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CHANGING CONCEPTS OF RIGHTS & JUSTICE IN SOUTH ASIA

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Changing Concepts Of Rights And Justice In South Asia

H. Patrick Glenn



Changing Concepts Of Rights And Justice In South Asia:

Changing Concepts of Rights and Justice in South Asia Michael R. Anderson, Sumit Guha, 1998 This volume explores the relations between custom law and social change International contributors discuss past beliefs and practices as well as present day controversies focusing particularly on the moral justification of religious laws and current social problems in India and Sri Lanka *Changing Concepts of Rights and Justice in South Asia* Michael R. Anderson, Sumit Guha, 2000 Indian civil rights movement

Judicial Activism in Bangladesh Ridwanul Hoque, 2011-01-18 This book critically examines the evolving global trend of judicial activism with particular reference to Bangladesh It constructs judicial activism as a golden mean adjudicative technology standing between excessive judicial assertion and unacceptable judicial passivity that may leave injustices unredressed It argues that judicial balancing between over activism and meek administration of justice should essentially be predicated upon domestic conditions and the needs and fundamental public values of the judges respective society Providing cross jurisdictional empirical evidence the study demonstrates that judicial activism steered towards improving justice and grounded in one's societal specificities can be exercised in a morally and legally legitimate form and without rupturing the balance of powers among the state organs This study has sought to displace the myth of judicial activism as constitutional transgression by unelected judges arguing that judicial activism is quite different from excessivism It is argued and shown that a particular judge or judiciary turns out to be activist when other public functionaries avoid or breach their constitutional responsibilities and thus generate injustice and inequality The study treats judicial activism as the conscientious exposition of constitutional norms and enforcement of public duties of those in positions of power The study assesses whether Bangladeshi judges have been striking the correct balance between over activism and injudicious passivity Broadly the present book reveals judicial under activism in Bangladesh and offers insights into causes for this It is argued that the existing milieu of socio political injustices and over balance of constitutional powers in Bangladesh calls for increased judicial intervention and guidance of course in a balanced and pragmatic manner which is critical for good governance and social justice Writing about judicial activism easily gets shackled by fussy and pedestrian debates about what judges may or may not do as unelected agents of governance The book goes much beyond such reductionist pedestrianisation of law for it courageously lifts the debate into the skies of global legal realism The analysis perceptively addresses bottlenecks of justice identifying shackles and mental blocks in our own minds against activating concerns for justice for the common citizen Prof Werner Menski Foreword **Handbook Global History of Work** Karin Hofmeester, Marcel van der Linden, 2017-11-20 Coffee from East Africa wine from California chocolate from the Ivory Coast all those every day products are based on labour often produced under appalling conditions but always involving the combination of various work processes we are often not aware of What is the day to day reality for workers in various parts of the world and how was it in the past How do they work today and how did they work in the past These and many other

questions comprise the field of the global history of work a young discipline that is introduced with this handbook In 8 thematic chapters this book discusses these aspects of work in a global and long term perspective paying attention to several kinds of work Convict labour slave and wage labour labour migration and workers of the textile industry but also workers organisation strikes and motivations for work are part of this first handbook of global labour history written by the most renowned scholars of the profession Human Rights, Gender and Environment Shashi Motilal, Bijayalaxmi Nanda, 2006-05-15 Addressing students teachers and readers in general the book introduces the concept of human rights and explores ways in which human rights violations impact issues of gender and environment In this sense it traces the underlying interconnections of key concepts against the backdrop of existing social inequalities of class caste gender race and ethnicity It delves deep into the impact of globalization on a society which is fraught with inequalities and emphasizes the need to create an equal non discriminatory and free world This is perhaps the first book to incorporate such a broad range of topics all of which have a contemporary social political and economic relevance It will encourage students to understand think and engage with issues and help them formulate their positions on the issues discussed The book will be an excellent resource not only for students and teachers pursuing the subject but also for policy makers NGO workers and general readers who are concerned partners in wanting to create an equal and free world **International Protection of Human Rights: Achievements and Challenges** Felipe Gómez Isa, Koen de Feyter, 2006-01-01 At the beginning of the nineties there was an expectation within the human rights community that the next decade would be a period of consolidation for the international human rights regime This did not happen In fact the human rights regime underwent dramatic changes in response to new circumstances We have tried to highlight both the achievements and the challenges ahead in this Manual the result of a joint project under the auspices of HumanitarianNet a Thematic Network on Humanitarian Development Studies led by the University of Deusto Bilbao the Basque Country Spain and the European Inter University Centre for Human Rights and Democratisation EIUC Venice Italy Penal Power and Colonial Rule Mark Brown, 2014-02-03 This book provides an account of the distinctive way in which penal power developed outside the metropolitan centre Proposing a radical revision of the Foucauldian thesis that criminological knowledge emerged in the service of a new form of power discipline that had inserted itself into the very centre of punishment it argues that Foucault's alignment of sovereign disciplinary and governmental power will need to be reread and rebalanced to account for its operation in the colonial sphere In particular it proposes that colonial penal power in India is best understood as a central element of a liberal colonial governmentality To give an account of the emergence of this colonial form of penal power that was distinct from its metropolitan counterpart this book analyses the British experience in India from the 1820s to the early 1920s It provides a genealogy of both civil and military spheres of government illustrating how knowledge of marginal and criminal social orders was tied in crucial ways to the demands of a colonial rule that was neither monolithic nor necessarily

