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POLITICAL SCIENCE

BLOCK : 2



KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

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BLOCK INTRODUCTION

This is the second block of the second course or paper of Krishna Kanta Handiqui State Open University's M.A. Third Semester Programme in Political Science. The second course or paper of the MA Third Semester Programme in Political Science is titled "Human Rights: Theory". The second block of this course contains nine units (Units 7-15).

The Seventh Unit discusses the Feminist perspective on human rights.

The Eight Unit focuses on the Marxist perspective on human rights.

The Ninth Unit elaborates the Third World perspectives on human rights.

The Tenth Unit introduces the learners to the relationship between health and human rights and the role of the World Health Organisation in this regard.

The Eleventh Unit focuses on the issue of development and human rights.

The Twelfth Unit discusses the idea of human rights in the global political economy.

The Thirteenth Unit deals with the issues of environmental degradation and human rights.

The Fourteenth Unit focuses on the concept of human rights education.

The Fifteenth Unit discusses the relationship between human rights and human security.

While going through the units of the block, you will find that unit is further divided into certain sections and sub-sections, wherever necessary, for your better understanding. Again, the units carry certain activities after a particular section where needed. These "ACTIVITIES" will provide you the opportunity to practically apply your own thoughts based on the knowledge gained from reading the text in a particular section. Besides, in order to give you additional information on certain relevant topics, you will find a category called "LET US KNOW" after the sections in each unit. Another category that has been included at the end of each section of a particular unit is "CHECK YOUR PROGRESS". The purpose of this category is to help you to asses for yourself as to how thoroughly you have understood a particular section. You may then match your answers with "ANSWERS TO CHECK YOUR PROGRESS" given at the end of each unit. The section "FURTHER READING" in each unit contains the names of a few books which you might want to consult if you are intereted in learning more elaborately about the concepts discussed in a particular unit. Furthermore, the category called "POSSIBLE QUESTIONS" is intended to give you a hint of the type of questions you are likely to get in the examination.

UNIT 7: FEMINIST PERSPECTIVE ON HUMAN RIGHTS

UNIT STRUCTURE

7.1 Learning Objectives

7.2 Introduction

7.3 Concept of Gender Equality: Definition of Gender Equality

7.4 Causes of Gender Inequality

7.5 Main Arguments of the Feminists about Human Rights

7.6 Let Us Sum Up

7.7 Further Reading

7.8 Answers To Check Your Progress

7.9 Possible Questions

7.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- explain the concept and definitions of gender equality
- explain the causes of gender inequality
- discuss main arguments of the Feminists about Human Rights.

7.2 INTRODUCTION

"Gender equality is more than a goal in itself. It is a precondition for meeting the challenge of reducing poverty, promoting sustainable development and building good governance". -Kofi A. Annan, 7th Secretary General of the United Nations.

Gender is not natural, but a socio-cultural construction and refers to masculine and feminine qualities, behaviour patterns, roles and responsibilities etc. Gender refers to either of the two sexes (male and female) with manifestations of social and cultural differences rather than biological ones. It denotes a range of identities that correspond to established ideas of masculinity and feminity. The word gender has been in use since the 14th century as a grammatical term, referring to classes of

noun designated as masculine or feminine. Although the words gender and sex are often used interchangeably, they have slightly different connotations. Sex tends to refer to biological differences, while gender more often refers to cultural and social differences and covers a broader range of identities than the binary of male and female. World Health Organization defines Gender as a "socially constructed roles, behavior, activities, and attributes that a given society considers appropriate for men and women."

Gender equality refers to providing equal treatment for both men and women in realizing their basic human rights and contributes towards the socio-economic, political and cultural development of the nation as well as the world. It proposes equal importance to both the sexes in all spheres of life including home, community, society and workplace. It offers equal partnership to all human beings in the development process of the world as well as sharing equal burdens too. The international and national authorities therefore, must take bold steps to eliminate all forms of discriminations against both the genders, especially for women. Women rights are considered as fundamental human rights throughout the world today. Despite having the strong wave for securing equal rights for women, traditionally they are dominated and alienated from the main stream development projects and decision making forums. Patriarchy, socialization process, culture are the agents of inculcating male domination in the family and in other spheres of socio-economic, political and cultural life of each individual. Hence, to attain equal positions for women as against men requires appropriate strategies to eliminate all kinds of inequalities and differences. Here, the question of equity comes to the forefront.

7.3 CONCEPT OF GENDER EQUALITY: DEFINITION OF GENDER EQUALITY

Gender equality is a term that propagates for same or equal treatment to both the genders irrespective of their physical, genital and other differences. It offers a situation of equal valuing to both men and

women by society in all spheres of their life. Gender equality and gender inequality are two relative terms. One is insignificant if the other is absent. If there is inequality, then only the question of equality will be prevalent. Gender equality implies equality to be achieved by treating all people the same whether it is a man or woman. It is an idea of treating everybody as human beings irrespective of their sex. United Nations declare in Article 1 of its Charter is "To achieve international co-operation.....in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion" (https://www.un.org/en/sections/issues-depth/gender-equality/02.04.2019). The Goal 5 of the 17 Sustainable Development Goals (SDGs) set up by the UN General Assembly in 2015 for the year 2030, is to "Achieve gender equality and empower all women and girls". Thus, the issue of gender equality was identified as one of the biggest challenge for the world today and United Nations not only identified it but pick up possible steps to counter the same. Practically, gender equality and non-discrimination on the basis of sex are fundamental human rights and basic prerequisite for fostering general equality for all. Gender equality is the situation that affords women and men equal enjoyment of human rights, socially valued goods, opportunities and resources, allowing both sexes the same opportunities and potential to contribute to, and benefit from, all spheres of society (economic, political, social and cultural).

Gender equality is, therefore, the equal valuing by society of the similarities and the differences of men and women, and the roles they play. It is based on women and men being full partners at home, community and society. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born as male or female. Gender equality implies that the interests, needs and priorities of both women and men and girls and boys are taken into consideration, recognizing the diversity of different groups and that all human beings are free to develop their personal abilities and make choices without the limitations set by stereotypes and

prejudices about gender roles. Gender equality is a matter of human rights and is considered a precondition for, and indicator of, sustainable people-centred development. (UNICEF, Nov.2017)

Cambridge English Dictionary says gender equality as the act of treating women and men equally. It does not imply that women and men are the same, but that they have equal value and should be accorded equal treatment. Equality talks about the perspective that opts for sameness in attitudes, beliefs, behaviours and policies that reflect an equal valuing and provision of opportunities for both genders.



CHECK YOUR PROGRESS

Q.1: What is gender?

.....

Q.2: Gender is a constructed and …… term. (Fill in the blank)

Q.3: Gender equality opts for sameness to both the sexes. (True / False)

.....

Q.4: Write briefly about the concept of gender equality. (Within 50 words)

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7.4 CAUSES OF GENDER INEQUALITY

Gender inequality and discrimination are two interrelated aspects. Gender inequality refers to discrimination or unequal treatment to people on the basis of their gender identities. There are different manifestations of gender inequality in society. Inequality can be through the discriminatory laws or policies such as restrictive policies regarding owning of land or

inheriting property. These are the formal inequalities. Again, the society and culture also create informal inequalities such as culturally constructed gender roles a female as a homemaker and a male in industry or office. Practically, gender norms and stereotyping inculcate culturally constructed discriminatory roles for both men and women and it leads to inequality in gender lines.

Inequalities between men and women appear in economic, political, social, religious and cultural fields. In economic spheres, women are not encouraged to enter equally with men in all the sectors. Women are more placed in low-paid jobs, temporary and ad-hoc jobs. They are not equally paid for equal work with men in certain jobs. They are likely to have less access than men to productive assets such as education, skill, property and credit. Inequalities in political power and representation can be witnessed as the fact that women are often underrepresented in formal decision-making structures, including governments, community councils, and policy-making institutions. Regarding educational attainment women have lower literacy rate, lower level of enrollment in primary, secondary and tertiary level. Talking about the sexual and domestic violence, women are more often victimized in the form of domestic violence by woman's intimate partner, sexual exploitation through trafficking and sex trade, in wars by an enemy army as a weapon of attempted ethnic cleansing etc. In religious line, women are not equally valued with men in conducting rituals and worships. Again, there are many instances in which equal rights to personal status, security, land, inheritance and employment opportunities are denied to women by law or practice.

Considering these gender inequalities, the Global Gender Gap Index (GGGI) was first introduced by the World Economic Forum in 2006 as a framework for capturing the magnitude of gender based disparities and counting their progress over time. It examines the gap between men and women across four fundamental criteria or sub indexes -Economic participation and opportunity, educational attainment, health and survival and political empowerment. The 2018 report expressed that there is still a

32% average gender gap. Across the four sub indexes, political empowerment maintains a gap of 77.1%, the economic participation and opportunity gap is at 41.9%, educational attainment and health and survival gaps are 4.4% and 4.6%, respectively (WEF_GGGR_2018.pdf).

Besides, Gender Inequality Index is a new index for measurement of gender disparity. This index is a composite measure which captures the loss of achievement, within a country, due to gender inequality, and uses three dimensions to do so: reproductive health, empowerment, and labour market participation (2010 Human Development Report 20th anniversary edition by the United Nations Development Programme (UNDP).

To address these inequalities, the Convention on the Elimination of All Forms of Discrimination against Women (1979) (CEDAW) suggests States to take appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieve the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. Again, both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights prohibit discrimination on the basis of sex and guarantee women and men equality in the enjoyment of the rights covered by the Covenants. Article 26 of the International Covenant on Civil and Political Rights also provides for equality before the law and equal protection of the law.

The Fourth World Conference on Women (Beijing-1995), recognized that many women face additional barriers to the enjoyment of their human rights because of factors such as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. In the Durban Declaration and Programme of Action (2001), the member States of United Nations declared that they were convinced that racism, racial discrimination, xenophobia and related

intolerance reveal themselves in a differentiated manner for women and girls, and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights. They again recognized the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination.

In the magazine Frontline (2001), in a cover story based on Nobel Laureate Amartya Sen's lectures, seven types of gender inequalities are highlighted. They are mortality inequality, natality inequality, basic facility inequality, special opportunity inequality, professional inequality, ownership inequality and household inequality.

From the above discussions, it is clear that gender inequality has manifold connotations. Socialization process, culture bound patriarchal beliefs, attitudes and customs, male-domination in family and social decision makings are the reasons behind generating gender inequality and today the whole world is looking for proper strategies to tackle the issue.



CHECK YOUR PROGRESS

Q.5: Patriarchy is a cause of gender inequality. (True/False)

.....

Q.6: What is Global Gender Gap Index?

.....

Q.7: Mention the sub indexes of GGI .

.....

.....

Q.8: Identify two international measures to curb global inequality.

