

LAWS70454 Human Rights: From Morality to Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2014, Parkville This subject commences in the following study period/s: April, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Coordinator:	Prof John Tasioulas
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Human rights are a dominant but highly contested feature of ethical, political and legal thinking in the era ushered in by the Universal Declaration of Human Rights of 1948. This subject explores the many pressing questions raised by these rights from the point of view of contemporary moral, political and legal philosophy.</p> <ul style="list-style-type: none"> # Are human rights triggers for intervention or benchmarks of State legitimacy? # Are they based on dignity, interests, or some other value? # How do we determine who has human rights and who bears the associated duties? # Can human rights conflict with other values and how should such conflicts be resolved? # Are human rights compatible with cultural pluralism? # How should human rights be legalised? # Is international human rights law legitimate in light of the claims of State sovereignty? # How is the content of international human rights law to be determined? # How should we reform or implement this law?

	<p>Principal topics will include:</p> <ul style="list-style-type: none"> # The nature of human rights: moral, legal, political? # The grounds of human rights: interests, dignity, God... # The subjects of human rights and the bearers of associated duties # Conflicts involving human rights and their relations to the common good # Human rights and cultural pluralism # The legalisation of human rights # The legitimacy of international human rights law # Sources of international human rights law # Reforming international human rights law # Jus cogens, intervention and punishment.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Achieve a comprehensive grasp of the major issues arising in the contemporary theory of human rights # Be equipped to reflect critically on the leading contributions to the theory of human rights # Be able to articulate some central philosophical questions about human rights and to formulate clear and cogent views about them.
Assessment:	Take-home examination (100%) (30 May – 2 June) or 10,000 word research paper (100%) (9 July) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70454/2014