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Human Rights and Its Relevance - An Ancient Indian Perspective

Dr. Arvind Kumar Gaur, (Principal, Ch. Motaram Meel Memorial (P.G.) College, 74 LNP, Teh. Padampur, Sri Ganganagar, akgaur1974@gmail.com)

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Abstract:

Of all the creatures with which this globe is populated. There's none towards whom nature served, at first sight, to have exercised more atrocity than towards man, in the uncountable wants and musts with which she has loaded him and in the slender means she affords to relieve those musts. MortalMortal beings, thus, need some protection. The result of the problem, Hume said, is Society itself. But unlike most other species, man requires protection and protection against other men. As the Western political study and the gospel of a person in society presuppositions, individualities are locked in a constant struggle against the Society where they live for the redemption of their rights. Against this background, the idea of mortal rights began to develop in the early ultramodern times. From early ultramodern times, the idea started to grow that, in addition to eyes and cognizance and all the other everyday outfits, mortal beings also retain unnoticeable effects called 'rights' that innocently cover them from the aggression of their fellow men, especially from the power of the governments under which they live.

Keywords: Human, rights, relevance, ancient, Indian, perspective

Introduction:

Before the globalization of human rights, which dates back to the signing of the U.N. Charter by member States, these rights were called `natural rights,' but now it has become the practice to talk of human rights. What we call human rights today differ, not from the naturights in derivation and content. Such rights are no longer derived from the operations of nature but rather from our ideas of what it is to be human. Indeed, as one scholar rightly noted, the word 'human' here indicates that rights are essential to a proper human life. Again, natural rights were believed to be abstract and eternal. Still, human rights are not static but a dynamic concept that evolves and expands according to the • changing needs and perspectives and responds to the emergence of new threats to human dignity and well-being. Not limited to

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classical individual liberties, the modern concept of human rights also encompasses social, economic, and cultural rights, which require some positive affirmative action on the part of the State.

Although Western scholars maintain, of course, with a great sense of pride that the concept of human rights is the product of Western culture and civilization, it is far from correct. We can find the notion of human rights in all societies and at all times, in Europe as well as Asia and Africa, in antique as well as in modern Chinese philosophy, in Hinduism, Buddhism, Christianity, Judaism, and Islam. That is not to say that the understanding and practice of human rights in non-Christian cultures and civilizations were similar to Western conceptions of human rights. There are, however, certain norms of the modern concept of human rights, which can be found in all major religions and civilizations. Indeed, the notion of non-violence is based on Buddhist and Gandhian philosophies. At the same time, it should be recognized that 'different cultures and legal systems vary in the priorities and emphasis given to particular rights.' However, 'today, commonly shared legal norms are accepted and recognized by all states.'

Hinduism, which is not a religion in the proper sense of the term but a way of life and which insists on a 'moral life draws into fellowship all who felt themselves bound to the claims which the moral law makes upon them, not only recognizes the equal worth and equal dignity of all without any distinction but also provides an ingenious perspective to deal with the dichotomy present in the question of human rights - the dichotomy between man and woman, between one individual and the other, between right and duty within the same individual, between a collective group and the other, between the present generation and the new generation. This perspective may complement the Western theories of human rights and expand our understanding of human responsibilities, which has recently entered the contemporary discourse on human rights due to initiatives taken by UNESCO and the Inter-Action Council.

The growing realization of dangers inherent in the exclusive emphasis on human rights and the limitations of the rights approach in dealing with ever-increasing threats to human dignity is responsible for the current revival of interest in global ethical standards. Here, the Indic perspective of human rights may make the debates more lively and exciting. Against this background, this present study seeks to highlight the basic contours of the Indic perspective of human rights and discuss the modern-day relevance of the concept of human responsibilities as taught and propagated by the Indian seers and religious leaders down the ages.

Contrary to erroneous and misplaced assumptions of some Western scholars, human rights are not the product of Western Christian civilization alone. Neither general international nor human rights law, linked with the former's evolution, is a creation of Western civilization alone. Shelton argues that "both probably have their origins in the relations and conflicts, which developed between the first human

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societies, which modern scholarship indicates, emerged in Africa perhaps a million years ago." There is sufficient evidence to suggest that ancient civilizations of other regions of the World had also developed their systems of international law, which were more universal in outlook than their Western counterpart. Thus, while the Western thinking within Christendom was euro-centric and ethnocentric and excluded non-Christian States of Europe until as late as the first half of the twentieth century, 'universalism was the life-breath of ancient Indian thinking.'

A survey of India's ancient history reveals no distinction between believers and non-believers. This universality of application, which is a distinct Indian contribution to the development of international law, dates back two thousand years. It was the outcome of the universalism of thought, and it gave birth to several fundamental principles of international law, some of which, originating from India, took centuries to evolve before they could be universally recognized in the World.

