

PHILOSOPHY 348/648: HEALTH, HUMAN RIGHTS, AND INTERNATIONAL DEVELOPMENT
Fall 2019
TR, 3-4:20pm
Baker Hall 235a

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Office Hours: Wednesdays 1-2pm & Tuesdays 4:30-5:30pm
Baker Hall 155C

Course Description & Objectives

Approximately 1.1 billion people live on less than \$1 a day in a condition the World Bank refers to as extreme poverty. Those who live in extreme poverty frequently lack effective access to proper nutrition, adequate shelter, safe drinking water, and sanitation. As a result, they also bear the greatest burdens of famine and epidemic disease and frequently face social and political conditions of unrest and systematic oppression. This course aims to introduce students to human rights theory and its intersection with global public health. We will ask what constitutes a human right, and on what basis or bases the existence of human rights can be defended. If human rights do exist, whose responsibility is it to see that they are defended, provided for, or not violated, and why? What is the relationship between health deficits and human rights deficits, and what would a “human right to health” look like? Are global institutions such as the protection of strong intellectual property rights consistent with respect for a human right to health?

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 on Canvas.

Important Dates

Sept. 9: Drop deadline for tuition adjustment
Oct. 21: Mid-semester grades turned in
Oct. 24: No class; DMW traveling
Nov. 5: Final drop deadline
Nov. 7: No class; DMW traveling
Nov. 18: First paper due
Nov. 25: Peer review due
Nov. 28: No classes; Thanksgiving Break
Dec. 11: Final paper due

Course Requirements

The learning curve for reading and writing philosophical materials is steep, and early feedback will be important to you in improving your work. Homework assignments are structured to improve students' reading habits, analytical skills, and writing. If you are struggling with written assignments, make use office hours.

Homework and Short Response Pieces – 25%

Over the course of the semester, there will be several short writing assignments. Assignment specifics are posted on Canvas. Students are responsible for knowing about class assignments. Note that assignment due dates vary by day of the week. Students who are unable to complete short writing assignments by the assigned time will be granted reasonable extensions, provided that an extension is requested in advance.

First Term Paper – 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 writing assignment, 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 first term paper is due no later than **12pm (noon) on Monday, November 18th**. Students who are unable to meet this deadline will be granted a reasonable extension, provided that an extension is requested in advance.*

Peer Review – 10%

*Each student will be required to write a critical review and response to another student's first term paper. 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 their work. Peer reviews are due no later than **12pm (noon) on Monday, November 25th**. Peer reviews will be discussed with paper authors in class on **Tuesday, November 26th**. Note that this is the Tuesday before Thanksgiving. Students not in attendance for that discussion will receive an automatic 20% deduction on their peer review grade.*

Second Term Paper – 30%

*Graded term papers with comments from both me and your peer reviewer will be returned to you by Monday, December 2nd. Students will re-write their term papers in light of the comments received. Final papers are due no later than **10pm on Wednesday, December 11th**. Students who are unable to meet this deadline will be granted a reasonable extension, provided that an extension is requested in advance.*

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. Class meetings will frequently involve in-class activities. All students begin the term with full (10 points) participation grade. Any in-class activity that is missed or which a student cannot contribute to due to failure to do the reading results in an automatic deduction of 1 participation point. Participation points can also be lost due to patterns of absenteeism.

Class Policies

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 calendar day or portion of a calendar day that they are late. **Short writing assignments submitted more than 3 calendar days late will receive a 0. Papers submitted more than 7 calendar days late will receive a 0.** Requests for reasonable accommodation will be granted but must be made in advance.

Attendance

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 a class day on which an in-class activity is conducted will have one point automatically deducted from their participation grade. Students who miss class are responsible for discovering on their own or from classmates any material missed or changes to class assignments. **Email requests from students asking what they missed during unexcused absences will be ignored.**

Participation

Philosophical inquiry is a joint endeavor, and the quality of this 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. **Disrespectful comments towards other students will not be tolerated.** Students *should* come to class having closely read and thought about all assigned materials. This requires, at a minimum:

- Determining the key point(s) the author is trying to establish or criticize;
- Understanding why the author considers it/them to be important;
- Identifying the reason(s) the author gives in support of the conclusion; and
- Considering whether those reasons are both (a) true or correct, and (b) actually in support of 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.

Communication

Students are not always familiar with the norms governing professional correspondence. Please use the following resource to inform your understanding of what is expected from communications in a professional environment: <https://medium.com/@lportwoodstacer/how-to-email-your-professor-without-being-annoying-af-cf64ae0e4087#gyje2zezg>. **Please note that I do not read or respond to student emails outside of normal business hours (i.e. if you email me in the evening, you will not receive a response until the next weekday morning).**

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, which should provide you with strong incentives to work hard at the beginning of the semester and receive the kind of feedback you will need to excel in your written assignments.

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 available 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 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

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.