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7.5 MAIN ARGUMENTS OF THE FEMINISTS ABOUT HUMAN RIGHTS

Human rights are universal rights and necessary for each individual for their dignified living. All human beings irrespective of their differences should be treated equally in utilizing their opportunities and freedoms and as because they are born as human beings, they must have access to all those privileges. Feminism is one of the most dominant ideologies that influence human rights discourse. Feminist perspectives assert that gender is a socially constructed dimension and present society is structured on gender lines. Feminists are asserting equal rights, privileges, opportunities and freedom for all human beings irrespective of gender differences. Patriarchy generates a kind of power relationship that establishes male domination over female in decision making in domestic and in public arena. Feminists try to understand the nature of gender inequality, and examine women's social roles, experiences and interests. Feminist theory also focuses on analyzing gender inequality and the promotion of women's interests. The feminists thus basically argue for the inclusion of women in human rights protection system. Feminists develop various means to realize this aim. Feminism incorporates a number of egalitarian, socio-cultural, economic and political theories and concepts, movements and philosophies related to one's voice against gender inequalities and to protect gender rights for women. This ideological platform is promoting social, political and all other rights equal to both women and men. Feminists are focusing on issues such as women's rights to property and inheritance, rights to bodily integrity and autonomy, rights to protection from all kinds of discrimination and violence.

Three waves can be identified in the history and development of feminist movements. First wave feminism refers mainly to the women's suffrage movements, i.e. voting right to women of the 19th century and early 20th century, especially in United States and Britain. Again, we can trace the first major figure Mary Wollstonecraft and her work "A Vindication of the Rights of Women" of 1792. She choose the liberal doctrine of inalienable human rights and applied them to women. In Britain, all women

over eighteen years of age got their voting right in 1928. In the United States, first wave feminism is considered to have ended with the passage of the Nineteenth Amendment to the United States Constitution in 1919, granting women the right to vote in all states.

Second wave feminism refers to a period of feminist activity from the mid 1960s through the late 1970s, and is associated with the women's liberation movement and the struggle to end discrimination. It focused on cultural and political inequalities as inextricably linked, and encouraged women to understand aspects of their personal lives as deeply politicized ("the personal is political") as well as reflective of a sexist structure of power and stereotyping. This new wave of feminist thought was initiated by the seminal book "Le Deuxieme" (the Second sex) by the French Existentialist Simon de Beauvoir in 1949. Legalizing social issues, social crimes punishable under law; equal pay for equal work are certain demands popularized in this phase. It nurtures both structural and psychological empowerment of women.

Third wave feminism began in the early 1990s, has sparked off debates between "difference feminists" (who believe that there are important differences between the sexes), and those who believe that there are no inherent differences between the sexes and contend that gender roles are due to social conditioning. It is more inclusive in nature. It focuses on women of colour, lower class and the rights of third genders'. Gender theorist Judith Butler signaled this paradigmatic feminist shift in her books Gender Trouble (1990) and Bodies that matter (1993).

Feminist theory believes that the status of human being varies with their gender identities. Feminists admit that male domination is promoted and cultivated by community in all aspects of social life. Protection of the women's rights and interests are the basic objective of the feminist viewpoint. Hence, feminists from different schools develop their viewpoints accordingly. Liberal feminism believes that women are same as men and ought to have equality of opportunity and freedom. Inequality between men and women are observed in the form of unequal participation in public domain, primarily in fields of education and in paid labour force. Liberal feminists ask for

social changes brought out by meritocracy and channelized by education. It believes in rationality and demands proper legislative measures from the state to curb inequality. Socialization process, common-shared laws and prejudices normally excluded women from the public sphere. Women usually have to struggle hard for the right to higher education, entrance into the professions, the right to own property, hold public office, for suffrage, for the rights that symbolizes full citizenship. Education by removing individual ignorance can appear as an answer to foster the feeling of equality among each individual. Therefore, the laws and the prejudices that underwrote women would gradually be replaced by extending equality of opportunity to them. The Enlightenment Movement is the emergence of liberal political thought. Liberal feminists tend to foster development of adequate legislations for protection of equal human rights for women and realize the need of improving the institutional mechanisms like education and the State to enforce women's rights along with men. Liberal feminists believe that through their actions and choices, women can retain equality. It emphasized on offering equal legal and political rights to women along with men. Liberal feminists believe that female subordination created a set of customary and legal constraints that hinders women's access to and success in the public domain. They attempt to secure gender equality via political and legal reforms.

Marxist feminism believes that capitalist system of economy is one of the prime causes behind oppression on women. In such system, women are dependent on men mostly on economic matters, because they are not equal participant with men in economic matters. Women are mainly busy in unpaid household activities or in low paying jobs. Thus, they propose to develop a system for paying women directly for their household work.

By combining the issues of gender and class, the socialist feminists hold together the concepts of patriarchy and capitalism. It also believes that women's economic dependence upon the male member or the patriarch is the cause of women's oppression. It believes that women's oppression is caused by their economic dependence on their male counterpart. Economic system of production, sexuality, childbearing and childrearing,

care of sick and other members of family and gender socialization must all be looked at in this regard. It investigates the interface between women's paid labour and domestic labour lives. Socialist feminism develops an interconnection between sex oppression and class exploitation. Oppression by men over women has both sex and class dimensions. The domestic labour of women in maintaining family and child bearing helps in smooth running of the capitalist system where the men or the husband is the sole bread earner. Women are economically dependent on men. As a result, both capitalist system and individual men are benefitted from the unpaid and personal service of women in family. Overcoming the private and public dilemma by offering wages for domestic work in family, making education accessible to women, having social supports for child care etc. are the matters that incorporated in the discussion of socialist feminists.

Irrespective of any economic system, whether capitalist, socialist or communist, radical feminism believes that women are always facing unequal treatment in comparison to men. It considers gender difference as fundamental in any socio-economic system and upholds inequality through differentiated treatments. Patriarchy, women's oppression and domination by men, is the reason behind these unequal practices. Patriarchy prevails in both public and private domains. In all such spheres like in family, marriage system, sexuality, fields of economic production etc. women's participation is lesser in hard decision making forums and execution; rather they are engaged in light jobs. Social change in both private and public spheres can only end these inequalities. Radical feminists consider that capitalist hierarchy is the determining factor for women's oppression in society and that is sexist and male dominated. Most radical feminists suggest the total uprooting and reconstruction of society in order to overthrow male domination. Radical feminism postulates that gender inequality is roaming around the material conditions of men and women.

Cultural feminism is a branch of radical feminism and it identifies the suppression of distinctive or different female qualities, experiences, and values as the primary cause of women's subordination. It does not focus

on elimination of patriarchy but rather seeks to create an alternative female consciousness where existence of gender differences is stressed by the identification, rehabilitation and nurturance of women's qualities. Cultural feminists stand as an opposition to the liberal feminists. The most obvious differences between the sexes are the biological one, which is woman's comparative physical weakness that makes her more vulnerable to acts of violence, including sexual violence. Her child bearing and lactating capacities place her in a unique situation and are the presumable biological bases of her widespread role as a child-rearer. This often goes together with a concentration of activities and responsibilities in the home and less involvement in public life.

Black feminists believe that sexism, class oppression and racism are inextricably bound together. This is the concept of intersectionality, which focused on interconnections between all these concepts. Alice Walker and other Womanists claim that black women experience a different and more intense kind of oppression from that of white women. Historically, racism develops oppression on black coloured people by the white Europeans and among blacks the females are victimized more.

Anarcha-feminism is another development of radical feminism and combines feminist and anarchist beliefs in which patriarchy is viewed as a manifestation of hierarchy so that the fight against patriarchy is an essential part of the class struggle and the anarchist struggle against the state. It is described to be an anti-authoritarian, anti-capitalist, anti-oppressive philosophy, with the goal of creating an equal ground for all genders. It suggests the social freedom and liberty of women, without needed dependence upon other groups or parties.

Eco-feminism links feminism with ecology, arguing that the domination of women stems from the same patriarchal ideologies that bring about the domination and destruction of the environment. Its basic idea is that a patriarchal society will exploit its resources without regard to long term consequences as a direct result of the attitudes fostered in a patriarchal/ hierarchal society. Parallels are often drawn between society's treatment

of the environment, animals, or resources and its treatment of women. In resisting patriarchal culture, eco-feminists feel that they are also resisting plundering and destruction of mother earth and vice-versa.

Pro-Feminism refers to support of feminism without implying that the supporter is a member of the feminist movement. It is usually used in reference to men who are actively supportive of feminism and of efforts to bring about gender equality.

All these branches of feminism in one way or the other tend to secure basic rights for women along with men in all spheres of life. Different branches of feminism thus articulate women's right as instrument for protection of women's interests, their basic attributes and dignity. Here, we can consult the international platforms and legislations to secure the needs and interests of women as equal with men.



CHECK YOUR PROGRESS

Q.9: Irrespective of any economic system; whether capitalist, socialist or communist, radical feminism believes that women are always facing unequal treatment in comparison to men. (True/False).

.....

Q.10: Eco-feminism links feminism with ----------. (Fill in the Blank)

Q.11: Mention the main area focus of the third wave of feminism emerged in early 1990's.

.....

.....

Q.12: Explain the main ideas of Liberal and Marxist feminists. (Within 50 words)

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7.6 LET US SUM UP

- Gender is not natural, but a socio-cultural construction. It refers to masculine and feminine qualities, behaviour patterns, roles and responsibilities etc.
- Gender equality implies equality to be achieved by treating all people the same whether it is a man or woman. It refers to provide equal treatment for both men and women in realizing their basic human rights and contributes towards the socio-economic, political and cultural development of the nation as well as the world.
- Gender inequality and discrimination are two interrelated aspects. Gender inequality refers to unequal treatment to people considering their gender identities. Inequality can be through the discriminatory laws or policies such as restrictive policies. Again, the society and culture also create informal inequalities such as culturally constructed gender roles a female as a homemaker and a male in industry or office.
- To measure gender inequalities, the Global Gender Gap Index was first introduced by the World Economic Forum in 2006 as a framework for capturing the magnitude of gender based disparities and tracking their progress over time.
- Gender Inequality Index is a new index for measurement of gender disparity. It is a composite measure and captures the loss of achievement, within a country, due to gender inequality, and uses three dimensions to do so: reproductive health, empowerment, and labour market participation.
- Patriarchal social structure, socialization process, culture bound patriarchal beliefs, attitudes and customs, male-domination in family and social decision makings, are the reasons behind generating gender inequality.
- Feminist perspectives assert that gender is a socially constructed dimension. They are asserting equal rights, privileges, opportunities and freedom for all human beings irrespective of gender differences.

