

MAA SHAKUMBHARI UNIVERSITY, SAHARANPUR

SCHOOL OF HUMAN RIGHTS AND DUTIES

SYLLABUS

FOR

M.A. HUMAN RIGHTS AND DUTIES

As per NEP2020

(w.e.f. 2025-26)



MAA SHAKUMBHARI UNIVERSITY
SCHOOL OF HUMAN RIGHTS AND DUTIES

Year	Semester	Code	Core/Elective/ Value-added	Paper Title	Theory/ Practical Project	Credits	Internal Marks	External Marks	Total Marks	Minimum Marks (Int+ Ext)	Teaching Hours	
	SE M ES T E R- I	0712601	Core- Compulsory	Historical, Theoretical, Philosophical perspectives on Human Rights and Duties	Theory	4	25	75	100	40	4x15=	60
		0712602	Core- Compulsory	Human Rights and Duties in India	Theory	4	25	75	100	40	4x15=	60
		0712603	Core- Compulsory	Human Rights Issues in India	Theory	4	25	75	100	40	4x15=	60
		0712604	Core- Compulsory	Research Method	Theory	4	25	75	100	40	4x15=	60
		0712605/ 0712665	Core- Compulsory	Rights of Child OR Dissertation based on Fieldwork(only for the Students scoring 75 % in first 6 semesters)	Theory/Project	4	25	75	100	40	4x15=	60



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Sem 2	0812601	Core Compulsory	Development, Globalization, and Human rights Core	Theory	4	25	75	100	40	4x15=	60
SE M E S T E R- II	0812602	Core Compulsory	Women's Rights	Theory	4	25	75	100	40	4x15=	60
	0812603	Core Compulsory	Environment Human Rights and Duties	Theory	4	25	75	100	40	4x15=	60
	0812604	Core Compulsory	Disadvantaged Sections/Groups and Human Rights And Duties	Theory	4	25	75	100	40	4x15=	60
	0812605 / 0812665	Core Compulsory	Aged and Disabled People's Rights OR Dissertation based on Fieldwork(continue from first semester)	Theory/Project	4	25	75	100	40	4x15=	60

Semester III	Code	Core/Elective/ Value-added	Paper Title	Theory/ Practical Project	Credits	Internal Marks	External Marks	Total Marks	Minimum Marks (Int+ Ext)	Teaching	Hours
SE M E S T E R- III	0912601	Core-Compulsory	Science and Technology, Human Rights	Theory	4	25	75	100	40	4x15=	60
	0912602	Core-Compulsory	Right of Specific Groups	Theory	4	25	75	100	40	4x15=	60
	0912603	Core-Compulsory	Working Class, Human Rights and Duties	Theory	4	25	75	100	40	4x15=	60
	0912604	Core-Compulsory	International Organization	Theory	4	25	75	100	40	4x15=	60

		0912665	Core-Compulsory	Fieldwork based Dissertation	Project	4			100	40	4x15=	60
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Semester 4	1012601	Core Compulsory	Social Movement & Human Rights in India	Theory	4	25	75	100	40	4X15=	60
	1012602	Core Compulsory	Human Rights and Criminal Justice System	Theory	4	25	75	100	40	4X15=	60
	1012603	Core Compulsory	International Humanitarian and Refugee Laws	Theory	4	25	75	100	40	4X15=	60
	1012604	Core Compulsory	Minorities Human Rights	Theory	4	25	75	100	40	4X15=	60
	1012665	Core Compulsory	Fieldwork based Dissertation(continue from third semester)	Project	4			100	40	4X15=	60

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INSTRUCTIONS FOR EXAMINATION PATTERN

Internal Examination (25 Marks Total; 1 Hour Duration)

1. One written Test of 20 Marks [5 Marks Quiz/Multiple choice questions + 15 Marks (Very Short + Short + Long Question)]
2. Academic performance (class performance ,discipline ,punctuality and regularity in the class) (5 Marks)

External Examination Pattern (Written Exam of 75 Marks; 3 Hour Duration)

1. Section- A Attempt all five question. Each question carries 3 marks ($5 \times 3 = 15$).
2. Section- B: Attempt Any two out of three questions. Each question carries 7.5 marks ($7.5 \times 2 = 15$).
3. Section- C: Attempt any three out of five questions. Each question carries 15 marks ($15 \times 3 = 45$).

Minimum Passing Marks

1. In each individual paper, forty marks i.e., 40% with aggregate of 50% in all courses.
2. Division: First division – 60% and above, Second division – 50% and above. There is no provision for Third division.

SEMESTER I

CORE PAPER 1: HISTORICAL, THEORETICAL AND PHILOSOPHICAL PERSPECTIVES ON HUMAN RIGHTS AND DUTIES

(Paper Code:0712601)

Obective :-

This paper, introduces the student to the a) theoretical, conceptual, historical and other general aspects of human rights and duties, b) United Nations and human rights and c) international and regional concerns for human rights.

Course Contents

Unit I: Human Rights- Philosophical Perspectives

Meaning, nature, and classification of rights; Universal Human Values: Dignity, Justice and Equality.

Unit II: Human Rights- Historical Perspectives

Magna Carta, British Bill of Rights, French and American Declarations, UN Charter, International Bill of Rights, Regional Human Rights on Human Rights: European Convention, American Convention, African Charter and the Arab League.

Unit III: Human Rights- Theoretical Perspectives

Natural Rights theory; Liberal theory of rights; Legal/Positivist theory of Rights; Marxist theory of rights; Sociological theory of Rights; and Cultural theory of Rights.

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Unit IV: Human Rights, Duties and Responsibilities

Concept of Duties and Responsibilities; Relationship between Rights and Duties; Classification of Human duties and responsibilities: General - (a) Moral, ethical, social, economic, political and cultural (b) Universal (c) Traditional/Modern. The U.N Declaration on Human Duties and Responsibilities (DHDR) of Individuals, Groups and Organs to promote and protect Human Rights and Fundamental Freedoms 1998

References

Suggested Readings:

Alston, Phillip (ed.) (1992), *The United Nations and Human Rights: A Critical Appraisal*, Oxford: Clarendon Press.

Baehr, Peter R. (1999), *Human Rights: Universality in Practice*, New York: Palgrave. Baxi, Upendra (2002), *The Future of Human Rights*, New Delhi: Oxford University Press.

Bhagwati, P.N. (1987), *Dimensions of Human Rights*, Madurai: Society for Community Organization Trust.

Davidson, Scott (1993), *Human Rights*, Buckingham: Open University Press.

Donnelly, Jack (1989), *Universal Human Rights in Theory and Practice*, Ithaca: Cornell University Press.

Dube, M. P. and Neeta Bora (ed.) (2000), *Perspectives on Human Rights*, New Delhi: Anamika Publishers.

Freeman, Michael (2003), *Human Rights: An Interdisciplinary Approach*, Cambridge: Polity Press.