Videotaping and Audio Recording

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

Disability Accommodations

Students with disabilities are legally entitled to reasonable accommodation to ensure equal access to education. If you have a disability and have an accommodation letter from the Disability Resources office, I encourage you to discuss your accommodations and needs with me as early in the semester as possible. I will work with you to ensure that accommodations are provided as appropriate.

The ADA defines a disability as a medical condition that substantially limits one or more life activities – including things like walking, sleeping, taking care of yourself, learning, and regulating your emotions – or major bodily functions. If you have a medical condition, *including mental health conditions*, that significantly interferes with your schoolwork, you probably qualify. You do not need to disclose your condition to your instructors to receive accommodations.

Some students will need accommodations in college who did not need them before. If you suspect that you may have a disability and would benefit from accommodations but are not yet registered with the Office of Disability Resources, I encourage you to contact them at access@andrew.cmu.edu. It is important to reach out sooner than later, as most accommodations are only forward-looking modifications to class expectations, rather than mitigating low grades you may have already received.

More generally: take care of yourself. Do your best to maintain a healthy lifestyle this semester by eating well, exercising, avoiding excess substance use, getting enough sleep, and taking some time to relax. Also: make use of the resources available to you to manage the stresses and anxieties that we all experience sometimes. An important part of maturing is learning how and when to ask for help. Asking for help sooner rather than later can in many cases help to avert more serious crises. If you or anyone you know is experiencing anxiety or depression, I encourage you to seek support. You can contact Counseling and Psychological Services (CaPS) at [412-268-2922](tel:412-268-2922) or visit their website at <http://www.cmu.edu/counseling/>. Consider reaching out to a friend, faculty or family member you trust for help getting connected to the support that you need.

I am committed to providing students with equal access to this class. If you are struggling – whether because of a medical condition or otherwise – please come talk to me. It is an expectation in my classroom that both students and I see everyone as a whole person. Self-care is valid and important work, and should take priority over this class. You cannot pour from an empty cup. Prioritize caring for your health, both physical and mental.

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 ongoing global epidemic of HIV/AIDS and recent advances in the prevention of HIV in order to illustrate several of the ethical issues we'll be delving into during the semester.

Aug. 27: Course introduction and overview

No assigned readings.

Aug 29: Intro to Human Rights

Universal Declaration of Human Rights
HIV & ARV readings

Sept. 3: 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. 5: 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. 10: Human rights grounded in universal basic interests

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

Sept. 12: The capabilities approach

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

Sept. 17: 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. 19: 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. 24: 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?

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

Sept. 26:

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.

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. 1: Luck Egalitarianism, Fair Equality of Opportunity, and Sufficiency

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. 3: Capabilities and 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.

Part IV: Property and Intellectual Property

What role should property rights play in limiting our obligations to others? Do we have a right to our greater prosperity? Can intellectual property rights in life-saving drugs be defended?

Oct. 8: Property Rights & Negative Duties

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

Oct 10: A Defense of Intellectual Property Rights

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

Oct 15: Lockean Intellectual Property Rights

Shiffrin, S. (2001). "Lockean Arguments for Private Intellectual Property." New Essays in Legal and Political Theory. S.R. Munzer. Cambridge, Cambridge University Press: 138-167.

Oct 17: Intellectual Property & Indigenous Cultural Appropriation

Bannister, K., M. Solomon, and C.G. Brunk. (2009). "Appropriation of Traditional Knowledge: Ethics in the Context of Ethnobiology." The Ethics of Cultural Appropriation. J.O. Young and C.G. Brunk. Malden, MA, Blackwell: 140-172.

OCT. 22: DISCUSSION OF TERM PAPER ASSIGNMENT; NO READING. ATTENDANCE MANDATORY.

Oct. 24: No class meeting.

Oct 29: 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 V: Grounding Moral Obligations to the Global Poor

On what basis might obligations to address human rights deficits among the global poor be sustained? 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 have as a result of the global trade and finance policies that our nation supports?

Oct. 31: The principle of sacrifice

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

Nov. 5: 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.

Nov. 7: No class meeting.

**NOV 12: IN-CLASS WRITING WORKSHOP; NO READING.
ATTENDANCE MANDATORY.**

Nov. 14: Against the demandingness objection

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

Nov. 19: Justice in Rectification

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

Nov. 21: Responsibility for Global Health Deficits

Pogge, T. (2007). "Responsibilities for Poverty-Related Ill Health." Principles of Health Care Ethics. R. Ashcroft & A. Dawson. Wiley: 71-79.

**NOV 26: IN-CLASS PEER REVIEW DISCUSSIONS; NO READING.
ATTENDANCE MANDATORY.**

Dec. 3: What is Exploitation?

Valdman, Mikhail. (2009). "A Theory of Wrongful Exploitation." Philosopher's Imprint 9(6): 1-14.

Dec 5: Exploitation & Non-Domination

Wenner, D. and D. Gray. (2019). "Exploitation and Non-Domination in Transnational Surrogacy Contracts." (*draft manuscript*).