

## Concept of Human Rights: A Need of Human Rights Education

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### **\*Abstract**

*UDHR is one of the most important documents of 20<sup>th</sup> century, indeed of human history, for it represents the first time when men and women sought to articulate the core aspirations of all the people of the world. UDHR covers the entire canvas of human rights-civil, political, economical, social, and cultural and thus, provides a common standard of achievements for all people of the nation. By now, these values are invoked in the Constitution of almost all the nations and informing Courts in their judicial dicta. Nation after nation rejected the old order ushering in an era of freedom, equality and democracy. To realize human rights much infrastructure has been erected, agencies and institutions established mechanisms and instrumentalities evolved, nurtured & developed at national and international levels. But humans' rights and duties have yet to enter consciousness of the people round the world in general and throughout India in particular. For this human rights education is to be imparted right from school to universities, in a formal manner. Hence, for effective enforcement of human rights and for establishing them as values, human rights education becomes paramount.*

**\*Key Words:** *Human Rights Education, Human Rights, Constitution & UDHR etc.*

### **INTRODUCTION**

There is a considerable disagreement about what is meant precisely by the term 'rights'. It has been used by different groups and thinkers for different purposes, with different and sometimes opposing definitions, and the precise definition of this principle, beyond having something to do with normative rules of some sort or another, is controversial.<sup>1</sup> Rights are legal, social or ethical principles of freedom or entitlement i.e. rights are the fundamental 'normative'

rules about what is allowed of people or owed to people, according to some legal system, social convention, or ethical theory. Rights are of essential importance in such disciplines as ‘law and ethics’, especially theories of ‘justice and deontology’.<sup>2</sup> Human Rights are indivisible, and therefore precisely there cannot be different kinds of human rights. All human rights are equal in importance and inherent in all human beings.<sup>3</sup> Thus, human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.<sup>4</sup> Human Rights being essential for all-round development of the personality of individuals in society, be necessarily protected and be made available to all the individuals. Human rights are Natural Rights, Basic Rights, Universal Rights and Legal Rights, which are universally applicable to all without any discrimination based on Sex, Race, Religion and Region. Therefore, they need international and national legal support to protect their human rights.

### **CONCEPT OF HUMAN RIGHTS: GENESIS AND ORIGIN**

Origin and evolution of the Human Rights concepts as social phenomenon, human rights have their origin in antiquity. In exchange, as legal phenomenon, human rights have been originated by the natural law doctrine, starting from the idea that humans, by their own nature, anywhere and anytime have rights that are previous and primary to the ones assigned by the society and admitted by the natural law. In other words, this is a superior right in relation to the expression of state’s will in various forms of its existence and unconditioned by the interests that the state might have in a moment of its historical evolution. In this sense we consider that we may take into account the appreciation made by Giorgio Del Vecchio, who asserted that “ The idea according to which the human being by its nature has certain reasons, valid even if they do not correspond or they correspond partly to the dispositions of positive laws, has appeared in human mind since very old times and has been defined in bright words, due to the antic philosophy or to the Roman case laws in the same way as during the following epochs, sometimes inspiring itself from the doctrines of Christian religion, and other times only from the reason light.”

The concept of human rights, based on the notions of the dignity of the human being and the limitation of the power of the State, is a phenomenon that has, although in many different manifestations, been present practically throughout the whole of history.<sup>5</sup> The fight for the recognition of the dignity of people has been a constant throughout historical evolution, from the tentative recognition of the rights of Indians during the time of the Spanish Conquista of America, to the modern expression of the rights of man and the citizen following the French Revolution.<sup>6</sup> Although they were defined first by the Scottish philosopher John Locke (1632-1704) as absolute moral claims or entitlements to life, liberty, and property, the best-known expression of human rights in the Virginia Declaration of Rights in 1776 which proclaims that “All men are by nature equally free and independent and have certain inherent rights, of which, when they enter a state of society, they cannot, by any compact, deprive or divest their posterity’ Called also fundamental rights.<sup>7</sup>

The State of crisis arisen every day more in the evolution of contemporary society determines the recurrence to the problem of human rights in the society. Placing the problem of human rights and liberties on a first level is a proof of the great spiritual, cultural and moral transformations but also of the political-legal ones of the international community. In other words, the problem of human rights together with the problem of peace, whose promising ambits offer until now not only a remote image of a world with less weapons and more security, continues to be one of the dominant matters of political life and public debate.<sup>8</sup> Not only on *internal level* but also on international level we try to find some answers to the many and complex problems related to human existence and human rights, but also in the field of direct state political action, in international organizations and reunions and in information media.<sup>9</sup> However, the UDHR (Universal Declaration of Human Rights) have surfaced and systematized these rights and have given them a shape, as also the concert specific identification. UDHR is one of the most important documents of 20<sup>th</sup> century, indeed of human history, for it represents the first time when men and women sought the articulate the core aspirations of all the people of the world. UDHR covers the entire canvass of human rights-civil, political, economical, social, and cultural and thus, provides a common standard of achievements for all people of the nation. These rights are interdependent, inalienable and universal.<sup>10</sup>