Hargopal, G. (1999), *Political Economy of Human Rights*, Hyderabad: Himalaya.

Jacobs, Francis G. and R.C.A. White (1996), *The European Convention on Human Rights*, Oxford: Clarendon University Press.

Kannabiran, K. G. (2003), *The Wages of Impunity: Power, Justice and Human Rights*, New Delhi: Orient Longman.

Mazzini, Joseph, (1890) *Essays on the duties of man*, Lahore, Anglo-Sanskrit Pr..


Further Readings:

Kothari, Smitu and Harsh Sethi (ed.) (1991), *Rethinking Human Rights: Challenge for theory and Action*, Lokayan, Delhi.

Krasno, Jean A. (2005), *The United Nations*, New Delhi: Viva.

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Langley, Winstone E. (1999), *Encyclopedia of Human Rights Issues since 1945*, London: Fitzroy Dearborn Publishers.

Lauterpacht, Hersch (1945), *An International Bill of the Rights of Man*, New York: Columbia University Press.

Morsink, Johannes (1999), *The Universal Declaration of Human Rights: Origins, Drafting and Intent*, Philadelphia: University of Pennsylvania Press.

O'Byrne, Darren J. (2003), *Human Rights: An Introduction*, New Delhi: Pearson. Sanajaoba, N. (2000), *Human Rights in the New Millennium*, New Delhi: Manas Publications.

Tuck, R. (1979), *Natural Rights Theories*, Cambridge: Cambridge University Press.

UN Centre for Human Rights (1996), *International Human Rights Standards for Law Enforcement*, Geneva: World Campaign for Human Rights.

UN Centre for Human Rights (1990), *Special Issue on Implementation of International Human Rights Instruments*, New York.

UN Centre for Human Rights (1996), *The International Bill of Human Rights*, Geneva: World Campaign for Human Rights.

Vijapur, A.P. (1996), *The United Nations at Fifty: Studies in Human Rights*, New Delhi: South Asian Publishers.

CORE PAPER 2: HUMAN RIGHTS AND DUTIES IN INDIA (Paper Code:-0712602)

Objective:

This paper focuses on the normative and institutional aspects of human rights and duties against the backdrop of the politics and society in India. It offers insights on the Constitution and human rights and duties, special laws for the protection of vulnerable sections of the people, implementation and enforcement mechanisms, Indian politics and human rights violations, and the importance of internalizing human rights and duties.

Course Contents

Unit I: The Constitution and Human Rights and Duties

Fundamental Rights; Directive Principles of State Policy; Fundamental Duties; Relationship between them; International human rights and the Indian Constitution.

Unit II: Affirmative Legislation for Specific Categories /Vulnerable Sections

Reservations and the right to equality; Protection of Women: in Private and Public domain; unorganized sector workers; Children.

Unit III: Enforcement Mechanisms and Problems

Constitutional Mechanisms: Judiciary, Executive; **Statutory Mechanisms:** Human Rights Commissions: National and State; SC/ST Commission, Minorities Commission, Women's Commission; Problems of Enforcement of Human Rights In India –Abuse of executive power: deaths and torture in police custody etc.; Special Laws and Human Rights Violations.

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Unit IV: The State and Civil Society in India

Role of civil society: NGOs, Social movements, pressure groups, Information Media in observing duty to protect, promote and generate awareness against human rights violations in private domain: within the family, by dominant castes, religious groups; Human Rights violations in public domain: State, landlords, employers, etc., Riots and violence in connection with inter-community tensions; Unequal access to natural resources.

References

Suggested Readings:

- Alam, Aftab (ed.) (1999), *Human Rights in India: Issues and Challenges*, New Delhi: Raj Publications.
- Austin, Granville (2000), *Working of a Democratic Constitution: The Indian Experience*, New Delhi: Oxford University Press.
- Austin, Granville (2002), *The Indian Constitution: Cornerstone of a Nation*, New Delhi: OUP.
- Basu, D.D. (2009), *Introduction to the Constitution of India*, Nagpur, New Delhi, NexusLexis, Butterworths.
- Begum, S.M. (ed.) (2000), *Human Rights in India: Issues and Perspectives*, New Delhi: APH Publishing Co.
- Baxi, Upendra (2002), *The Future of Human Rights*, New Delhi: Oxford University Press.
- Centre for Development and Human Rights (2004), *The Right to Development – A Primer*, New Delhi: Sage Pub.
- Das. A.K. (2007), *Human Rights in India*, New Delhi, Sarup Book Publishers.
- Fundamental Duties of citizens- India* (1999), Ministry of Human Resource Development-Department of Education, New Delhi: Govt. of India.
- Desai, A.R. (ed.) (1986), *Violations of Democratic Rights in India*, Bombay: Popular Prakashan.
- Dikshit, R.C. (1998), *Human Rights and the Law: Universal and Indian*, New Delhi: Deep and Deep.
- Jha, R.C. (1995), *Resurrecting A Human Right in India*, New Delhi: Sheriden Book Company.
- Kashyap, Subhash C. (1978), *Human Rights and Parliament*, Delhi: Metropolitan. Kirpal, B. N. et al. (2004), *Supreme But Not Infallible*, New Delhi: OUP.
- Mehta, P.L. and Neena Verma (1995), *Human Rights under the Indian Constitution*, New Delhi: Deep and Deep Publications.

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Mishra, Pramod (ed.) (2000), *Human Rights in South Asia*, Delhi: Kalpaz Publications. Paul, R.C.

(2000), *Situation of Human Rights in India*, New Delhi: Commonwealth Publishers.

Rao, Ashiwini (2010), *Status of Human Rights in India*, New Delhi, Pacific

Ray, Arun (2004), *National Human Rights Commission in India: Formation, Functioning and Future Prospects*, New Delhi: Atlantic.

Sharma, Gokulesh, (2003) *Indianization of Rights and Duties*, New Delhi: Manas.

Further Readings:

Ray, Aswani K. (1986) "Civil Rights Movement and Social Struggle in India," *Economic and Political Weekly*, Vol. XXX1, No.28, 12 July.

Rao, K. Subha (1962), *Fundamental Rights under the Constitution of India*, Madras: Madras University.

Sathe S. P., (2004), *Judicial Activism in India*, (2004) New Delhi: OUP.

Sehgal, B. P. Singh (ed.) (1999), *Human Rights in India: Problems and Perspectives*, New Delhi: Deep and Deep.

Verma, R.S. (2000), *Human Rights: Burning Issues of the World*, Volumes I, II and III. Delhi: Radiant Publishers.

CORE PAPER 3: HUMAN RIGHTS ISSUES IN INDIA(Paper Code:-0712603)

Objectives

The focus of this paper is on societal problems with regard to human rights. Various social, economic, political, health and cultural problems that underlie human rights deprivations in Indian society will be discussed.

