

GCE

LAW:
THE RULES OF HUMAN RIGHTS
LAW AND THEORY IN HUMAN
RIGHTS LAW

CIVIL LIBERTIES
SUGGESTED IDEAS FOR TEACHING
AND LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	A Level Law
Topic:	The rules of human rights law and theory in human rights law
Session:	Civil liberties

Component:	A Level Components 2 and 3
Ref. to specification:	Human Rights Law
Suggested time allocation:	2-4 hours

Aims and Objectives: At the end of these sessions the student will be able to:

- **Define the terms ‘human rights’ and ‘civil liberties’**
- **Identify civil and political rights and social and economic rights with examples for each**
- **Explain the distinction and similarities between rights and liberties**
- **Explain the main theories – Locke, Rawls, Dworkin, Bentham**
- **Explain how these theories are incorporated into both domestic and international law**

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce topic, Explain 1st session on Rights, this lesson will lead into detailed lessons on European Convention on Human Rights and the Human Rights Act 1998/ Bill of Rights.
- PowerPoint presentation can be used to introduce the topic, state the objectives and for the topic area.
- Organise the class into small groups and ask them the following questions: Where do rights come from? What values do they promote? What do you think is meant by ‘human rights’ and ‘civil liberties’? Give examples? How are rights balanced with other rights & collective issues? How are rights enforced? Feedback answers to class (can be done using flipchart paper, whiteboard etc.)
- Explain the main distinction between civil liberties & human rights (i.e. the type of right, civil and political, social & economic and the type of obligation on the state, i.e. negative or positive)
- Explain and discuss the main theories – Locke, Rawls, Bentham and Dworkin
- Facilitate class discussion of the theories - Dworkin believes every state has a duty to treat ALL of its citizens with equal concern & respect even those who have unpopular views. Do you agree? E.g. Facilitate discussion of terrorism cases e.g. ***A & Others v Secretary of State for the Home Department (2004)*** and other issues, e.g. should people be able to have freedom of expression even if it offends others?
- Explain that both civil liberties and human rights are fundamental rights, but more protection usually afforded to civil liberties, i.e., through legislation like Human Rights Act 1998 and the power of the judiciary under this Act to question interference from the Government

Student Activities:

- Students in small groups discuss the following questions: Where do rights come from? What values do they promote? What do you think is meant by 'human rights' & 'civil liberties'? Give examples? How are rights balanced with other rights & collective issues? How are rights enforced? Feedback answers to class
- Class discussion of civil liberties and whether a state should treat all of its citizens equally even though some have unpopular views e.g. could discuss terrorism cases, freedom of speech / freedom of religion etc

Suggested links/ resources:

- PowerPoint
- Internet
- Cases

Assessment

During the lesson	Group exercises and direct questioning illustrate how well the students have understood rights and liberties
Subsequent to lesson	Link to next lesson on European Convention on Human Rights & Human Rights Act 1998

TOPIC: Rights and Liberties

Questions:		Expected answers:
1.	Where do rights come from?	Students usually answer – Government, custom, history
2.	What values do they promote?	Right to individual liberty, free from excessive interference by the state
3.	What do you think is meant by 'human rights' and 'civil liberties'?	Human rights – those rights like food, shelter, clothing, right to a job, education etc (social and economic) Civil Liberties – those rights like, right to a fair trial, free speech, right to protest etc. (civil and political)
4.	Which rights do you think are more important? Are civil liberties more important than human rights?	Answer will depend on students viewpoints, students usually believe that rights such as food and shelter are as important as right to a fair trial etc
5.	How are rights enforced?	By the Government / Courts
6.	Does the state have a duty to treat ALL of its citizens with equal concern and respect even those who have unpopular views?	Again answer will depend on student's viewpoints, but could include a discussion of whether suspected terrorists should have the right to liberty, fair trial. Or discussion of freedom of expression, religion etc.