

Programme: M. A. Women's Studies

Title of the Course: GENDER, HUMAN RIGHTS AND LAW

Course Code: WST506

Number of Credits: 4

Effective from Academic Year: 2022 - 2023

<u>Course prerequisite:</u>	Registration in the MA Women's Studies Programme	
<u>Objectives:</u>	<p>In this course 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, ITPA, Vishaka Judgment, etc. Landmark cases of human rights violations. The family law in Goa will also be critically analysed.</p>	
<u>Content:</u>	Module 1: History of the 'rights' perspective. International discourse on human rights: Un Declaration of Human Rights, ICESCR, ICCPR Convention on the Elimination of Discrimination against Women (CEDAW), Vienna Declaration and the Beijing Platform for Action (BPFA, 1995). Critical concepts such as intersectionality and cultural relativism related to the enforcement of existing international approaches to advancing women's rights.	15 hours
	Module 2: The concept of Substantive Equality as reflected in the Constitution of India in procedural	15 hours

	<p>law, and in systems of access to justice, and in legislating women specific legislation such as Protection of Women from Domestic Violence Act, 2005, and judgments such as Vishaka Judgment</p> <p>Module 3: Rights: Concepts as reflected in the criminal laws relating to crimes against women, with special reference to the Indian Penal Code, The Immoral Traffic (Prevention) Act, 1956, Dowry Prohibition Act, 1961, Indecent Representation of Women (Prohibition) Act, 1986. Commission of Sati (Prevention) Act, 1987 (3 of 1988), The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, all as amended to date. December 16, 2012 as a turning point in prevention of crimes against women, amendments to the law, mobilization and interventions for change. Maternity Benefit Act, Senior Citizens Act, Disability Act.</p> <p>Module 4: Family Law in Goa which is different from the rest of the country: the Codigo Civil Portugues or the Common Civil Code</p>	<p>15 hours</p> <p>15 hours</p>
<u>Pedagogy:</u>	lectures/assignments/self-study/ films, documentaries and discussion/ group readings and discussions/ presentations/ Human rights café/Role Play	
<u>References:</u>	<p>Agnes Flavia.1990. <i>Journey to Justice: Procedures to be followed in a rape Case</i>. Bombay: Majlis</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>Agnes Flavia, Ghosh Shoba Venkatesh 2012, <i>Negotiating Spaces</i>. New Delhi: Oxford University Press</p> <p>Balasubrahmanyam Vimal. 1990. <i>In Search of Justice, Women, Law, Landmark Judgements and Media</i>. Pune: Shubhada Saraswat Prakashan.</p> <p>Bindra Anju. 2009. <i>Women and Human Rights</i>. New Delhi: Manglam Publishers.</p> <p>Bindra Anju. 2009. <i>Women and Human Rights</i>. New Delhi: Manglam Publishers.</p> <p><i>Companion reader on violence against women</i>.2012. New Delhi: Sage Publications.</p> <p>Haksar Nandita.1986.<i>Demystification of Law for Women</i>. New</p>	

	<p>Delhi: Lancer Press.</p> <p>International Dalit Solidarity Network – Cordaid, National Campaign on Dalit Human Rights, et al, 2007. Note prepared for 11th Session of the Human Rights Council.</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>Parashar Archana & Dhanda Amita,(ed), 1999, <i>Engendering Law: Essays in Honour of Lotika Sarkar</i>. New Delhi: Eastern Book Company</p> <p>Parashar Archana. 1992. <i>Women and Family Law Reform in India: Uniform Civil Code and Gender Equality</i>. New Delhi: Sage Publications.</p> <p>Sathe S. 1993. <i>Towards Gender Justice</i>. Bombay: Research Centre for Women s Studies.</p> <p>Translated editions of Family laws in Goa.</p>
<u>Course Outcomes</u>	<p>Students will understand the women specific laws and will be enabled to analyse existing procedures followed in implementation of the law and the lacunae that continue to exist.</p>