Course Contents

Unit I: Concepts and Approaches

Concept of societal problems and human rights; Theoretical approaches to social problems and social changes; Causes and types of social problems

Unit II: Economic Problems

Poverty and unemployment; Privatization, Liberalization and Globalization; Corruption, infringement of Consumer rights; Problems of unsustainable development

Unit III: Political Problems

Regionalism; Terrorism; Assaults on democracy.

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Unit IV :Socio-Cultural/ Structural Problems:

Social prejudices and problems of inaccessibility of legal redress to women, minorities, scheduled castes and scheduled tribes, aged and disabled including; Cultural Problems
– Lack of cultural humanist values in education, cultural conflicts and tensions.

References

Banton, Michael (1996), *International Action against Racial Discrimination*, Oxford: Clarendon Press.

Baxi, Upendra (2002), *The Future of Human Rights*, New Delhi: Oxford University Press.

Davidson, Scott (1993), *Human Rights*, Buckingham: Open University Press. Kannabiran, K. G.

(2003), *The Wages of Impunity: Power, Justice and Human Rights*, New Dehi: Orient Longman.

Kothari, Smitu and Harsh Sethi (ed.) (1991), *Rethinking Human Rights: Challenge for theory and action*, Delhi, Lokayan.

Langley, Winstone E. (1999), *Encyclopedia of Human Rights Issues since 1945*, London: Fitzroy Dearborn Publishers.

Mishra, Jyotsna (2000), *Human Rights in South Asia*, Delhi: Kalpaz Publications. [Nariman, Fali S. (2004), "Terrorism – A threat to Human Rights?", *Journal of The National Human Rights Commission*, Vol.3.

Further Readings:

O'Byrne, Darren J. (2003), *Human Rights: An Introduction*, New Delhi: Pearson. Rehman, M. M. et

al. (2000), *Human Rights and Human Development: Concepts and Contexts*, New Delhi: Manak Publications.

Sanajaoba, N. (2000), *Human Rights in the New Millennium*, New Delhi: Manas Publications.

South Asian HRDC (2006), *Introducing Human Rights: An Overview Including Issues of Gender Justice, Environmental and Consumer Law*, New Delhi: OUP.

UN Centre for Human Rights (1991), *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*, New York: UN Publication Division.

Verma, R.S. (2000), *Human Rights: Burning Issues of the World*, Volumes I, II and III, Delhi: Radiant Publishers.

Zarsky, Lyuba (ed.) (2002), *Human Rights and the Environment*, London: Earthscan Pub.

CORE PAPER 4 RESEARCH METHODS (Paper Code:-0712604)

Objectives

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This paper focuses the need to select methodologies and techniques appropriate for the investigation/reporting on the issue/problem selected.

Course Contents

Unit I: Social Research

Nature and Scope; Formulation of Research Problem; Review of Literature Hypothesis; Inductive and Deductive Methods; Research Design;

Unit II: Methodology

Methodological Orientation and logic of enquiry; Comparative Method; Historical Method; Sampling; Other research methods; Use Of Computer and Information Technology.

Unit III: Techniques and Tools of Data Collection

Primary and Secondary Data; **Methods of Primary Data Collection:** Observation; interview; questionnaire; Case study method; Survey Method; **Sources of Secondary Data:** Document, Content analysis; Data analysis: Classification, Tabulation, Graphic representation, Uni-variate, Bi-variate and Multi-variate, discrete and continuous variables.

Unit IV: Statistical Base

Measure of Central Tendency; Mean, Mode and Median, Measure of Dispersion, Average Deviation and Standard Deviation, Chi-square (X²).

References

Suggested Readings:

Bernard, H. Russell (2000), *Social Research Methods – Qualitative and Quantitative Approaches*, New Delhi: Sage.

Bryman, Ian (2001), *Social Research Methods*, New York: OUP.

Goode, W. J. and P.K. Hatt (1952), *Methods in Social Research*, New York: McGraw- Hill.

Lee, Ellis (1994), *Research Methods in the Social Sciences*, Madison: Brown and Benchmark.

Mukherjee, Partha N. (2000), *Methodology in Social Research*, New Delhi: Sage. Nachmias, D. and

C. Nachmias (1981), *Research Methods in the Social Sciences*, New York: St. Martin's Press, 2nd Edition.

Sharma, B.V.A. (ed.) (1983), *Research Methods in Social Sciences*, New Delhi: Sterling.

Further Readings:

Strauss, Anselm (1990), *Basics of Qualitative Research – Grounded Theory Procedures and Techniques*, New Delhi: Sage.

UN, (2000), *Centre for Human Rights, Human Rights Training: A Manual on Human Rights Training Methodology*, New York: UN.

UN (1991), *Centre for Human Rights: A Manual of Human Rights Reporting*, New York: World Campaign for Human Rights

CORE PAPER 5: RIGHTS OF CHILD (Paper Code:-0712605)

OBJECTIVES:

The Focus of this paper is on the principles of provision, protection and participation with regard to the rights of the child. It takes into consideration the position of the child, the family and the State and the relationship established between these entities

COURSE CONTENT

UNIT : 1: PRINCIPLES OF PROTECTION AND PARTICIPATION

i) The Child, the Family and the State ii) The General Principles: 'Best Interest of the Child' and 'Evolving Capacities' iii) Provision Rights, Protection Rights and Participation Rights

Unit : 2: INTERNATIONAL NORMS

i) UN Convention on the Rights of the Child History, Provisions and Analysis ii) Optional Protocols to the CRC: OPAC & OPSC iii) The Committee on the Rights of the Child and UNICEF

UNIT:III STATUS OF CHILD IN CONTEMPORARY INDIA

Impact of problems of poverty and illiteracy; Social and cultural practices regarding girl child: feticide, infanticide, child marriage; Child abuse inside and outside homes; Trafficking in children; Street children

UNIT IV :RIGHTS OF CHILD

i) Constitutional Provisions for Children (Special Laws related to Child Labor, Bonded Labor, Juvenile Justice System, RTE). Statutory Provisions: POSCO.

References

Suggested Readings:

Agosin, Marjorie (2003), *Women, Gender, and Human Rights: A Global Perspective*, New Delhi: Rawat

Biswal, Tapan (2006), *Human Rights, Gender and Environment*, New Delhi: Viva.

Centre for Development and Human Rights (2004), *The Right to Development - A*

Primer, New Delhi: Sage Pub.

Detrick, S. (1992), *The United Nations Convention on the Rights of the Child*, (Dordrecht: Martinus Nijhoff.

Diwan, Paras and Peeyushi Diwan (1994), *Children and Legal Protection*, New Delhi: Deep and Deep.

Kaushal, Rachna (2000), *Women and Human Rights in India*, New Delhi: Kaveri Books.

Khan, Mumtaz Ali (1998), *Women and the Human Rights*, New Delhi: Commonwealth. Kaushik,

Vijay (1999), *Women's Movements and Human Rights*, Jaipur: Pointer Publishers.

