

**Programme:** M. A. (Women's Studies)

**Course Code: WSC-118**

**Title of the Course:** GENDER, HUMAN RIGHTS AND LAW

**Number of Credits: 4**

**Effective from Academic Year: 2018-19**

<b><u>Prerequisites for the course:</u></b>	Students registered for the M.A. Women's Studies Programme and as per GU Ordinance	
<b><u>Objective:</u></b>	In this course students will be introduced to the international discourse on human rights and will focus specifically on the Convention on the Elimination of Discrimination against Women (CEDAW), Vienna Declaration and the Beijing Platform for Action (BPFA, 1995) and initiatives for 'gender mainstreaming' while also looking at the principles of equality and non-discrimination as reflected in the Universal Declaration of Human Rights (UDHR), International Convention for Economic, Social and Cultural Rights (ICESCR) and International Convention on Civil and Political Rights (ICCPR). Issues related to enforcement of existing international approaches to advancing women's rights. Within the Indian context, students will be introduced to the law (sections of the Indian Penal Code specifically dealing with women's rights, various acts for the prevention of crime and protection of women's rights as well as landmark judgments). Some of the other issues that this course will address are: history and culture of silence related to crimes against women, need for anonymity of the victim, substantive equality and politics of affirmative action and positive discrimination through women specific laws and supreme court guidelines such as: the Protection of women from Domestic Violence Act 2005, ITA, Vishaka Judgment, etc. Landmark cases of human rights violations. The family law in Goa will also be critically analysed.	
<b><u>Content:</u></b>	<p><b>Module 1:</b> Understanding Law - substance, structure and culture of law; women's experiences and conceptualization of human rights including rights under the Constitution of India. Principles of substantive equality and non-discrimination, progressive realization of rights. Interrogating the public-private divide. Intersectionality and law.</p> <p><b>Module 2:</b> The UN system, International discourse on</p>	<p>12 hours</p> <p>12 hours</p>

	<p>human rights: UN Declaration of Human Rights, ICESCR, ICCPR Convention on the Elimination of Discrimination against Women (CEDAW), Vienna Declaration. Critical debates around universalism and cultural relativism. Reports, alternate reports and shadow reports</p> <p><b>Module 3:</b> Access to justice: National Human Rights Institutions - Paris Principles, Constitution of India and legal systems, women specific legislation such as Protection of Women from Domestic Violence Act, 2005, and Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013, or even general legislation (such as the Food Security Act, etc.).</p> <p><b>Module 4:</b> Critical assessment of law from a rights perspective. Family Laws of Goa, Indian Penal Code, The Immoral Traffic (Prevention) Act 1956, Dowry Prohibition Act 1961, Indecent Representation of Women (Prohibition) Act 1986. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989.</p>	<p>12 hours</p> <p>12 hours</p>
<b><u>Pedagogy:</u></b>	lectures/assignments/self-study/ films, documentaries and discussion/ group readings and discussions/ presentations/ human rights café/role play	
<b><u>References/Readings</u></b>	<p>Agnes Flavia, Shoba Venkatesh Ghosh. 2012. Negotiating Spaces. New Delhi: Oxford University Press</p> <p>Agnes Flavia. 1999. <i>Law and Gender inequality: The politics of women s rights in India</i>. New Delhi: Oxford University Press.</p> <p>Haksar Nandita. 1986. <i>Demystification of Law for Women</i>. New Delhi: Lancer Press.</p> <p>International Dalit Solidarity Network - Cordaid, National Campaign on Dalit Human Rights. 2007. Note prepared for 11<sup>th</sup> Session of the Human Rights Council.</p> <p>Kannabiran Kalpana, 2012. Tools of Justice: Non-discrimination and the Indian Constitution. New Delhi: Routledge.</p> <p>Kannabiran Kalpana (ed.). 2013. Women and Law: Critical Feminist Perspectives. New Delhi: Sage.</p> <p>Mackinnon Catherine and Anne C. Herrmann. 2000. <i>Sex Equality: On Difference and Dominance in Theorizing Feminism: Parallel Trends in Humanities and Social Sciences</i>, Westview Press</p> <p>Mapp Susan C. 2008. <i>Human Rights and social Justice in a Global Perspective</i>. New York: Oxford University Press.</p> <p>National Law School. Vols. I to IV Gender, Human Rights and the Law.</p> <p>Parashar Archana &amp; Amita Dhanda (ed.), 1999. <i>Engendering Law: Essays in Honour of Lotika Sarkar</i>. New Delhi:</p>	

	<p>Eastern Book Company  PLD. 2017. Rape Law and Constructions of Sexuality.  Reilly Niamh. 2009. Women's Human Rights: Seeking Gender Justice in a Globalising Age. UK: Polity Press.  Sathe S. 1993. <i>Towards Gender Justice</i>. Bombay: Research Centre for Women s Studies.  Seth Leila. 2014. Talking of Justice: People's Rights in Modern India. New Delhi: Aleph Book Company</p>	
<b><u>Learning Outcomes</u></b>	<ol style="list-style-type: none"> <li>1. Students will understand the concepts of human rights in terms of equal opportunities and result equality for women.</li> <li>2. Students will develop the skills to analyse the existing laws and the legal system for substance, structure and culture of the law, so as to appreciate empowering characteristics of the law, while also locating the lacunae in the the law and legal systems, in order to monitor and lobby for advancing women's rights.</li> </ol>	