- Feminists are focusing on issues such as women's rights to property and inheritance, rights to bodily integrity and autonomy, rights to protection from all kinds of discrimination and violence.
- Three waves can be identified in the history and development of feminist movements. First wave feminism refers mainly to the women's suffrage movements, i.e. voting right to women of the 19th century and early 20th century. Second wave feminism refers to a period of feminist activity from the mid 1960s through the late 1970s, and is associated with the women's liberation movement and the struggle to end discrimination. The agenda here is "the personal is political". Third wave feminism of the early 1990s, focuses women of colour, lower class and the rights of third gender's.
- Liberal feminism believes that women are same as the men and ought to have equality of opportunity and freedom. Socialization process, common, shared laws and prejudices normally exclude women from the public sphere.
- Marxist feminism believes that capitalist system of economy is one of the prime causes behind oppression of women.
- By combining the issues of gender and class, the socialist feminists hold together the concepts of patriarchy and capitalism. Overcoming the private and public dilemma by offering wages to women for domestic work in family; making education accessible to women, having social supports for child care etc. are stressed in the workout of socialist's feminists.
- Irrespective of any economic system; whether capitalist, socialist or communist, radical feminism believes that women are always facing unequal treatment in comparison to men.
- Cultural feminism is a branch of radical feminism and it identifies the suppression of distinctive or different female qualities, experiences, and values as the primary cause of women's subordination.
- Black feminists believe that sexism, class oppression and racism are inextricably bound together. This is the concept of intersectionality, focused by this school of thought.

- Anarcha-feminism is another development of radical feminism and combines feminist and anarchist beliefs in which patriarchy is viewed as a manifestation of hierarchy so that the fight against patriarchy is an essential part of the class struggle and the anarchist struggle against the state.
- Eco-feminism links feminism with ecology, arguing that the domination of women stems from the same patriarchal ideologies that bring about the domination and destruction of the environment.
- Pro-Feminism refers to support of feminism without implying that the supporter is a member of the feminist movement. It is usually used in reference to men who are actively supportive of feminism and endeavours to bring about gender equality.
- Different branches of feminism thus articulate women's right as instrument for protection of women's interests, their basic attributes and dignity.



7.7 FURTHER READING

1. Agarwal, H.O. (2005). *Human Rights*. Allahabad: Central Law Publications.
2. Gauba, O.P. (2003). *An Introduction to Political Theory, 4th edition*. Chennai: Macmillan India Ltd.
3. Durban_text_en.pdf.
4. WomenRightsAreHR.pdf
5. WEF_GGGR_2018.pdf
6. Kamla-gender1.pdf.

7.8 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Gender refers to either of the two sexes (male and female) with manifestations of social and cultural differences rather than biological ones.

Ans. to Q. No. 2: Artificial.

Ans. to Q. No. 3: True.

Ans. to Q. No. 4: Gender equality propagates for same or equal treatment to both the genders irrespective of their differences. It is the situation that affords women and men equal enjoyment of human rights, socially valued goods, opportunities and resources, allowing both sexes the same opportunities and potential to contribute to, and benefit from, all spheres of society.

Ans. to Q. No. 5: True

Ans. to Q. No. 6: It is a framework for capturing the magnitude of gender based disparities and tracking their progress over time.

Ans. to Q. No. 7: Sub indexes are economic participation and opportunity, educational attainment, health and survival and political empowerment.

Ans. to Q. No. 8: The CEDAW (1979) suggests that States should take appropriate measures to achieve the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. Both the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights prohibit discrimination on the basis of sex and guarantee women and men equality in the enjoyment of the rights delivered by them.

Ans. to Q. No. 9: True

Ans. to Q. No. 10: Ecology

Ans. to Q. No. 11: Third-wave feminism focuses mainly on women of colour, lower class and the rights of third genders.

Ans. to Q. No. 12: Liberal feminism believes that women are same as the men and ought to have equality of opportunity and freedom. Socialization process, common-shared laws and prejudices normally exclude women from the public sphere. Marxist feminism believes that capitalist system of economy is one of the prime causes behind oppression on women.



7.9 POSSIBLE QUESTIONS

Q. 1: Mention the idea behind gender equality.

Q. 2: Name one international legislation to foster gender equality.

Q. 3: Point out the main agenda of second-wave of feminism.

Q. 4: Capitalism and Patriarchy are facilitators of gender inequality. (True / False)

Q. 5: Gender inequality is socially constructed. Argue in support of your answer.

Q. 6: Examine the factors behind gender inequality.

Q. 7: Mention the views of Amartya Sen about different kinds of gender inequality.

Q. 8: Examine the perspectives of socialist feminists on gender inequality.

Q. 9: Explain the three stages of development of feminism.

Q. 10: Discuss the international measures to address the problem of gender inequality.

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UNIT 8: MARXIST PERSPECTIVE ON HUMAN RIGHTS

UNIT STRUCTURE

8.1 Learning Objectives

8.2 Introduction

8.3 Theory of Alienation and Freedom

8.4 Marxist Perspective on Human Rights

8.5 Let Us Sum Up

8.6 Further Reading

8.7 Answers To Check Your Progress

8.8 Possible Questions

8.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- explain the Marxist theory of alienation and freedom
- discuss the Marxist's perspective on Human Rights.

8.2 INTRODUCTION

Marxian philosophy is a revolutionary philosophy of social change. The main bases of Marxian philosophy are the social inequality- the division between haves and have nots in the society. The root of this social inequality is the economic system- the production system which the Marxists consider as the base over which other superstructures of the society has emerged. Karl Marx's theory of Alienation and Freedom is a remarkable contribution towards the human freedom and rights. In this unit we shall discuss Marxist perspective on human rights in detail.

8.3 THEORY OF ALIENATION AND FREEDOM

The concepts of alienation and freedom are regarded as the chief ingredients of the humanist element in Marxism. These concepts are usually traced in Marx's early work "Economic and Philosophic Manuscripts" of

1844, identified as the work of young Marx, to distinguish their content from the thinking of the mature Marx. In these manuscripts Marx has defined communism without reference to class war. Marx wrote "Communism is the positive abolition of private property, of human-alienation, and real appropriation of human nature by and for man. It is, therefore, the return of man himself as a social, that is, really human being, a complete and conscious return which assimilates all the wealth of previous developments. Communism as a fully developed naturalism is humanism and as a fully developed humanism is naturalism." (O.P. Gauba: An Introduction to Political Theory; P-356). This work of Marx is distinguished from his later works especially in "The German Ideology (1846)" and "The Communist Manifesto (1848)" where mostly the concept of 'Class' and 'Class Struggle' have dominated his entire thoughts. In fact, it is said that the "Economic and Philosophic Manuscripts of 1844" have brought the humanist face of Marxism.

Marx believed that human freedom and happiness could be achieved only through a rational system of production. Modern industrialization had prepared the ground for a maximization of production for human satisfaction on universal scale, but private ownership of means of production hampered it. Capitalism not only made social production subservient to private profit instead of making it an instrument for the satisfaction of human needs, it also dehumanized the worker. If the Capitalist system could be abolished, social production could be geared to a universal satisfaction of human needs. The Marxist view of communism is throughout based on its faith in the sociable nature of man. The principle of communist society can not be made to work without an unshakable faith in humanism.

- **Concept of Alienation:**

  Marx in his "Economic and Philosophic Manuscripts of 1844" is very critical of capitalist society and pleads for its replacement by the communist society. But here he analyses the capitalist system not from the point of view of relation of production, surplus value, class struggle etc. but he criticizes capitalism chiefly for its dehumanizing effect, the alienation of labour.

In general understanding the word 'alienation' means aloofness, estrangement, apathy, indifference, cutting off and the like. In a nutshell, in capitalist system, Marx has identified four levels of alienation:

1) In the first place, man is alienated from his own product and from his work process, because the worker plays no part in deciding what to produce and how to produce it.
2) Secondly, man is alienated from the nature. His work does not give him a sense of satisfaction as a creative worker; under mechanization, the work tends to become increasingly routinized and monotonous.
3) In the third place, man is alienated from other men through the competitive character of the economic system which forces everyone to live at someone else's expense and divides society into irreconcilable class interests.
4) Finally man is alienated from himself because the realm of necessity dominates his life and reduces him to the level of an animal existence, leaving no room for a taste of literature, art and cultural heritage. In other words, the capitalist system subordinates all human faculties and qualities to the conditions created by the private ownership of capital and property. The capitalist himself, no less than the workers, becomes a slave of the tyrannical rule of money.

Marx takes the idea of alienation from another German philosopher Hegel. He argued that the social division of labour creates vast accumulations of capital and personal wealth at on pole of society, an increase in the value of things achieved only at the cost of progressive devaluation of man as a human species. The source of this evil should be found in the capitalist system in which organization of labour "has the effect of directly transforming man's labour into a saleable commodity." Marx said, "This fact implies that the object produced by labour, its product, now stands

opposed to it as an alien being, as a power independent of the producer. The product of labour is labour which has been embodied in an object and turned into a physical thing; this product is an objectification of labour."

According to Marx, alienation has four distinct dimensions- from nature, from himself, from fellow beings and from society. It is the system of capitalism that constitutes the total alienation of human labour, for capital dominates completely the worker as a labourer and also as a man. According to Marx, "This system alienates man essentially from his own activity, from the product of his labour, thus turning labour's product into an alien object; the more he works, the more he finds himself dominated by the world of objects his own labour has created. The worker puts his life into the object, and his life then belongs no longer to himself but to the object. The greater his activity … the less his process. What is embodied in the product of his labour is no longer his own. The greater this product is … the more he is diminished."

In simple words, according to Marx, under capitalism, the work process invariably leads to alienation. In this direction, two main conditions may be referred to-

1) The worker who has sold his labour power to the capitalist is related to the product of his labour as to an alien object; it exists outside him independently as something alien to him.

2) Alienation is found within the production process. The worker is unable to work creatively. His work is not the satisfaction of a need; it is merely a means to satisfy needs external to it.

Through the theory of alienation Marx not only discussed the essential weakness of the capitalist system which despiritualises and devalues human life, he also offers solutions to this problem. According to Marx, alienation will come to an end with the end of capitalism and its substitution by the socialist system which will entail the era of human emancipation.

- **Concept of Freedom:**

As a humanist philosophy, Marxism is primarily a philosophy of human freedom. Marxism in its essence aims at the liquidation of the conditions of 'domination' and 'subjection' which have plagued human society since the dawn of civilization. Freedom consists not only in securing material satisfaction of human needs, but also in removing the conditions of dehumanization, estrangement and alienation. Friedrich Engels has argued that the capitalist system is characterized by necessity as opposed to freedom. Necessity denotes the condition under which the life of man is governed by inevitable laws of nature, which exists independent of man's will. Man can acquire scientific knowledge of these laws for his own benefit, but cannot change them at his will. Freedom does not consist in the escape from necessity to a dreamland but in the knowledge of these laws, and the capacity to make these laws work towards definite ends, which again depends on their scientific knowledge. This applies both to external nature and the inward human nature.

Accordingly, a sound knowledge of the productive forces operating behind the capitalist system and a programme to make those forces work towards human ends-towards the emancipation of human society-were essential instruments of human freedom.



CHECK YOUR PROGRESS

Q.1: Who is author of the book "Communist Manifesto"?

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Q.2: Mention any two levels of alienation in a capitalist system as identified by Marx.

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Q.3: Write briefly about Marxist views on freedom.

