NATIONAL HUMAN RIGHTS COMMISSION OF INDIA AND SOUTH AFRICA: A COMPARATIVE STUDY IN INSTITUTIONAL EFFECTIVENESS

ABSTRACT

SUBMITTED TO THE DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF DELHI FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN POLITICAL SCIENCE

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ABSTRACT

This PhD Thesis is a serious outcome of my thought and beginning of a new era in the field of human rights and the national human rights institutions in India and South Africa. This Thesis goes in an ascending order. It begins with conceptual clarification about my PhD topic, “National Human Rights Commission of India and South Africa: A Comparative Study in Institutional Effectiveness”. Followed by human rights discourse in India and South Africa, structure and function of the commissions, case studies and comparative contrasts. This thesis is a modest attempt to understand the need of the National Human Rights Institutions (NHRIs) in democracies, especially India and South Africa.

Today in a globalized world, every citizen must be conscious and concerned for the protection of their human rights. I hope the transition of apartheid to democracy in South Africa will give you more insights; while a comparative analysis of the National Human Rights Commissions (NHRCs) in India as well as in South Africa will help enlighten the academic intelligentsia and will help empower an informed citizenry across the world, especially of both the nations.

This PhD Thesis contains six (6) Chapters. Chapter 1 which is Introduction of the inception of the National Human Rights Commissions (NHRCs) of India and South Africa as well as their historical background in the angle of Paris Declaration of 1993. Chapter 2 contains the Human Rights discourse in India and South Africa wherein I have analysed the Indian and South African constitution making processes which took place amidst radically different international political settings. Far from condemning colonialism, international law was central to the development of India and South Africa. Chapter 3 contains structures and functions of the NHRCs of India and South Africa in a broader concept within the parameter of Paris Declaration of 1993. Chapter 4 contains major human rights violation cases dealt by NHRCs of India and South Africa since their inceptions in a democratic method. Chapter 5 contains the role of civil society in the protection of Human Rights in India and South Africa in a
globalized milieu. **Chapter 6** is the concluding chapter of my Thesis which summarizes the effectiveness and public legitimacy of the NHRCs in modern democracies vis-à-vis India and South Africa. It also experimented my hypothesis i.e. the public legitimacy positively in a significant manner.

This is really a fascinating work and I was quite passionate to complete it with utmost love and hard work, realizing the plight of Indians during the British era and four centuries of oppressions (apartheid period) of South Africans in their own country.