



Laws and Rights



Rights And Law

Shiv R.S. Bedi



Rights And Law:

International Human Rights Law Riccardo Pisillo Mazzeschi, 2021-09-29 This textbook provides a thorough and systematic overview of human rights law including the most relevant practice and case law but also dealing with theoretical issues It pursues an original approach seeking to reconcile its didactic purpose with a scientific one positing that there must be a necessary synergy between these two purposes Furthermore the author is convinced that international human rights law should not be studied as is done in virtually every textbook as a special legal regime separate and autonomous from the overall system of international law but as a regime that is fully integrated into the international legal order The book's dominant theme is the interrelationship of international human rights law and general international law Following this approach the author has chosen to devote comparatively little content to institutional issues Part IV and to instead more intensively explore the structural impact of human rights law on the entire international order Part I on the sources Part II and obligations Part III of general international law and what constitutes fundamental human rights Part V without neglecting other rights Part VI

The Accountability of Armed Groups under Human Rights Law Katharine Fortin, Foreword by Andrew Clapham, 2017-08-11 Today the majority of the armed conflicts around the world are fought between States and armed groups rather than between States This changed conflict landscape creates an imperative to clarify the obligations of armed groups under international law While it is generally accepted that armed groups are bound by international humanitarian law the question of whether they are also bound by human rights law is controversial This book brings significant new understanding to the question of whether and when armed groups might be bound by human rights law Its conclusions will benefit international law academics legal practitioners and political scientists and anthropologists working on issues related to rebel governance and civil wars This book addresses the debate on this topic by employing a theoretical historical and comparative analysis that spans international humanitarian law international criminal law and international human rights law Embedding these different perspectives in public international law this book brings several key points of clarification to the legal framework Firstly the book draws upon social science literature on armed conflict to present a new viewpoint on the role that human rights law plays vis vis international humanitarian law in non international armed conflicts Secondly the book sheds light on the circumstances in which armed groups acquire obligations under human rights law It brings illumination to these topics by combining historical and comparative research on belligerency insurgency and international humanitarian law with a theoretical analysis of legal personality under international law In the final part of the book the author tests the four most utilised theories of how armed groups are bound by human rights law examining whether armed groups can be bound by virtue of i treaty law ii control of territory iii international criminal law and iv customary international law In the book's conclusions the author presents final remarks that are designed to provide concrete guidance on how the issue of armed groups and human rights law can be dealt with more

thoroughly in practice

The Development of Human Rights Law by the Judges of the International Court of Justice Shiv R.S. Bedi, 2007-01-18 The jurisprudence of the International Court of Justice generally demonstrates that no rule of international law can be interpreted and applied without regard to its innate values and the basic principles of human rights Through its case law the ICJ has made immense contributions to the development of human rights law and in so doing continues to provide solutions to mounting international problems such as terrorism and unilateral use of force Part I of the book argues that the legislative spirit of contemporary international law lies in the doctrine of human rights and that the spirit of human rights doctrine lies in the principle of human dignity Furthermore it argues that the processes of international legislation and international adjudication are inseparable and that there is no norm of international law which does not intertwine the fundamental principle of human dignity with human rights doctrine Hence human rights law is more a school of law than merely a normative branch of international law and the ICJ's willingness to engage in the development of human rights law depends upon which judicial ideology its judges subscribe to In order to evaluate how this human rights spirit is manifested or occasionally not manifested through the vast jurisprudence of the ICJ Parts II and III critically examine the Court's principal contentious and advisory cases in which it has treated human rights questions The legal reasoning of the Court and the opinions appended to its decisions by its individual judges are analysed in light of the principle of human dignity and the doctrine of human rights

The Idea of International Human Rights Law Steven Wheatley, 2019-01-17 International human rights law has emerged as an academic subject in its own right separate from but still related to international law This book explains the distinctive nature of this discipline by examining the influence of the idea of human rights on general international law Rather than make use of a particular moral philosophy or political theory it explains human rights by examining the way the term is deployed in legal practice on the understanding that words are given meaning through their use Relying on complexity theory to make sense of the legal practice of the United Nations the core human rights treaties and customary international law the work demonstrates the emergence of the moral concept of human rights as a fact of the social world It reveals the dynamic nature of this concept and the influence of the idea on the legal practice a fact that explains the fragmentation of international law and special nature of international human rights law

