

# LA394-15 Global Health Law

**21/22**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

Sharifah Sekalala

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

Global Health Law is a recognised field of academic interest spanning many underlying issues of law in context that we deal with in other courses, such as development, gender, race, postcolonialism, human rights, intellectual property, migration, climate justice, international and humanitarian law.

[Module web page](#)

### Module aims

Global health Law is becoming a recognised field of academic interest which WLS currently doesn't offer. It spans many underlying issues of law in context that we deal with in other courses, such as development, gender, race, postcolonialism, human rights, intellectual property, migration, climate justice, international and humanitarian law.

Global Health Law raises fundamental questions about what law is and its relationship to politics, social change and, increasingly, technological advances. Global health law also asks normative and ethical questions about how we can regulate health effectively if medical technologies and medicines are privatised, if governments disregard environmental provisions, and how we can make evidence-based law in a world of uncertain medical progress and increasing rhetoric that debunks scientific evidence.

The course would involve asking conceptual and theoretical questions through several case studies in 5 key areas in global health law: communicable diseases, non-communicable diseases, measuring global health, the use of technologies to address global health problems, and law in humanitarian health emergencies.

The course would involve the use of video as a pedagogical tool to allow deeper analysis and engagement with the case studies. Each case study will also be designed to focus on intersectional issues of gender, race and class.

## **Outline syllabus**

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Introduction

Actors and Structure in Global Health Law

Making Global Health Law

Case study: Communicable Diseases

Case Study: Non-communicable Diseases

Case Study: Measuring Global Health

Case Study: Technologies in Global Health Law

Case Study: Health Emergencies

## **Learning outcomes**

By the end of the module, students should be able to:

- To understand the historical, postcolonial and racial context within which global health law is constructed.
- To understand ethical and moral principles informing GHL, such as harm, equity, contagion, etc.
- To understand the nature and limits of GHL.
- To understand the actors, institutions and structures of GHL and their impact on international law.
- To critique global health law on the grounds of race, gender, over-medicalisation, intergenerational justice, etc.

## **Indicative reading list**

Proposed Films

1. Lange Bangs (2010). The Lazarus Effect, [Documentary]. USA: HBO.
2. Andrew Head, James Oliver, 'Where has our Aids Money gone?'(2013)[Documentary]  
<https://www.bbc.co.uk/programmes/b03l4xnq> UK:BBC ,Panorama
3. David Darg,(2015)Body Team 12 [Documentary], USA: Vulcan Productions
4. Ben Summers, (2016) Dengue the hunt for a vaccine [Documentary] USA: The Orchard / Su Rynard,(2017) Mosquito [Documentary] How mosquitoes spread deadly diseases worldwide and what is being done to stop them. USA: Yap Films

5. Christof Putzel (201) Sex Lies and Cigarettes [Documentary] USA: Vanguard Films.

Other sources

Main text

1. Lawrence Gostin, (2014) Global Health Law Harvard University Press

Other texts

2. Angelina Fisher, 'Immunization Coverage Indicators: Technology of Public Health Governance,' Governance by Indicators, Global Power through Quantification and Rankings eds Kevin Davis, Angelina Fisher, Benedict Kingsbury, and Sally Engle Merry

3. David McCoy et al, Methodological and Policy Limitations of Quantifying the Saving of Lives: A Case Study of the Global Fund's Approach,' (2013)  
<https://doi.org/10.1371/journal.pmed.1001522>

4. Sharifah Sekalala, (2018) 'Soft Law and Global Health Problems: Lessons from HIV/AIDS, malaria and tuberculosis, CUP.

5. Bilchitz David (2013)Corporations and Fundamental Rights: What is the nature of their obligations if any: Handbook of the Philosophical Foundations of Business Ethics 1053- 1076

6. Harrington, John (2014) 'Access to essential medicines in Kenya, Intellectual Property, Anticounterfeiting and the right to health' in Freedman M, Hawkes S, Bennett B, ' Law and Global Health, ' Current Legal Issues Vol 16 OUP 94 -118.