Khanna, S.K. (1998), *Children and the Human Rights*, New Delhi: Commonwealth.

Further Readings:

Kumar, Bindal (2000), *Problems of Working Children*, New Delhi: APH Publications. Langley,

Winstone E. (1999), *Encyclopedia of Human Rights Issues since 1945*
London: Fitzroy Dearborn Publishers.

Mani, V.S. (1998), *Human Rights in India: An Overview*, New Delhi: Institute for the World Congress on Human Rights.

Mukhopadhyay, S. (ed.) (1998), *In the Name of Justice: Women and Law in Society* New Delhi: Manohar.

Mishra, Jyotsana (2000), *Women and Human Rights*, New Delhi: Kalpaz Pub. Nagendra

Singh (1986), *Enforcement of Human Rights*, Calcutta: E L House. Nirmal, C.J. (1999),

Human Rights in India, New Delhi: Oxford.

Pachauri, S.K. (1999), *Children and Human Rights*, Delhi: APH Publications.

Pachauri, S.K. (1999), *Women and Human Rights*, New Delhi: APH Publications. Sanajaoba, N.

(2000), *Human Rights in the New Millennium*, New Delhi: Manas Publications.

Semester- II

CORE PAPER 1: DEVELOPMENT, GLOBALIZATION AND HUMAN RIGHTS (Paper Code:- 0812601)

Objectives

This paper seeks to highlight the impact of globalization and development on human rights. It deals with the role of human rights in development, general aspects of international trade and development, the role of Transnational Corporations, trade-related sanctions for human rights violations, trade, human rights and the question of sovereignty, and international

trade and human rights perspective in India.

Course Contents

Unit I: Rights Based Approach to Development

Connotations of Development: Modernization and Dependency approaches; integrating the human rights approach in development.

Unit II: International Trade and Human Rights

International Trade and Development: WTO; Unequal terms of trade imposed by the Uruguay Round of GATT negotiations; Transnational Corporations (TNCs) and Human Rights violations.

Unit III: Globalization and Human Rights

Globalization: Meaning, voices for and voices against; Globalization and its impact on agriculture, labor, women, environment, culture.

Unit IV: Human Rights and the Question of Sovereignty

National control over international trade; Codes of conduct and TNCs; Human Rights Standards and international trade; International Trade and Human Rights Perspective in India – Regulation of TNCs; Impact of GATT-WTO.

References

Suggested Readings:

Bhaumik, K. (2004) *WTO: A Discordant Orchestra*, New Delhi: Sage Publications.

Baxi, Upendra (1983) "The New International Economic Order, Basic Needs and Rights: Notes towards Development of the Right to Development", *Indian Journal of International Law*, Vol.23, pp.225-45.

Baxi, Upendra (1998) "The Development of the Right to Development", in Janusz Symonides, (ed.), *Human Rights: New Dimensions and Challenges*, Sydney: UNESCO, pp. 99-114.

Centre for Development and Human Rights (2004), *The Right to Development – A Primer*, New Delhi: Sage Publications.

Chakraborty, Debashish and Khan, Ullah Amir (2008), *WTO Deadlocked: Understanding the Dynamics of International Trade*, New Delhi: Sage Publications.

Cheria, Anita et al. (2004), *Human Rights Approach to Development: Resource Book*, Bangalore: Books for Change.

Gibney, J Mathew (2003), *Globalizing Rights: Oxford Amnesty Lectures 1999*, Oxford, OUP.

Hoda, Anwarul and Gulati Ashok (2008), *WTO Negotiations on Agriculture and Developing Countries*: New Delhi, OUP.

Jain, Devaki (1990) "Working with Human Rights to Development", *Mainstream*, Vol. 29, no.7, 8 December, pp.29-33.

Karmakar, Suparna, Kumar, Rajiv and Debroy, Bibek edited (2008), *India's Liberalisation Experience: Hostage to WTO*, New Delhi: Sage.

Mallik, Ross (1998), *Development, Ethnicity and Human Rights in South Asia*, New Delhi: Sage.

Menon, N. R. Madhava (1999), "State of Economic and Social Rights", in K. P. Saksena, (ed.), *Human Rights: Fifty Years of India's Independence*, New Delhi: Gyan Publishing House. pp.145-155.

Mishra, Pramod (ed.), *Human Rights in South Asia*, Delhi: Kalpaz Publications. O'Byrne,

Darren J. (2003), *Human Rights: An Introduction*, New Delhi: Pearson.

Raj, Suhendu Ranjan (1999), "Development Perspectives and Human Rights", in A.P. Vijapur and Kumar Suresh, (ed.), *Perspectives on Human Rights*, New Delhi: Manak publications, pp.267-80.

Rehman, M. M. et al. (2000), *Human Rights and Human Development: Concepts and Contexts*, New Delhi: Manak Publications.

Rosas, Allan (1995) "The Right to Development", in Asbjorn Eide et al. (ed.) *Economic, Social and Cultural Rights: A Text Book*, Dordrecht: Martinus Nijhoff.

Further Readings:

Roy, Chowdhury, Subrata, (ed.) (1992), *The Right to Development in International Law*, Martinus, Nijhoff Publishers.

Saksena, K. P. (1991), "Human Rights and the Right to Development", *International Studies*, Vol. 28, no. 1, pp. 41-54.

Sanajaoba, N. (2000), *Human Rights in the New Millennium*, New Delhi: Manas Publications.

Sen Shankar (1998), *Human Rights in a Developing Society*, New Delhi: A.P.H. Publishing.

Sengupta, Arjun (2003), "Human Right to Development", *Journal of The National Human Rights Commission*, Vol.2.

Shepherd, George W. and Ved Nanda (eds.) (1985), *Human Rights and Third World Developments*, Westport: Greenwood Press.

Varma, S. K. (1998), "Development of Human Rights and Globalization of Economy", *Journal of Indian Law Institute*, Vol.40, Nos.1-4, pp.217-29.

Verma, R. S. (2000), *Human Rights: Burning Issues of the World*, Volumes I, II and III Delhi: Radiant Publishers.

Verwey, Wild (1981), "The Establishment of a New Economic Order and the Realization of the Right to Development and Welfare", *Indian Journal of International Law*, Vol. 21, no.1, pp.1-78.

Uvin, Peter (2005), *Human Rights and Development*, New Delhi: Kumarian Press. Vaidkar, Praveen

(2000), *Concepts, Theories and Practice of Human Rights*, New Delhi:

Weeranmantry, C.G. (1985), "The Rights to Development", *Indian Journal of International Law*, Vol.25, pp.482-505.