Children's Rights Law in the Global Human Rights Landscape Eva Brems, Ellen Desmet, Wouter Vandenhoele, 2017-04-21 Children's rights law is often studied and perceived in isolation from the broader field of human rights law This volume explores the inter relationship between children's rights law and more general human rights law in order to see whether elements from each could successfully inform the other Children's rights law has a number of distinctive characteristics such as the emphasis on the best interests of the child the use of general principles and the inclusion of third parties e.g. parents and other care takers in treaty provisions The first part of this book questions whether these features could be a source of inspiration for general human rights law In part two the reverse question is asked could children's rights law draw

inspiration from developments in other branches of human rights law that focus on other specific categories of rights holders such as women persons with disabilities indigenous peoples or older persons Finally the interaction between children s rights law and human rights law and the potential for their isolation inspiration or integration may be coloured or determined by the thematic issue under consideration Therefore the third part of the book studies the interplay between children s rights law and human rights law in the context of specific topics intra family relations LGBTQI marginalization migration media the environment and transnational human rights obligations

New Technologies for Human Rights Law and Practice Molly K. Land, Jay D. Aronson, 2018-04-19 Provides a roadmap for understanding the relationship between technology and human rights law and practice This title is also available as Open Access

Islamic Law and International Human Rights Law Anver M. Emon, Mark Ellis, Benjamin Glahn, 2012-10-11 The relationship between Islamic law and international human rights law has been the subject of considerable and heated debate in recent years The usual starting point has been to test one system by the standards of the other asking is Islamic law compatible with international human rights standards or vice versa This approach quickly ends in acrimony and accusations of misunderstanding By overlaying one set of norms on another we overlook the deeply contextual nature of how legal rules operate in a society and meaningful comparison and discussion is impossible In this volume leading experts in Islamic law and international human rights law attempt to deepen the understanding of human rights and Islam paving the way for a more meaningful debate Focusing on central areas of controversy such as freedom of speech and religion gender equality and minority rights the authors examine the contextual nature of how Islamic law and international human rights law are legitimately formed interpreted and applied within a community They examine how these fundamental interests are recognized and protected within the law and what restrictions are placed on the freedoms associated with them By examining how each system recognizes and limits fundamental freedoms this volume clears the ground for exploring the relationship between Islamic law and international human rights law on a sounder footing In doing so it offers a challenging and distinctive contribution to the literature on the subject and will be an invaluable reference for students academics and policy makers engaged in the legal and religious debates surrounding Islam and the West

The Right to Equality in European Human Rights Law Charilaos Nikolaidis, 2014-07-25 A right to equality and non discrimination is widely seen as fundamental in democratic legal systems But failure to identify the human interest that equality aims to uphold reinforces the argument of those who attack it as morally empty or unsubstantiated and weakens its status as a fundamental human right This book argues that an understanding of the human interest which equality aims to uphold is feasible within the jurisprudence of the European Court of Human Rights ECtHR and the European Court of Justice ECJ In comparing the evolution of the prohibition of discrimination in the case law of both Courts Charilaos Nikolaidis demonstrates that conceptual convergence within the European Convention on Human Rights ECHR and the EU on the issue of equality is not as far as it might appear initially While the two bodies of equality law are extremely divergent

as to the requirements they impose their interpretation by the international judiciary might be properly analysed under a common light to emphasise the substantive dimension of equality in European Human Rights law The book will be of great use and interest to scholars and students of human rights discrimination law and European politics

Research Methods for International Human Rights Law Damian Gonzalez-Salzberg, Loveday Hodson, 2019-06-13 The study and teaching of international human rights law is dominated by the doctrinal method A wealth of alternative approaches exists but they tend to be discussed in isolation from one another This collection focuses on cross theoretical discussion that brings together an array of different analytical methods and theoretical lenses that can be used for conducting research within the field As such it provides a coherent accessible and diverse account of key theories and methods A distinctive feature of this collection is that it adopts a grounded approach to international human rights law through demonstrating the application of specific research methods to individual case studies By applying the approach under discussion to a concrete case it is possible to better appreciate the multiple understandings of international human rights law that are missed when the field is only comprehended through the doctrinal method Furthermore since every contribution follows the same uniform structure this allows for fruitful comparison between different approaches to the study of our discipline

Using Human Rights Law in English Courts Murray Hunt, 1997-03-01 The primary purpose of this book is to demonstrate the scope that already exists for using international human rights law in English courts regardless of its status as incorporated or unincorporated Murray Hunt addresses directly what are commonly supposed to be the theoretical obstacles to using human rights law in English courts and aims to raise awareness of the extent to which these have now fallen away in light of recent developments in English judicial practice The book was first published in hardback in March 1997

Rights And Law: Bestsellers in 2023 The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous compelling novels captivating the hearts of readers worldwide. Lets delve into the realm of top-selling books, exploring the captivating narratives that have enthralled audiences this year. Rights And Law : Colleen Hoover's "It Ends with Us" This touching tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens "Where the Crawdads Sing" This mesmerizing coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and thrilling novel that will keep you wondering until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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