



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%.

Professor Contact Info: The best way to make contact is email: pierre.brunet@univ-paris1.fr

NOTE: Erasmus or non Global Governance students who would like to attend one or more courses and take one or more exams need to contact the Secretariat of Global Governance by e-mail global.governance@uniroma2.it for registration and inform the Professor of the course. They are required to sign a code of conduct like all Global Governance students, accepting all values and rules. Please read it carefully before enrolling.

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.