



Vulnerability and Human Rights: Which Compatibility?

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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

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Vulnerability And Human Rights Essays On Human Rights

Isabel M. Borges



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

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

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

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

The Theology of Cardinal Walter Kasper Kristin Colberg, 2014 Leading theologians from across the United States and Canada explore the full scope of Kasper s thought on topics such as the character of ecumenical and interreligious dialogue Christology theological method and the nature of the church world relationship Kasper himself presents four previously unpublished texts on the interpretation of Vatican II on forgiveness on Christian hope and on the approach to theology today from the publisher

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

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 H. Seyin A. Ueno 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 K. gelgen Jamal Malik Jürgen Paul Frank Peter Stefan Reichmuth Armando Salvatore Johannes Stephan Anna Trechsel Yves Wegelin Florian Zemlin

The Human Rights Graphic Novel Pramod K. Nayar, 2020-11-25 This book studies human rights discourse across a variety of graphic novels both fiction and non fiction originating in different parts of the world from India to South Africa Sarajevo to Vietnam with texts on the Holocaust the Partition of the Indian subcontinent the Rwandan and Sarajevan genocides the Vietnam War comfort women in World War II and the Civil Rights movement in the USA to mention a few The book demonstrates the emergence of the universal subject of

human rights despite the variations in contexts It shows how war rape genocide abuse social iniquity caste and race erode personhood in multiple ways in the graphic novel which portrays the construction of vulnerable subjects the cultural trauma of collectives the crisis and necessity of witnessing and resilience resistance through specific representational and aesthetic strategies It covers a large number of authors and artists Joe Sacco Joe Kubert Matt Johnson Walter Pleece Guy Delisle Appupen Thi Bui Olivier Kugler and others Through a study of these vastly different authors and styles the book proposes that the graphic novel as a form is perfectly suited to the culture and the lingua franca of human rights due to its amenability to experimentation and the sheer range within the form The book will appeal to scholars in comics studies human rights studies visual culture studies and to the general reader with an interest in these fields 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 *Migration and the European Convention on Human Rights* ,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 **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

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

Irregular Migrants and the Right to Health Stefano Angeleri,2022-08-04 Analyses how human rights law can overcome constraining approaches to the right to health of irregular migrants

The Cambridge Companion to Global Literature and Slavery Laura Murphy,2022-12-22 Highlights the shifting terrain in literary studies of slavery and challenges the notion of what constitutes slavery and its representation

Intertwining Criminal Justice and Immigration Control in the EU Niovi Vavoula,Evangelia (Lilian) Tsourdi,Valsamis Mitsilegas,2025-09-09 This book offers a contemporary understanding of the state of the art of crimmigration with a focus on the European Union and challenges this

paradigm of intersecting criminal justice and immigration control The contributions to this book explore the conceptual and philosophical underpinnings of EU and national policies intertwining criminal and migration law as well as their practical use and abuse They analyse migration control through criminal law from multidisciplinary and interdisciplinary perspectives incorporating insights from law philosophy and criminology The book revisits fundamental questions on the suitability of criminal law to regulate and govern migration and provides insights as to whether and how the law should be amended to limit the negative consequences of the criminalisation of migration The authors critique the key legal challenges crimmigration poses in terms of legality fundamental rights and rule of law adherence Finally this volume outlines through concrete examples how criminalisation of migration translates into the emergence of hostile environments for migrants and those who assist them This book will be of interest to criminologists sociologists legal scholars and all those engaged in studies on migration and the European Union

The Ethos of a Late-Modern Citizen Stephen K. White, 2009-03-31 White contends that Western democracies face novel challenges demanding our reexamination of the role of citizens He argues that the intense focus in the past three decades on finding general principles of justice for diversity rich societies needs to be complemented by an exploration of an ethos to adequately sustain any such principles

Global Governance and the Quest for Justice - Volume IV Roger Brownsword, 2005-01-10 This book one in the four volume set Global Governance and the Quest for Justice focuses on human rights in the context of globalisation together with the principle of respect for human rights and human dignity viewed as one of the foundational commitments of a legitimate scheme of global governance The first part of the book deals with the ways in which globalisation impacts on established commitments to respect human rights When human rights are set against or alongside potentially competing priorities such as security or economy how well do they fare Does it make any difference whether human rights commitments are expressed in dedicated free standing instruments or incorporated as side constraints or collaterally in larger multi functional instruments In this light does it make sense to view a trade centred community such as the EU as a prospective regional model for human rights The second part of the book debates the coherence of a global order committed to respect for human rights and human dignity as one of its founding principles If globalisation aspires to export and spread respect for human rights the thrust of the papers in this volume is that it could do better that legitimate global governance demands that it does a great deal better and that lawyers face a considerable challenge in developing a coherent jurisprudence of fundamental values as the basis for a just global order

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Vulnerability And Human Rights Essays On Human Rights Introduction

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