PREFACE

Human rights and the right to development are the highly contentious and controversial issues in the present global world. The researchers all over the world are taking keen interest in the field of human rights looking at it from each and every angle. As a researcher, after spending some years in the study of the vast literature and body of knowledge produced on human rights and right to development and have come to the realization that these domains of research cannot be clubbed in one monolithic interpretation where human rights are primarily considered to be moral and legal aspirations of individuals. Therefore, I have moved from my basic readings of Human rights as an individualistic entitlements/claims to the sense of collectivity and overall realization of human rights as a task before collective humanity.

And personally this invocation of not mere collectivity offered me an opportunity and intellectual challenge to understand the theoretical and practical issues about the right to development which happens to be a collective claims from an abstract humanity, thus this task made me to adopt an interdisciplinary approach to understand the intricacies of jurisprudence on the one hand and insight of social sciences on the other to delineate the meanings of human rights jurisprudence and right to development in a comprehensive manner.

Since the conceptual and theoretical knowledge and growth about development paradigm is both ancient and contemporary, therefore, it is not possible to neglect either of the two approaches which inform the nuanced understanding about human rights. It was not possible to pay equal amount of attention towards available texts and archeology of knowledge produced in both the domains the ancient as well as the contemporary, I have taken into account
modernist and contemporary articulations about human rights jurisprudence and right to development. Nevertheless, in meeting these complex challenges and opportunities I have followed an interpretative mode of analysis rather than just going for philosophical and theoretical methods in mapping out the claims and contestations about human rights and right to development and these processes of substantiations and a critical engagement about these set of issues concerning (human) rights and developmental paradigm, one moves from the realms of individuality to the realms of collectivity and it is not always a tricky terrain to trade with. Therefore I have followed interdisciplinary approach rather than mere sticking to legalistic and jurisprudential approach.

Moreover, while researching and writing the thesis I have also taken into account the enormity of debates on human rights jurisprudence and right to development but since human right jurisprudence and development has become a vast terrain to swim in therefore, there is hardly any scope left for a comprehensive research on this issue within the ambit of this research. Thus it would be my earnest desire and one would like to put an honest intellectual disclaimer that I have tried to map out the linkages between human rights jurisprudence and the right to development as it happens to be one of the loftiest claims within human rights but there have not been enough efforts by contemporary scholarship to probe, research and develop a theoretical and possible empirical linkages between human rights jurisprudence and the right to development. Thus, I have specifically confined my research area to the discourse on United Nations “Declaration on the Right to Development (1986)” and its indispensable components those inform and narrate the dynamics of human rights, otherwise, it becomes vast terrain and unmanageable to work and to explore all the aspects of human rights jurisprudence and its linkages with development and this precisely offers me an
exciting and intellectually stimulating challenge to explore and develop a critical engagement in this area of research and specific theme such as “Human Rights Jurisprudence and The Right To Development”.

I wish to make another statement that this research has inculcated in me the confidence as a researcher and a pedagogue who is ready to learn from every- day change which life offers me to live with, an open eye to see the limitation of my own intellectual engagements in this area of my research and curiosities. However, up to what extent I have been able to meet these academic and intellectual challenges, is going to be unfolded in the schema of this thesis and thematic unity of chapters. But I must state that this has been a rewarding endeavor and now I am more informed and open to the sensitivity and sensibility of human rights and also its uncharted territory of right to development which needs to be translated into a social and political action and to address the far cry of humanity.