

PHILOSOPHY 348/648: HEALTH, DEVELOPMENT, AND HUMAN RIGHTS

Fall 2014

TR, 12-1:20pm

Scaife Hall 219

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Office Hours: T&R, after class until 3pm &
by appointment
Baker Hall 155C

Grader: Aeyez

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F, times TBD
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Course Objectives

This course aims to introduce students to the problem of global distributive justice and its intersection with global public health. We will focus on theoretical accounts of human rights and questions arising from them: What constitutes a human right, and on what basis or bases might the existence of human rights be defended? If human rights exist, whose responsibility is it to see that they are defended/provided/not violated, and why? What is the interplay between health deficits and human rights deficits? At the end of the semester we will consider the impact of stringent intellectual property rights on global health and human rights, and then address another issue of the class's choosing. Students should jot down topics of interest that occur to them over the course of the semester.

In addition to familiarizing students with contemporary literature regarding health and human rights, this course also aims to help students strengthen their skills in analytic reading, interpretation, and writing. Assignments are therefore structured to emphasize writing and analysis rather than exams. The course will be conducted as a seminar (more below) and is intended to be discussion- rather than lecture-based.

Required Texts

All readings will be made available through Blackboard.

Important Dates

Sept. 8: Drop deadline for tuition adjustment

Oct. 20: Mid-semester grades turned in

Nov. 3: Final drop deadline

Nov. 11: Term paper first draft due

Nov. 18: Peer review due

Nov. 20: CLASS CANCELLED

Nov. 27: No class, Thanksgiving

Dec. 11: Term paper second draft due

Course Requirements

The assignments in this class are structured in such a way as to allow students the maximum freedom to triage their time as they feel best fits with their other obligations. The result is that while it is very easy to get ahead early in this class and thereby lighten your load at the end of the semester, it is also very easy to put off assignments until later in the semester, when you are already likely to be overburdened and stressed. It is also the case that the learning curve for reading and writing philosophical materials is steep, and early feedback will be important to you in improving your work. The class is structured this way intentionally: in addition to the subject material, I also want you to take away from this class the real world skills of being able to assess your abilities, manage your time, and set deadlines for yourselves.

Short Response Pieces – 25%

*Beginning the second week of classes, students are expected to write a series of 1-2 page (double spaced) short responses to the readings that are assigned for a class meeting. Response pieces are due by **8:30am on the day for which the readings are assigned**. Each student is expected to write a total of 8 response pieces over the course of the semester, and can receive credit for at most one response piece per week. Response pieces should provide a clear exposition of the reading's central thesis and the argument(s) presented in favor of that thesis, and also either raise a critical objection to the argument or present a thoughtful question. The purpose of the short response piece is to demonstrate that you have both read the material closely, and thought about it enough to understand and engage with the central argument(s). Each student's lowest 2 response grades will be dropped.*

Term Paper First Draft – 25%

*Each student will write a term paper of approximately 3000 words critically engaging with a topic relevant to the course. The term paper may be a more fully developed version of a short response piece, or an independent work. All term paper topics must be approved by me in advance. Further details about the term paper will be provided in class. Your term paper is due no later than **12pm (noon) on Tuesday, November 11th**.*

Peer Review – 10%

*Once I have received your term papers, I will redistribute them randomly and anonymously to other students. Each student will be required to write a critical review of the term paper they receive, not to exceed 1500 words. These reviews should critically but charitably discuss the paper under review, raise questions of interpretation, present worries and objections, and provide alternative possibilities. The goal of the peer review is to provide constructive criticism which will help the recipient to consider new objections and improve his or her work. Peer reviews are due no later than **12pm on Tuesday, November 18th**.*

Term Paper Second Draft – 30%

*Graded term papers with comments from both me and your peer reviewer will be returned to you by Monday, November 24th. Students will substantially revise (read: rewrite) papers in light of the comments received. Students are encouraged to meet with myself or Aeyaz to discuss revisions to their papers. All meetings to discuss papers (drafts or revisions) must be scheduled in advance. Final papers are due no later than **10pm on Thursday, December 11th**.*

Attendance & Class Participation – 10%

10% of your grade consists of participation in in-class discussions of the readings and regular class attendance. You should attend each class ready to engage in discussion and critical assessment of the readings. See below for more details.

Students taking this course for graduate credit should see me to discuss course requirements.

Class Policies

Attendance and Participation

This class is discussion-based, and participation is an integral part of it. Philosophical inquiry is a joint endeavor, and the quality of the course will depend crucially on your thoughtful, considerate engagement with the readings and with each other. We will be discussing controversial topics about which many of you will have strong feelings. However our purpose in this class is to move past feelings and opinions, and to evaluate and provide reasoned arguments for and against various positions on these issues. Students should come to class having closely read and thought about all assigned materials. This requires, at a minimum, determining the key point the author is trying to establish or criticize, understanding why the author considers it to be important, identifying the reasons the author gives in support of the conclusion, and considering whether those reasons both (a) are true or correct, and (b) actually support the author's conclusion. Students are encouraged to take notes while reading, and to come to class with questions about and criticisms of the readings.