CORE PAPER 2: WOMEN'S RIGHTS (Paper Code:- 0812602)

Unit- I: History of Women's Movement and International Response

Europe, Americas, Africa and Asia; Women's movement in India; Pre and Post-Independence, Contemporary CEDAW; Conventions, Committee & Optional Protocol

UNIT- 2: FEMINISM

Liberal; Rationality, Freedom, Education Marxist; Marxist-Production, reproduction, class; Alienation; Marriage and family Radical & Social Feminism; Gender and Patriarchy, Reproductive technology, motherhood; Class and Gender, Division of labour,

UNIT-3: GENDER WITHIN THE HUMAN RIGHTS DISCOURSE AND GENDER PERSPECTIVE TO DEVELOPMENT

Women in Development; Women and development; Livelihood, security, Habitat Development and Gender, Perspectives on Human Rights and Gender Justice Women's Rights & Human Rights; Women's Rights are Human Rights

UNIT-4: WOMEN RIGHTS

Constitutional Provisions and Laws for the Protection of women, PC & PNDT Act 1994, Protection of Women from Domestic Violence Act, 2005;

References

Suggested Readings:

Agosin, Marjorie (2003), *Women, Gender, and Human Rights: A Global Perspective*, New Delhi: Rawat.

Biswal, Tapan (2006), *Human Rights, Gender and Environment*, New Delhi: Viva.

Centre for Development and Human Rights (2004), *The Right to Development - A Primer*, New Delhi: Sage Pub.

Detrick, S. (1992), *The United Nations Convention on the Rights of the Child*, (Dordrecht: Martinus Nijhoff.

Diwan, Paras and Peeyushi Diwan (1994), *Children and Legal Protection*, New Delhi: Deep and Deep.

Kaushal, Rachna (2000), *Women and Human Rights in India*, New Delhi: Kaveri Books.

Khan, Mumtaz Ali (1998), *Women and the Human Rights*, New Delhi: Commonwealth. Kaushik,

Vijay (1999), *Women's Movements and Human Rights*, Jaipur: Pointer

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Khanna, S.K. (1998), *Children and the Human Rights*, New Delhi: Commonwealth.

Further Readings:

Kumar, Bindal (2000), *Problems of Working Children*, New Delhi: APH Publications. Langley,

Winstone E. (1999), *Encyclopedia of Human Rights Issues since 1945*
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Mani, V.S. (1998), *Human Rights in India: An Overview*, New Delhi: Institute for the
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Delhi: Radiant Publishers.

CORE PAPER 3: ENVIRONMENT, HUMAN RIGHTS AND DUTIES (0812603)

Objectives

This paper focuses on the interrelationship between environment and human rights and duties. It covers the topics of conceptual aspects, the right to clean environment, an international perspective, issues of environmental protection in developing countries, supplementary rights and duties, environment versus development, emerging concepts, and the threats to Indian environment.

Course Contents

Unit I: Environmental Concerns

Concern for Environment: Historical Perspective; Right to Clean Environment: Content and Scope; Environment versus Right to Development; Culprits and Victims of Development and Mega Projects; Hazardous Waste Treatment;

Unit II: Issues of Environmental Protection in Developing Countries

Preservation of Natural Resources: Indigenous People, Tribals and Forest Dwellers; City Dwellers, Villagers and Other living Species; Environmental Education; Public Participation: Environmental Democracy.

Unit III: Environment and the Indian Scenario

Pollution Control Mechanisms in India: Inaction and Mis-action; NGOs; Issues of Liability and Insurance; Courts: Process and Remedies; Threats to Indian

Environment: Forest Denudation, Pollution of River Systems, Indiscriminate Industrial Explosion, Bio-diversity Imbalances.

Unit IV: Emerging Concepts

Common Heritage Principle; Public Trust; 'Polluter Pays' Principle; Precautionary Principle; Intergenerational Equity; Sovereign Equality; Duties towards the Unborn, Animals and Plants.

References

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Verma, R.S. (2000), *Human Rights: Burning Issues of the World*, Volumes I, II and III, Delhi: Radiant Publishers.

Zarsky, Lyuba (ed.) (2002), *Human Rights and the Environment*, London: Earthscan Pub.

CORE PAPER 4: DISADVANTAGED GROUPS AND HUMAN RIGHTS AND DUTIES (Paper Code:- 0812604)

Objectives

This paper focuses on the need for protection of the socially and/or economically disadvantaged sections of the Indian society such as the Scheduled Castes and Tribes, and other similarly placed communities. Its four units encompass topics on the disadvantaged people's historical background, status in Indian society, constitutional protection, special laws and policies, institutional mechanisms for protection of SC/ST and OBCs, and relevant international standards.

Course Contents

Unit I: Concepts, History and Issues

Disadvantaged Group - Concept; Historical background: Feudalism, caste system and the socio-economic situation; Social and economic deprivations of the lower rungs of society ; Issues of social and economic inequalities in Indian society; Role of social reformers: Gandhi, Ambedkar and others

Unit II: Status of Disadvantaged Sections/Groups in Contemporary Indian Society

Issues of identification of Scheduled Castes/Scheduled Tribes, Dalits, other backward classes and minorities: Deprivations and atrocities, poverty, illiteracy and unemployment, Economic and social inequalities, Issues of land rights; Access to fruits of development; Bonded labor, exploitation, issues of human dignity;

Unit III: Constitutional Protection

Fundamental Rights and Directive Principles under the Constitution; Special protection under Article 15 (4), Article 16 (4) & (4-A), Article 17, Article 29(1), Article 46, Articles 334 335, 338, 339, 340, 341, & 342, Fifth and Sixth Schedules; Special Protection: Laws And Policies; Special Laws: Protection of Civil Rights Act 1955, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989,

Unit IV: Institutional Mechanisms for Protection of SC/ST, And OBCs

Constitutional Mechanisms: Legislature, Executive, Judiciary; National Commissions, State

21
Commissions; Non-Governmental Organizations; The Information Media; Role of education; International Norms And Standards Relating To Tribal And Other Indigenous Groups: UN Declaration on the Indigenous Peoples 1995,

References

Suggested Readings:

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Bhatia, K. L. et al. (1995), *Social Justice of Dr. B.R. Ambedkar*, New Delhi: Deep and Deep.

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Further Readings:

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UN Centre for Human Rights (1997), *The Rights of Indigenous Peoples*, Geneva: World Campaign for Human Rights.

UN High Commissioner for Human Rights (1997), *Protection of the Heritage of Indigenous People*. Geneva: UN Publication Division.

CORE PAPER 5:- AGED AND DIFFERENTLY ABLED PEOPLES RIGHTS (Paper Code:- 0812605)

Objectives

This paper deals with the topics of conceptual perspectives, international norms on the rights of the aged and the disabled, protection of the aged and the disabled under the Indian legal system and institutional mechanisms for such protection.

Course Contents

Unit I: Aging and Ageism: Conceptual Perspective

Aging - Definition, Problems of the aged: medical, economic, social, psychological; Theoretical perspectives: disengagement, activity, human development, continuity, exchange, symbolic interactionist; Ageism - definition, causes; the economics of aging.

