

Liverpool John Moores University

Title: THE LAW OF HUMAN RIGHTS
Status: Definitive
Code: **7507LAWBC** (106758)
Version Start Date: 01-08-2011

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
Nirmala Pillay	Y

Academic Level: FHEQ7
Credit Value: 15.00
Total Delivered Hours: 32.00
Total Learning Hours: 150
Private Study: 118

Delivery Options

Course typically offered: Semester 2

Component	Contact Hours
Lecture	20.000
Seminar	12.000

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Coursework - essay 4,000-6,000 words	100.0	

Aims

To assess critically the scope and limits of human rights legislation.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate an awareness of the impact of European Convention jurisprudence on English Law.(A2)

- 2 Demonstrate a firm grounding of the basic concepts and principles in human rights discourses.(A1)
- 3 Assess critically the limits of human rights discourses and law.(B5)
- 4 Demonstrate the ability to use the case-law on human rights in other human rights jurisdictions either as a paradigm or as an interrogatory source.(B3)
- 5 Assess critically the relationship between human rights and corporate activities.(A3)
- 6 Demonstrate a well-developed ability to use a wide range of standard and legal and other electronic sources of information.(B1)
- 7 Produce a substantial essay on a topic on human rights by displaying a sufficient and relevant understanding of the principles,cases,statutes,theories and academic critiques.(A2)

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

CW	1	2	3	4	5	6	7
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Outline Syllabus

Philosophical analysis of human rights(Outline)
England and Wales and the European Convention
The Right to Privacy versus Freedom of Expression
Human Right and the Criminal Justice Process
Human Rights and Corporations

Learning Activities

Lectures and Seminars

References

Course Material	Book
Author	Clayton,R. and Tomlinson,H.
Publishing Year	2008
Title	The Law of Human Rights,Vols.1 and 2
Subtitle	
Edition	
Publisher	Oxford University Press
ISBN	

Course Material	Book
Author	Feldman,D.
Publishing Year	2002
Title	Civil Liberties and Human Rights in England and Wales
Subtitle	

Edition	
Publisher	Oxford University Press
ISBN	

Course Material	Book
Author	Amos. M
Publishing Year	2006
Title	Human Rights Law
Subtitle	
Edition	
Publisher	Hart
ISBN	

Course Material	Book
Author	Barendt. E
Publishing Year	2005
Title	Freedom of Speech
Subtitle	
Edition	
Publisher	OUP
ISBN	

Course Material	Book
Author	Joseph. S
Publishing Year	2004
Title	Corporations and Transnational Human Rights Litigation
Subtitle	
Edition	
Publisher	Hart
ISBN	

Course Material	Book
Author	Joseph. S, Schultz J, Castan M
Publishing Year	2005
Title	The International Covenant on Civil and Political Rights
Subtitle	
Edition	
Publisher	OUP
ISBN	

Notes

This module assesses the nature, the scope and the limits of the European Convention rights incorporated into British law by The Human Rights Act 1998 by examining four departments of English jurisprudence.

Basic human rights recognized around the world declared by United Nations through Universal Declaration of Human Rights. These declaration held by United Nations General Assembly at the Palais de Chaillot in Paris, France on 10 December 1948. Of the then 58 members of the United Nations, 48 voted in favor, none against, eight abstained, and two did not vote. This declaration consists of 30 articles affirming an individual's rights. 13. Freedom to movement and residence. Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country. 14. Right to asylum. Although human rights as ideals continue to be the concern of philosophers, jurists must consider and ascertain which of the ideals that may be described as fundamental human rights are legally enforceable. Are the ideals merely moral norms, or are they legal rights to be legally enforced? It is to be noted at the beginning of our deliberations that, when we acknowledge the existence of human rights, we have also admitted that there are limitations upon the power of government. Hence, individuals enjoy certain human rights that governments have a duty to respect. 15. See supra note 1 and accompanying text. 7THE DECLARATION OF INDEPENDENCE para. 2 (U.S. 1776). All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. 16. You have duties toward the community within which your personality can fully develop. The law should guarantee human rights. It should allow everyone to respect others and to be respected. 17. Everyone has duties to the community in which alone the free and full development of his personality is possible. Chapter 1 INTERNATIONAL HUMAN RIGHTS LAW AND THE ROLE OF THE LEGAL PROFESSIONS: A GENERAL INTRODUCTION. Learning Objectives. Questions. 1. Introduction. 18. In recent decades, international human rights law has had an ever-growing impact on domestic legal systems throughout the world, and thereby also on the daily work of domestic judges, prosecutors and lawyers. This evolving legal situation, the true dimensions of which could hardly have been foreseen half a century ago, requires each State concerned, and also the relevant legal professions, carefully to consider ways in which effective implementation of the State's legal human rights obligations can best be secured. Considering the Universal Declaration of Human Rights proclaimed by the General Assembly of the United Nations on 10th December 1948; Considering that this Declaration aims at securing the universal and effective recognition and observance of the Rights therein declared 19. 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or.