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8.4 MARXIST PERSPECTIVE ON HUMAN RIGHTS

Strictly speaking there is no distinct Marxist theory of rights. The exponents of Marxism have analyzed the principles of freedom, equality and justice as the basis of social organizations, not with reference to their implications as 'Rights of Man'. The Marxist perspective on human rights can be traced to the writings of Karl Marx, F. Engels, V.I. Lenin and a host of other thinkers broadly belonging to the Marxist School of Thought. It is to be mentioned that the cause of the 'rights of man' was initially taken up by the exponents of the liberal-individualist theory in 17th and 18th century. But the Marxist theory arose in the mid-19th century when liberal-individualist rights had largely been established, but mainly served as the foundation of the capitalist system. At the very outset, Marx welcomed the existence of civil and political rights in the contemporary bourgeois-democratic state because they represented an advance from the condition of man in a state based on slavery or feudalism. The prevailing rights enabled the working class to organize themselves and raise their demands for their betterment in a legal manner. But in the prevailing situation he felt that, in a class-divided society, though rights were granted in general terms, only the members of the ruling class could take the advantage of them. The result was that the existing rights were the special privileges of the ruling class.

Marx associated rights with classes. Rights emerge in specific historical circumstances on account of class struggle and in a class-divided society. Rights cannot be viewed in isolation from the economic system of a given society. If there are two classes in society- Capitalist and

Working Class- then rights will have meaning only for one class and for the other class these will be a mere illusion. If ownership of means of production is in the hands of the capitalist class, rights also belong to the class. In a society based on economic inequality, equality may be a cherished dream but it will be missing in reality. The right of equality has to be sacrificed for the necessity of survival. The purchaser of one's labour also purchases the right to equality of the seller.

Thus, the Marxists realized that the so-called human rights had nothing to offer to man as such. These rights were designed to serve the interests of a particular class i.e. the bourgeoisie, the capitalist class, the owners of the means of production. The rights were secured by law but law was nothing but a superstructure raised on the foundation of the material conditions of life i.e. the mode of production, determined by the prevalent property relations in society. The state and its law could not escape the thrust of its class character. In other words, the rights secured under the capitalist system are bound to support a system of exploitation i.e. the exploitation of common man, the worker, by the big industrialists or capital owners. The liberal-individualist rights, ranging from the freedom of trade, freedom of contract, freedom of thought and expression, right to vote etc. had therefore, no substantive advantage for the common man so long as society was divided into antagonistic classes-dominant and dependent, oppressor and oppressed, exploiter and exploited classes.

Marxists repudiates the liberal notion of atomized and alienated individual, motivated by enlightened self-interest. Rather it insists on social nature of man who lives in a co-operative network of human relationships. According to the Marxists, rights are the products of capitalist society, which are designed to maintain the privileges of the ruling classes. On the contrary, in the communist society where everyone realizes one's creative potential, rights are no longer needed.

Marxist concept of human rights puts emphasis on social rights rather than the individual rights. They argue that full realization of an individual's self is possible only within the context of a society. In as much as an individual should be concerned with his development, the society

has an interest in facilitating the advancement of individuals. The overwhelming responsibility of the state towards its subjects demands that economic and social rights should have predominance over the individual rights. Such a conceptualization of the nature of society precludes the existence of individual rights rooted in the state of nature, which are prior to the state.

The Marxists criticize liberal views of human rights. Making a scathing attack on the concept of natural rights, Marx considers it as the ideological expression of bourgeois egoism and social atomization. Marx pointed out that, the so called rights of man are nothing but the rights of egoistic man, of man separated from other men and from the community.

The Marxists further state that the recognition of the rights of man by the modern state has no other meaning than the recognition of slavery by the ancient state. The individual man in the modern state is linked with other men only by the ties of private interest and unconscious natural necessity. Human rights are viewed as instruments for carrying out adversary relations between competing, atomistic individuals. The Marxists points out that the process of bourgeois exploitation holds the entire society at the mercy of market forces. It has an alienating, depersonalizing and dehumanizing impact on man. The institutionalized imposition of capitalist will on man alienates him from his nature besides alienating him from his activity, himself and from other man.

For Marx, society does not consist of relations between individual and individual but between classes, be it the farmer and landlord or worker and capitalist. Marx believed that the alienation of man could end only with the establishment of communism- when classes have been eliminated, exploitation has ceased and the state has withered away. Class struggle would eventually result in the victory of the working class and only then exploitation would come to an end. Marx depicted communism as the fulfillment of the individualistic goals which liberalism had proclaimed but had been unable to realize. Thus, it was the nature of the community that determined the rights and fate of man. It was only in a communistic society that man could be a true individual. With the workers obtaining

effective control over the means, conditions and result of their labour, the process of controlling the immediate direct political power in the society would reach its logical culmination.

From the above discussions, two main points have been observed. First, the Marxist perspective on rights has been successful in highlighting the socio-economic freedoms and the concept of equality, which was largely ignored by the liberal theory. Second, the Marxists have begun to recognize the emancipatory potential of rights to better the livelihoods of the marginalized. According to the Marxists, rights comes from law, which comes from government and which reflects the underlying economic relationships of any society. As rights are derived from a fundamental economic relationship, it is not surprising that economic and social rights are taken to come before civil and political rights.



CHECK YOUR PROGRESS

Q.4: According to Marxism rights were designed to serve the interests of a particular class i.e. …….. class. (Fill in the Blank).

Q.5: Marxist concept of human rights puts emphasis on social rights rather than the individual rights. Explain

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8.5 LET US SUM UP

- The main bases of Marxian philosophy are the social inequality- the division between haves and have nots in the society. The root of this social inequality is the economic system- the production system which

the Marxists consider as the base over which other superstructures of the society has emerged.

- The concepts of alienation and freedom are regarded as the chief ingredients of the humanist element in Marxism.
- According to Marx, alienation has four distinct dimensions- from nature, from himself, from fellow beings and from society. It is the system of capitalism that constitutes the total alienation of human labour, for capital dominates completely the worker as a labourer and also as a man. Through the theory of alienation Marx not only discussed the essential weakness of the capitalist system which despiritualises and devalues human life, he also offers solutions to this problem. According to Marx, alienation will come to an end with the end of capitalism and its substitution by the socialist system which will entail the era of human emancipation.
- As a humanist philosophy, Marxism is primarily a philosophy of human freedom. Marxism in its essence aims at the liquidation of the conditions of 'domination' and 'subjection' which have plagued human society since the dawn of civilization. Freedom consists not only in securing material satisfaction of human needs, but also in removing the conditions of dehumanization, estrangement and alienation.
- Marxist concept of human rights puts emphasis on social rights rather than the individual rights. According to the Marxists the rights which comes from the government reflects the underlying economic relationships in any society. Marx depicted Communism as the fulfillment of the individualistic goals which liberalism had proclaimed but had been unable to realize.



8.6 FURTHER READING

1. Gauba, O. P. (1995). *An Introduction to Political Theory*. New Delhi: Macmillan India Limited.

2. Jha, Shefali. (2018). *Western Political Thought*. Pearson India Education Services Pvt. Ltd.
3. Yasin, Adil-ul. & Upadhyay, Archana. (2004). *Human Rights*. New Delhi: Akansha Publishing House.

8.7 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Karl Marx

Ans. to Q. No. 2: a) In the first place, man is alienated from his own product and from his work process, because the worker plays no part in deciding what to produce and how to produce it;

b) Secondly, man is alienated from the nature- his work does not give him a sense of satisfaction as a creative worker; under mechanization, the work tends to become increasingly routinized and monotonous.

Ans. to Q. No. 3: As a humanist philosophy, Marxism is primarily a philosophy of human freedom. Marxism in its essence aims at the liquidation of the conditions of 'domination' and 'subjection' which have plagued human society since the dawn of civilization. Freedom consists not only in securing material satisfaction of human needs, but also in removing the conditions of dehumanization, estrangement and alienation. Friedrich Engels has argued that the capitalist system is characterized by necessity as opposed to freedom. Necessity denotes the condition under which the life of man is governed by inevitable laws of nature, which exists independent of man's will. Man can acquire scientific knowledge of these laws for his own benefit, but cannot change them at his will. Freedom does not consist in the escape from necessity to a dreamland but in the knowledge of these laws, and the capacity to make these laws work towards definite ends, which again depends on their scientific knowledge. This applies both to external nature and the inward human nature.

Ans. to Q. No. 4: bourgeoisie

Ans. to Q. No. 5: Marxist concept of human rights puts emphasis on social rights rather than the individual rights. They argue that full realization of an individual's self is possible only within the context of a society. In as much as an individual should be concerned with his development, the society has an interest in facilitating the advancement of individuals. The overwhelming responsibility of the state towards its subjects demands that economic and social rights should have predominance over the individual rights. Such a conceptualization of the nature of society precludes the existence of individual rights rooted in the state of nature, which are prior to the state.



8.8 POSSIBLE QUESTIONS

Q. 1: What according to the Marxist theory, are the two main classes in the society?

Q. 2: What in Marxist theory is defined as the base of a society?

Q. 3: Which theory of Marx is regarded as the humanist face of Marxism?

Q. 4: From which angle Marx criticizes capitalism in his theory of alienation?

Q. 5: What according to Marx is the solution to the problem of alienation?

Q. 6: What according to the Marxist theory of freedom, is the essence of human freedom?

Q. 7: By whom the rights are mostly enjoyed in a capitalist system, according to Marxist theory?

Q. 8: Discuss the ways of alienation in a Capitalist system according to the Marxist theory of alienation.

Q. 9: Discuss the Marxist theory of alienation and freedom.

Q. 10: How Marxists have criticized liberal notion of rights?

Q. 11: Discuss Marxist theory of Human Rights.

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UNIT 9: THIRD WORLD PERSPECTIVES ON HUMAN RIGHTS

UNIT STRUCTURE

9.1 Learning Objectives

9.2 Introduction

9.3 Third World Perspectives on Human Rights

9.3.1 Views of Mahatma Gandhi on Human Rights

9.3.2 Views of Nelson Mandela on Human Rights

9.4 Let Us Sum Up

9.5 Further Reading

9.6 Answers to Check Your Progress

9.7 Possible Questions

9.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- explain Mahatma Gandhi's views on human rights
- discuss Nelson Mandela's views on human rights.

9.2 INTRODUCTION

The study of the concept of human rights has occupied a prime position in social sciences. Scholars has developed a number of perspective to look into the concept of human rights. Each perspective differs from the other in its perspective. One of such important perspective is third world perspective. The third world perspective basically comprises of views of Mahatma Gandhi and Nelson Mandela. In this unit we shall discuss third world perspective of human rights in detail.

9.3 THIRD WORLD PERSPECTIVES ON HUMAN RIGHTS

The Third World countries are facing lots of human rights crisis. In almost all these countries peoples are facing crisis in almost all walks of

life i.e. health, education, poverty, unemployment etc. which has adversely affected the basic standard of life. One of the main reasons of the human rights crisis in these countries is that these countries were under the colonial exploitation for a long span of time. Human rights violation is a common feature in most of the developing world where criminalization of politics and lack of accountability has become the order of the day. The brutalization of state power is reflected in the form of state repression with little comfort from the judiciary. Apart from occasional attempts from the judiciary, press, human rights activists and NGOs, there is no meaningful attempt to formulate a clear cut methodology for the protection of human rights.

