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**CIVIL, ECONOMIC, POLITICAL AND SOCIAL RIGHTS - A STUDY OF
HUMAN RIGHTS**

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ABSTRACT

When embarking on a history of human rights; the first question one confronts is: where does that history begin! It is a politically charged question, as difficult to answer as the one addressing the end of history. When the Universal Declaration of Human Right was proclaimed by General Assembly, it was viewed as the first step in the formulation of an -international bill of human rights" that would have legal as well as moral force! Human rights are thus seen here as the result of a cumulative historical process that takes on a life of its own, sui generis, beyond the speeches and writing of progressive thinkers, beyond the documents and main events that compose a particular epoch.

Keywords :- Human Rights , Progressive Thinkers , Act

INTRODUCTION

By the term Human Rights', we mean availability of conditions or opportunities in which a person feels free to do or not to do certain things, or acts for oneself'. These ideas began with Aristotle and Stoics like Cicero and Seneca. According to Aristotle, there is a natural moral order." In simple words we can understand human rights can be located in the notion of 'natural rights', the rights which are belonging to a person by nature because man is a human being. The concept of 'human rights' in modern sense, is totally new. Franklin Delano Roosevelt first used it in 1946 in the context of four freedoms. Churchill also stood for 'enthronement of human rights.'" In the beginning, it is necessary to point out that the concept of 'Human Rights' is different from that of 'Humanism' and 'Humanitarianism'. Friedrich Hegel's vision of history ending with the birth of the Prussian state celebrated the German Liberal and cultural views of his time over others; Karl Marx's prediction that history would end with the withering of the state and the birth of a classless society; Francis Fukuyama's declaration of the end of history exemplified liberal euphoria in the immediate aftermath of the soviet collapse. Human Rights is a special kind of inalienable moral entitlement. They attach to all people equally, by virtue of their humanity irrespective of race, nationality, or membership of any particular social group. They specify the minimum conditions for human dignity and tolerable life! Immanuel Kant emancipated Human Rights from the concept of super human entity or God. These are four stages of the growth of the theory of human rights.

- (i) Inform of life, liberty, property and political participation;
- (ii) Universal Declaration of Human Rights (United Nations), 1948;
- (iii) Socioeconomic rights: rights and welfare, education, and leisure, and
- (iv) Rights like the right to self determination, a clean environment and the rights of indigenous minorities.

Each has a right to equal political and legal treatment would be an abuse of the human rights to which each individual has equal claim.

Status of Human Rights

Status of Human Rights can be seen from many angles: As far as 'man and his family is concerned, the ideology of Human Rights appears sufficient and adequate. It takes all aspects of man as man in view and stands by him. It stops at human concerns, and does not attempt to propose restricting state and UN systems. The concept of state sovereignty hangs heavily over UDHR. It cannot claim to override state sovereignty. Human rights so far appear more on paper, and look more theoretical. Universal Declaration of Human Rights (UDHR) remains sacrosanct and a document of veneration. At many places, its articles are conflicting and lack precision. The classification of human rights flows from the distinction between positive and negative human rights. Positive human rights require the state to take active steps towards their realization and negative human rights refer to freedoms that the state must not encroach upon (such as the freedom from torture or the right not to be detained without trial). Genocide, ethnic conflicts, exploitation, casteism, child labour, atrocities on women etc. prevail that shows lack of universalism in the acceptance of human rights.

This complaint is considered in closed session. The complaint is admissible if it is not anonymous; (ii) not against a state which has not accepted the optional protocol; (iii) is not an abuse of the procedure (false or propaganda); (iv) concerned with the violation of one of the rights laid down in the covenant; (v) not under the consideration of any other international procedure or agency; and lastly (vi) the complainant must have exhausted all domestic remedies open to him." Religions like Islam, Christianity, Hinduism, Judaism and the like are often challenged Human Rights. They often mix up state and religion. Maintaining their religion as ultimate Message of God, they subordinate human rights to their teachings. In Asian societies, community, society and law and order are regarded superior to human rights." On receipt of a

complaint of human rights violation by the UN, the UN secretariat passes. On the matter to the committee of human rights."