coherent The analysis charts the emergence of a liberal colonial governmentality where power was almost exclusively framed in terms of sovereignty and security and where disciplinary strategies were given only limited and equivocal attention Drawing on post colonial theory *Penal Power and Colonial Rule* opens up a new and unduly neglected area of research An insightful and original exploration of theory and history this book will appeal to students and scholars of Law Criminology History and Post colonial Studies *Recovering Subversion* Nivedita Menon,2004 This Book Is About The Relation Between Law And Feminist Politics The Area It Traverses Ranges From Feminist Initiatives On Sexual Harassment To The Parity Movement In France *Baby and Child Heroes in Ancient Greece* Corinne Ondine Pache,2004 Baby and Child Heroes in Ancient Greece is the first systematic study of the considerable number of Greek babies and children who became enduring myths objects of worship and the recipients of sacrifice Examining literary pictorial and numismatic representations Pache opens up a vast territory once occupied by children such as Charila Opheltes Melikertes and the children of Hercules and Medea She argues that the stories songs and sanctuaries honoring these heroes express parental fears and guilt about children s death Jacket *Codes of Misconduct* Ashwini Tambe,2009 Across the nineteenth and twentieth centuries legislators in Bombay passed a series of repetitive laws seeking to control prostitution During the same time Bombay s sex industry grew vast in scale Ashwini Tambe explores why these remarkably similar laws failed to achieve their goal and questions the actual purpose of such lawmaking *Encyclopedia of Gender and Society* Jodi O'Brien,2009 Provides timely comparative analysis from internationally known contributors **Gender History Across Epistemologies** Donna R. Gabaccia,Mary Jo Maynes,2013-02-19 Gender History Across Epistemologies offers broad range of innovative approaches to gender history The essays reveal how historians of gender are crossing boundaries disciplinary methodological and national to explore new opportunities for viewing gender as a category of historical analysis Essays present epistemological and theoretical debates central in gender history over the past two decades Contributions within this volume to the work on gender history are approached from a wide range of disciplinary locations and approaches The volume demonstrates that recent approaches to gender history suggest surprising crossovers and even the discovery of common grounds **India and the British Empire** Douglas M. Peers,Nandini Gooptu,2017-02-09 South Asian History has enjoyed a remarkable renaissance over the past thirty years Its historians are not only producing new ways of thinking about the imperial impact and legacy on South Asia but also helping to reshape the study of imperial history in general The essays in this collection address a number of these important developments delineating not only the complicated interplay between imperial rulers and their subjects in India but also illuminating the economic political environmental social cultural ideological and intellectual contexts which informed and were in turn informed by these interactions Particular attention is paid to a cluster of binary oppositions that have hitherto framed South Asian history namely colonizer colonized imperialism nationalism and modernity tradition and how new analytical frameworks are emerging which enable us to think beyond the constraints

imposed by these binaries Closer attention to regional dynamics as well as to wider global forces has enriched our understanding of the history of South Asia within a wider imperial matrix Previous impressions of all powerful imperialism with the capacity to reshape all before it for good or ill are rejected in favour of a much more nuanced image of imperialism in India that acknowledges the impact as well as the intentions of colonialism but within a much more complicated historical landscape where other processes are at work