The diverse socio-cultural matrix of developing countries does not permit them to approach the promotion and protection of human rights, in a thorough and unified way. Nor can they be guided by the Western style ideology and thinking on protection of human rights. This is on account of three reasons-

1. The incorporation of Western theories of human rights would amount to the continuation of the colonial heritage.
2. Any kind of incorporation of the human rights regime determined by the west would be either inappropriate or too rigid for those countries.
3. The politicization of human rights has made the ruling elites of the Third World highly suspicious of the Western notion of human rights.

The wave of liberalization and globalization has further changed the notion of human rights in Third World countries. The problems of unemployment, underdevelopment, question of equity, gender disparity have emerged as a new challenge before the Third World countries. So, these countries at times find themselves in dilemma as to how to protect human rights.

For a balanced approach it is imperative that the issues of human rights in the Third World countries are viewed in a broader context. Any attempt to delink its various dimensions would be a grave blunder. There is an extremely close relationship between the human rights and peace, freedom and national development.



CHECK YOUR PROGRESS

Q.1: Mention any two human rights challenges in third world countries.

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Q.2: Mention any two reasons for which the Western style ideology and thinking on protection of human rights cannot be applied in the third world.

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9.3.1 Views of Mahatma Gandhi on Human Rights

Mahatma Gandhi's view on human rights was a part and parcel of his overall philosophy of life. The coherent vision of Gandhian thought is reflected in two aspects- in his critique of the modern civilization, and in his search for alternatives to the present structures such as the state, technology and property. Gandhiji challenged the foundations of modern civilization. According to him, the industrial civilization of the western countries was based on the exploitation of weaker people. Its implicated material life was inconsistent with high thinking. The modern civilization therefore was equivalent to darkness and disease. Gandhiji said that true civilization consists not in the accumulation of commodities but in a deliberate and voluntary reduction of wants. Gandhiji predicted the decline and doom of Western civilization. He had tremendous faith in the rejuvenating power of the human spirit and firmly held that non-violence could provide a healing tonic to modern civilization. Gandhiji accepted the spiritual orientation of politics, sociology and economics.

The central evils against which Gandhiji fought were racism, imperialism, communalism and untouchability. He fought against social injustices, tyrannies and oppressions. In his opinion, the first condition of non-violence is justice in every spheres of life. He was against the imperialistic exploitation of the people of Asia and Africa by the Western countries.

Gandhiji believed in truth and non-violence and accepted the creative force of religion. He accepted the spiritual and moral essence of religion which according to him is the common feature of all religions of mankind. True religion, according to Gandhiji, emphasized on the moral values of man. The true religious attitude meant the voluntary acceptance and enthusiastic fulfillment of duties. Religion is not merely a means for personal purification but it is a powerful social bond. Religion is the sense of justice, fraternity, peace and all-embracing love, which according to Gandhiji is the basis of existence of all human rights.

From the perspective of Rights, Gandhiji is a moral individualist. He emphasized on the dignity and sanctity of the conscience of the individual. He would not sanction any coercion on people. He was even very critical about the modern state as it represented 'violence in a concentrated form'. He preferred man to live by the exercise of his own will. He believed, in Swaraj- an individual would be the complete master of himself. Gandhiji believed that no society can possibly be built on a denial of individual freedom. It is contrary to the very nature of man. Therefore, he strongly opposed concentration of power in the state. He favoured state should confine itself to the maintenance of law and order and allow full scope for voluntary activities of members. He believed that individual freedom alone could make a man voluntarily surrender himself completely to the service of the society. According to Gandhiji, an ideal social order is one in which there is no distinction of high or low and in which each is guaranteed the fruits of his labour. Gandhiji's argument against centralization of

state power was a moral argument based on the idea that the centralization of power destroyed man's urge to see his own Swaraj, in terms of his distinct genius. Gandhi believed that decentralization would induce people to realize their responsibility. It is based on a notion of cooperation and social feeling. According to Gandhi, decentralization of power is the only means through which variety of freedoms can be ensured.

For true freedom of individual, Gandhiji wanted spiritualization of politics. He condemned Western democracies because they were infected with many contradictions. In Western democracies they supported extreme capitalism which results in exploitation of the weaker section of the society. He wanted India to evolve 'True Democracy' where decentralization of power would be applied.

For Gandhiji, Satyagraha is a means to protest against all forms of injustices, oppression and exploitation. As a moral philosopher he believes in the superiority of the soul force. Satyagraha is an application of the pure soul force against the evils. Gandhiji never sanctions any submission to any law if it conflicted with moral stature of man. The dictates and commands of any government, if they conflict with the sense of higher duty of a person, is to be resisted.

9.3.2 Views of Nelson Mandela on Human Rights

Nelson Mandela is well-known as anti-apartheid revolutionary, philanthropist and a champion of human rights in the world. Mandela struggled throughout his political career to claim human rights for the Black majority in South Africa, Rhodesia (now Zimbabwe) and Namibia. His struggle against the racial discrimination and to secure the rights of the oppressed people has inspired greatly all the human rights activists and movements throughout the world. Mandela profoundly contributed to the growth of modern international human rights law.

The major contribution of Mandela to the progressive development of international human rights law has been tremendous, not only limited to civil and political rights but with special emphasis on economic, social and cultural rights. Nelson Mandela favours expansion of the ambit of human rights to encompass all the economic, social and cultural rights of the individuals. Therefore he was very much critical about the Capitalist tendency to restrict human rights to civil and political rights only. According to him, modern human rights law as promoted by the western powers has been designed specifically to promote the principle of democracy; it has tended to ignore other aspects of human rights in the field of economic, social and cultural rights. In reality most developing countries have to face the problems of poverty, hunger and illiteracy. In his opinion, the modern human rights law must address the issues of poverty, want, deprivation and inequality.

Nelson Mandela was against the language of rights being used to conceal attempts to maintain the power, privileges or special status of one racial group. In his opinion rights can not be a device to secure the political or economic subordination of the majority or the minority. The issues of poverty, want, deprivation and inequality must be addressed in the approach of human rights. The right to vote without food, shelter and health care will lead to equality and justice, while actual inequality persists. We never want freedom without bread nor do we want bread without freedom. The very right to be human is denied everyday to hundreds of millions of people as a result of poverty, the unavailability of basic necessities such as food, jobs, water and shelter, education, health care and a healthy environment. In his opinion the, failure to achieve the vision contained in the Universal Declaration of Human Rights finds dramatic expression in the contrast between wealth and poverty which characterizes the divide between the countries of the North and the countries of the South and within individual countries in all hemispheres.

Mandela underlines the close link between the human rights and democracy. He opines that democracy is the most effective means of ensuring human rights. Democracy eradicates racism and sexism and promotes unqualified participation of all races, sexes and all classes in all aspects of society. Democracy and human rights are inseparable. Mandela in one of his speeches interpreted the modern notion of human rights as a concept that should be grounded in the principles of a democratic order based on a multi-party system. Modern human rights concept commits society to a moral and legal order which is antithetical to racial oppression and exploitation.

According to Mandela, rights are not given, it is attained through struggle. People are their own liberators. They can change their own lives for the better. In his opinion, the laws or policies of the government cannot benefit the citizens and individuals without the active participation of each and every one.

Mandela fought against the apartheid regime of South Africa which led to the establishment of the new international principle of non-recognition to states practicing oppressive policy. Mandela said that under the apartheid policy of South Africa the Africans were denied human dignity and rights and it destroyed black family life, which broke down moral standards and fomenting violence. In his opinion, he struggled for the right to live. It was due to his struggle, the United Nations applied the principle of non-recognition of the new states of Transkei, Bophuthatswana, Venda etc. and also took collective measures against South Africa for violating principles of self-determination and human rights elaborated by the UN Charter. In addition to the sanction to South Africa, the United Nations Security Council declared apartheid a new crime of international criminal law under the jurisdiction of the International Criminal Court in The Hague.

Mandela is one of the 20th century's greatest statesmen and human rights fighters. He fought for the liberation of enslaved black

people in South Africa. He set the most enduring example of leadership and affirmation of human dignity in the face of racial oppression. Because of his consistent demand and resistance, human rights were transformed with multiplied functions specifying that "all human rights are universal, indivisible and interdependent and interrelated." Mandela has not only been a prime promoter of the realization of modern international human rights law, but also a prime practitioner of the political, civil, economic, social and cultural rights of modern international society.



CHECK YOUR PROGRESS

Q.3: Write briefly about Gandhiji's views on religion.

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Q.4: Write briefly about Mandela's views on the relationship between democracy and human rights.

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9.4 LET US SUM UP

- The third world countries are facing lots of human rights crisis. In all most all these countries peoples are facing crisis in almost all walks of life i.e. health, education, poverty, unemployment etc. which has adversely affected the basic standard of life. One of the main reasons of the human rights crisis in these countries is that these

countries were under the colonial exploitation for a long span of time. Human rights violation is a common feature in most of the developing world where criminalization of politics and lack of accountability has become the order of the day. The brutalization of state power is reflected in the form of state repression with little comfort from the judiciary.

- The wave of liberalization and globalization has further changed the notion of human rights in Third World countries. The problems of unemployment, underdevelopment, question of equity, gender disparity have emerged as a new challenge before the Third World countries. So, these countries at times find themselves in dilemma as to how to protect human rights.
- Mahatma Gandhi's view on human rights was a part and parcel of his overall philosophy of life. He had tremendous faith in the rejuvenating power of the human spirit and firmly held that non-violence could provide a healing tonic to modern civilization. Gandhiji accepted the spiritual orientation of politics, sociology and economies.
- The central evils against which Gandhiji fought were racism, imperialism, communalism and untouchability. He fought against social injustices, tyrannies and oppressions. In his opinion, the first condition of non-violence was justice in every spheres of life.
- Gandhiji believed in truth and non-violence and accepted the creative force of religion. He accepted the spiritual and moral essence of religion which according to him is the common feature of all religions of mankind. True religion, according to Gandhiji, emphasized on the moral values of man. Religion is the sense of justice, fraternity, peace and all-embracing love, which according to Gandhiji is the basis of existence of all human rights.
- From the perspective of Rights, Gandhiji is a moral individualist. He emphasized on the dignity and sanctity of the conscience of the individual. He preferred man to live by the exercise of his own will.

Gandhiji believed that no society can possibly be built on a denial of individual freedom. According to Gandhi, decentralization of power is the only means through which variety of freedoms can be ensured.

