

**COURSE DATA****DATA SUBJECT**

Code: 35258
Name: Human rights
Cycle: Undergraduate Studies
ECTS Credits: 4.5
Academic year: 2025-26

STUDY (S)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Facultat de Dret	4	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
1303 - Degree in Law	Human rights	ELECTIVES

COORDINATION

GASCON CUENCA ANDRES

SUMMARY

This course is placed within the itinerary *foundations of the Law* of the fourth year of Degree in Law.

The concept of human rights is one of the fundamental ones of the Law Degree. This is why they are studied from different perspectives in other subjects. An essential one is the critical approach, not only because university students have to adopt a critical position with respect to what they study, but also because all Law, and particularly human rights, need to be evaluated from this perspective if we want Law to approach an ideal of justice.

The critical approach to the study of human rights will be carried out in three different stages: the historical, the conceptual and the interpretative.

PREVIOUS KNOWLEDGE**RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE**

There are no specified enrollment restrictions with other subjects of the curriculum.

OTHER REQUIREMENTS



This Course is part of one of the optional specialization paths offered by the law degree. This course is scheduled to be taught in the 4th year of the Degree. However, it is a subject that can be taken at any time during the development of the Law Degree. If the student already has the knowledge on human rights provided by other courses such as constitutional law, public international law or ecclesiastical state law, he/she will have the opportunity to compare and contrast the different scope between the subjects and how HR are envisioned.

COMPETENCES / LEARNING OUTCOMES

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Acquire basic knowledge of legal arguments.

Be able to apply constitutional principles and values, the respect for human rights, with special attention to equality between men and women, sustainability and the culture of peace as working tools in the interpretation of the legal system.

Be able to communicate correctly both orally and in writing in the field of law.

Develop critical awareness for the analysis of the legal system and develop the legal dialectic.

Have negotiation and conciliation skills.

Know, understand and know how to apply the interrelation between law and other non-legal disciplines.

Recognise the importance of law as a system for regulating social relations.

Understand the constitutional regulatory framework, the political institutions of the State and their functioning.

Understand the law in its historical dimension and the differences in regulations sequenced chronologically.

Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.

DESCRIPTION OF CONTENTS

1. BASIC ASSUMPTIONS FOR THE STUDY OF HUMAN RIGHTS

1. Human rights: the current projection of the concept of justice.
2. The inextricable link between human rights and dignity.
3. The concept of human rights.



4. Human rights and fundamental rights.

2. Historical and doctrinal evolution of human rights

1. Greco-Roman thought
2. Christian thought
3. Rationalist natural law and contractualist theories

3. The process of positivisation of human rights: The First Declarations of Rights

1. Precedents in the legal recognition of rights
2. The first declarations of human rights
 - 2.1. The American Declaration of Rights
 - 2.2 The French Declaration of Rights The French Declaration of Rights
3. Three models of the positivisation of rights: a comparative analysis

4. Insufficiencies of the liberal positivisation of rights: The process of generalisation and social rights

1. Insufficiencies of the liberal positivisation of rights
2. The process of generalisation and the emergence of social rights
3. Outstanding issues in the process of generalisation

5. On the 'generations' of human rights

1. First generation: civil and political rights
2. Second generation: social, economic and cultural rights
3. Third generation: rights



6. Process of internationalisation and specification of human rights

1. The Charter of the United Nations
2. Universal Declaration of Human Rights
3. International Covenants of 1966
4. Regional Conventions
5. Process of specifying rights

7. On the foundations of human rights

1. The need for a foundation
2. Procedural theories: positivist and consensualist
3. Substantive theories: utilitarianism and liberal individualism
4. Universalist theories: natural law and the theory of needs

8. Notes on the concept of human rights

1. Universality
2. Inviolability (or absolute nature): the limits of rights
3. Inalienability or unavailability: ownership and exercise
4. Indivisibility or integrity

9. Open issues related to human rights

1. The universality of rights and cultural diversity
2. Immigration and human rights



- 3. Bioethics and human rights
- 4. Ecology and human rights
- 5. New Rights

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Theoretical and practical classes	45,00
Total hours	45,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	0,00
Individual or group project	10,00
Independent study and work	30,00
Preparation of lessons	10,00
Preparation for assessment activities	12,50
Resolution of case studies	5,00
Total hours	67,50

TEACHING METHODOLOGY

Theoretical lecturing: The fundamental theoretical contents of the subject will be shared through master classes. Students will actively participate in learning process by reading the indicated materials beforehand and by participating in the proposed debates.

Applied activities: They will consist in different readings on fundamental texts, with the objective of solving practical cases and sharing the results with the rest of the group. This is intended to achieve specific skills in Human Rights and to complement the theoretical contents.

Complementary activities: Throughout the course, complementary activities related to the subject's content will be scheduled in coordination with other related subjects.

EVALUATION

- 1. Final test of the course (70%). **To pass the course it will be necessary to pass the final test of the course.**
- 2. Assessment of the complementary and applied activities, and the suggested oral presentations (20%).
- 3. Class attendance and participation of the student in the teaching-learning process during the



development of the activities and the debates (10%).

Regardless of the general evaluation system established for all students (written or oral exam), the professor in charge of the subject will be able to reasonably determine in the annex to the course syllabus the possibility of changing the modality of the final exam when a student needs to take it on a date different from the official one, in application of the rules for exam clashing (Reglamento de Evaluación y Calificación de las Titulaciones de Grado y Máster de la Universitat de València), or any other cause established by the examination regulation (e.g., cases of justified force majeure). In these cases, the new modality of exam to be taken must maintain the same level of stringency and difficulty as the one generally given to the rest of the group.

The students who have followed the continuous evaluation and have obtained a grade for but decided not to take the final exam on the official dates (both in the 1st and 2nd call), will be graded as NOT PRESENTED (NO PRESENTADO).

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REFERENCES

Basic

- b1: AÑÓN ROIG, M.^a José, et. al. Lecciones de derechos sociales, Valencia, Tirant Lo Blanch, 2002. Referencia
- b2: BALLESTEROS, Jesús. Derechos Humanos. Concepto, fundamento, sujetos, Madrid, Tecnos, 1992. Referencia
- b3: BALLESTEROS, Jesús. Ecologismo personalista, Madrid, Tecnos, 1995. Referencia
- b4: DE LUCAS, Javier, et. al. Inmigración y derechos humanos, Lex Nova, Madrid, 2012. Referencia
- b5: DE LUCAS, Javier. Globalización e identidades: claves políticas y jurídicas, Icaria, Barcelona, 2003. Referencia
- b6: FERNÁNDEZ RUIZ-GALVEZ, Encarnación. Igualdad y derechos humanos, Madrid, Tecnos, 2002.

Basic books for the English (AN) group

- MOECKLI, Daniel. International Human Rights Law, Oxford, Oxford University Press, 2014.
- DONELLY, Jack. Universal Human Rights in Theory & Practice, New York, Cornell University Press, 2003.

Additional



- a1: LLANO, Alejandro, Humanismo cívico, Barcelona, Ariel 2000.
- a2: PÉREZ LUÑO, Antonio E., Derechos humanos, Estado de derecho y Constitución, Madrid, Tecnos, 1984.
- a3: PÉREZ LUÑO, Antonio E., Los derechos fundamentales, Madrid, Tecnos, 1995 (1984).