

Essay Guidelines: Moral Rights Paper

Find an article in the public press (such as a letter to the editor, an editorial, a news article, etc.) in which one or more moral rights are mentioned. (Be sure that the rights mentioned are moral and not legal.) Use this article to answer the following questions:

1. What type of right is mentioned? [Natural or special? Positive or negative? Liberty, immunity, or welfare?]
2. What do the possession criteria seem to be for this right?
3. What duties are generated by this right, and who has those duties?
4. With what other rights would you expect this right to conflict? Which of these rights is likely to override the others, and why?

The answers to most or all of these questions may not appear in the article you're using, so you'll need to work out this information for yourself. Be sure that the answers you provide are well thought out and carefully defended.

The item (letter to the editor, editorial, or whatever) you use for this assignment does not need to be current or from the local area. All you need is someone discussing a moral issue by talking about rights. One thing I want you to learn from this assignment is just how difficult it is to do a good job of using moral rights to resolve moral issues.

Once you've found your article, **BE SURE TO INCLUDE A COPY WITH YOUR ESSAY**. I'll need to see it to understand what you've written about it.

1. Your essay should go through the 4 parts of the question. First, what sort of right is discussed in your article? *If more than one right is mentioned, just select one to discuss in this essay.* Look at the descriptions and examples of the types of rights to make your classification. Explain briefly how you arrived at this classification.
2. Second, what are the possession criteria for this right? This will almost certainly NOT be discussed in your article, so you'll have to figure it out for yourself. What characteristics would someone have to have in order to possess this right?
 - a. For natural rights, the characteristics might be rationality, the capacity to experience pleasure or pain, the ownership of property, and so forth.
 - b. If your right is a special right, explain what sort of action or relationship created it.
3. Third, what duties does this right generate, and who has those duties?
 - a. If your right is a negative right, then the corresponding duties will be to leave the right-holder alone in some way, and the right will be possessed by all other moral agents (i.e., by everyone else).
 - b. If your right is a positive right (welfare right), then you'll have to figure out who, exactly, has the duty to provide assistance to the right-holder, and what assistance is morally required.
 - c. If your right is a special right, the person who has the duty will be the one who performed the action, or the other party involved in the relationship

(depending on how that special right was created). You'll then have to figure out what the content of that duty is.

4. Fourth, with what other rights will the right you've chosen conflict? When the right-holder exercises this right, who else would be unhappy and why?
 - a. If your right is a negative right, it may conflict with other people's immunity rights.
 - b. If your right is a positive right, it may conflict with other people's liberty right to act as they see fit.
 - c. If your right is a special right, it might conflict with almost any other sort of right.