This universal outlook of international law was the natural and logical extension of universal values deeply rooted in the ancient political thinking of which "secularism in the conduct of the domestic affair of the State, universalism in human approaches to the outside world, and adherence to the principle of co-existence, in the conduct of inter-state relations" are -key elements. The concept of secularism introduced by Kautilya into the polity and governance, it should be noted, led further to a secular idea of the law of inter-sovereign conduct, a development quite different from that in Europe at a much later date (middle Ages). As Alexandrowicz, a famous historian of the law of nations, observes, the "trend of secularization along with the mutuality of trade interests precipitated the breaking down of barriers, and counteracted the prohibition of dealings within fields which resulted in the protracted religious conflicts in the Christian and Islamic Worlds."

Classical Sanskrit had no word for a human right. There is no word analogous to 'right' in the modern sense in the ancient scriptures, and contrary to a widespread misunderstanding, the word Adhikara does not mean 'right' but connotes what one deserves, the authoritative knowledge of a particular discipline or the authority and ability of the official. It, however, does not mean that the concept of human rights does not exist within the Indian tradition, which not only recognizes the rights of human beings but also all living beings, animals, plants, rocks, and mountains because of the belief that man is one of the many forms in which the "Supreme Self" manifest itself in this universe. This thinking stems from the concept of the cosmic order of which society and different aspects of human life and activity are a part. As Paul Younger notes, "Society is not free to establish regulations which serve its purposes but is obliged to order its life in a way which brings order to the larger cosmic framework as well. Society is not the slave of divine purpose. Still, it is part of a larger order, and its behavior should never become an occasion for disrupting the vegetable, animals, or heavenly realms". Not only does this view stand in sharp contrast to the age-old Western idea of exploitation of animals and the bounties of

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nature for the benefit of man, but it also encompasses the seeds of modern-day concepts of 'sustainable development,' 'conservation of bio-diversity, and 'protection of the environment.' That ancient not only recognized the importance of harmony between man and nature but required that it was practiced in man's everyday life is evident in the following two verses of Yafurveda.

May peace prevail in the sky, may peace prevail in outer space, may peace be on the earth, and may peace be in waters, may peace be in the planets and may peace be in the whole environment, may peace be in the universe and all things; and may that peace come to me.

A strong one makes me strong, and may all beings look at me with the eye of a friend. May I look at all beings with the eye of a friend? May we look at one another with the eye of a friend?

Younger, too, supports this conclusion: " In addition to reflecting on the order of the heavenly bodies, the (Hindu) also observes the behavior of the planets and animals around him, and carefully adjusts his life to suit the crops or the cattle from which he gains his livelihood."

It is said that the Judeo-Christian understanding of human rights is based on the divine image of every individual human being. For its part, Hinduism also accords man a status equal to God or at least part of God. In his original nature, it believes that man is perfect, omnipotent, omniscient, and all-pervading. The non-dualistic school goes one step further and believes that the man in his original status is God himself. In this understanding of man, the absolute worth and inherent dignity of man are ipso facto entrenched, as are the human rights of every human being.

Interestingly, this conception of human dignity and worth is more universal, egalitarian, and absolute than the Judeo-Christian traditions, which confine human rights to individuals having faith in Judaism or Christianity, as the case may be. On the contrary, Hinduism forbids any division of humanity and recognizes the equality of all individuals irrespective of their caste, creed, religion, or sex. Since the soul of a human being is the same, all human beings should be treated as such. Consequently, Hinduism makes no distinction between 'us' and 'others' between Hindus and believers of other faiths. A verse in the Atharva Veda suggests that Vedic scholars recognized the concept of unity between our people and strangers. "Let us have concord with own people, and concord with people who are strangers to us; Aswins, create between us and the strangers a unity of hearts. May we unite in our minds and purposes, not fight against the divine spirit within us. Let not the battle cry rise amidst many slain, nor the arrows of the War-God fall with the break of day".

Hinduism teaches universal brotherhood and peace and teaches us religious tolerance, secularism, and human solidarity. It is always believed that all spiritual paths lead to the same reality. As. Radhakrishnan writes, "The whole race of man, in every land, of every color, and every stage of culture, is the offspring of God, then we must admit that, in the vast compass of his providence, all are being trained by his

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wisdom by his love to reach within the limits of their powers knowledge of the Supreme. When the Hindu found that different people aimed at and achieved God-realization in different ways, he generously recognized them all and justified their place in the course of history". Given such a liberal attitude of Hinduism for other faiths; there is no place for fanaticism in Hindu thought. As a renowned Indian philosopher puts it, "Hinduism is wholly free from the strange obsession of some faiths that the acceptance of a particular religious metaphysics is necessary for salvation, and non-acceptance thereof is a heinous sin meriting eternal punishment." He further observes: "Hinduism does not support the sophism that is often alleged that to coerce a man to have the right view is as legitimate as to save one by violence from committing suicide in a fit of delirium. The intolerance of narrow monotheism is written in letters of blood across the history of man from the time when first the tribes of Israel burst into the land of Canaan".

