

WORKSHOP

# COLLECTIVE DECISION-MAKING AND DEMOCRATIC INSTITUTIONS

7-8 JULY 2023



## The Generality Problem for the Heuristic Model of Rights-Based Reasoning

Daniel Häuser  
(Universität Hamburg)

### Abstract

Many disagreements in political theory concern the recognition of moral rights. One methodology for resolving such disagreements aims to justify specific moral rights on the basis that they protect important interests. This methodology has recently been prominently applied to debates on human rights, animal rights, territorial rights, global justice and just war theory. This talk identifies an overlooked challenge for this methodology. This challenge arises because the interest-based justification of moral rights involves claims about the likely balance of interests in certain types of practical conflicts. Types of practical conflicts do not constitute natural kinds though, so the choice of a particular scheme for categorizing practical conflicts requires justification. As prior applications of this interest-based methodology fail to provide such a justification, this observation threatens to render their results arbitrary. The talk then outlines a strategy for meeting this challenge, which emphasizes the heuristic function of rights in practical reasoning.