

Course code (filled in by the Office for Education)	
Course title	<b>Collision of Fundamental Rights</b>
Module title	Public Governance and Political Science
Level of the course	MA
Institute/Department responsible for course	Institute of Human Resources
Course director	Prof. Dr. György Kiss DsC
Name of the Lecturer(s)	Prof. Dr. György Kiss DsC; Dr. Antal Szerletics PhD, Dr. András Téglási PhD
Number of the ECTS credits	5
Teaching methodology	Lecture (30 hours/semester)
Language of instruction	English
Prerequisite(s) for the course	Fluency in English
Semester	Both
Course description	The course enables to extend one's knowledge of Hungarian and overseas students regarding fundamental rights. During the course are attained the key definitions, the legal nature and the development of these rights. It will be explored the connection between public and private law. The main point of this course is the analysis of collision between these rights.
Learning outcomes and course competences	The aim of this course to familiarize the students with structure and effects of the fundamental rights in a theoretical and practical sense also.
Weekly content of course	<ol style="list-style-type: none"> <li>1. Values and Fundamental Rights, Criteria for the Quality of Fundamental Rights</li> <li>2. The origins of fundamental rights. The idea of natural rights in the history of philosophy</li> <li>3. Categorisation of human rights. Absolute and qualified rights. Rights as trumps.</li> <li>4. Universalism vs. cultural relativism. Critiques of human rights.</li> <li>5. The Unity of Fundamental Rights, Different Levels of Fundamental Rights</li> <li>6. The development of protection of fundamental rights in Europe. Fundamental Rights in the European Union.</li> <li>7. Confusing the protection of human rights in Europe – Strasbourg v Luxembourg?</li> <li>8. The Basis of Fundamental Rights; The human Dignity - Historical Approach, The Human Dignity in the Modern Law's Systems</li> <li>9. Effects of Fundamental Rights: Direct versus Indirect Effect</li> <li>10. Collision of Fundamental Rights: Real and Bogus Collision</li> <li>11. The Right to Life, Liberty and Security of Person</li> <li>12. The Right to Property. The Right to Privacy</li> <li>13. Renunciation of Fundamental Rights. Right to Freedom of Opinion and Expression</li> <li>14. Rights to Freedom of Association. Requirements of Equal Treatment</li> <li>15. Closing and Evaluation of the Course</li> </ol>

<p>Compulsory or recommended reading materials</p>	<p><b>Compulsory reading materials:</b>                  Ronald Dworkin: Rights as Trumps, in Jeremy Waldron: Theories of Rights (Oxford: Oxford University Press, 1984), pp. 153–67.;                  Richard Rorty: Raimon Panikkar: Is the Notion of Human Rights a Western Concept? 82 Interculture (1984) pp. 28-47                  Human Rights, Rationality, and Sentimentality in Patrick Hayden (ed.), The Philosophy of Human Rights (Paragon House, St. Paul, 2001);                  Ronald Dworkin: Rights as Trumps, in Jeremy Waldron: Theories of Rights (Oxford: Oxford University Press, 1984), pp. 153–167.;                  Richard Rorty: Human Rights, Rationality, and Sentimentality in Patrick Hayden (ed.), The Philosophy of Human Rights (Paragon House, St. Paul, 2001);                  Peter Jones: Rights (Basingstoke : Macmillan, 1994) (chapters 1, 6, 7, 8); Raimon Panikkar: Is the Notion of Human Rights a Western Concept? 82 Interculture (1984) pp. 28-47;                  Oreste Pollicino: The New Relationship between National and the European Courts after the Enlargement of Europe: Towards a Unitary Theory of Jurisprudential Supranational Law? Yearbook of European Law (2010) 29 (1): pp. 65-111. available at: <a href="http://yel.oxfordjournals.org/content/29/1/65.full">http://yel.oxfordjournals.org/content/29/1/65.full</a> ;                  Patyi András: Protecting the Constitution (The Characteristics of Constitutional and Judicial Review in Hungary 1990-2010) Passau: Schenk Verlag, 2011.;                  Schanda Balázs, Varga Zs András, Csink Lóránt (eds.): The Basic Law of Hungary: A First Commentary (Dublin: Clarus Press, 2012) Available at: <a href="http://www.eui.eu/Documents/General/DebatingtheHungarianConstitution/TheBasicLawofHungary.pdf">http://www.eui.eu/Documents/General/DebatingtheHungarianConstitution/TheBasicLawofHungary.pdf</a></p> <p><b>Recommended reading materials:</b>                  Henry Shue: Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy (Princeton: Princeton University Press, 1980);                  Fernando R. Teson: International Human Rights and Cultural Relativism in Patrick Hayden (ed.), The Philosophy of Human Rights (Paragon House, St. Paul, 2001), pp. 379-393.;                  Wesley N. Hohfeld: Some Fundamental Legal Conceptions as Applied in Judicial Reasoning, 23 Yale Law Journal 16 (1913)</p>
<p>Assessment methods and criteria</p>	<p>Final exam</p>
<p>Grading</p>	<p>Five Scale Grading</p>
<p>Office hours/contact details</p>	<p>szerletics.antal@uni-nke.hu</p>