

13

HUMAN RIGHTS



See the collage. How many news items like this appear in newspapers every day! Assess these events. It can be found that these are not mere tragedies but violation of human rights too.

Human Rights

- Is it the right of a person to get nutritious food and treatment for his disease?
- Is it the violation of human rights not to send children to school and sending them for work in their early years?
- Is it a humanitarian process to manhandle an accused to make him say the truth

The above questions lead us to more discussion of human rights. What are human rights ?

Human rights are those rights, guaranteed in the constitution to each individual in his capacity as a member of the society. These are related to life, freedom, equality and dignity of individual. These are embodied in the international covenants and are justiciable in the court of law in India.

What are the international covenants relating to human rights?

International Efforts for the Protection of Human Rights

Magna Carta signed in 1215 is the first document which made it an obligation of the government to protect human rights. Declaration of Independence of the American colonies, Bill of Rights in Britain, Human Rights Declaration of the French revolution are also important landmarks in the protection of human rights. The UN Charter adopted on 25th June 1945 is the first international covenant in this regard. We have discussed all these in the previous classes.

We have discussed the history of the merciless trampling of human rights in world wars. We have also discussed the importance of human rights recognised by the United Nations

which was formed after that. "We the people of the United Nations declare our firm conviction in the basic freedom, equality of rights of men and women and in the dignity of the individual". says the preamble of the UN Charter.

It was in 1946 that a Human Rights Commission was formed under the United Nations on international basis. On 10 December 1948 the United Nations Organisation adopted the well known Declaration of Human Rights. That declaration ensures to every one in the world his birthright to lead a life with out any discrimination on the basis of caste, religion, race, language, citizenship, conviction, culture, family, sex, and so on

- ★ *Prepare a Time Line based on the international efforts to protect the Human Rights*

Human Rights Protection in India

The peculiarity of the Indian constitution was discussed in the previous class. Where can we see the influence of the international declaration of human rights in our constitution?

What are the Human Rights stipulated in our constitution?

- Right to equality
- Right against discrimination on grounds of caste, religion, race, sex and place of birth.
- Right to freedom
- Right to life and personal liberty
- Right to social security.
- Right against exploitation
- Right to freedom of religion
- Cultural and educational rights
- Right to constitutional remedies

- Right to citizenship
- Right to vote
- Right to property
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What are the procedures for the enforcement of the above rights in our constitution? Who can be approached in case of violation of human rights?

Let us conduct an interview with an advocate. Include in My Enquiry Notes opinion termed out of the interview.

Indian Constitution

The Indian Constitution protects most of the Human Rights as fundamental rights. The courts of law act with vigilance to ensure fundamental rights. Still violation of human rights are on the increase. It was on the basis of an international Act understanding that the law of National Human Rights protection came in to being in India in 1993. Human Rights Commission was formed on the basis of this at the National and State levels. Collect data about the structure and powers of these commissions.

What are the responsibilities of the Human Rights Commission?

- ◆ Enlighten people on Human Rights Commission
- ◆ Report to the government or other authorities, cases of violation of human rights for appropriate action.
- ◆ Recommend adequate compensation to the victims of human rights violation.
- ◆
- ◆

There are special courts in several states to handle cases of human rights violation.

- ★ *Collect data regarding the incidents, proceedings and settlements of violation of human rights in which the state Human Rights Commission and National Human Rights Commission interfered recently.*

Given above is an outline of the legislations and other activities meant for the protection of human rights at the international, national and state levels. Were we able to put an end to the human rights violations by these steps?. An enquiry can be conducted.

Collect the newspapers of a few consecutive days and locate the news of violation of human rights. Are human rights violations decreasing? Is any particular section being subjected to more human rights violations?. What are the areas where human rights violations are rampant.

According to statistics it is the women, Dalits and under-trial detainees who are the victims of human rights violation. Do the news that you have collected justify these facts?.

Do you feel that special rules and other structures are needed to prevent this? Discuss.

Rights of Children

Consider the following rights of children highlighted in the International Declaration of Children's Rights of 1989 and the Vienna Convention of 1993.

