



Academic Year 2022-2023

Syllabus

Rights of Nature for Global Environmental Constitutionalism

Prof. Pierre Brunet

Course Description:

Learning outcomes

By the end of the course the students should be able to:

- Discuss key issues in global environmental constitutionalism from theoretical and empirical point of view
- Describe and interpret key study design issues in rights of nature
- Discuss the explicit and implicit legal theories that underlie the main positions
- Appreciate the need for a multidisciplinary approach, spanning socio-cultural approaches, anthropology and politics, for understanding and researching global environmental constitutionalism
- Understand and appreciate the main concepts in the field

Teaching Method:

General structure of the module

Most topics will be treated according to the following scheme:

- Opening statement
- Reading of one paper and discussion in a seminar
- Methodological practical session on study design or theoretical underpinnings of a global environmental constitutional issue

Key articles from journals and books will be discussed in **seminars**, which involve some group work.

- Student active preparation for and participation in seminars and practicals is crucial. Seminar readings expand on the lecture topics and provide additional information and understanding that is needed for assessments
- You are encouraged to express your personal opinions on the readings.

Schedule of Topics:

Topic 1	Main concepts and issues <ul style="list-style-type: none">- Constitutionalism and neoconstitutionalism- Global constitutionalism- Environmental constitutional law- Rights and basic rights- Dichotomy Nature and Culture
Topic 2	Rights of Nature and Legal Theory <ul style="list-style-type: none">- Legal positivism and legal realism- Natural law and Interpretativism- Critical Legal Theory- Postmodernism- Wild law, Earth Jurisprudence- Earth System Law

Topic 3	Rights of Nature and Environmental Ethics <ul style="list-style-type: none"> - Anthropocentrism, Biocentrism, Ecocentrism - Intrinsic Value - Rights of nature and Human Rights - Indigenous claims - Biocultural diversity and biocultural rights
Topic 4	Legal personhood and Natural entities - Case studies <ul style="list-style-type: none"> - Latin America - Australia & New Zealand - United States & Canada - Africa - Europe
Topic 5	Climate Change Litigation <ul style="list-style-type: none"> - Practical and theoretical issues - Constitutional and judicial issues - How judges deal with scientific knowledge? - Cases studies
Topic 6	Ecology and Democracy <ul style="list-style-type: none"> - Critical issues in representative democracy - Green politics and constitutional design - Long term policies v. short term democracy - Should policy be bound by scientific knowledge?

Weekly Reading/Viewing Materials: The weekly readings include: (1) Theory and Concepts - short articles that familiarize students with some of the main topics ; (2) Case Studies - short assigned readings that highlight the weekly theme; (3) Contemporary Challenges and country profiles.

Textbook: A relevant bibliography is provided for each topic.

Requirements and Grading: The class requirements include: in-class discussion, in-class presentation, and take-home writing assignments. (1) Attendance and Participation: Each week every student will be given the opportunity to share their opinions in class discussion. (2) In-class Presentation: Each student will be responsible to deliver a short in-class presentation on the ‘contemporary challenges’ (it can be in the form of a “country profile”). The presentation will require a 10-15 minutes report, which may also include some slides or visual material. Presentations may also require doing some additional reading or research than the weekly syllabus assignment; (3) The class also requires a final paper. You may choose your own question, or several examples will be provided. The breakdown for grading is as follows: (1) Attendance and Participation – 30%; (2) In-class Presentation – 30%; (3) Final paper – 40%.

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NOTE: If you are an **Erasmus or a non Global Governance student** who would like to attend one or more courses in the Global Governance programme, please be aware that, **before enrolling in the course**, you should have read the code of conduct and the procedural rules characterizing our programme. We assume that, if you enroll in the course, **you have read and accepted all Global Governance values and rules**. Notice that attendance is required from the very first lesson and you need to attend at least 80% of the course to be considered an attending student.