- Nelson Mandela struggle against the racial discrimination and to secure the rights of the oppressed people has inspired greatly all the human rights activists and movements throughout the world. Mandela profoundly contributed to the growth of modern international human rights law.
- The major contribution of Mandela to the progressive development of international human rights law has been tremendous, not only limited to civil and political rights but with special emphasis on economic, social and cultural rights. Nelson Mandela favours expansion of the ambit of human rights to encompass all the economic, social and cultural rights of the individuals.
- Nelson Mandela was against the language of rights being used to conceal attempts to maintain the power, privileges or special status of one racial group. In his opinion rights can not be a device to secure the political or economic subordination of the majority or the minority. The issues of poverty, want, deprivation and inequality must be addressed in the approach of human rights.
- Mandela underlines the close link between the human rights and democracy. He opines that democracy is the most effective means of ensuring human rights. Modern human rights concept commits society to a moral and legal order which is antithetical to racial oppression and exploitation.



9.5 FURTHER READING

1. Pathak, Swanand. S. (2016). *Gandhian Thoughts*. CBS publishing House.
2. Yasin, Adil-ul.& Upadhyay, Archana. (2004). *Human Rights*. New Delhi: Akansha Publishing House.

3. Champions of Human Rights- Nelson Mandela (1918-2013) in https:// www.humanrights.com viewed on 10/04/2019.

9.6 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Problem of unemployment, gender disparity.

Ans. to Q. No. 2: (a) The incorporation of Western theories of human rights would amount to the continuation of the colonial heritage.

(b) Any kind of incorporation of the human rights regime determined by the west would be either inappropriate or too rigid for those countries.

Ans. to Q. No. 3: Gandhiji believed in truth and non-violence and accepted the creative force of religion. He accepted the spiritual and moral essence of religion which according to him is the common feature of all religions of mankind. True religion, according to Gandhiji, emphasized on the moral values of man. The true religious attitude meant the voluntary acceptance and enthusiastic fulfillment of duties. Religion is not merely a means for personal purification but it is a powerful social bond. Religion is the sense of justice, fraternity, peace and all-embracing love, which according to Gandhiji is the basis of existence of all human rights.

Ans. to Q. No. 4: Mandela underlines the close link between the human rights and democracy. He opines that democracy is the most effective means of ensuring human rights. Democracy eradicates racism and sexism and promotes unqualified participation of all races, sexes and all classes in all aspects of society. Democracy and human rights are inseparable. Mandela in one of his speeches interpreted the modern notion of human rights as a concept that should be grounded in the principles of a democratic order based on a multi-party system. Modern human rights concept commits society to a moral and legal order which is antithetical to racial oppression and exploitation.



9.7 POSSIBLE QUESTIONS

Q. 1: Mention the main human rights challenges in third world countries.

Q. 2: Did Gandhiji support the Western capitalist perspective of human rights?

Q. 3: What is the main thrust of Gandhiji to establish the true spirit of rights against the Western materialistic civilizations?

Q. 4: Did Nelson Mandela favours restriction of human rights scope within the civil and political rights?

Q. 5: For what reasons Nelson Mandela was famous in the world?

Q. 6: Discuss the major challenges of human rights in the Third World countries.

Q. 7: Discuss Gandhiji's perspective of human rights.

Q. 8: Discuss the contribution of Nelson Mandela towards the promotion of human rights in the world.

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UNIT 10: HEALTH AND HUMAN RIGHTS

UNIT STRUCTURE

10.1 Learning Objectives

10.2 Introduction

10.3 Health and Human Rights

10.4 Importance of Right to Health

10.5 Violation of Right to Health

10.6 World Health Organisation and Right to Health

10.7 Let Us Sum Up

10.8 Further Reading

10.9 Answers To Check Your Progress

10.10 Possible Questions

10.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- explain the relationship between health and human rights
- examine the importance of right to health
- discuss the role of the World Health organisation in ensuring right to health.

10.2 INTRODUCTION

Right to health is one of the important rights which helps an individual to lead a dignified life. Right to health constitutes basis of enjoying other rights by the individual. In this Unit we shall discuss the relationship between health and human rights, importance of right to health and the role of the World Health Organisation (WHO) in this regard.

10.3 HEALTH AND HUMAN RIGHTS

Right to health is an important human right. It refers to a universal minimum standard of health to which all individuals are entitled. The Universal Declaration of Human Rights (UDHR), 1948 states, "Everyone

has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social service."

The Preamble of the Constitution of the World Health Organization (WHO) defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity." The right to health is "the enjoyment of the highest attainable standard of health". In the Article 12 of International Covenant on Economic, Social and Cultural Rights of the U.N. (1966), it is stated that the Right to Health includes:

a) The reduction of the birth rate and of infant mortality rate and the healthy development of the child

b) The improvement of all aspects of environmental and industrial hygiene

c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases

d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

In 2000, the United Nations' Committee on Economic, Social and Cultural Rights issued General Comment No. 14 which clarifies that 'the right to health' is not to be understood as a 'right to be healthy'. Instead, the right to health is articulated as a set of both freedoms and entitlements which accommodate the individual's biological and social conditions as well as the State's available resources. Right to health is dependent on realization of other entitlements such as adequate food, work, housing, life, non-discrimination and human dignity. The right to health embraces a wide range of socio-economic factors that promote conditions in which people can lead a healthy life and extends to the underlying determinants of health.

According to Mervyn Susser, a South African epidemiologist, right to health is a positive right, where society bears an obligation to provide certain resources and opportunities to the general population. Susser further sets out four provisions covered under right to health. These are - i) equitable access to health and medical services; ii) good social effort to promote

equal health among different social groups; iii) means to measure and assess health equity; iv) equal socio-political systems to give all parties a unique voice in health advocacy and promotion.

Thus it can be said that right to health encompasses right to the highest attainable standard of physical and mental health which includes access to all medical services, sanitation, adequate food, decent housing, healthy working conditions and of course a clean environment. This right to health has the following implications:

a) It guarantees a system of health protection for all.

b) Everyone has the right to avail the health care facilities as per their needs and the living conditions that enables them to be healthy.

To secure the right to health the hospitals, clinics, medicines and doctors services must be accessible, available, acceptable and of good quality for everyone on an equitable basis, where and when needed. The health care facilities must be guided by the following principles:

Universal Access: The health care facilities must be universally available and accessible to everyone.

Availability: Health care infrastructure i.e. hospitals, trained health care professionals like doctors, nurses etc. must be available.

Acceptability and Dignity: Health Care services must respect dignity of the individuals based on gender, age, culture etc.

Quality: Health care facilities should be good in quality as well as provided in a timely, safe, and patient-centered manner.

Non-Discrimination: Health care services should be provided without any discrimination on any grounds.

Transparency: The health care services should be provided in a transparent manner so that everyone can avail the information about their health status and thus can claim quality health services.

Participation: There must be provision of community participation while taking the policy decisions and implementation of health care schemes.

Accountability: Health service providers must be accountable to the people who need health services.

10.4 IMPORTANCE OF RIGHT TO HEALTH

Recognition of right to health is considered as crucial to set a universal common standard for promoting this right by all nations in the world as human beings all over the world are facing multiple threats at the domestic as well as global levels such as armed conflicts, climatic challenges, demographic problems like migration, ethnic violence etc., new diseases, poverty and under development etc. All these crisis have affected the overall living standard of the people across the society. This right to health is integral to the right to life. Without right to healthy living right to life is meaningless. In the backdrop of various health related challenges the right to health is important so that citizens of a country can avail an efficient health care and protection mechanism.

Right to Health and the Indian Constitution:

In the Constitution of India, right to health is not directly mentioned in any provision. Yet many provisions are related to this right, particularly the Directive Principles of State Policies (Part IV). These provisions are:

- In the Article 38 of the constitution it is stated that state will secure a social order for the promotion of welfare of the people. Here it is implied that providing affordable healthcare is one of the ways to promote welfare of the people.
- In the Article 39(e) it is stated that the State shall make sure that health and strength of the workers, men and women, and the tender aged children are not to be abused.
- According to the Article 41 of the Indian Constitution, it is the duty of the State to provide public assistance in cases of unemployment, old age, sickness and disablement etc.
- Article 42 directs the state to make provisions to protect the health of infant and mother by providing maternity benefits.
- Article 47 of the Constitution makes it the duty of the State to improve public health, secure of justice, and ensure benefits in case of sickness, old age, disablement and maternity benefits. Further, this article directs

that it is the duty of the State to ensure prohibition of consumption of intoxicating drinks and drugs which are injurious to health.

- Article 48A directs that the State shall endeavor to protect and create the pollution free environment for good health.

The above mentioned provisions are made as a part of the Directive Principles of State Policy (DPSP) which are non-justiciable in nature. However, the Indian judiciary has pronounced that the Right to Health forms an inalienable part of the Article 21 which guarantees Fundamental Right to Life and Personal Liberties. According to the Judiciary Right to Health is an implied Fundamental Right under the Article 21 of the Constitution. Apart from this, some other Articles under Part-III of the Indian Constitution also have been linked to Right to Health. For example, Article 23 (1) of the Constitution prohibits human trafficking which may cause health hazards, thus linked to Right to health. Moreover, Article 24 restricts the employment of child below 14 years in any factory or mining industry or any hazardous employment. It is also related to the Right to Child Health. Thus, all these provisions make it clear that the Constitution of India well recognize the importance of Right to Health under the various provisions. Right to Health is implicitly linked with many Fundamental Rights.



CHECK YOUR PROGRESS

Q.1: State any two dimensions of the right to health as mentioned in the International Covenant on Economic, Social and Cultural Rights.

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Q.2: Mention any four guiding principles of health care facilities.

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Q.3: Mention any two provisions related to health incorporated in the Indian Constitution.

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Q.4: Write briefly about views of Mervyn Susser on right to health.

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10.5 VIOLATION OF RIGHT TO HEALTH

Today, millions of people in the world are deprived from the adequate health standard which indicates the violation of the right to healthy life. There are many factors which contribute to the violation of the right to health. These are:

1. Armed and Ethnic Violence: Armed conflict, Ethnic or any other violence seriously affect the physical and mental health of the people. War or Violence causes not only physical loss; it may cause loss of mental health also.
2. Poverty and Underdevelopment: Poverty or underdevelopment directly lead to the deprivation. Deprivation from the socio-economic benefits may have a deep impact on the health and life of the victim.
3. Discrimination: Discrimination on the grounds of ethnic, religion, gender or on any other ground is very detrimental to the right to health. Discrimination threatens physical and mental health of the people. It denies people's access to care altogether.

4. Lack of access to Health Care facilities: In many cases people don't have the adequate access to the basic physical and mental health care and to immunization from infectious disease. There are various reasons for it. It may be due to poor economic conditions, lack of sufficient health care infrastructures, ignorance etc. The Government is also not building up sufficient health care facility for the poor people. As a result, a vast section of the people in the society are deprived of the right to health.
5. Lack of Basic Sustenance: In our society a large number of the people are living in absolute poverty. They lack adequate food, clothing, housing and social security. Evidences show that absolute poverty results in poor access to health care and poor health status.
6. Denial of Dignity: Respect for human dignity is an essential element of health and well being for all people. Denial of personal dignity may stigmatize the persons who are suffering from serious health ailment. Thus, this may be considered as the violation of the right to health.
7. Lack of Education: Lack of education may lead to the ignorance of health care needs and also destroy the health status.
8. Environmental Pollution: Living in a healthy environment is a fundamental human right. Deterioration of environmental standard may cause severe health impact not only on human beings but on all living beings. Environment pollutions and degradation related problems like global warming, climate change, loss of vegetations etc. lead to the deprivation of health standard of the human beings and thus, these are considered factors for violation of right to health.

