

PSS 453: HUMAN RIGHTS

Course Objectives:

1. To enable students to understand foundations of the idea of human rights.
2. To analyze the trends and contemporary challenges to human rights.
3. To understand the general affinities and divergences in sources, substance and application of rights in international, regional, constitutional and domestic contexts.
4. To acquaint the students to the major national and international texts and provisions governing human rights and the mechanisms for monitoring and enforcing human rights.

Course Outcomes:

The course will equip students to –

1. Grasp the issues and debates in Human Rights and comprehend the forces at work shaping the Human right regimes and implementation in national and international setting.
2. Analyse the challenges and requirements for effective implementation of Human Rights.
3. Have necessary knowledge and skills for analysing, interpreting, and applying the Human Rights standards and sensitise them to the issues.
4. Shoulder responsibilities in future as human right advocates/ activists/trainers/scholars in Government and Non-Government agencies at National and International arena.

UNIT 1: Frame work

- 1.1 Defining Human Right, Introduction, Nature and importance; Features, Rights and Duties – Co-relation.
- 1.2 Understanding Human Rights-Natural right, moral right, legal right Perspectives; Cultural relativism
- 1.3 Theories of Human Rights: Naturalist and Positivist.
- 1.4 Classification of Human Rights

UNIT 2: Foundation

- 2.1 UDHR 1948, ICCPR (1966), ICESCR (1966)
- 2.2 Historical Development: Magnacarta, Petition of Rights, Bill of Rights, French Revolution.
- 2.3 Vienna Declaration 1993, ICERD (1965), CEDAW (1979), CRC (1989), CRSRPRSR (1967).
- 2.4 Indian Constitutional Perspectives: Fundamental Rights, Fundamental Duties and Directive Principles of State Policy.

UNIT 3: Human Right- Advocacy and Protection

- 3.1 Role of NGOs: Amnesty International, Human Rights Watch, Greenpeace, PUCL, PUDR.
- 3.2 Media and Human Rights; Principles of Human Right training
- 3.3 Nation and State Human Rights Commissions in India, Protection of Human Rights Act, (1993); PIL
- 3.4 Judiciary and Human Rights

UNIT 4: Issues and Concerns

- 4.1 SCs / STs, Women and Children
- 4.2 Refugees, Physically Challenged, Transgender; Domestic Violence.
- 4.3 Death penalty; Euthanasia.
- 4.4 Education, Food security, Climate change; Inclusive development.
- 4.5 Challenges to Human Rights.

Basic Readings:

1. Alam, Aftab, ed., *Human Rights in India: Issues and Challenges*, New Delhi: Raj publications 1999.
2. Banerjee, D.N., *Our Fundamental Rights: Their Nature and Extent as Judicially Determined*, Calcutta: The World Press, 1960.
3. Basu D.D., *Human Rights in Constitutional Law*, Gurgaon; Lexis Nexis, 2008
4. Baxi, Upendra *The Future of Human Rights*, New Delhi; OUP India, 2012
5. Baxi, Upendra, *Human Rights in a Posthuman World: Critical Essays*, New Delhi; OUP, 2009
7. Begum, S.M., ed., *Human Rights in India: Issues and Perspectives* (New Delhi: APH Publishing Co., 2000.
8. Bhagwati, Justice P.N., *Legal Aid as Human Rights*, Dharwad: Jagrut Bharat, 1985
9. Clapham Andrew, *Human Rights A Very Short Introduction*, Oxford; OUP, 2015
10. Mani, V.S., *Human Rights in India: An Overview*, New Delhi: Institute for the World Congress on Human Rights, 1998).
11. Mehta, P.L., and Neena Verma, *Human Rights under the Indian Constitution*, New Delhi: Deep and Deep Publications, 1995).
12. O'Byrne Darren J., *Human Rights An Introduction*, New York; Routledge, 2013

Suggested Readings:

1. Agarwal H.O., *Human Rights*, Allahabad: Central Law Pub., 2016
2. Agrawala, S.K., *Public Interest Litigation: A Critique*, Bombay: N.M. Tripathi, 1985
3. Alston, Phillip, ed., *The United Nations and Human Rights: A Critical Appraisal*, Oxford: Clarendon Press, 1992.
4. -----, *The United Nations and Human Rights* London: Clarendon Press, 1995.
5. Amnesty International, *The Death Penalty*, London: Amnesty International, 1979
6. Banton, Michael, *International Action against Racial Discrimination*, Oxford: Clarendon Press, 1996.
7. Bava, Noorjahan, ed., *Human Rights and Criminal Justice Administration in India*, New Delhi: Uppal Publishing House, 2000.
8. Baxi, Upendra, *Courage, Craft and Contention: The Indian Supreme Court in the Eighties*, Bombay: N.M. Tripathi, 1985.
9. -----, *In human Wrongs and Human Rights*, Delhi: Har Anand Publications, 1994.
10. Bhargava, G.S. and R.M.Pal, ed., *Human Rights of Dalits: Societal Violation*, New Delhi: Gyan Publishing House, 2000).
11. Borgohain, Bani, *Human Rights: Social Justice and Political Change*, New Delhi: Kanishka Publishers, 1999.
12. Das, Asish Kumar and Mohanty, Prasant Kumar, *Human Rights in India*, New Delhi; Sarup & Sons, 2007
13. Detrick, S., *The United Nations Convention on the Rights of the Child*, Dordrecht: Martinus Nijhoff, 1992.
14. Dube M.P. and Bora Neeta, eds., *Perspectives on Human Rights*, Delhi; Anamika Pub., 2000
15. Forsythe, David P., ed., *Human Rights and Development: International Views*, New York: St. Martin's Press, 1989.
16. Karna, G.N., *United Nations and the Rights of Disabled Persons: A Study in Indian Perspective*, New Delhi: APH Publishing Co., 1999
17. Nirmal C.J., *Human Rights in India, Historical, Social and Political Perspectives*, New Delhi, OUP, 2002
18. Pavithran K.S., *Human Rights in India: Discourses and Contestations*, New Delhi; Gyan Pub., 2018
19. Mehta, P.L., *Child Labour and the Law*, New Delhi: Deep and Deep, 1996.