

School Name : **School for Legal Studies**

Department Name : **Human Rights**

Course Name : **Ph.D. Course Work**

S. No.	Course Code	Course Title	Credit
1.	PCCP-I	Research Methodology-I	4
2.	PCCP-II	Research Methodology-II	4
3.	Advance Paper- I (PCAP- 1) a) PCAOP 01 b) PCAOP 02 c) PCAOP 03 d) PCAOP 04 e) PCAOP 05	Constitutionalism and the Judicial Process Constitutional Governance. Law, Social Transformation and Dispensation of Justice. Human Rights in India: concept, Movement and Challenges. Fundamentals of International Human Rights Law.	4
4.	Advance Paper- II PCAP- 2	Book Review, Research Paper writing, Synopsis, Case study. The scholars has to deliver a lecture on topic assigned as a part of Teaching Practice	4
PCAOP 01 to PCAOP 05 any one paper is to be opted by the scholars			

Ph.D. Course Compulsory Paper

PCCP-I Research Methodology-I

Module 1

Meaning and significance of Research Methodology, Legal Research in India; Evolution and Development; Current Issues and Challenges in Legal Research; Role of Legal Reform Committees & Commission.

Module 2

Approaches in Legal Research; Scientific Methods in Research; Interdisciplinary Perspective of Research; Qualitative & Quantitative methods.

Module 3

Doctrinal & Non-doctrinal (Emperical) Research; Deduction, Induction & Comparative Methods in Legal Research; Socio-Legal Research; Reliability and Validity in Research.

Module 4

Research- Design, Identification of Research Problem; Literature Survey; Hypothesis; Types and Testing of Hypothesis.

Recommended Readings:

1. A. Bradney et. Al., : *How to Study Law*, Thomson, Seers and Maxwell, London.
2. Andrea B. Yelin and Hope Viner Samborn: *Legal Research and Writing Handbook: A Basic Approach for Paralegals*, Aspen Publishers, New York.
3. B. N. Ghosh: *Scientific Method and Social Research*, Sterling Publishers Pvt. Ltd., New Delhi.
4. C. K. Kothari: *Research Methodology: Method and Techniques*, Wiley Eastern Ltd., New Delhi.
5. C. K. Sharma: *Research Methodology*, Shree Publication, New Delhi.
6. Chris Hart: *Doing Your Masters Dissertation*, Vistaar Publications, New Delhi.
7. D. Thakur: *The Research Methodology in Social Sciences*, Deep and Deep Publications, New Delhi.
8. J. C. Johari (ed.): *Introduction to the Method of Social Sciences*, Sterling Publishers Pvt. Ltd., New Delhi.
9. John Knowles: *Effective Legal Research*, Thomson, Sweet and Maxwell, London.
10. Joseph Gibaldi: *MLA Handbook for Writers of Research Papers*, East West Press, New Delhi.
11. Mary Miler Prince: *The Blue Book: A Uniform System of Citation*, The Harvard Law Review Association, USA.
12. Morris L. Cohen: *Legal Research*, Minnesota, West Publishing Co., St. Paul, Minnesota, USA.
13. Nicholas Walliman: *Your Research Project*, Vistaar Publications, New Delhi.
14. P. K. Majumdar: *Research Methods in Social Science*, Viva Books Pvt. Ltd., New Delhi.
15. R. K. Verma: *Research Methodology*, Commonwealth, New Delhi.
16. Ranjit Kumar: *Research Methodology*, Pearsons Education Limited, New Delhi.
17. S. K. Verma and M. Afzal Wani (eds.): *Legal Research and Methodology*, Indian Law Institute, New Delhi.
18. Upendra Baxi: *Socio-Legal Research in India-A Programschrift*, ICSSR, Occasional Monograph, New Delhi.
19. W. J. Goode and P. K. Hatt: *Methods in Social Research*, McGraw Hill Book Co., Singapore.
20. W. L. Neuman: *Social Research Methods: Qualitative and Quantitative Approaches*, Pearson Education Inc., New Delhi.
21. Y. K. Singh: *Research Methodology*, APH Publication, New Delhi.

PCCP-II Research Methodology-II

Module 1

Sampling Method in Legal Research, Methods of Data Collection; Preparation of Questionnaire, Interview, Observation and Field Survey Methods.

Module 2

Data Processing, Analysis and Interpretation of Data; Use of Computer in Research; Use of e-resources; PPT Making; Abbreviation; Appendices.

Module 3

Report Writing, Chapterization, Mode of Citation, Bibliography & Research Funding.

Module 4

Methods of using libraries, SPSS, LTS, Plagiarism & Ethical issues in research.