10.6 WORLD HEALTH ORGANISATION AND RIGHT TO HEALTH

The World Health Organisation (WHO) is a specialised agency of the United Nations Organisation (UNO). The WHO came into being on 7th April, 1948. Presently the WHO has 194 member states. The membership of WHO is open to all the members of the UNO. The States which are not

the member of the UNO can also become member of the WHO after their application is approved by the World Health Assembly. Non sovereign states and territories can become its associate members.

Guiding Principle:

The guiding principle of WHO is that all people should enjoy the highest standard of health, regardless of race, religion, political belief, economic or social condition.

Constitution of WHO:

The WHO has its own constitution. The WHO constitution was adopted in the International Health Conference held in the year 1946, from June 19 to 22 July, and was signed on 22nd July 1946 by the 61 States and came into force on 7th April 1948. The Preamble of the WHO constitution set out the principles of the WHO which are:

- Health is a State of complete physical, mental and social well-being and not merely the absence of disease or infirmity.
- The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, and political belief, economic or social conditions.
- The health of all people is fundamental to the attainment of peace and security and is dependent on the fullest co-operation of individuals and States.
- The achievement of any State in the promotion and protection of health is of value to all.
- Unequal development in different countries in the promotion of health and control of diseases especially communicable diseases is a common danger.
- Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.
- The extension of the benefits of medical, psychological and related knowledge to all people is essential to the fullest attainment of health.

- Informed opinion and active co-operation on the part of the public are of the utmost importance for the improvement of the health of the people.
- Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

Organisation:

The organization of WHO consists of the World Health Assembly, the Executive Body and the Secretariat. The World Health Assembly is composed of representatives of all the member states. The Executive Board consists of 31 members. These members are elected by the World Health Assembly from amongst persons most qualified by their technical competence in the field of health. The World Health Assembly appoints the Director General, who heads the Secretariat. The Head office of the WHO is located at Geneva, Switzerland.

Objectives of the WHO:

The main objective of the WHO is attainment by all people of the highest possible level of health. This objective is to be achieved by the combined efforts of the Governments and people and involves education concerning prevailing health problems.

Functions of the WHO:

The WHO performs the following functions-

1. WHO tries to prevent the spread of disease and confine it to the boundaries of a state by providing assistance to the states. To prevent the spread of epidemic, sometimes the WHO gives emergency aid to the states to check it at the source.
2. WHO also takes steps to cure the disease once it has spread. Apart from encouraging research, it finds out ways to disseminate information to all the members. Although the actual job of curing the disease has to be left to the national governments, the WHO in collaboration with the UNICEF has undertaken certain programmes itself also.

3. WHO also provides help in preventing the diseases by imparting necessary training to personnels of different member states. WHO encourages research on insecticides which involves identification of strains and duration of infection.

4. Who also helps in establishment of an environment that encourages and promotes good health. For the purpose it assists the member states to set up an efficient national health administration. It tries to impart education to the people regarding health matters through training programmes, seminars, conferences etc. To provide an incentive to the member states the WHO also undertakes pilot projects on problems like environmental hygiene, eradication of disease, control of disease etc.

WHO's primary role is to direct and coordinate international health within the United Nations system. The main areas of work of the WHO are health systems; health through the life-course; uncommunicable and communicable diseases; preparedness; surveillance and response etc. WHO supports countries as they coordinate the efforts of governments and partners including civil society organizations and the private sectors. From the very beginning WHO has brought together the worlds' top health experts to produce international reference materials and to make recommendations to bring better health to people throughout the world.



CHECK YOUR PROGRESS

Q.5: Write briefly about any two factors which contribute to the violation of the right to health.

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Q.6: What is the main objective of the World Health Organisation?

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Q.7: Mention any two functions of the World Health Organisation.

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10.7 LET US SUM UP

- Right to health is an important human right. It refers to a universal minimum standard of health to which all individuals are entitled. Right to health encompasses right to the highest attainable standard of physical and mental health which includes access to all medical services, sanitation, adequate food, decent housing, healthy working conditions and of course a clean environment.
- A number of international organisations, such as the United Nations, the World Health Organisation has recognized the importance of right to health and have expressed its importance through various Declaration, Covenant and Commission.
- There are certain guiding principles of health care facilities, such as- universal access, availability, acceptability and dignity, quality, non-discrimination, transparency, participation, accountability etc.
- The Constitution of India has incorporated a number of provisions to protect right to health of the Indian people.
- In the present world, right to health has been violated due to a number of reasons. Some of these factors are- armed and ethnic violence, poverty and underdevelopment, discrimination, lack of access to

health care facilities, lack of basic sustenance, denial of dignity, lack of education, environmental pollution etc.

- The World Health Organisation (WHO) is a specialized agency of the United Nations Organisation. The WHO came into being on 7th April, 1948. The membership of WHO is open to all the members of the UNO. The guiding principle of WHO is that all people should enjoy the highest standard of health, regardless of race, religion, political belief, economic or social condition. The World Health Organisation performs a number of functions to ensure right to health of each and every person.



10.8 FURTHER READING

1. Chander, Prakash. & Arora, Prem. (1999). *International Relations*. New Delhi: Cosmos Bookhive (P)Ltd.
2. Yadav, Dr. Surya Narain. & Baghel, Dr. Indu. (2009). *Human Rights In The 21st Century*. New Delhi: Jnanada Prakashan (P&D).
3. Right to Health; viewed in website https://en.m.wikipedia.org/wiki/Right-to-health viewed on 23-5-2019
4. World Health Organisation; viewed in website https://www.who.int on 2-6-2019

10.9 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: a) The reduction of the birth rate and of infant mortality rate and the healthy development of the child.

b) The improvement of all aspects of environmental and industrial hygiene.

Ans. to Q. No. 2: (a) Universal Access: The health care facilities must be universally available and accessible to everyone.

(b) Availability: Availability of health care infrastructure i.e. hospitals, trained health care professionals like doctors, nurses etc.

(c) Acceptability and Dignity: Health Care services must respect dignity of the individuals based on gender, age, culture etc.

(d) Quality: Health care facilities should be good in quality and provided in a timely, safe, and patient-centered manner.

Ans. to Q. No. 3: (a) In the Article 38 of the Constitution it is stated that state will secure a social order for the promotion of welfare of the people. It also implies that providing affordable healthcare is one of the ways to promote welfare of the people.

(b) In the Article 39(e) it is stated that the State shall make sure that health and strength of the workers, men and women, and the tender aged children are not abused.

Ans. to Q. No. 4: According to Mervyn Susser, a South African epidemiologist, right to health is a positive right, where society bears an obligation to provide certain resources and opportunities to the general population. Susser further sets out four provisions covered under right to health. These are - i) equitable access to health and medical services; ii) good social effort to promote equal health among different social groups; iii) means to measure and assess health equity; iv) equal socio-political systems to give all parties a unique voice in health advocacy and promotion.

Ans. to Q. No. 5: (a) Armed and Ethnic Violence: Armed conflict, Ethnic or any other violence seriously affect the physical and mental health of the people. War or Violence causes not only physical loss; it may cause loss of mental health also.

(b) Poverty and underdevelopment : Poverty or underdevelopment directly lead to the deprivation. Deprivation from the socio-economic benefits may have a deep impact on the health and life of the victim.

Ans. to Q. No. 6: The main objective of the WHO is attainment by all people of the highest possible level of health.

Ans. to Q. No. 7: (a) WHO tries to prevent the spread of disease and confine it to the boundaries of a state by providing assistance to the states. To prevent the spread of epidemic, sometimes the WHO gives emergency aid to the states to check it at the source.

(b) WHO also takes steps to cure the disease once it has spread. Apart from encouraging research it finds out ways to disseminate information to all the members. Although the actual job of curing the disease has to be left to the national governments, the WHO in collaboration with the UNICEF has undertaken certain programmes itself also.



10.10 POSSIBLE QUESTIONS

Q. 1: What is meant by Right to Health?

Q. 2: Write briefly about the provisions of the Indian Constitution related to right to health.

Q. 3: Which Fundamental Right in the Indian Constitution implies the Right to Health to the citizens of India?

Q. 4: Mention the main objective of the World Health Organisation.

Q. 5: Define Right to Health. Discuss its importance in the contemporary world.

Q. 6: Examine various factors that have contributed to the violation of the right to health.

Q. 7: What are the main objectives of the World Health Organisation? Explain the main principles as mentioned in the Constitution of the World Health Organisation.

Q. 8: Discuss the role of the World Health Organisation in the field of health.

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UNIT 11: DEVELOPMENT AND HUMAN RIGHTS

UNIT STRUCTURE

11.1 Learning Objectives
11.2 Introduction
11.3 Concept of Development
11.4 Concept of Human Rights
11.5 An analysis of the Declaration on the Right to Development
11.6 Development and Rights of Indigenous People
11.7 Relationship between Development and Human Rights: Issues and Challenges
11.8 Let Us Sum Up
11.9 Further Reading
11.10 Answers to Check Your Progress
11.11 Possible Questions

11.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- define the concept of Development
- explain relationship between Development and Human Rights
- analyze the impact development model of the government
- discuss the issues and challenges of development and human rights.

11.2 INTRODUCTION

In a democratic country, the process of development and human rights norms must go together. The greatest success of democracy lies with the very idea of human development and human rights. Along with the process of independence in the 20th century, issues like human rights, democracy, development etc. carry more significance. But in the age of globalization, the activities on the part of neo-liberal state mechanism have undermined certain humanitarian issues which ultimately effect the whole process of development and human rights. It is due to the developmental model initiated by the state mechanism, the rights of the common people have been violated

in most cases. For instance-the construction of mega dams by the state has undermined the rights of the indigenous people. In this unit we shall discuss various aspects associated with development and human rights.

11.3 CONCEPT OF DEVELOPMENT

The idea of development has gained momentum especially in the 20th century. Development can be considered as a process through which an institution or state mechanism in larger context transforms from a degraded situation to upgraded one with the rapid progress in each and every step of human emancipation. Development can be attained if the entire institutional mechanism becomes more capable in terms of delivering good and services towards the people. Hence the system must be stronger, organized, more efficient and effective for realizing proper developmental path. J.H Mittelman, in his book "Out from Underdevelopment: Prospect for the Third World" has tried to define development as 'the increasing capacity to make rational use of natural and human resources for social ends.' Paul Baran in his book "The Political Economy of Growth" has described development as 'a far-reaching transformation of society's economic, social and political structure, of the dominant organization of production, distribution and consumption.'