- ◆ Right to life
- ◆ Right to preserve the identity
- ◆ Right to citizenship and nationality
- ◆ Right not to be separated from parents
- ◆ Right to freedom of expression

- ◆ Right to know
- ◆ Right to privacy, honour and fame
- ◆ Right for protection against sexual abuse
- ◆ Right to protection of health
- ◆ Right to protection against drugs and other harmful things
- ◆ Right to get the adaptation rules protected
- ◆ Rights of the refugee child
- ◆ Rights of the parentless children

The constitution of India and the Rights of Children

Let us examine the protection of the rights of children given by the constitution of India

- ◆ Article 15 says that there can be special provisions for children.
- ◆ Article 24 prohibits child labour.
- ◆ Article 21(A) states that all children between the age of 6 and 14 should be given compulsory education that the government decides as per the rules.

What were the rights of children violated in the cases cited at the beginning of this chapter? Look at the picture above. What indications does it give regarding the violation of the rights of children?

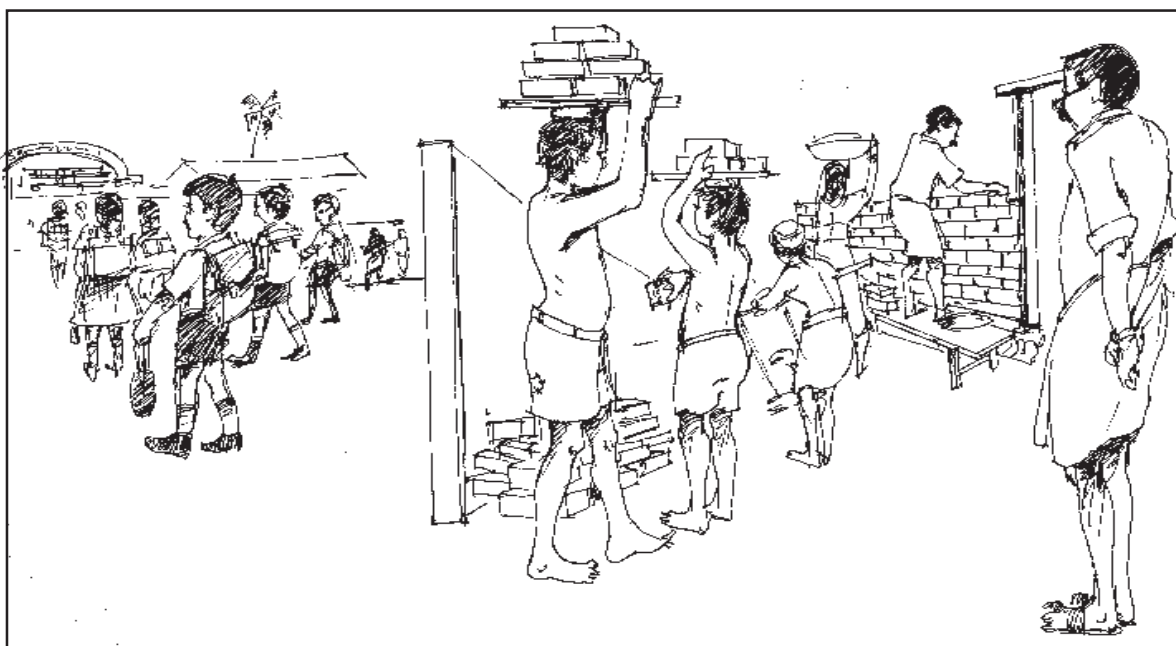
- Right to protection of health
- Right to education
- Right to live
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- ★ Prepare a note on 'Rights of children and their violations' and present it in the class.

Rights of women

The negligence of women in society has been discussed in the previous class

Women's Representation

The representation of women in the Lok Sabha from 1952 to 1998 was just 5.9 percent.



Has there been adequate representation of women in our legislature?. What were the legislations and other measures taken to improve up for the backwardness of women?

Convention for the Elimination of Discrimination Against Women

This covenant adopted by the U N in December 1979 stipulates certain programmes of action

- Equality among men and women in the social- economic - educational areas
- Upliftment of rural women and their participation in the developmental process
- Equality of civil and political rights

Provision similar to international understanding about the rights of rural women can be seen in the constitution of India and in the legislation made from time to time by the state and central legislatures. What are they?