Unit II: Differently Abled

Definitions, estimates and causes; Approaches to differently Abled: the Charity Model, the Bio-Centric Model, the Functional Model, the Human Rights Model. Social taboos against differently Enabled.

Unit III: International Norms and Institutional Mechanisms for Protection of the Aged and the Differently Enabled

UN General Assembly Declaration on the Rights of the Disabled Persons 1975, Declaration on the Mentally Retarded Persons 1971, Coordinating Committee of National Institutions (1993) Resolution.

Unit IV: Protection of the Aged and the Differently Abled under the Indian System

Laws and Policies: Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act; Mental Health Act 1993; Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

References

Suggested Readings:

Barnes, C.G., G. Mercer and T. Shakespeare (1999), *Exploring Disability: A Sociological Analysis*, Cambridge: Polity Press.

Degener, Therasia and Yolán Koster-Dreese (1995), *Human Rights and Disabled Persons: Essays and Relevant Human Rights Instruments*, Dordrecht: Martinus Nijhoff.

Erb, Susan and Barbara Harris-White (2002), *Outcast from Social Welfare: Adult Disability, Incapacity and Development in Rural South India*, Bangalore: Books for Change, A Unit of

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Karna, G. and K. Gahharana (1994), "Rights of Disabled Persons", in K. P. Saksena (ed.), *Human Rights: Perspective and Challenges*, New Delhi: Lancer Books , pp.416-30.

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Semester- III

Core Paper 1: SCIENCE AND TECHNOLOGY, HUMAN RIGHTS AND DUTIES (Paper Code:- 0912601)

Objectives

This paper discusses the impact of developments in science and technology on human rights and duties. It contains some conceptual aspects of impact of science and technology on human life and society.

Course Contents

Unit I: Concepts and Perspectives on Science and Technology

Concept of science and technology and its application as a duty towards furtherance of human and social welfare, scientific temper; 'Quality' of life; Impact of Science and Technology- Positive role of science and technology: material comforts, food, education, health and personal well-being; Negative role of science and technology.

Unit II: Technology and the Right to Food, Right to Information and Right to Health

Right To Food – science and technology and food production, storage, security; impact of biotechnology on agriculture, positive and negative; Revolution in information and Communication technology; freedom of Information and entertainment media; Right To Health – Improvement of individual and community health and hygiene.

Unit III: Technology and Right to Clean Environment; Right to Peace

Right To Clean Environment and Public Safety; Right To Peace – Disarmament, eventual destruction of all weapons, means and methods of warfare and violence, problems of dual use technologies.

Unit IV: Right to Human Dignity: Some Duty bound Ethical and Legal Issues

Developments in biotechnology: human cloning and stem cell research, feticide and abortion, assisted reproductive technologies: in-vitro fertilization and surrogate parenthood, Organ transplantation and sale of human organs, human performance augmenting drugs and technologies (e.g., use of steroids in sports, hormones, viagra-like drugs); Life sustaining technologies.

References

Suggested Readings:

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J.V. Jain College, Saharanpur (U.P.)

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Further Readings:

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CORE PAPER: 2 RIGHTS OF SPECIFIC GROUPS

:(Paper Code:- 0912602)

Course Content

This paper aims to introduce the rights and concerns of three specific groups, viz, migrant workers, and indigenous groups. The discussion about each group will revolve around three common foci: the concept and contending approaches; international normative and legal framework; legal dimensions, policy and implementation in India. It has been organized thus to enable the students to understand in general the normative ideas and their empirical aspects at both international and national level.

Unit – I: Migrant Workers

- I. Understanding Migration: Concept and Approaches
- II. International Convention on Migrant Workers

Unit – 2:- Migrant Workers condition in respect to India.

- i. Migration from India: Policy and Dynamics (economics, human security, and women)

- ii. Inter State Migration, Migration from Uttar Pradesh, Migration from Bihar (Problems, Insurance, family)

Unit – III: Indigenous Groups

- i. Understanding Indigenous Groups: Definition and contestations
- ii. UN Declaration on Indigenous Peoples: Unique claims of right to self-determination and right over natural resources

Unit- 4:- Indigenous Groups:- Indian Perspective

- i. Cognizing Indigenous Groups in India: Provisions and Policies.
- ii. Legislative Measures for Indigenous Groups.

Suggested Readings

Addlakha, Renu, ed., *Disability Studies in India: Global Discourses, Local realities*, (New Delhi: Routledge, 2013).

Behera, Navneeta Chadha, ed., *Gender, Conflict and Migration* (New Delhi: Sage, 2006).

Behura, N K and Panigrahi, Neelkantha, *Tribals and Indian Constitution* (Jaipur: Rawat, 2006).

Benerjee, Paula, et al, ed., *The State of Being Stateless: An Account of South Asia* (Hyderabad: Orient Blackswan, 2016).

Chakravorty, Sanjoy, Kapur, Devesh and Singh, Nirvikar *The Other One Percent: Indians in America* (New Delhi: OUP, 2017).

Das, Bidhan Kanti and Das, Rajat Kanti, ed., *Rethinking Tribe in Indian Context* (Jaipur: Rawat, 2017).

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Fagan, Andrew, *Human Rights and Cultural Diversity: Core Issues and Cases* (Edinburgh University Press, 2017).

HR – 6087, Chapter 6 on Rights of Indigenous Peoples Ghosh, Partha S., *Migrants, Refugees and the Stateless in South Asia* (New Delhi: Sage, 2016).

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Kothari, Jayna, *The Future of Disability Law in India* (New Delhi: OUP, 2012)

Messina, Anthony and Lahav, Gallya, ed. *The Migration Reader: Exploring Politics and Policies*

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Nathan, Dev and Xaxa, Virginius, ed., *Social Exclusion and Adverse Inclusion: Development and Deprivation of Adivasis in India* (New Delhi: Oxford University Press, 2012).

Radhakrishna, Meena, ed., *First Citizens: Studies on Adivasis, Tribals and Indigenous Peoples in India* (New Delhi: Oxford, 2016).

Saksena, H. S., *Tribal Studies and Beyond: Contributions of D N Majumdar to Indian Anthropology* (Jaipur: Rawat, 2017).

Sen, Asoka Kumar, *Indigeneity, Landscape and History: Adivasi Self-fashioning in India* (New Delhi: Routledge, 2018).

Xaxa, Virginius, *State, Society, and Tribes: Issues in Post-Colonial India* (New Delhi: Pearson, 2008)

CORE PAPER 3: WORKING CLASS, HUMAN RIGHTS AND DUTIES (Paper Code:-0912603)

Objectives

Labour welfare has for long been one of the crucial areas of human rights and duties. This paper divided into four units, deals with conceptual issues, status of the working class, workers' rights and duties, emerging problems, conflicting rights, international standards, Indian framework, and enforcement agencies.

