

# THIRUVALLUVAR UNIVERSITY

## HUMAN RIGHTS

### COMPULSORY PAPER

(For all PG Degree Courses)

(with effect from 2020-2021)

#### Course Objectives

1. Human Rights are the rights of all Human Beings. They have universal application. Awareness about Human Rights and concern for its protection has become an important issue after the second world war and paved way for world Nations to come together for acceptance of Universal Declaration of Human Rights.

2. The role of UN in protecting and promoting awareness of Human Rights is highly significant. The binding nature of the International Conventions and Covenants are still a dilemma. The persuasive force in case of violation of human rights by International community is an area of concern. In the absence of National legislations enforcement of these rights remain as one farce.

3. To trace the development of regional instruments drafted aiming at protection of Human Rights and its enforceability.

4. The Indian perspective of protection of Human Rights vide its Legislations, the Constitution of India more read by its language, the Fundamental rights, Duties and Directive Principles of the State Policy has been elicited. The response shown by Indian judiciary and the expression of judicial activism is highlighted. The development of Human Rights jurisprudence in India is traced.

5. The Special legislations and the enforcement machineries remain as a watch dog in the due enforcement of Human Rights in India. The duty to protect human right of all individuals more particularly those are vulnerable remains more as a National obligation. The course intends to evaluate the Redressal mechanisms practiced in India.

#### COURSE CONTENTS

##### UNIT-1:

##### Human rights- Concepts & Nature

Human Rights: Meaning, Definition, Nature, Content- Legitimacy of Human Rights- Origin and Development of Human Rights- Theories – Principles of Magna Carta – Modern Movements of Human Rights – The Future of Human Rights.

## **UNIT-2:**

### **Human Rights – The International Perspective**

International human rights – Human Right concepts Prior and after World War II – UNO – Universal Declaration of Human Rights (UDHR) – International Covenant on Civil and Political Rights (ICCPR) – International Covenant on Economic, Social and Cultural Rights (ICESCR)- Optional Protocols- Human Right Declarations – Role of United Nation Commissions – Convention on the Elimination of All forms of Discrimination against women (CEDAW) – United Nations Convention against Torture (UNCAT) - United Nations Convention on the Rights of the Child (CRC or UNCRC) - Conventions on the Protection of the Rights of Migrant Workers and Disabled.

## **UNIT-3:**

### **Regional Human Rights**

European Human Rights System- African Human Rights System – International Human Rights – Enforceability before Domestic Courts.

## **UNIT-4:**

### **Human Rights in India**

The Constitution of India – Fundamental Rights – Right to Life and Liberty – Directive Principles of State Policy – Fundamental Duties – Individual and Group Rights – Other facets of Human Rights – Measures for Protection of Human Rights in India.

## **UNIT-5:**

### **Human Right Violations and Redressal Mechanism**

Human Rights – Infringement of Human Right by State Machinery and by Individual – Remedies for State action and inaction – Constitutional remedies – Public Interest Litigation (PIL) - Protection of Human Rights Act, 1993 – National Human Rights Commission – State Human Rights Commissions – Constitution of Human Right Courts

## **Text Books**

### **Unit-1**

- Human Rights Lalit Parmar, Anmol Publications Pvt. Limited, 1998
- Human Rights In International Relations, David P. Forsythe, Cambridge University Press

### **Unit-2**

- Alston, Philip, And Frederic Megret, Eds. The United Nations And Human Rights: A Critical Appraisal. Second Edition. Oxford University Press, 2014.

- Bassiouni, M. Cherif, And William A. Schabas, Eds. New Challenges For The UN Human Rights Machinery: What Future For The UN Treaty Body System And The Human Rights Council Procedures? Intersentia, 2011.
- Kruckenber, Lena J. The Unreal World Of Human Rights: An Ethnography Of The UN Committee On The Elimination Of Racial Discrimination. Nomos Publishers, 2012.

### **Unit-3**

- Rebecce Wallace, International Human Rights, Text And Materials 1997
- European Convention On Human Rights: Texts And Documents (Herbert Miehsler & Herbert Petzold Eds., 1982)
- A.H. Robertson & J.G. Merrills, Human Rights In Europe: A Study Of The European Convention On Human Rights, 386-413 (3d Ed. 1993)
- International Human Rights Law And Practice ,Francisco Forrest Martin (1997)
- R.K S Inha, Human Rights Of The World (1997)
- African Commission On Human Rights And Peoples Rights Evelyn A Ankumah, (1996)
- The Constitution of India

### **Unit-4**

- Human Rights Bharatiya Values, Mandagadde Rama Jois, Bharatiya Vidya Bhavan, 2015
- B P Singh Seghal , Human Rights in India 1996

### **Unit-5**

- Paras Diwan and Piyush Diwan Women and Legal Protection
- Philip Alston Children Rights and the Law
- G S Bhargave and R M Pal Human Rights of Dalit Societal Violation 1999
- Gerald Van Bueren International Law and The Rights of the Child 1998
- P C Tirpathi Crime Against Working Women

### **Reference Items: books, Journal**

- Protection Of Human Rights Act, 1993.
- Constitutional Law of India (3 Volumes) by Seervai H.M 2015
- The Human Rights Watch Global Report On Women's Human Rights 2000 Oxford Publication
- RS Sharma Perspectives In Human Rights Development
- Julies Stone Human Law And Human Justice 2000 Universal Publication
- Research Handbook On International Human Rights Law, Edited By Sarah Joseph & Edited By Sarah Joseph, Edward Elgar Publishing Limited USA

## **Course Out Comes**

1. After studying unit-1, the student will be able to know the nature of human rights its origin , the theories, the movements in the march of human rights and the facets of future of human rights.
2. After studying unit-2, the student will be able to know the international dimension of human rights, the role of UN and the global effort in formulating conventions and declarations
3. After studying unit-3, the student will be able to Perceive the regional developments of human rights in Europe , Africa and Asia and the enforceable value of human rights in international arena.
4. After studying unit-4, the student will be able to have knowledge on the human rights perspectives in India, more developed by its constitution and special legislations
5. After studying unit-5, the student will be able to know the redressal mechanism made available in case of human rights violation confined to India.

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