7. Nunes Jao, (2016) 'Ebola and the production of neglect in global health, ' 43 TWQ 542-556

8. Simon Rushton, 'Framing AIDS: Securitization, Development-ization, Rights-ization,'  
<https://www.aber.ac.uk/en/media/departamental/interpol/chair/Rushton-Framing-AIDS-article.pdf>

9. Susan K. Sell, TRIPs Was Never Enough: Vertical Forum Shifting, FTAS, ACTA, and TPP, 18 J. Intell. Prop. L. 447 (2011)

10. Roache, Sarah A, and Lawrence O Gostin. "Tapping the Power of Soda Taxes: A Call for Multidisciplinary Research and Broad-Based Advocacy Coalitions – A Response to Recent Commentaries." International Journal of Health Policy and Management (in press) (2018).  
[http://www.ijhpm.com/article\\_3484\\_0.html](http://www.ijhpm.com/article_3484_0.html).

11. Roache, Sarah A, Charles Platkin, Lawrence O Gostin, and Cara Kaplan. "Big Food and Soda Versus Public Health: Industry Litigation Against Local Government Regulations to Promote Healthy Diets." Fordham Urban Law Journal (in press), no. 45: 1051 (2018).  
<https://ir.lawnet.fordham.edu/ulj/vol45/iss4/4/>.

12. Rumbold, Benedict, Rachel Baker, Octavio Ferraz, Sarah Hawkes, Carleigh Krubiner, Peter Littlejohns, Ole F. Norheim, et al. "Universal Health Coverage, Priority Setting, and the Human Right to Health." The Lancet, April 26, 2017.

13. Gostin, Lawrence O, H Abou-Taleb, Sarah A Roache, and Ala Alwan. "Legal Priorities for Prevention of Non-Communicable Diseases: Innovations from WHO's Eastern

Mediterranean.” Public Health 144 (2016): 4–12.

<https://www.sciencedirect.com/science/article/pii/S003335061630381X>.

14. Grove NJ Zwi AB Our health and theirs: forced migration, othering, and public health, Soc Sci Med. 2006; 62: 1931-1942
15. Kelley Lee, ‘The World Health Organisation,’ 2008 Routledge Publishers
16. Fredrick M Abott, The WTO medicines decision: World pharmaceutical trade and the protection of public health, American Journal of International Law 2005,99 (2), 317-358
17. Belinda Bennett Terry Carney, ‘Public Health Emergencies of International Concern: Global, Regional, and Local Responses to Risk,’ Medical Law Review, Volume 25, Issue 2, 1 May 2017, Pages 223–239,
18. Benjamin Mason Meier Kara Tureski Emily Bockh Derek Carr Ana Ayala Anna Roberts Lindsay Cloud Nicolas Wilhelm Scott Burris, ‘Examining National Public Health Law to Realize the Global Health Security Agenda,’ Medical Law Review, Volume 25, Issue 2, 1 May 2017, Pages 240–269.

### **Subject specific skills**

No subject specific skills defined for this module.

### **Transferable skills**

No transferable skills defined for this module.

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## **Study**

### **Study time**

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

### **Private study description**

No private study requirements defined for this module.

### **Costs**

No further costs have been identified for this module.

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## Assessment

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### Assessment group A1

	Weighting	Study time
Portfolio	25%	
This should consist of 3 reflective journals from the 5 case studies of approximately 300 words each.		
Participation	5%	
Students will be marked on their participation within lectures and seminars.		
Structured reflection/essay	70%	
Using any of the case studies from this module, students should write either an academic style essay OR reflective piece to critically analyse one of the titles given.		

### Feedback on assessment

Individual feedback session on reflective diaries in Week 7.

Feedback on Moodle summarising the strengths and weaknesses of essays across the cohort.

Final summative feedback via Tabula.

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## Availability

### Courses

This module is Optional for:

- ULAA-M300 Undergraduate Law
  - Year 2 of M300 Law
  - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
  - Year 2 of M106 Law (4 year) (Qualifying Degree)

- Year 3 of M106 Law (4 year) (Qualifying Degree)
- Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
  - Year 2 of M104 Law (Year Abroad)
  - Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
  - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
  - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
  - Year 3 of ML34 Law and Sociology (Qualifying Degree)
  - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law