Recommended Readings:

1. A. Bradney et. Al., : *How to Study Law*, Thomson, Seers and Maxwell, London.
2. Andrea B. Yelin and Hope Viner Samborn: *Legal Research and Writing Handbook: A Basic Approach for Paralegals*, Aspen Publishers, New York.
3. B. N. Ghosh: *Scientific Method and Social Research*, Sterling Publishers Pvt. Ltd., New Delhi.
4. C. K. Kothari: *Research Methodology: Method and Techniques*, Wiley Eastern Ltd., New Delhi.
5. C. K. Sharma: *Research Methodology*, Shree Publication, New Delhi.
6. Chris Hart: *Doing Your Masters Dissertation*, Vistaar Publications, New Delhi.
7. D. Thakur: *The Research Methodology in Social Sciences*, Deep and Deep Publications, New Delhi.
8. J. C. Johari (ed.): *Introduction to the Method of Social Sciences*, Sterling Publishers Pvt. Ltd., New Delhi.
9. John Knowles: *Effective Legal Research*, Thomson, Sweet and Maxwell, London.
10. Joseph Gibaldi: *MLA Handbook for Writers of Research Papers*, East West Press, New Delhi.
11. Mary Miler Prince: *The Blue Book: A Uniform System of Citation*, The Harvard Law Review Association, USA.
12. Morris L. Cohen: *Legal Research*, Minnesota, West Publishing Co., St. Paul, Minnesota, USA.
13. Nicholas Walliman: *Your Research Project*, Vistaar Publications, New Delhi.
14. P. K. Majumdar: *Research Methods in Social Science*, Viva Books Pvt. Ltd., New Delhi.
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17. S. K. Verma and M. Afzal Wani (eds.): *Legal Research and Methodology*, Indian Law Institute, New Delhi.
18. Upendra Baxi: *Socio-Legal Research in India-A Programschrift*, ICSSR, Occasional Monograph, New Delhi.
19. W. J. Goode and P. K. Hatt: *Methods in Social Research*, McGraw Hill Book Co., Singapore.
20. W. L. Neuman: *Social Research Methods: Qualitative and Quantitative Approaches*, Pearson Education Inc., New Delhi.
21. Y. K. Singh: *Research Methodology*, APH Publication, New Delhi.

Advance Paper-1 (PCAP- 1)

PCAOP 01- Constitutionalism and the Judicial Process

Module 1

Law and Scientific Methods

Analytical Reasoning, Dialectical Reasoning, Value judgments in Law, Aims of Legal education.

Module 2

Techniques of Judicial Process

Interpretation of Constitutions, Discovery and Creation in Judicial Process. "The Rights Thesis".

Module 3

Constitution, Social Order and the Courts

Concept of Constitutionalism, Social ordering by the Court in India. Government of the People.

Module 4

Review

Recommended Readings

1. Alexander, Larry (ed.) : Constitutionalism (1998)
2. Baxi, U. Courage : Craft and Contention (1988)
3. Cardozo : The Nature of Judicial Process (1921)
4. Cardozo : The Paradoxes of Legal Science (1928)
5. Dhavan et. al. : Judges and the Judicial Power (1987)
6. Dworkin : Taking Rights Seriously (1978)
7. Griffiths : The Politics of the Judiciary (1991)
8. Levi : An Introduction to Legal Reasoning (1949)
9. Mc Cormick : Legal Reasoning and Legal Theory (1990)
10. Stone : Legal System and Lawyer's Reasonings (1964)

PCAOP 02- Constitutional Governance

Module 1

Administrative Discretion and Fundamental Rights, Administrative Rule- making. Decentralization and Intergovernmental Structure.

Module 2

Directive Principles of State Policy on access to justice for poors, education; health and employment.

Module 3

Right to information, Whistle Blowing, Lokpal and Lokayuktas, Commission of Inquiry and Vigilance Commissions, Role of the Bureaucracy, Media and Non-governmental organizations and civil society.

Module 4

Natural Justice, *Ultravires*, Separation of power, Rule of Law

Recommended Readings

1. M.P. Jain, H.M. Seervai, T.K. Tope, Subhash Kashyap, D.D. Basu, Arivind Datar, V.N. Shukla, A.V. Dicey, on Constitutional Law of India
2. M.P. Jain & S.N. Jain, J.F. Garner, C.K. Davis, H.W.R. Wade, Wade & Foresyth, P.P. Craig, D.D. Basu, C.K. Thakkar Griffith and Street, A.T. Markose, Hamson and Neil On Administrative Law and related topics
3. De Smith S.A. on Constitutional and Administrative Law
4. Right to Information Act, Panchayat Raj Act, Right to Education Act etc,
5. Research Papers and Articles on topics mentioned above including government Programmes and Policies.

