

Title

Neither Monism nor Pluralism: Defence of Dualism as the Ground for Human Rights

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Recently, among so-called naturalistic or orthodox views on human rights, vigorous debate concerning the question of 'what are the grounding value(s) of human rights' has emerged. In this paper, I would like to support 'dualism' as the ground for human rights, by modifying 'monism' and rejecting 'pluralism'. James Griffin, the representative theorist of naturalistic views, offered the 'monism' that sees 'normative agency' as the single main ground for human rights. This paper firstly singles out the points of the 'monism' that should be modified by examining three criticisms against Griffin's conception of human rights: the narrow-interests objection, the narrow-human rights-bearers objection, and the parochialism objection. Through the examination, it points out that while many criticisms against him do not succeed Griffin's rejection of 'equality' as a ground for human rights is not plausible. In addition, the paper claims that Griffin's several formulations of 'autonomy' should be narrowed down into the formulation of 'autonomy' as the identification of the good. Thus, the paper supports

'dualism' concerning the grounds for human rights; i.e. 'autonomy' as the identification of the good and 'equality'. Secondly, it tries to show the precedence of this 'dualism' over 'pluralism' by comparing them. On the one hand, by scrutinising 'pluralistic' conceptions of human rights, especially the one offered by John Tasioulas, the paper insists that 'pluralism' cannot distinguish human rights from rights simpliciter. On the other hand, the paper claims that by interpreting 'equality', the 'dualism' can work well in distinguishing human rights from rights simpliciter.

Full paper in English or in Japanese is available upon request. Please send me an email to the following address. [kosukereal@gmail.com](mailto:kosukereal@gmail.com)