



## **MA DLB (0724)– Human Rights and Substantive Guarantees**

### **JSIA Cross Elective – Fall 2025 Semester**

#### **Course Information:**

Course Duration: 15 Weeks

Credit Hours: 4 Credits

Meetings: Weekly session (3 hours)

Location: TBD

Prerequisites: N/A

#### **Instructor Information:**

Instructor: Haseeb Mohammed

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Phone: N/A

Office: N/A

Office Hours: by appointment/ e-mail

#### **1. Course Description**

Human rights involve substantive guarantees, meaning they are legally protected rights that everyone is entitled to, *inter alia*, including the right to life, liberty, security of person, and freedom of expression. These rights are enshrined in international law and national constitutions, ensuring their protection.

#### **2. Course Intended Learning: Aims and Objectives**

Course Intended Learning Outcomes	Teaching and Learning Activities	Assessments/ Activities
Substantive guarantees refer to the actual rights themselves, such as the right to life, liberty, and security of person, freedom of expression.	Cases studies/Academic writing(s)	Case notes/critical analysis/ research paper(s)
Understand how they are distinct from procedural rights, what are the mechanisms or processes in place to protect and enforce substantive rights.		

Explore how through international human rights law, such as the European Convention on Human Rights (ECHR), national laws and constitutions, substantive rights are guaranteed.		
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### 3. Scheme of Evaluation and Grading

#### Evaluation breakup

Internal breakup: 70%

External breakup: 30%

### 4. Academic Integrity

Academic Honesty, Cheating, and Plagiarism, as per norms/rules/regulations of the university

### 5. Textbooks:

- Sheeran, S. & Rodley, S.N. 2013;2014;, *Routledge Handbook of International Human Rights Law*, 1st edn, Routledge.
- Pisillo Mazzeschi, R. 2021, *International Human Rights Law: Theory and Practice*, 1;1st 2021;1st 2021.; edn, Springer, Cham.
- De Schutter, O. 2014;2020;, *International Human Rights Law: Cases, Materials, Commentary*, 3rd edn, Cambridge University Press.
- Gibney, M. 2015, *International Human Rights Law: Returning to Universal Principles*, 2;Second; edn, Rowman & Littlefield Publishers, Incorporated, Blue Ridge Summit.
- Bantekas, I. 2024, *International Human Rights Law and Practice*, Fourth edn, Cambridge University Press.
- Kalin, W. & Kunzli, J. 2019, *The Law of International Human Rights Protection*, 2;Second; edn, Oxford University Press, Oxford.
- Wheatley, S. 2019, *The Idea of International Human Rights Law*, 1;First; edn, Oxford University Press, Oxford.
- Shelton, D.L. 2020, *Advanced Introduction to International Human Rights Law*, 2;Second; edn, Edward Elgar Publishing Limited, Cheltenham.
- Nussberger, A. 2020, *The European Court of Human Rights*, 1st edn, Oxford University Press, Oxford.
- McDougal, M.S., Lasswell, H.D. & Chen, L. 2019;2018;, *Human Rights and World Public Order: The Basic Policies of an International Law of Human Dignity*, 2;2nd; edn, Oxford University Press, Oxford.

- Shelton, D. 2013, *The Oxford Handbook of International Human Rights Law*, 1;First; edn, Oxford University Press, Oxford.
- Clooney, A. & Neuberger, D. 2024; *Freedom of Speech in International Law*, 1st edn, Oxford University Press, Oxford.
- Mutua, M. 2016, *Human Rights Standards: Hegemony, Law, and Politics*, 1st edn, State University of New York Press, Albany.