Course Contents

Unit I: Working Class: Conceptual Issues

Definition of Working Class, Classification; Status of Working Class: Women; Children; Casual Workers: Agricultural Labor and Migrant Workers; Bonded Labor.

Unit II: State Ideology and Position of Working Class

Working class movement; From Laissez Faire through Welfare State to Globalizing State; Working class Rights, Work with Equality and Dignity, Trade Unionism and its Development.

Unit III: Labor Welfare Problems: Employers' Responsibility and State Duty

Health Hazards: Accidents, Occupational Diseases; Social Security; Collective Bargaining; Workers' Participation in Management; Industrial Discipline, Retrenchment, Termination and Displacement; Labor Safety, Work Culture and Welfare Measures; Industrial Conflicts and Insecurity; Impact of Technological Developments; Conflicting Rights: Worker's Benefit v. Employer's Inconvenience, The Right to Strike, Lockout and Closure of Industry.

Unit IV: International Standards and obligations of the Indian State

International Framework: Role of International Labor Organization (ILO) and ILO Labor Standards; Debate on Social Clause and WTO; Emerging Rights and Duties; Code of International Industrial Discipline; Role of International Labor Agencies; Indian Framework: Constitutional Protection; Workers' Rights and Duties; Employers' Responsibilities and Duties; Dispute Settlement Mechanisms. Institutional Framework for Promotion of Labor Welfare: National - State machinery, Workers organizations.

References

- ILO (1974), *Migrant Workers*, Geneva: International Labor Office.
- ILO, (1970), *Trade Union Rights and Their Relation to Civil Liberties*, Geneva: International Labor Office
- Jain, Mahavir (1997), *Bonded Labor Justice through Judiciary*, New Delhi: Manak Publications.
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- Kumar, Bindal (2000), *Problems of Working Children*, New Delhi: APH Publications. Mehta, P.L. (1996), *Child Labor and the Law*, New Delhi: Deep and Deep.
- Prakash, S.S. (1990), *Bonded Labor and Social Justice*, New Delhi: Deep and Deep.
- Sahoo, Umesh Ch. (1990), "Child Labor and Legislation", *Economic and Political Weekly*, Vol. XXV, No. 46, 17 November, pp.2531-34.
- Saksena, Anu (1999), *Human Rights and Child Labor in Indian Industries*, Delhi: Shipra Publications.
- Saksena, K.P. (1999), "Recent Supreme Court Judgment on Child Labor: A Critique", in K. P. Saksena (ed.), *Human Rights: Fifty Years of India's Independence*, New Delhi: Gyan Publishing House, pp.73-78.
- Sankaran, Kamala (1998), "Human Rights and the World of Work", *Journal of Indian Law Institute*, Vol. 40, Nos. 1-4, pp.284-94.
- Saxena, Anu, (2002), *Human Rights and Child Labor in Indian Industries*, New Delhi: Shipra.

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- Sharma, A.K. (1995), "Human Rights Violations of Street Children and Child Labor in India", in B. P. Singh Sehgal (ed.), *Human Rights in India: Problems and Perspectives*, New Delhi: Deep and Deep, pp.187-91.
- Singh, S.K., (1994), *Bonded Labor and the Law*, New Delhi: Deep and Deep.
- UN, (1996), *The Right to Migratory Workers*, Geneva: UN Centre for Human Rights, World Campaign for Human Rights.

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CORE PAPER 4: International Organization (Paper Code:-0912604)

Course Content:

Manu's

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The course content consists of carefully selected topics aimed to provide signposts for the **context, content and contours** of international organization. It expects to assist students to achieve a higher level of learning in comparison to the primarily textbook-based learning at the undergraduate level so as to enable academic mobility for those willing to pursue further studies and research in this exciting field of political science and international relations.

UNIT-I: Origin and Development

International Organization:

- i. Definition, Classification, Role and Functions
- ii. Theoretical Approaches; Federalist, Functionalist and Neo Functionalist
- iii. Evolution (19th to early 20th Century); Structure and Role of the League of Nations

UNIT-II: The United Nations –Structure, Mandate and Problems

- i. Evolution, Objectives and basic Principles of the Charter
- ii. Principal Organs
- iii. Economic and Social mandate: Specialized Agencies (ILO & UNESCO), Funds and Programmes (UNDP, UNEP, UNIFEM/UN Women)

UNIT-III: Issues, Challenges and Pathologies

- i. MIPS (Pacific settlement of disputes, Collective Security) and peacekeeping: New issues and new directions
- ii. Humanitarian intervention or Responsibility to Protect?
- iii. Challenge of relevance: need for reforms

UNIT – IV: International Bodies

- i. WHO (World Health Organization)
- ii. WTO (World Trade Organization)
- iii. ILO (International Labour Organization)

Suggested Readings

Abi-Saab, Georges, *The Concept of International Organization*, (Paris: Unesco, 1981).

Archer, Clive, "Theories of International Organizations" in Bhupinder S. Chimni and Siddharth Mallavarapu, (ed.), *International Relations: Perspectives for the Global South* (Delhi: Pearson, 2012).

Archer, Clive, *International Organizations*, Third edn. (London: Routledge, 2001).

Barkin, J. Samuel, *International Organization: Theories and Institutions* (Palgrave, 2006).

Bennett, LeRoy A. And Oliver, James K., *International Organizations: Principles and Issues*, 7th edn., (New York, N.Y.: Prentice-Hall, 2002).

Claude, Inis L., *Swords into Plowshares: The Progress and Problems of International Organization*, 4th edn. (New York: Random House, 1971).

Daws, Sam and Weiss, Thomas G., (ed.), *The Oxford Handbook on the United Nations*, (New York: Oxford University Press, 2007).

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Goodrich, Leland M., "Approaches to the Study of International Organizations" in Avi Shlaim, ed., *International Organizations in World Politics – Yearbook*, London: Croomhelf, 1975).

Goodspeed, Stephen S., *The Nature and Function of International Organization* (New York, N.Y.: OUP, 1958)

Hurd, Ian, *International Organizations: Politics, Law, Practice*, 3rd edn. (Cambridge: Cambridge University Press, 2018)

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Roberts, Adam and Kingsbury, Benedict, *United Nations, Divided World* (Oxford University Press, 1993)

Sayward, Amy L., *The United Nations in International History* (Bloomsbury, 2017). HR 6065

Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to R2P* (Cambridge University Press, 2006).

The Oxford Handbook of United Nations Peacekeeping Operations (Oxford, 2015).

CORE PAPER 5 :FIELDWORK BASED DISSERTATION(Paper Code:-0912665)

The student shall be required to write a dissertation on any aspect of a human rights and duties problem/situation. He/she shall visit the problem area(s) and study the situation, causes, and solutions, people's responses and his/her own experiences of human rights violations, if any. He/she shall study the relevant literature and write a report on the approved topic with the help of theoretical discussions on research methodology.

