

Human Rights in National Administrative Law

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Human Rights in National Administrative Law Ayo Næsborg-Andersen Hent PDF Human rights are increasingly debated in the public sphere, yet discussions of human rights law are traditionally all but invisible in the discussions on national administrative law. This is at least the case in Denmark. This book sets out to analyse if, and in what way, the application of human rights law is visible in the case-law of institutions performing reviews of Danish administrative decisions.

The book consists of three parts. The first part contains the introduction, research question, methodological considerations and delimitations. The second part is an in-depth look at the theory of empowerment and legal capability, coupled with an analysis of how this theory is supported by international and national law. The third and final part contains an analysis of cases from both the Danish Parliamentary Ombudsman and the Danish Equality Board (Ligebehandlingsnævnet), applying a model of analysis developed using the theory of legal capability and communication theories.

Discussing new ways of analysing the application of human rights, this book is relevant for scholars and professionals primarily working with human rights law, but also administrative law, both nationally and internationally.

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