PROTECTION ACTS

The preamble of the Universal Declaration of Human Rights (UDHR) provides the international sources of implementation of human rights. It also indicates tools and instruments to launch the Declaration in actual practice. Accordingly,

- Human rights have to be protected by the rule of law through states, they have to be promoted through the development of friendly relations between nations:
- It has to be realized in degrees by progressive measures, national and international, to secure their universal and effective recognition and observance, among the peoples of members of status themselves,
- The main tool of providing effective remedy would be by the competent national tribunals constituted for acts violating the fundamental rights granted to persons dealing with gross violation of Human Rights by constitution or by law;
- To implement them member-states have pledged to act in cooperation with UN;
- A common understanding of these rights and freedoms is necessary for the full realization of the Declaration
- Launching of Human Rights has to be striven by teaching and education,
- In case these instruments fail, man the right to have recourse, as an last resort, to rebellion against tyranny and oppression that is in case of utter neglect of human rights.

REVIEW LITERATURE

T.S. Basra in his study, *Human Rights- A Critique* (1979), is much worried about the violation of human rights. He explains, on the one hand, how human rights are proclaimed to be inviolable and on the other hand, human beings seeking such right are tortured, maimed, disemboweled, killed and even burnt alive. R.S. Agarwal in his work, *Human Rights in the Modern world* (1979), deals with the nature and condition of human rights in developing countries. According to him, each country is entitled to develop its own forms and methods for the realization of civil, political, economic, social and cultural rights. H.O. Agarwal in his work, *Implementation of Human Rights Covenant* (1983), examines international standards for the protection of human rights and then compares them with that of Indian standards.

R.C. Hingurani's work, *Human Rights In India* (1985), shows how far international human rights are observed in the Indian context. He classified rights into five categories, i.e., civil, political, economic, social and cultural rights. In the same line Prof. Aswini K. Ray's, *Civil Rights Movements and Social Struggle in India* (1986), analysis the politics of emergency as imposed by Indira Gandhi in between 1975- 77. His article, after all, is an eloquent analysis of the civil rights movement and social struggle in India? Justice Dr. Nagendra Singh in his book, *Enforcement of Human Rights* (1986), enlists the way and means for enforcement of human rights during peace and war. The book contains actual picture of human rights which needs strong hand to implement them. With all that Prof. Upendra Baxi's, *The Right to be Human* (1987), Famed Kazimi in *Human Rights-Myth and Reality* (1987), Justice E.S.Venketramiah's work, *Human Rights in Changing World* (1988), Y.K. Tyagi in *Indian State and Human Rights* (1992), and Gurbax Singh commentary on the protection of Human Rights Act 1993 all were useful to trace out the development of various rights and national necessity to maintain the rule of law and to protect human rights which are the foremost function of every state." In other words moral repugnance has also become powerful defense against cultural practices (e.g., genital, cutting, veiling or bigamy) and the legitimating ground for political intervention often (and increasingly) in the name of human rights.

CONCLUSION

In the last we conclude this statement that "when Gandhi was requested to give his thoughts on the universal Declaration of Human Rights, he said the source of right is duty. If we all discharge our duties, rights will not be far to seek, If leaving duties unperformed we run after rights, they will escape in It will o the wisp, the more pursue them, the further they will fly." In talking about human rights today, we are referring primarily to the following demands: protection of the individual against arbitrary infringement by other individuals or by the government; the right to work and to adequate earnings from want freedom of discussion and teaching; adequate participation of individual in the formation of government These human rights are nowadays recognized theoretically, although, by, abundant use of formalistic, legal man oeuvres, they are being violated to a much greater extent than even a generation ago. The theory of natural law also, often dismissed has a way of circling back as the preoccupation with human rights makes clear." The international human rights movements, especially after the Vienna Convention of 1993, pushed this process forward. The Indian State took many institutional measures such as setting up the National Human Rights commission promoting human rights education in schools and colleges and sensitizing state agencies to the human rights issues. On the whole, we can conclude human rights mainly on three important grounds, viz, human nature, human dignity and the existence of a good society. So, the concept of human rights is closely connected with the protection of individuals from the exercise of state, government or authority in certain areas of their lives. With all this the issue of religious human rights is one of growing significance in today's world. The growth of the religious pluralism is worldwide and constitutes one the major challenges facing all of the religious of the world today. The repression in the struggle areas however continued. Hence the debate became even more intense. Discussion centered on the violation of human rights by security forces in the northeast and Jammu and Kashmir where autonomy movements were going on and in areas where naxalite groups were active. Thus, together with the peasants movement, women movement and environmental the civil liberty movement in India has contributed significantly to the process of democratic transformation.

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