

Liverpool John Moores University

Title: Democracy, Rule of Law and Human Rights
Status: Definitive
Code: **7128LAWPL** (124024)
Version Start Date: 01-08-2019

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

Team	Leader
Thomas Phillips	Y

Academic Level: FHEQ7 **Credit Value:** 20 **Total Delivered Hours:** 18
Total Learning Hours: 200 **Private Study:** 182

Delivery Options

Course typically offered: Semester 1

Component	Contact Hours
Lecture	8
Seminar	10

Grading Basis: 50 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	Essay	5000 word essay, title set by the student with support of the module team.	100	

Aims

- 1. To provide students with the opportunity to examine contemporary issues within the broader context of human rights discourse.*
- 2. To provide students with an understanding of, and the ability to critically analyse, key themes of democracy, the rule of law, and human rights within domestic and international law.*
- 3. To provide students with the opportunity to appreciate the relationship between key theoretical concepts studied in the module*

Learning Outcomes

After completing the module the student should be able to:

- 1 Critically illustrate and evaluate the ideas which inform liberal democracy.
- 2 Demonstrate a critical understanding of the themes of democracy, rule of law and human rights, and their role in a modern liberal state.
- 3 Critically analyse ideas of democracy, liberalism and human rights.
- 4 Demonstrate a critical appreciation of a range of primary texts in this area.

Learning Outcomes of Assessments

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

5000 word essay	1	2	3	4
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Outline Syllabus

The Rule of Law Convention

- *The rule of law ancient and modern*
- *Anglo-American 'rule of law'; German Rechtsstaat and French Etat de droit*
- *Prevention of tyranny: procedural elements*
- *Preservation of freedom: substantive elements*
- *Main theories (Dicey, Fuller, Raz, Bingham, Habermas)*

Government by Consent

- *The formation of Republican government*
- *Written and unwritten constitutions and the role of courts*
- *Theories of democracy*
- *Conflicting political and legal values*

A liberal theory of rights

- *Liberalism and personal autonomy*
- *Liberalism as a political philosophy*
- *Rule of law and liberal rights*
- *Liberalism and democracy*
- *Human rights and the common law*

Learning Activities

Lectures
Seminars

Notes

This is an Option Module.