Human rights theory and history

Academic Year: (2022 / 2023) **Review date: 18-05-2022**

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: RIBOTTA , SILVINA VERONICA

Type: Electives ECTS Credits : 3.0

Year : Semester :

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Theory of Law and Sociology of Law

OBJECTIVES

General aims of the subject Theory and History of Human Rights

1.- Essential knowledge in the field of reflection on the problems of the justice of Law and the legitimacy of power, in general, and in particular on the rights-based theories.
2.- Ability to take a position on the concept of rights and their role in the constitutional order.
3 .- Knowledge of the techniques that ensure rights in the Spanish¿s constitutional culture
5.- Facilitating analysis and debate and ethical valuation of current legal problems and possible solutions.
6.- Appreciation of the need to understand and evaluate human rights from an intellectual, critical and rigorous view.

Specific aspects on which the student will be assessed

1.- Knowledge and understanding of the various topics covered in the program
2.- Analytical capacity and critical perspective
3.- Relating human rights problems to other aspects of society.
4.- Rigorous approach to different questions and academic effort

DESCRIPTION OF CONTENTS: PROGRAMME

First lecture. Human rights and theories of justice

1.1. Some theories of justice
1.2. The rights based theories of justice

Second lecture.- What are the rights and why they must be protected?

2.1. Conceptual approach
2.2. Historical approach: the processes of development rights
2.3. Human dignity
2.4. The values of rights: liberty, equality, solidarity and legal certainty

Third lecture .- What are the rights?

3.1. Individual and civil rights
3.2. Political rights
3.3. Economic, social and cultural rights
3.4. New rights

Fourth lecture .- Who are the holders of rights?

4.1. The holders of rights. The 'borders' of rights
4.2. The owners of the duties. Rights and powers

LEARNING ACTIVITIES AND METHODOLOGY

PRACTICAL WORK AND PRACTICE MARK

a) Practice sessions

The students work and participation, including presentations, in these sessions will be assessed. The students can also do texts commentaries or an original essay as practice work. The assessment of this Practice work accounting for 50% of the Final mark.

b) Theoretical work and Theory mark

For the assessment of the Theory sessions there will be the Final exam. The assessment of this Theoretical part accounting for 50% of the Final mark.

ASSESSMENT SYSTEM

The final mark for the course will be made up, for 50% of the aggregate of the Theory mark and, also for 50%, the Practice mark.

Additional requirements for passing the course: at least a 3 or higher on the final course exam (on a 10-point scale)

% end-of-term-examination:	50
% of continuous assessment (assigments, laboratory, practicals…):	50

BASIC BIBLIOGRAPHY

- FREEMAN, M. Human Rights, Polity, 3rh Edition 2017
- ISHAY, M.R., The history of human Rights from Ancient Times to the Globalization Era, University of California Press, 2004
- WALDRON, J. (ed.), Theories of Rights, Oxford University Press, 1984

ADDITIONAL BIBLIOGRAPHY

- BENHABID, S., The Claims of Culture: Equality and Diversity in the Global Era,, Princenton University Press, 2002
- GROSS, O.; NÍ AOLÁIN, F., Law in Times of Crisis: Emergency Powers in Theory and Practice,, Cambridge University Press, 2006
- HUNT, L., Inventing Human Rigts: A History,, Norton, 2007
- LAUREN, P.G., The Evolution of International Human Rights,, University of Pennsylvania Press, 1998
- RIEFF, D., "Humanitarianism in Crisis",, Foreign Affairs, 81, 2002, pp. 111-122.
- TURNER, B.S., Vulnerability and Human Rights, Pennsylvania State University Press, 2006