Late Assignments

It is the responsibility of the student to have all assignments submitted no later than the assigned deadline, and all readings completed before the beginning of each class meeting. All late assignments will be penalized half a letter grade (5 points) for every day or portion of a day that they are late. Requests for reasonable accommodation due to legitimate conflicts must be made in advance. Attendance is not taken, but a pattern of missed classes will be noticed and will impact your attendance and class participation grade. Missing a significant number of class meetings is also likely to impact your grade through your performance on class assignments. Students who miss class are responsible for discovering on their own or from classmates any material missed or changes to class assignments. **Requests from students to be informed of what they missed during an unexcused absence will be ignored.**

Grading

Grades are assigned on the following scale:

A	90-100	D	60-69.9
B	80-89.9	R/F	0-59.9
C	70-79.9		

While I recognize that grade inflation has generated the expectation that a “B” should be fairly easy to achieve, and an “A” not too hard, it is not the case that instructors are obligated to inflate grades. I also recognize that receiving a lower grade than one has come to expect can be traumatic. However, in this class grades mean what they are intended to mean. A “C” represents a satisfactory or average performance, and is nothing to be ashamed of. A “B” is a good

performance, and something to be proud of. An “A” indicates outstanding or truly exemplary work. There is a steep learning curve to reading and writing philosophy effectively. This is why your lowest 2 response paper grades are dropped – to give you the opportunity to learn from your own mistakes early in the semester without your grade suffering later. This is another reason not to put off completing your required response pieces: so that you have more chances for feedback on your writing before the term paper is due.

Academic Integrity & Plagiarism

Plagiarism refers to the use of any ideas or words from another person or source without appropriate citation. All sources used for course assignments should be appropriately cited, including information found on the internet, in course readings, or from class discussions. If you are unsure about whether or not to cite something, err on the side of caution. I have a zero-tolerance policy for cheating: **Any student found to have plagiarized on any assignment will receive a failing grade for the assignment, and at my discretion, for the entire course.** Additionally, all institutional penalties will be sought.

Technology in the Classroom

I and your classmates put a great deal of time and effort into preparing for an interesting class discussion, and you are expected to do the same. When entering the classroom, please place your phone on “silent” and put it away for the duration of our meeting. If there is an urgent need to keep your phone on during a particular class period, please inform me at the beginning of class, sit where you can leave the room without distracting others, and keep your phone on vibrate. Students are permitted but strongly discouraged from using laptops during class. While typing is faster than writing for many of us, using a computer during discussion significantly distracts from what is going on and leads to disengagement from those around you. While some users can successfully use a computer without multitasking, most cannot – it is hard not to take a down moment to check your email or look at your calendar. But studies have shown that this kind of multitasking during class not only causes the computer user’s learning to suffer, but also that of the students sitting nearby who can see the screen.¹ Moreover, recent research has shown that students take better notes, and learn more, when they take notes via longhand instead of on a computer.²

Videotaping and Audio Recording

Videotaping and audio recording are prohibited without the express written permission of the instructor.

If you wish to request an accommodation due to a documented disability, please see me and contact Disability Resources at access@andrew.cmu.edu or 412-268-2013 as soon as possible.

¹ Sana, F., T. Weston and N. J. Cepeda (2013). "Laptop multitasking hinders classroom learning for both users and nearby peers." Computers & Education **62**: 24-31.

² Mueller, P. A. and D. M. Oppenheimer (2014). "The Pen is Mightier Than the Keyboard: Advantages of Longhand over Laptop Note Taking." Psychological Science **25**: 1159-1168.

Outline of Topics & Tentative Schedule of Readings

(All dates and readings are subject to change. You will always be informed of what to read for the next class at the end of the previous meeting.)

Part I: Introduction to Health and Human Rights

Our first few meetings will be devoted to an introduction to the main topics of the course and the intersection between health disparities and human rights deficits. We will talk about the current Ebola outbreak in Western Africa in order to illustrate several of the ethical issues we'll be delving into during the semester.

Aug. 26: Course introduction and overview

No assigned readings.

Aug. 28: Ebola and Human Rights

Universal Declaration of Human Rights

Ebola readings

Sept. 2: The interplay between health and human rights

Mann, J. M. (1997). "Medicine and Public Health, Ethics and Human Rights." Hastings Center Report **27**(3): 6-13.

Part II: What are Human Rights?

What is the basis for the ascription of human rights? How should human rights be conceived? Do we have claims to human rights by virtue of some universal aspect of our humanity, or are all rights essentially political (i.e. grounded in state-based legal systems)? Does it make sense to say that I have a human right if no specified individual or group is tasked with ensuring my human rights are fulfilled?

Sept. 4: Human rights grounded in the conditions of normative agency

Griffin, J. (2009). "First Steps in an Account of Human Rights." On Human Rights. Oxford, Oxford University Press, ch. 2.