## 6. Session Plan

Session	General Topic	Readings	Approach/Pedagogy
04/08/25 11/08/25	Right to life: use of lethal force by a state	<b><u>McCann v United Kingdom</u></b>  Chevalier-Watts, J. 2010, "A rock and a hard place: has the European Court of Human Rights permitted discrepancies to evolve in their scrutiny of right to life cases?", <i>The international journal of human rights</i> , vol. 14, no. 2, pp. 300-318.	
18/08/25 25/08/25	Right to life: assisted dying	<b><u>Pretty v United Kingdom</u></b>  "European Court of Human Rights (ECHR): Pretty v. The United Kingdom (U.K.)", 2002, <i>International legal materials</i> , vol. 41, no. 4, pp. 806-839.  "European Court of Human Rights: case of Pretty v. the United Kingdom", 2002, <i>Issues in law &amp; medicine</i> , vol. 18, no. 1, pp. 67-89.  Tiensuu, P. 2015, "Whose right to what life?: Assisted suicide and the right to life as a fundamental right", <i>Human rights law review</i> , vol. 15, no. 2, pp. 251-281.	
01/09/25 08/09/25	Right to life: withdrawal of medical assistance	<b><u>Airedale NHS Trust v Bland</u></b>  Fordham, M. & Teck, C.H. 1993, ""Cutting the Thread of Life" – The Right to Cease Medical Treatment: Airedale NHS Trust v Bland", <i>Singapore journal of legal studies</i> , , pp. 235-244.  Airedale NHS Trust v Bland": Medical treatment - withdrawal of treatment - patient in persistent vegetative state", 1993, <i>New law journal</i> , vol. 143, no. 6587, pp. 199.	
15/09/25 22/09/25	Right to life: Death Penalty	<b><u>Pratt and Morgan v Attorney General of Jamaica</u></b>	

		<p>Hightet, K., Kahale, G. &amp; Phillips, B. 1994, "Pratt &amp; Morgan v. Attorney General for Jamaica", <i>The American journal of international law</i>, vol. 88, no. 4, pp. 775-783.</p> <p>Campbell, J. 2015, "Murder Appeals, Delayed Executions, and the Origins of Jamaican Death Penalty Jurisprudence", <i>Law and history review</i>, vol. 33, no. 2, pp. 435-466.</p>	
29/09/25 06/10/25	Freedom of Expression	<p><b><u>E.S. v Austria</u></b></p> <p>Taylor, R. 2020, "When Freedom of Speech Comes at a Cost: A Case Study of E.S. v. Austria", <i>Indiana journal of global legal studies</i>, vol. 27, no. 2, pp. 431-450.</p> <p>Wrench, J.G. 2020, ""Balancing" Free Expression and Religious Feelings in E.S. v. Austria: Blasphemy by Any Other Name?", <i>Case Western Reserve journal of international law</i>, vol. 52, no. 1-2, pp. 735-752.</p>	
13/10/25	Freedom of Expression	<p><b><u>Handyside v United Kingdom</u></b></p> <p>Mchangama, J. &amp; Alkiviadou, N. 2021, "Hate Speech and the European Court of Human Rights: Whatever Happened to the Right to Offend, Shock or Disturb?", <i>Human rights law review</i>, vol. 21, no. 4, pp. 1008-1042.</p>	
20/10/25	Freedom of Expression: Apostasy	<p><b><u>Asia Bibi Case</u></b></p> <p>Ahmed, I. 2021, "Asia Bibi v. The State: the politics and jurisprudence of Pakistan's blasphemy laws", <i>Third world quarterly</i>, vol. 42, no. 2, pp. 274-291.</p>	
27/10/25	Freedom of Expression: Blasphemy	<p><b><u>I.A. v Turkey</u></b></p> <p>King, J. 2017, "Illiberalism in Political Islam as Emotion Rather Than Ideology: Moral Discourse on Alcohol and Blasphemy in Turkey", <i>Politics, religion &amp; ideology</i>, vol. 18, no. 3, pp. 309-330.</p>	
03/11/25	Freedom of Expression: Blasphemy	<p><b><u>Salman Rushdie Case</u></b></p> <p>Gutkin, L. 2024, "Is Blasphemy Illiberal? Salman Rushdie's thoroughly modern controversies", <i>The Yale review</i>, vol. 112, no. 3, pp. 167-179.</p>	

		Slaughter, M.M. 1993, "The Salman Rushdie Affair: Apostasy, Honor, and Freedom of Speech", <i>Virginia law review</i> , vol. 79, no. 1, pp. 153-204.	
10/11/25	Freedom of Expression: incitement to racial or religious hatred	<b><u>Jersild v Denmark</u></b>	