- State shall not deny to any citizen equality before law or equal protection of law.
- There shall be no discrimination on the basis of caste, religion, race, or place of birth.
- Equal pay for equal work for both men and women.

Women Employment

As per the UN development report of 2001, India stands 105th in the case of women's development among the nations of the world. It is in view of this that women empowerment has been made the main agenda in the tenth five year plan.

Some Laws

- Dowry Prohibition Act of 1986

- Prevention of Depiction of Immorality Act 1986.
- Immoral Representation of Women (prevention) Act 1986.
- Prenatal Sex Determination (prevention) Act 1994.

There are some laws formed to prevent discrimination against women. Examine how far these laws have been effective in protecting the rights of women.

- * *Kerala State Women's Commission is an independent agency that works with the objective of protecting the rights of women. Collect data on the working of this and prepare a report.*

Assess newspaper reports on the violation of women's rights. Does not the violation of women's rights continue inspite of the protection of several laws? How do these violations of rights occur.

- Opposition for dowry
- Harrassment at workplaces
- Discrimination in wages
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Human Rights and Dalit Groups

Dalits stand far behind the mainstream of economic and cultural development. Their basic need is to secure all rights as human beings. Are they denied of power and rights? Where does it happen? Find out and document it.

In addition to the international human rights covenants and agreements, our constitution also gives several suggestions for the protection of these sections. The constitution says that the

Dalits may be given special consideration in addition to the rights guaranteed in the constitutions.

In India there are some governmental departments to study and find out suitable solution to the general problems of the Dalits.

Maintenance of Law and Human Rights.

The harassment that the arrested people face during interrogation and that the prisoners face in jail are violations of human rights. Police has the right to use physical force in a legal manner. But brutal treatment of man is illegal. The criminals and the accused have the right to enjoy human rights.

National Human Rights Commission have instructed that there should be humane treatment under police custody and in jail. For this the police officials are given training in scientific ways of crime investigation.

Third degree methods

The practice of resorting to third degree methods during the investigation of cases leads to serious violation of human rights. It is incredible that this was inevitable.

National Human Rights Commission

Human Rights Protection Through Voluntary Organisations

The voluntary organisation can play a vital role in the protection of human rights. These organisations work at international, national, state, and local levels. Let us examine the working of these bodies

- The power of reaction of the people is enhanced by bringing the human rights

violation to light.

- Persuades the government for the protection of human rights.

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Which are the organisations that work on an international basis?

- Amnesty International
- Asia Watch
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Amnesty International

Amnesty International is an important international voluntary organisation that works for the protection of Human Rights, with London as its head quarters. This organisation has the recognition of the UN and the status of its consulting organisation. It secured the Nobel Peace Prize in 1974 and the UN award for the best human rights work. The organisation has brought to light, the oppression that the prisoners all over the world are subjected to.

Which are the national level voluntary associations working in this field.

- People's union for civil liberties
- People's council for social justice
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Project

'Human Rights and the contemporary world'

Collect news paper reports, articles from

periodicals and statistics relating to human rights. Collect the statistics of a specific period and explore the following

Are the violation of human rights on the increase?

Which is the section of people against whom human rights violations are more?

How far effective is the interference of the government, Human Rights Commission, organisations and other agencies?

Prepare a project report recording your conclusions and proposals on the basis of the above details.

- Women, Dalits, children, detainees and prisoners are the sections who are subjected to human rights violation most.

- There are various laws to protect the rights of children.

- In India there are several laws and provisions to prevent discrimination against women and to protect the rights of women.

- There are several laws to protect the rights of Dalits

- There are several organisations engaged in human rights protection activities at the international and national level.

Summary

- Magna Carta, U N Charter, Declaration of Independence of the American colonies are important documents related to protection of human rights
- Indian constitution underlines human rights.
- Human rights commissions were set up at the national and state levels on the basis of the Human Rights Protection Act of 1993.

Questions

- Prepare a note on the international efforts for the protection of human rights.
- What are the responsibilities of the national and state human rights commissions? Assess their performance
- Point out certain occasions of violation of children's rights
- Prepare a note on "Human Rights Protection and Voluntary organisation"
- Evaluate the laws and other arrangements for the protection of women's rights.