## **CONCEPT OF HUMAN RIGHTS: ITS DIMENSIONS**

The Rights, which are declared in Universal Declaration of Human Rights and other International Declarations and Covenants like Civil and Political Rights and Economic Social and Cultural Rights enumerated the basic postulates and principles of human rights in the most comprehensive manner such as Right to life, Freedom from inhuman and degrading treatment, freedom from slavery, Right to liberty and Security, Equality before Law, Right against all kinds discrimination, Freedom of association and assembly, Right to Nationality, Right to Education, Right to Environment, Right to Work, Right to Participate in Government, Right to Family and Marriage etc... are some of the important human rights. Section 2 (d) of the Protection of Human Rights Act, 1993 , defined the expression of human rights by stating that human rights means the rights relating to life , liberty, equality and dignity of the individuals guaranteed by the Constitution or embodied in the International Covenants and enforced by courts in India.<sup>11</sup>

Human Rights, with special reference to Aged persons, Women, Children and Environment are of many types. Equal opportunities are directly proportional to dignified and happy enjoyment of livelihood. Aged Persons as the feelings of concern and affection towards the aged persons and the assurance of 'being there for them' help kindle a new approach in their beliefs. Women empowering the status of women and generating self-dependence by providing education & vocational training is another way of uplifting the status of society. Children: Deleting the ill-effects produced by imposition of disastrous means of child labour on children can save them thereby preventing the distortion of their persona. Environment: By promoting balance in flora and fauna, the needs of the healthy environment can be fulfilled.<sup>12</sup>

## **MEANING AND AIM OF HUMAN RIGHTS EDUCATION**

Human rights education can be defined as education, training and information aiming at building a universal culture of human rights through the sharing of knowledge, imparting of skills and molding of attitudes directed to the strengthening of respect for human rights and fundamental freedoms; the full development of the human personality and the sense of its dignity, the promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups: the enabling of all

persons to participate effectively in a free and democratic society governed by the rule of law; the building and maintenance of peace and the promotion of sustainable development and social justice.<sup>13</sup>

## CONCLUSION AND SUGGESTIONS

The above analysis makes it clear that there is inherent human rights have been postulated as fundamental rights in the Indian Constitution. Moreover, human right Commission has also been instituted at centre as well as state levels. Still the country's men are not aware about event to their fundamental rights being they are enforceable rights. Then, huge part of the largest democracy is not familiar to the sense of the concept of the human right that evolved at global level after 2<sup>nd</sup> world war. There is a keen requirement to adopt a mechanism to make aware the people as the governments make efforts to preach their other schemes before election. By now these values are invoked in the Constitution of almost all the nations and informing courts in their judicial dicta. Nation after nation has rejected the old order, ushering in an era of freedom, equality and democracy. To realize human rights much infrastructure has been erected, agencies and institutions established, mechanism and instrumentalities evolved, nurtured & developed at national and international levels. But human rights and duties have yet to enter the consciousness of the people round the world in general and throughout India in particular. For this human rights education is to be imparted right from school to universities, in a formal manner and message of human rights & duties is to be percolated & to be sold out to civil servants, corporate sector, and in all spheres of socio-economic and political operations through training programs & various persuasive and motivational mechanism which will induce a Human Rights Culture, where all citizens have respect for each other's basic rights. It has been realised and experienced that primary cause of rampant violations of Human Rights is lack of awareness amongst communities about their rights. Moreover there are very few official or voluntary agencies involved in spreading awareness at the grass root level about the human rights issues or working to sensitize organizations and individuals holding positions of power. Hence for effective enforcement of human rights and for establishing them as values, human rights education becomes paramount. To uproot the problem of 'unavailability of basic rights to a person', the right instrument is 'Education'. It is one of the safest modes of curbing the menace of

infringement of right of an individual. Looking to the importance of these rights, now it is high time that the Government must endeavor to provide all them in the constitution and realize these rights. To achieve these objective necessary administration and legal measures must be adopted by the Government immediately. The State must prepare long term and short term plans to realize these right effectively and efficiently. Special annual report must be published for the realization of these rights. It is also recommended that a separate department must be created at the center and in the states to implement and fully realize these rights. Necessary help may also be taken from Non-Governmental Organizations, Civil Society Groups to implement them efficiently. The message of human rights and duties is to be percolated and to be sold out to civil servants, corporate sector and in all spheres of social-economic and political operations through training programs and various persuasive and motivational mechanisms which will induce a human rights culture where all citizens have respect for each other, s basic rights. It has been realized and experienced that primary cause of rampant of violations of human rights is lack of awareness amongst communities about their rights.

“You must not lose faith in Humanity. Humanity is an Ocean,  
If a few drops of the Ocean are dirty, the Ocean does not become dirty.

----- *Mahatma Gandhi.*

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<sup>5</sup> Vienna Declaration and Program of Action, World Conference on Human Rights, Vienna, From 14<sup>th</sup> to 25<sup>th</sup> June 1993.

<sup>6</sup> *Supra note 1* at 34-35.

<sup>7</sup> *Id* at 36.

<sup>8</sup> *Supra note 1* at 38.

<sup>9</sup> *Ibid.*

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