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SEMESTER - IV

CORE PAPER 1: SOCIAL MOVEMENTS AND HUMAN RIGHTS IN INDIA [Paper Code:-1012601]

Objective

This paper aims at a sociological study of human rights and duties in India. It encompasses a conceptual perspective, impact of social and religious reforms movements and human rights, political and ecological movements and human rights, and the role of international and national institutions in promoting human rights.

Course Content

Unit I: Conceptual Perspectives

Social Movements: Concepts, Typology, Ideology, Organization and role; Mobilization leadership; Social Movements as promoters of social change and Human Rights

Unit II: Social and Religious Reform Movements and Human Rights

Reformist Movement in Colonial India, Dalit Movements; ; Women's Movements; New Social Movements

Unit III: Political and Environment Movements and Human Rights

Political Movements - Freedom Movements; Peasant Movement; Regional and ethnic identity Movements (Separatist & Terrorist Movement); Sarvodaya Movement and Land Reform Movements; Trade Union Movements; Students Unrest; Ecological/Movements - Chipko Movement; Narmada Bachao Andolan.

Unit IV: Human Rights Movements in India

NGOs and Peoples' Movements: People's Union for Civil Liberties (PUCL); Peoples Union for Democratic Rights (PUDR); Human Rights Law Network (HRLN); National Alliance for People's Movement (NLPM)

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CORE PAPER 2: HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM (Paper Code:-1012602)

OBJECTIVES:

This Paper covers, besides the conceptual and other perspectives, the principal rights problems, rights of the accused, the rights of inmates of prisons and custodial homes, access to justice, right to compensation, punishments, administration of justice and international perspectives.

Course Contents

Unit- I: Conceptual Perspective:

Concept of crime and criminal liability; Offences involving Human Rights; Role of Criminal Justice System; Historical, Philosophical and Social Perspectives

Unit-II: Rights of the Accused

Double Jeopardy, Against self- incrimination, Production before Magistrate, Fair Trial, Speedy Trial, Appeal; Rights of inmates of Prisons and Custodial Homes: Protection Homes, Reformatory and other institutions, Prisons: Right to Legal Aid, Access To Justice and Speedy Justice;

Unit-III: Criminal Justice Administration

Institutions and Problems Criminal Justice Administration: Ordinary Courts; Special Courts; District Human Rights Courts.

Unit IV: International Crime and Crime Control Scenario

International crimes: Nature and Types International crime control and protection agencies, e.g. Interpol; International co-operation in combating transnational organized crimes and international terrorism – Palermo Convention on Transnational Organized Crime 2000.

References

Suggested Readings:

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CORE PAPER 3: INTERNATIONAL HUMANITARIAN AND REFUGEE LAWS(Paper Code:-1012603)

Objectives

This paper is in four units, which seeks to highlight the conceptual and substantive aspects of humanitarian problems of armed conflict and refugees. It also focuses on the international humanitarian law and the international refugee law.

Course Contents

Unit I: Development and Sources of International Humanitarian Law (IHL)

Origin sources and development of IHL: Hague Conventions (1899 and 1907) and Geneva Conventions (1949, its Protocols of 1977 and 2005); The Non-International Armed Conflicts: Common Article 3 and the Additional Protocol-II; National perspectives on IHL; Convergence between International Human Rights and Humanitarian Law

Unit II: Implementation of International Humanitarian Law (IHL)

Implementation of IHL: Mechanisms for Prevention, Monitoring and enforcement;

'Humanitarian' Intervention versus State Sovereignty; ICRC as implementing agency: Role and Principles; International Criminal Court & Other Tribunals (ICTY & ICTR): Structure and Working; Doctrine of military necessity versus the principles of humanity; Role of IHL in non-international armed conflicts; Role of International Red Cross and NGOs

Unit III: International Refugee Law

Origins and Development of International Refugee Law : The History of International Refugee Law; Determination of Refugee Status under the Refugee Convention 1951 and Protocol 1967; Protection under International Law: Right of Non-Refoulement, Right to Asylum; UNHCR and Refugee Protection; Special Problems of Protection of Refugee Women and Children; Solution to Refugee Problem - Resettlement in Third Country, Repatriation: Voluntary or Forced, Local assimilation, International Burden sharing.

Unit IV: Protection in India

Indian critique of UNHCR and the Convention - Protection without legislation: case law, Status of refugees in India under UNHCR.

Suggested Readings:

Bhuiyan Md. Jahid Hossain, Louise Doswald Beck & Azizur Rahman Chowdhury. 2009

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CORE PAPER 4: MINORITIES" HUMAN RIGHTS [101260A]

Objectives

Concern for minority rights has been the hallmark of the twentieth century. This paper, through its four units, deals with conceptual, historical, philosophical and social perspectives, the rights and duties under the Indian legal system and institutional mechanism, and international protection of minorities.

Course Contents

Unit I: Conceptual, Historical, Philosophical and Social Perspectives

Minorities as a socio-economic-religious-linguistic concept, Regional minorities; Role of Minorities in the development of human rights.

Unit II: Rights and Duties of Minorities under the Indian Legal System

Constitutional Framework: Fundamental Rights, Directive Principles and Fundamental Duties; Special provisions in Articles 26 to 30, 331, 333, 336, & 337 of the Constitution. Special Laws and Policies: National Commission for Minorities Act 1992, Caste Disabilities Removal) Act 1950; Other relevant laws; Policy of secularism and politics of minorities.

Unit III: Institutional Mechanisms for Protection of Minorities

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Constitutional mechanisms: Legislature, Executive and Judiciary; Non-Governmental Organizations; The Information Media; Role of Education.

Unit IV: International Protection of Minorities

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 1992, Human Rights Covenants 1966, Racial Discrimination Convention 1965; UN Commission on Human Rights, Sub-commission on Minorities, Committees under the Human Rights Covenants and Racial Discrimination Convention

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Brolmann, C. et al. (eds.) (1993), *Peoples and Minorities in International Law*, Dordrecht: Martinus Nijhoff.

Choedon, Yeshi (1994), "Ethnic, Social and Religions Conflicts: Rights of Minorities", in K.P.Saksena, (ed.), *Human Rights: Perspective and Challenges*, New Delhi: Lancers Books, pp.282-90.

Narang, A.S. (1999), "Debate on Minority Rights", in A.P.Vijapur and Kumar Suresh, (eds.), *Perspectives on Human Rights*, New Delhi: Manak Publications, pp.163-73.

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CORE PAPER 5 :FIELDWORK BASED DISSERTATION(Paper Code:-1012665)

The student shall be required to write a dissertation on any aspect of a human rights and duties problem/situation. He/she shall visit the problem area(s) and study the situation, causes, and solutions, people's responses and his/her own experiences of human rights violations, if any. He/she shall study the relevant literature and write a report on the approved topic with the help of theoretical discussions on research methodology.

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