrants in Europe The broad perspective adopted by the book allows for a systematic analysis of how and to what extent the Convention protects non refoulement migrant children family rights of migrants status rights of migrants economic and social rights of migrants as well as cultural and religious rights of migrants

The Politics of Vulnerable Groups Fabio Macioce, 2022-07-02 This book describes and analyzes the conceptual ambiguity of vulnerability in an effort to understand its

particular applications for legal and political protection when relating to groups Group vulnerability has become a common concept within legal and political scholarship but remains largely undertheorized as a phenomenon itself At the same time in academia and within legal circles vulnerability is primarily understood as a phenomenon affecting individuals and the attempts to identify vulnerable groups are discredited as essentialist and stereotypical In contrast this book demonstrates that a conception of group vulnerability is not only theoretically possible but also politically and legally necessary Two conceptions of group vulnerability are discussed one focuses on systemic violence or oppression directed toward several individuals while another requires a common positioning of individuals within a given context that conditions their agency ability to cope with risks and uncertainties and manage their consequences By comparing these two definitions of group vulnerability and their implications Macioce seeks a more precise delineation of the theoretical boundaries of the concept of group vulnerability *The International Library of Essays on Capital Punishment, Volume 2* Peter Hodgkinson, 2016-12-05

The essays selected for this volume develop conventional abolition discourse and explore the conceptual framework through which abolition is understood and posited Of particular interest is the attention given to an integral but often forgotten element of the abolition debate alternatives to capital punishment The volume also provides an account of strategies employed by the abolition community which challenges tired methodologies and offers a level of transparency previously unseen This collection tackles complex but fundamental components of the capital punishment debate using empirical data and expert observations and is essential reading for those wishing to comprehend the fundamental issues which underpin capital punishment discourse **The Cambridge Companion to Global Literature and Slavery** Laura

Murphy, 2022-12-22 The Cambridge Companion to Global Literature and Slavery reveals the way recent scholarship in the field of slavery studies has taken a more expansive turn in terms of both the geographical and the temporal These new studies perform area studies driven analyses of the representation of slavery from national or regional literary traditions that are not always considered by scholars of slavery and explore the diverse range of unfreedoms depicted therein Literary scholars of China Central Asia the Middle East and Africa provide original scholarly arguments about some of the most trenchant themes that arise in the literatures of slavery authentication and legitimation ethnic formation and globalization displacement exile and alienation representation and metaphorization and resistance and liberation This Cambridge Companion to Global Literature and Slavery is designed to highlight the shifting terrain in literary studies of slavery and collectively challenge the reductive notion of what constitutes slavery and its representation

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