PCAOP 03 - Law, Social Transformation and Dispensation of Justice

Module 1

Law and Social Transformation

Law as an instrument of social change, Interaction between law and tradition, Law and its relationship with social institutions ó Religion, Community, Language, Regionalism, Education

Module 2

Protective Discrimination to Disadvantaged Sections of Society

Crime against women, Children, Elder abuse, Crime against SC/ST, Group crime

Module 3

Modernization and Law

Reforms in family law, Reforms in criminal justice process, Environment jurisprudence, Compensatory jurisprudence, feminism, Consumerism

Module 4

Institutional Reforms and Dispensation of justice

NHRC, NCW, Police reforms, Prison reforms, Panchayati raj system, Legal aid, Role of NGOs

Recommended Readings:

1. Bhat P. Ishwar : Law and Social Transformation
2. Indian Law Institute : Law and Social Change: Indo ó American Reflection
3. Duncan Derret : The State, Religion and Law in India
4. Malik & Raval : Law and Social Transformation in India
5. Vibhute K.I. : Criminal Justice
6. Kuppaswamy B. : Social Change in India
7. Verma J.S. : The New Universe of Human Rights
8. Srivastava S.S. : Criminology and Criminal Administration
9. Siddique Ahmad : Criminology & Penology
10. Goswami, B.K. : A Critical Study of Criminology and Penology
11. Sutherland, E.H. : Principles of Criminology
12. Barnes and Teeters : New Horizons of Criminology
13. Taft and England : *Criminology*
14. Report of the Committee on Draft National Policy on Criminal Justice, Ministry of
15. Home Affairs, Government of India Ruth and Jordan Cavan, Delinquency and Crime
16. Baxi Upendra : The Crisis of Indian Legal System
17. Seervai H.M. : Constitutional Law of India

PCAOP 04- Human Rights in India: Concept, Movement and Challenges

Module 1

Human Rights: Conceptual and Historical Development.

Module 2

Human Rights: National and International Perspective

Module 3

Human Rights Movement in India: Issues and Concern.

Module 4

Human Rights, Democracy and Globalisation.

Recommended Readings

1. Sweet, William (ed) (2008) Philosophical theory and Universal Declaration of Human Rights.
2. Anderson, Michael R. And Sumit Gupta (ed) 1998, Changing concepts of Rights and Justice in South Asia, New Delhi- OUP.
3. Baxi, Upendra (2004)- The Future of Human Rights: New Delhi OUP.
4. Baxi, Upendra (2007) Human Rights in Posthuman World. New Delhi OUP.
5. Desai, AR. (ed) (1986)- Violation of Democratic Rights in India (Mumbai Popular Prakashan)
6. Hargopal, G (1993) Political Economy of Human Rights: Emerging Dimensions (Mumbai) Himalay Publishing House.

PCAOP 05 Fundamentals of International Human Rights Law

Module 1

Historical and Philosophical Perspectives of Human Rights; United Nations Charter Provisions on Human Rights, Three Generations of Human Rights.

Module 2

International Standards of Human Rights; UDHR, ICCPR, ICESCR Provisions and implementation.

Module 3

Regional Arrangements of Human Rights; European Convention on Human Rights, American Convention on Human Rights, African Convention on Human and Peoples Rights

Module 4

National Understanding of Human Rights; Conceptual & Historical Development, NHRC and NGOs

Recommended Readings

1. Brownlie I : Basic Documents on Human Rights (2006)
2. P C Sinha : Encyclopaedia of Human Rights (Set of 5 Vols., 2002)
3. Greenberg J : Human Rights: Their Implementation and Supervision (1987)
4. Mashood A. Baderin, : International Human Rights Law: Six Decades after the
 & Manisuli Senyonjo UDHR and Beyond (2010)
5. Rhona K. M. Smith : Textbook on International Human Rights (2007)

6. Aryeh Neier : The International Human Rights Movement: A History (2012)
7. Curtis F. J. Doebbler : Introduction to International Human Rights Law (2006)
8. Jack Donnelly : Universal Human Rights in Theory and Practice, (Second
 Edition, 2003)
9. Micheline R. Ishay : The History of Human Rights: From Ancient Times to the
 Globalization Era (2008)
10. Roger Norm and : Human Rights at the UN: The Political History of Universal
 Sarah Zaidi Justice (2008)
11. Khare S.C. : Human Rights & the U.N. (1995)
12. Vicent O. Orlu : The African Human Rights System: Its Laws, Practice,
 Nmehielle and Institutions (2001)
13. Dinah Shelton : Regional Protection of Human Rights (2013)