

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

Code: 36815
Name: Human rights
Cycle: Undergraduate Studies
ECTS Credits: 4.5
Academic year: 2026-27

STUDY (S)

Degree	Center	Acad. year	Period
1933 - Double Degree in Law and Economics_2022	Facultat de Dret	4	First quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
1933 - Double Degree in Law and Economics_2022	Asignaturas de cuarto curso	COMPULSORY

COORDINATION

GASCON CUENCA ANDRES

SUMMARY

The concept of human rights is fundamental to the understanding and study of law in general. While some aspects may be studied in other subjects, here they will be considered holistically.

The critical study of human rights will inform all activity carried out in this subject. This approach is fundamental, firstly because university students on the dual degree programme must study law, particularly human rights, from this perspective, which allows for a comprehensive evaluation of the subject matter, and secondly because this perspective is essential for law to approach the ideals of justice.

The critical study of human rights will therefore be approached from three complementary angles: historical, conceptual and 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 subject is scheduled to be taught in the 4th year of the double degree. However, it is a subject that can be taken at any time during its development. If the student already has training in human rights provided by other studied subjects, he/she will have the opportunity to contrast the different approaches that the study of human rights can have.

COMPETENCES / LEARNING OUTCOMES

DESCRIPTION OF CONTENTS

1. BASIC ASSUMPTIONS FOR THE STUDY OF HUMAN RIGHTS

1. Human Rights: current projection of the idea of justice.
2. The inescapable connection between human rights and dignity.
3. The concept of human rights
4. Human rights and fundamental rights

2. HISTORICAL-DOCTRINAL EVOLUTION OF HUMAN RIGHTS

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

3. THE PROCESS OF POSITIVIZATION 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 Bill of Rights.
 - 2.2. The French Bill of Rights.
3. Three models of positivization of rights: a comparative analysis.

4. INADEQUACIES OF THE LIBERAL POSITIVIZATION OF RIGHTS: THE PROCESS OF GENERALIZATION AND SOCIAL RIGHTS

1. Inadequacies of the liberal positivization of rights.
2. The process of generalization and the emergence of social rights.
3. Pending issues in the process of generalization.



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. INTERNATIONALIZATION AND SPECIFICATION PROCESSES OF HUMAN RIGHTS.

1. The Charter of the United Nations.
2. The Universal Declaration of Human Rights.
3. International Covenants of 1966.
4. Regional Conventions.
5. Process of specification of human 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: iusnaturalism and the theory of needs.

8. NOTES ON THE CONCEPT OF HUMAN RIGHTS

1. Universality
2. Inviolability (or absoluteness): the limits of rights
3. Inalienability or non-availability: ownership and exercise of rights
4. Indivisibility or integrity

9. OPEN ISSUES RELATED TO HUMAN RIGHTS

1. Universality of rights and cultural diversity.
2. Immigration and human rights.
3. Bioethics and human rights.
4. Ecology and human rights.
5. The new rights.

WORKLOAD

PRESENCIAL ACTIVITIES

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

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	3,00
Individual or group project	3,00
Independent study and work	35,00
Preparation of lessons	9,50
Preparation for assessment activities	12,00
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. In-presence final course test (70%).
2. Assessment of complementary and applied activities and suggested oral presentations (20%).
3. Class attendance and the student's participation in the teaching-learning process during the activities and 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 course syllabus annex the possibility of changing the final exam modality when a student needs to take it on a different date to the official one, in accordance with the exam clashing rules (Reglamento de Evaluación y Calificación de las Titulaciones de Grado y Máster de la Universitat de València), or for any other reason established by the examination regulations (e.g. cases of force majeure). In these cases, the new exam must be of the same level of difficulty and stringency as that generally given to the rest of the group. Students who have followed continuous assessment and obtained a grade but decided not to take the final exam on the official dates (in both the first and second calls) will be graded as NOT PRESENTED (NO PRESENTADO).

REFERENCES



Basic

- b1: AÑON ROIG, M.^a José, et. al. Lecciones de derechos sociales, Valencia, Tirant Lo Blanch, 2002.
- b2: BALLESTEROS, Jesús. Derechos Humanos. Concepto, fundamento, sujetos, Madrid, Tecnos, 1992.
- b3: BALLESTEROS, Jesús. Ecologismo personalista, Madrid, Tecnos, 1995.
- b4: DE LUCAS, Javier, et. al. Inmigración y derechos humanos, Lex Nova, Madrid, 2012.
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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).