Grass in their Mouths: The Upper Doab of India under the Company's Magna Charta, 1793-1830 Dirk H.A. Kolff, 2010-08-13 Scholarship on the pre Bentinck period of Indian history has taken little notice of the inevitable dilemmas of colonial rule as they became visible in the districts This book argues that the disdain the eighteenth century Westminster parliaments expressed both for Indians and the East India Company induced the Bengal civil service to formulate for itself a corporate identity that because of its distant and self centered character prevented it to acquire an executive hold on most levels of the Indian administration The core of the book consists of superbly detailed studies of the ways in which in the Ganges Jumna doab villagers revenue farmers Indian policemen and revenue officials bankers and judges struggled to overcome or profit from this feature of the colonial administration

Community, Gender and Violence Pārtha Cāṭṭopādhyāya, Partha Chatterjee, Pradeep Jeganathan, 2000 This work questions the role of women and the nation especially among minorities It examines many topics such as Tamil nationalism the new woman in Indian cinema women and minorities in the context of law and the issue of violence

Domestic Dynamics: Understanding Indian Family Law Prof. Dr. Rachana Choudhary, 2023-02-10 Navigate the complexities of Indian family law with this detailed exploration of its various aspects From marriage and divorce to child custody and inheritance this book provides a comprehensive overview of the legal principles governing family relationships in India offering valuable guidance for legal practitioners and individuals alike

The Fractured Scales Faustina Pereira, 2002 With reference to South Asia

Federalism, Nationalism and Development Pritam Singh, 2008-02-19 Chapter 1 INTRODUCTION chapter 2 The geography and the political economy of Punjab an historical overview of Punjab centre relations chapter 3 Federalism nationalism and India s development strategy an historical overview and analytical framework chapter 4 Federal financial relations in India and their implications for centre Punjab financial relations chapter 5 CENTRE STATE RELATIONS IN AGRICULTURE AND THEIR IMPLICATIONS FOR PUNJAB AGRICULTURE chapter 6 CENTRE STATE RELATIONS IN INDUSTRY AND THEIR IMPLICATIONS FOR THE PATTERN OF INDUSTRIAL DEVELOPMENT IN PUNJAB chapter 7 SUMMARY AND CONCLUSIONS

HUMAN RIGHTS LAW AND PRACTICE, SECOND EDITION DAS, JATINDRA KUMAR, 2022-03-24 The book written with a rich teaching and research experience of the author emphasises the critical evaluation of contemporary human rights law and practice with special reference to India It evaluates the ongoing discourse on various issues relating to life liberty equality and human dignity and their reflections in international human rights law referring to the state practices through constitutional guarantees judicial decisions as well as through enacting appropriate legislations This lucid and

comprehensive book is logically organised into nine chapters Beginning with the theoretical foundations of human rights law referring to origin development and theories of human rights at the preliminary level the book proceeds to International Bill of Human Rights demonstrating various facets of civil and political rights as well as economic social and cultural rights It further discusses the importance of human rights law in protection against inhuman wrongs and examines a large number of debates concerning human rights to the development and protection of the environment Then it moves on to explore various issues relating to human rights in Indian Constitutional Law The second half of the book emphasises the protection of the rights of women and children which has been the focal point of all human rights discussions It also deals with the scope and ambit of the rights of indigenous peoples and minorities including their protection At the end the book examines the utility and justifications of human rights law in protecting the rights of people with disabilities divyang NEW TO THIS EDITION Law on HIV AIDS Management Covid 19 Management law Legislative aspect of protection of the environment Recent law on triple talaq Decriminalisation of adultery Right of Hindu women to offer worship in Sabrimala temple Right to access to justice judicial review legal aid and speedy trial Surrogacy and reproductive right Law on POSCO Hard law and soft law and Recent law on divyang Though the book is primarily designed for LL B B A LL B LL M and courses on human rights it will be equally beneficial for the researchers academicians jurists lawyers judges as well as members of civil societies TARGET AUDIENCE LL B B A LL B LL M and courses on human rights

Legal Traditions of the World H. Patrick Glenn, 2014

Legal Traditions of the World places national laws in the broader context of major legal traditions those of chthonic or indigenous law talmudic law civil law Islamic law common law Hindu law and Confucian law Each tradition is examined in terms of its institutions and substantive law its founding concepts and methods its attitude towards the concept of change and its teaching on relations with other traditions and peoples The concept of legal tradition is explained as non conflict in character and compatible with new and inclusive forms of logic

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