On the contrary, wars of religion, which are the outcome of fanaticism, were practically unknown in ancient India. Buddhism has also always respected other faiths. Indeed, religious toleration is the theme of one of Ashoka's rock edicts:

The King, beloved of the Gods, honors every form of religious faith but considers no gift of honor so much as the increase of the substance of religion, which is the root, to reverence one's faith and never to revile others. Whoever acts differently injures his religion while he wrongs another's.

Ashoka, the great King of India, proclaimed universal peace and respect for the rights of others in these words:

His Sacred Majesty Ashoka desires all living beings to have security. For this, men should exercise self-control and not take by force what others possess. All should enjoy peace of mind through co-existence, not mutual interference and recrimination.

It is evident from the preceding discussion that the Indic conception of human nature differs from Western thinking. It should be recognized that this model of human nature is based not only on social reality but also gives due recognition to cooperative efforts, combined action, and the notion of human solidarity. By contrast, the individualist and atomistic conception of human nature is the foundation of the Western conception of human rights. Relegates the experience of combined action, either on behalf of or in solidarity with others, to a morally inferior position. Any combined action is assumed to compromise the autonomous agency of the participants. This view of human nature overlooks that "members of sub-ordinate cultures experience a lack of autonomy vis-a-vis, both material and control over the dominant culture."

Moreover, it is historically interwoven with Western practices of mastery and domination over "uncivilized" people. The alternative perspective views the person as a "historical being whose history is fundamentally a history of relationship to other people." It rejects the 'rights view of ethics' and supports what Whitebeck calls a

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'responsibilities view' of ethics, "which takes the moral responsibilities arising out of a relationship as the fundamental moral notion, and regards people as beings who can act for moral reasons, and who came to this status through relationships with other people." According to a feminist critique "we not only come to know ourselves about other but.... we come to be about others". In what appears to be an excellent critique of the 'Givens' in human rights discourse, Spike Peterson also highlights the importance of the notion of responsibilities as follows:

One becomes a person in and through relationships with other people. Being a person requires a history of relationships with others, and the self can be realized only in and through relationships and practices. The fundamental moral notion is the responsibility for (some aspects) another's welfare arising from one's relationship with that person. Responsibilities are mutual, although the parties to that relationship may have different responsibilities.

It is heartening to note that the Indic approach to human rights is built around solidarity, respect for the community, the central importance of duties, and a different understanding of the nature of men. There is no place for excessive selfish individualism and extreme materialism, which are responsible for many of the ills from which Western societies are currently suffering. The Hindu thinking emphasizes moderation in worldly life. It commands the realization of the four ends of life in a graduated order - Dhartna (proper conduct), Artha (worldly prosperity), Karma (sensual enjoyment), and Moksha (liberation). Thus, liberation through self-denial is not the only end of life, as sometimes misunderstood by some Western scholars. Indeed, Hinduism does not regard the World and worldly life as the ends of life but does not deny them.

Unlike some forms of Christianity and Buddhism, which judge the life of the World to be inferior to the life of a monk and would have "loved to place the whole of mankind of one snoop in the cloister", Hinduism accords importance to both, the life of householder and the way of renunciation. Hinduism neither strains excessively after the unattainable nor can it be held guilty of indifference to the problem of the World. The teacher Gita recommends the whole, active life of man in the World with the inner life anchored in the eternal spirit. It urges us mortals to act in the World as it is while doing our best to improve it. In the words of Radhakrishnan, "We should not be defiled by disgust even when we look at the worst that life can do to us even when we are plunged in every kind of loss, be revetment and humiliation. If we act in the spirit of the Gita with detachment and dedication and have love even for our enemy, we will help to rid the World of wars". Thus, there is no contradiction between spiritual freedom, liberation, and work.

Similarly, renunciation does not mean renunciation of life, but renunciation of ego and selfishness, and detachment means cessation of work. The attainment of freedom is undoubtedly the ultimate final goal of man, but there are other goals that he also pursues, and even liberation can be achieved in life itself. Since Hinduism is

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more earthly and less outwardly, the importance of human dignity and human rights values is maintained by detachment and self-realization. Indeed, these concepts promote and do not negate the cause of human well-being and human dignity.

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