

Human Rights

Course Objectives:

The course on Human Rights aims to provide a comprehensive understanding of the concept, evolution, and theoretical foundations of human rights, emphasizing their significance in contemporary society. It explores the historical development of human rights and examines various theories, including Natural, Legal, Utilitarian, and Marxist perspectives, to enable students to make broad examination of issues and policies taking into account diverse perspectives. The course delves into the universality of human rights amidst cultural diversity and assesses key international human rights instruments such as the Universal Declaration of Human Rights and subsequent international covenants and protocols. The course seeks to enable students to critically analyse the role of major international institutions like the UN, UNHRC, and UNOHCHR and their functions in promoting and protecting human rights. The course addresses contemporary issues and multidimensional threats to human rights to sensitize students on human rights issues in the local contexts. In the Indian context, it highlights the foundational principles of human rights, the institutional frame works along with the role of NGOs and civil society in human rights movements. Through this course, students will gain critical insights and analytical skills necessary to understand and address human rights challenges globally and within India.

Expected Learning Outcome:

After the completion of this course, the students would be competent in following skills and acquire adequate knowledge on the issues of Human Rights.

Unit I: They would understand the significance of human rights and its evolution over the period of time. Also, they would learn different human right theories and connotation of human rights across cultures.

Unit II: This unit would make them familiarise with international covenants on Human rights; the changing dynamics of state and role of global organisations working for the cause of Human Rights.

Unit III: After learning this unit, they would be aware about the multidimensional nature of human rights violation.

Unit IV: This unit would enlighten the students on Indian perspective of Human rights drawing upon ancient philosophy, Human rights issues in contemporary India, the institutional framework to address the human rights issues.

Unit I: Understanding Human Rights

- a) Connotation of 'Rights'; Meaning, Nature and Significance of Human Rights. Evolution and Historical Development of Human Rights.
- b) Theories of Human Rights: Natural, Legal, Utilitarian and Marxist;
- c) Universality of Human Rights and cultural diversity.

Unit II: International Human Rights

- a) International Covenants on Human Rights: Universal Declaration of Human Rights; International Covenants: Civil and Political Rights-1966, Economic, Social and Cultural Rights 1966; Optional Protocols-1976 and 1989, World Conference on Human Rights: Tehran 1968 and Vienna 1993.
- b) Institutional Framework: UN, UN Human Rights Council (UNHRC), UN office of the High Commissioner for Human Rights (UNOHCHR).
- c) State sovereignty and Human Rights; Human rights activism and role of Global Human Rights Organisations.

Unit III: Contemporary issues and Multidimensional aspect of threats to Human Rights.

- a) Atrocities against Women, Children, SCs, STs, Minorities, Differently abled people.
- b) Impact of Globalisation on Human Rights; Environment and Human rights issue.
- c) Refugee crisis and Migrations, Displacement, Bonded Labour, Custodial abuse, War crimes.

Unit III: Human Rights in India

- a) Underlying Human rights Principles of Indian society: Dharma, Nyaya, Neeti, Ahimsa.
- b) Institutional Framework: Constitutional provisions, NHRC, SHRC; Judicial Activism.
- c) Human Rights Movements in India: Engagement of NGOs and Civil society in Protecting Human Rights.

Essential Readings:

- ✓ Alan, B. (2017). *Human rights and the environment: where next? In Challenges in International Human Rights Law* (pp. 765-794). Routledge.
- ✓ Barkin, J. S. (1998). *The evolution of the constitution of sovereignty and the emergence of human rights norms. Millennium*, 27(2), 229-252.
- ✓ Beitz, C. R. (2009). *The idea of human rights. OUP Oxford*.
- ✓ Cerna, C. M. (1994). *Universality of human rights and cultural diversity: Implementation of human rights in different socio-cultural contexts. Hum. Rts. Q.*, 16, 740.
- ✓ Das, A. K., & Mohanty, P. K. (2007). *Human rights in India. Sarup & Sons*.
- ✓ Donnelly, J., & Whelan, D. J. (2020). *International human rights. Routledge*.
- ✓ Freeman, M. (2022). *Human rights. John Wiley & Sons*.
- ✓ Gready, P. (2004). *Conceptualising globalisation and human rights: boomerangs and borders. The International Journal of Human Rights*, 8(3), 345-354.
- ✓ Gudavarthy, A. (2008). *Human rights movements in India: State, civil society and beyond. Contributions to Indian Sociology*, 42(1), 29-57.
- ✓ Henkin, L. (1989). *The universality of the concept of human rights. The Annals of the American Academy of Political and Social Science*, 506(1), 10-16.
- ✓ Henkin, L. (1995). *Human rights and state sovereignty. Ga. J. Int'l & Comp. L.*, 25, 31.
- ✓ Ishay, M. (2008). *The history of human rights: From ancient times to the globalization era. Univ of California Press*.
- ✓ Kennedy, D. (2002). *International human rights movement: Part of the problem?. Harv. Hum. Rts. J.*, 15, 101.
- ✓ Kurki, M. (2011). *Human Rights and Democracy Promotion: reflections on the contestation in, and the politico-economic dynamics of, rights promotion. Third World Quarterly*, 32(9), 1573-1587.
- ✓ Langlois, A. J. (2002). *Human rights: the globalisation and fragmentation of moral discourse. Review of International Studies*, 28(3), 479-496.
- ✓ Merry, S. E. (2009). *Human rights and gender violence: Translating international law into local justice. University of Chicago Press*.
- ✓ Ray, A. K. (2003). *Human rights movement in India: A historical perspective. Economic and Political Weekly*, 3409-3415.

- ✓ Shelton, D. (2006). *Human rights and the environment: what specific environmental rights have been recognized*. *Denv. J. Int'l L. & Pol'y*, 35, 129.
- ✓ Sripati, V. (2000). *India's National Human Rights Commission: A Shackled Commission*. *BU Int'l LJ*, 18, 1.

Additional Readings:

- ✓ Cole, W. M. (2005). *Sovereignty relinquished? Explaining commitment to the international human rights covenants, 1966-1999*. *American sociological review*, 70(3), 472-495.
- ✓ Nyamu, C. I. (2000). *How should human rights and development respond to cultural legitimization of gender hierarchy in developing countries*. *Harv. Int'l. LJ*, 41, 381.
- ✓ Oestreich, J. E. (2017). *Development and Human Rights: rhetoric and reality in India*. Oxford University Press.
- ✓ Schmitz, H. P. (2014). *Non-state actors in human rights promotion*. *The SAGE Handbook of Human Rights*, 1, 352-71.

Internet Sources

1. Human Rights Course study materials in MA Political science. <https://www.distanceeducationju.in/pdf/404%20HUMAN%20RIGHTS.pdf>
2. International Human Rights document, charters etc available at <https://csometer.info/international-human-rights-documents>
3. Defining Human Rights: Harper Lecture, The University of Chicago. <https://youtu.be/2nYdTV9wuGI?si=EbZBuZvHR5gg4Ql5>
4. Reflections on the Origins of Human Rights (Talal Asad Lecture), Berkeley Centre <https://youtu.be/Vd7P6bUKAWs?si=KIeG2rwRqvngxjCh6>

Activities to Do

1. Students should be encouraged and facilitated to visit NHRC or SHRC office to learn the functioning of the commission.
2. Conduct lecture on contemporary issues on Human rights in India.
3. Arrange a movie session for the students on issues of Human Rights. Movies like 13th (2016), The Whistleblower (2010), Mandela: Long Walk to Freedom (2013), Jai Bhim (2021).
4. Conduct community outreach programmes to spread awareness on Human Rights Day.