Sept. 9: Human rights grounded in universal basic interests

Nickel, J.W. (2005). "Poverty and Rights." The Philosophical Quarterly **55**(220): 385-402.

Sept. 11: The capabilities approach

Nussbaum, M. (1997). "Capabilities and Human Rights." Fordham Law Review **66**(2): 273-300.

Sept. 16: A political conception of human rights

Excerpts from Rawls, J. (1999). The Law of Peoples. Cambridge, Harvard University Press

Beitz, C. (2009). "A Fresh Start." The Idea of Human Rights. Cambridge, Harvard University Press, ch. 5.

Sept. 18: A critical examination of the value of human rights talk

O'Neill, O. (2005). "The Dark Side of Human Rights." International Affairs **81**(2): 427-439.

Sept. 23: Human rights as collective moral responsibility

Pogge, T. (1998). "How Should Human Rights be Conceived?" World Poverty and Human Rights. Malden, MA, Polity Press, ch. 2.

Part III: A Human Right to Health?

Is there a human right to health? If there is, what does it mean? How should a right to health be conceived?

Sept. 25: Against a human right to health

Goodman, T. (2005). "Is There a Right to Health?" Journal of Medicine and Philosophy **30**: 643-662.

Sept. 30: A right to healthcare or to a sufficient level of health

Preda, A. (2012). Is there a Human Right to Health? Health Inequalities and Global Justice. P.T. Lenard and C. Straehle. Edinburgh, Edinburgh University Press: 17-33.

Oct. 2: A capabilities approach to health equity

Venkatapuram, S. (2012). Health Inequalities, Capabilities and Global Justice. Health Inequalities and Global Justice. P.T. Lenard and C. Straehle. Edinburgh, Edinburgh University Press: 65-82.

Oct. 7: A collective right to public health

Meier, B.M. (2007). "Advancing Health Rights in a Globalized World: Responding to Globalization through a Collective Human Right to Public Health." Journal of Law, Medicine, and Ethics **35**(4): 545-555.

Part IV: Beneficence

On what basis or bases might moral obligations to meet human rights deficits fall on us? Does the very fact that we have the resources to aid others imply that we have a moral obligation to do so? What responsibilities do we in the developed world have to those in the developing world given the amount we spend on frivolous or "luxury" items?

Oct. 9: The principle of sacrifice

Singer, P. (1972). "Famine, Affluence, and Morality." Philosophy & Public Affairs **1**(3): 229-243.

Oct. 14: The demandingness objection

Fishkin, J. (1982). "The Zone of Indifference" and "The Famine Relief Argument". The Limits of Obligation. New Haven, Yale University Press, chs. 4 & 9.

Oct. 16: Against the demandingness objection

Sobel, D. (2007). "The Impotence of the Demandingness Objection." Philosopher's Imprint **7**(8): 1-17.

Part V: Relationships & Priorities

How should we determine who we help, and why? Is there a difference between our moral obligations to compatriots vs. our moral obligations to foreigners? What if aiding foreigners has the effect of harming the worst off of our compatriots?

Oct. 21: Lifeboat Ethics

Hardin, G. ([1974] 2001). "Living on a Lifeboat." The Social Contract **12**(1): 36-47.

Oct. 23: Patriotic Priority

Miller, R.W. (1998). "Cosmopolitan Respect and Patriotic Concern." Philosophy & Public Affairs **27**(3): 202-224.

Oct. 28: Global Egalitarianism

Moellendorf, D. (2006). "Equal Respect and Global Egalitarianism." Social Theory & Practice **32**(4): 601-616.

Part VI: Libertarianism

What role should property rights play in limiting our obligations to others? Do we have a right to our greater prosperity? Do citizens in the developed world owe a duty of restitution to the global poor based on our participation in a system of global institutions which impose harms on the developing world?

Oct. 30: Property Rights & Negative Duties

Excerpts from Locke, J. (1689). Second Treatise of Government.

Nov. 4: Entitlement Theory

Excerpts from Nozick, R. (1974). Anarchy, State and Utopia. Oxford, Basil Blackwell.

Nov. 6: Justice in Rectification

Pogge, T. (2005). "World Poverty and Human Rights." Ethics and International Affairs **19**(1): 1-7.

Nov. 11: Notions of Harm

Risse, M. (2005). "Do We Owe the Global Poor Assistance or Rectification?" Ethics and International Affairs **19**(1): 9-18.

Part VII: Intellectual Property and Access to Essential Medicines

Nov. 13: A Defense of Intellectual Property Rights

Child, J.W. (1990). "The Moral Foundations of Intangible Property." The Monist **73**(4): 578-600.

Nov. 18: A Human Right to Access to Medicines

Risse, M. (2012). Is There a Human Right to Essential Pharmaceuticals? The Global Common, the Intellectual Common, and the Possibility of Private Intellectual Property. Global Justice and Bioethics. J. Millum and E.J. Emanuel. Oxford, Oxford University Press: 43-77.

Part VIII: Topic TBD

Nov. 25

Dec. 2

Dec. 4