

# “Rights: Who or What Should Have Them and Why?”

Syllabus

Spring 2013 -- Gray Cox

How can and should rights talk be used to justify ways of dealing with people, nature and corporations? Central questions of justice are often framed in terms of rights to access to things like food and free speech or to protection from things like torture and extinction. They are also framed in terms of arguments about who or what has these various rights – e. g. women, gays, children, corporations, trees, Nature, or even artificial intelligences. This course will use a seminar format to explore and critique key contemporary philosophical approaches to articulating and justifying answers to these sorts of questions.

**The goals of the course** are to develop students’ understanding of these philosophical approaches and their ability to engage them and applications of them through critical philosophical analysis.

**Texts** will include John Rawls JUSTICE AS FAIRNESS, Amartya Sen’s THE IDEA OF JUSTICE , and Christopher Stone’s SHOULD TREES HAVE STANDING, and readings from other works such as Marjorie Kelley’s THE DIVINE RIGHT OF CAPITAL, Ann Elizabeth Mayer’s ISLAM AND HUMAN RIGHTS, and works by Giorgio Agamben, Robert Nozick, Alberto Acosta and others.

## **Assignments and grading:**

By noon on each class day, everyone will share 2 questions or comments on the reading by putting them into a Google Doc we can all access and use to inform the discussion.

Each student will take two turns working in pairs leading one half of a class session on one of the philosophical texts we are working through – providing a way of framing the issues and the core argument of the text assigned and questions to initiate the class discussion.

A short philosophical analysis of 3-4 pages on some portion of the argument of Rawls’ JUSTICE AS FAIRNESS will be due at the start of week 4. I will meet with each person to go over this paper one on one. (Rewriting it will be an option that is, in general, encouraged.)

A final project analyzing some key text or topic concerning the philosophical justification of rights will be presented in two parts: 1.) A 40 minute presentation in class that uses some appropriate reading to present the issue and develop an analysis of it and 2.) a final paper of 10-12 pages providing a philosophical analysis of the text or topic.

NOTE: Depending on the number of students taking the class, one or more extra sessions may need to be held to allow time for everyone to do their in-class presentation on their project. ALSO: readings in the latter part of the course will be adapted depending on student projects so as to allow for covering key topics of interest which do not get covered in student presentations.

For students who take this course for a letter grade, the weighting of the work will be: class participation and Google Docs questions, 25%; co-leadership of seminar sessions, 20%; short paper on Rawls, 15%; in class presentation on final project, 15%, final project final paper, 25%.

My office is on the second floor of Davis. My telephone is extension #5712 and my cell phone is #460-1163. My email is [gray@coa.edu](mailto:gray@coa.edu). My regular office hours will be Monday and Thursday 2:30-4:00 pm and other times by appointment or coincidence ;- ) (I am around pretty much through the week.)

Intermediate/advanced. HS. No lab fee. No prerequisites but previous work in philosophy and/or applied topics on rights recommended.

## *Schedule*

4/2 Introductions, syllabus review, Interests for projects  
4/5 Overview of history and issues concerning rights: reading will be provided by pdfs -- Ann Elizabeth Mayer's ISLAM AND HUMAN RIGHTS, ch 1. "Rights" by Jeremy Waldron, and Andrew Clapham, A SHORT INTRODUCTION TO HUMAN RIGHTS, Ch. 1

Arrange meetings to plan individual projects  
Short film "in Defense of Animals: A Portrait of Peter Singer" –  
utilitarianism and rights

4/9 John Rawls, JUSTICE AS FAIRNESS, Foreword, Preface and pp. , 1-52  
4/11 John Rawls, JUSTICE AS FAIRNESS, pp. 52-100, and recommended Kant selections (pdf supplied from FOUNDATIONS OF THE METAPHYSICS OF MORALS)

4/16 John Rawls, JUSTICE AS FAIRNESS, pp. 101-152 , and recommended Robert Nozick's entitlement theory selections in a pdf  
4/19 John Rawls, JUSTICE AS FAIRNESS, pp. 153-202, and Judith Jarvis Thompson on "A Right to Abortion" in a pdf

4/23 Amartya Sen, THE IDEA OF JUSTICE, preface and pp. 1-51  
DUE: Short paper on Rawls  
4/26 THE IDEA OF JUSTICE, pp. 52-123

4/30 Foucault and Agamben, selections  
5/3 Christopher Stone, SHOULD TREES HAVE STANDING?, Introduction and pp. 1-32 AND pp. 89-102

5/7 Christopher Stone, SHOULD TREES HAVE STANDING?, pp. 33-78  
5/10 Bolivia and Ecuador as Case Studies of Rights to Nature

5/14 Geoff Garver, "The Rule of Ecological Law: The Legal Complement to Degrowth Economics."

And Christopher Stone, SHOULD TREES HAVE STANDING? TBA

**NOTE: Extra Session at 4:00 with Geoff Garver in the Human Ecology**

**Forum in McCormick Lecture Hall**

5/17 Project Presentations on Rights Topic with readings

5/21 Project Presentations on Rights Topic with readings

5/24 Project Presentations on Rights Topic with readings

5/28 Project Presentations on Rights Topic with readings

5/31 THE IDEA OF JUSTICE and other readings TBA (depending on student topics)

6/4 THE IDEA OF JUSTICE, and other readings TBA (depending on student topics)

6/7 THE IDEA OF JUSTICE, and other readings TBA (depending on student topics)

Closing

DUE: Final Paper