11.4 CONCEPT OF HUMAN RIGHTS

Human rights are those rights which have been conferred by the states on the individuals through different ways. For instance, fundamental rights incorporated in the constitution are also a part of human rights. Every individual can avail these human rights irrespective of their caste, creed, religion, sex and nationality. These rights are inherent in each and every human being. By considering the significance of human rights for human beings, these rights can be considered in different ways such as-fundamental rights, inherent rights, natural rights, basic rights etc. Human rights as a whole embraces civil rights, civil liberties and also economic, cultural and social rights for which it is very difficult to give a precise definition of the term 'human rights'. These are the rights which all people have by virtue of their being human. For the maintenance of human dignity, these

rights are considered to be significant and indispensable as well. Human rights are inherent in our nature and it is not possible for the human being to sustain without these rights. The concept of human rights is as old as the human race. Human rights are those essential rights which contribute largely to the balanced growth and development of Human beings. These rights are independent, inalienable, inviolable and universal.



CHECK YOUR PROGRESS

Q.1: State the meaning of human rights.

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Q.2: Who is the author of the book 'The Political Economy of Growth'?

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Q.3: Write briefly about the concept of development.

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11.5 AN ANALYSIS OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Declaration on the Right to Development is a landmark development in the formulation and recognition of new human rights. This Declaration was adopted by the General Assembly of the United Nations in its resolution 41/128 on 4 December, 1986. The Declaration is comparatively more significant for the developing countries for promoting and protecting appropriate political, social and economic order for development. This Declaration recognizes development as a comprehensive economic, social, cultural and political process which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in developmental process. A brief summary of the Declaration is given below-

- **Article 1:** The right to development is an inalienable human right by virtue of which every human person and all people are entitled to

participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

- **Article 2:** All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being and they should therefore promote and protect an appropriate political, social and economic order for development.
- **Article 3:** States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development. States also have the duty to cooperate with each other in ensuring development and eliminating obstacles to development. State should realize their rights and fulfill their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among all states, as to encourage the observance and realization of human rights.
- **Article 4:** States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitate the full realization of the rights to development.
- **Article 5:** States shall take firm steps to eliminate the massive and fragrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.
- **Article 6:** All States should cooperate with a view to promote, encourage and strengthen universal respect for and observance of all human rights and fundamental freedoms for all without any distinction as to race, sex, language or religion.

- **Article 7:** All States should promote the establishment, maintenance and strengthening of international peace and security, and to that end, the states should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, more particularly in developing countries.
- **Article 8:** States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter-allias, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicate all social injustices.
- **Article 9:** All the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole.
- **Article 10:** Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.

The right to self-determination that has been incorporated in the Declaration on the Right to Development is one of the most significant and basic collective rights. Right to self-determination encompasses the urge of the individual regarding overall development in the political, economic, social, cultural and other fields. Hence it mostly focuses on the right to development of the individual. This Declaration is considered to be very much significant in terms of the relationship between development and human rights. But for the success of this Declaration, the respect of every individual regarding the rights of other is most important. Louis B. Sohn has rightly said that the right to development "requires careful balancing of the interest of the community and of the individuals. A healthy regard for the rights of the individual is indispensable for a state's success in pursuing its right to development".

11.6 DEVELOPMENT AND RIGHTS OF INDIGENOUS PEOPLE

The Declaration on the Right to Development proclaims that "Development is an inalienable human rights entitling everyone to contribute to and enjoy the economic, social, cultural and political development". The Declaration emphasizes mostly on achieving economic, social and cultural rights on the basis of both individual and collective responsibility. The World Conference on Human Rights which was held on 14 to 25 June, 1993 reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human right. On June 25, 1993, representatives of 171 States adopted the resolution for the strengthening of human rights and to make it available for each category of individual in different circumstances. The World Summit for Social Development held in 1995 at Copenhagen underlined the primary responsibilities that a state had to bear for its own development. The Summit emphasized on over-all governance supported by strong popular commitment for the right to development. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which was adopted by the United Nations General Assembly on September 13, 2007 also highlighted several areas where more works need to be done regarding development and rights of the indigenous people. For the effective implementation of right to development, certain conditions need to be fulfilled, for instance-condition of life, condition of work etc. The Agenda for Development is an important blueprint for international development co-operation which was introduced by the former Secretary General of UNO Boutros Ghali in 1992. The main objective of the Agenda for Development is to strengthen international co-operation for development.

The issue of development rights and the rights of Indigenous People are the most debatable issue in the present day world. The International Labour Organization's Convention No 107 of 1951 has defined Indigenous People as "those which having historical continuity with pre-invasion and pre-colonial societies-consider themselves distinct from other sectors of societies now prevailing in those territories". There are millions of indigenous people in different parts of the world for whom the International Labour

Organization is the prime institutions to protect their development rights. The Convention No. 169, 1989 affirms that no state or social group has the right to deny the identity of indigenous people. Within the United Nations, the Elimination of Racial Discrimination Committee was established under Article 8 of the Convention No. 107 which basically stressed on examination of periodic reports from States Parties in order to measure the status of the people belonging to deprived communities. The oppressed and deprived people belonging to different indigenous communities are suffering from shortage of housing, health care facilities, educational opportunities, employment facilities etc. The problems of land alienation are considered to be more threatening to these indigenous people that increase serious human rights violation cases against them. In the post- cold war phenomena, the kinds of protracted social conflicts that developed in different parts of the world increases the world wide concern to think for the upliftment of these indigenous people. As a result of it, United Nations General Assembly has proclaimed the ten years starting from 10th December, 1994 as the International Decade of the World's Indigenous Peoples and the main goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous peoples. After the declaration on 10th December, 1994 as the International Decade of the World's Indigenous Peoples, the United Nations General Assembly made recommendation for observing 9th August as the International Day of Indigenous People. On 22 December, 2004, the General Assembly adopted Resolution A/RES/59/174 for a Second International Decade of the World's Indigenous People which commenced on 1 January 2005 and concluded in December 2014.

11.7 RELATIONSHIP BETWEEN DEVELOPMENT AND HUMAN RIGHTS: ISSUES AND CHALLENGES

Development Vis-a-vis Human Rights is a much-needed emerging phenomena in the present day social context. The idea of human rights gains momentum in such kind of a society where sufficient amount of developmental activities are going on. Development rights of the people always form the basis for the creation of healthy environment in terms of

protection of human rights of the civilian. But for that the unanimous consensus on the part of the government, civil society and other non-governmental forums etc. need to be developed so that a probable solution will be attainable. In the context of India, after independence the government of India made different strategies for planned economic development. By introducing income generation programmes such as Jawahar Yojana Scheme the Indian government tried to provide finances and skills for self-employment. The Government of India also introduced minimum needs programmes through which they determined to better the quality of life of the poor people. Reservation of jobs and promotion of free education are also major thrusts of planning in India. The issues like unfavourable soils, climate and destruction of environment etc ,inter linked with poverty, are also taken seriously by the Government of India in different plannings initiated since 1951.

In countries like India the majority sections of poor people belong to tribals, bonded labour, different indigenous and minority groups and all these different categories of people have failed to be a part of the developmental process. In short, we can say that these deprived people have failed to enjoy the fruits of development. This is the common problem of all the third world countries. In most cases, these problems arise in Third World countries due to the lack of awareness among the deprived sections of the people for their basic rights. But in the post- cold war period, each and every deprived categories of people develop the sense of awareness due to the spread of education and they would like to participate in the issues of social justice, secularism, human security, developmental rights etc. and accordingly they raise their voices in solving these problems at the earliest possible timeframe.

In the age of globalization, the state has gradually adopted the neo-liberal character which becomes a dilemma for the newly developed countries for their complex socio-political scenario. The development model adopted by the neo-liberal state mechanism may no longer be capable enough to do justice equally to each and every section of the society. Unequal distribution of resources, growing disparity in the income levels and rising aspirations among the landless and the deprived have found violent expressions in different parts of the world especially in the underdeveloped

regions. The upliftment of the marginalized in the Third World countries is one of the significant issues in 21st century and in this context, the relationship between development and human rights carries lots of significance. The UN Commission on Human Rights has made a close observation on this issue. But the lack of spirit and insufficiency on the part of the political regime and institutional mechanism, everything becomes futile.

In almost all the Third World countries the issues of development rights and human rights always remain in a contested domain. Since land is an important ingredient of the indigenous people's identity, the Third World countries are exhausted with this problems of land pressure due to the developmental model adopted by the neo-liberal state mechanism of these underdeveloped region. Subsequently, it becomes a burden for the institutional mechanism to satisfy these needy sections of the society and in most cases the state apparatus fails to resolve the problem for which there is every possibility of outburst of any sorts of violent activities. Displacement, land alienation, loss of forest, economic exploitation etc. remain as critical issues for the poor people in diverse socio-political context. These are the common issues that gain attention in the post-cold war world politics. Nevertheless the world community tries its level best for the transformation of backward society with sustained growth and development. Issues of different human rights norms gain significance only in the age of globalization where the state mechanism shifted paradigmatically in the path of neo-liberalism which has both problems and prospects in terms of development and human rights.



CHECK YOUR PROGRESS

Q.4: The Declaration on the Right to Development was adopted in the year ……. (Fill in the blank)

Q.5: Write briefly about any two provisions of the Declaration on the Right to Development.

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Q.6: When was the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) adopted?

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11.8 LET US SUM UP

- Human rights are those essential rights which contribute largely to the balanced growth and development of Human beings. These rights are independent, inalienable, inviolable and universal.
- Development can be considered as a process through which an institution or state mechanism in larger context transforms from a degraded situation to upgraded one with the rapid progress in each and every step of human emancipation. Development can be attained if the entire institutional mechanism becomes more capable in terms of delivering goods and services towards the people.
- Declaration on the Right to Development is a landmark development in the formulation and recognition of new human rights. This Declaration was adopted by the General Assembly of the United Nations on 4 December, 1986. This Declaration recognizes development as a comprehensive economic, social, cultural and political process which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in developmental process.
- Development Vis-a-vis Human Rights is a much needed emerging phenomena in the present day social context. The idea of human rights gains momentum in such kind of a society where sufficient amount of developmental activities are going on. Development rights of the people always form the basis for the creation of healthy environment in terms of protection of human rights of the civilian. But for that the unanimous consensus on the part of the government, civil society and other non-governmental forums etc. need to be developed so that a probable solution can be achieved.

- Issues of different human rights norms gain significance only in the age of globalization where the state mechanism shifted paradigmatically in the path of neo-liberalism which has both problems and prospects in terms of development and human rights.



11.9 FURTHER READING

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11.10 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Human rights are those essential rights that contribute largely to the balanced growth and development of human beings. These rights are independent, inalienable, inviolable and universal.

Ans. to Q. No. 2: Paul Baran

Ans. to Q. No. 3: The idea of development gained momentum especially in the 20th century. Development can be considered as a process through which an institution or state mechanism in larger context transforms from a degraded situation to upgraded one with the rapid progress in each and every step of human emancipation. Development can be attained if the entire institutional mechanism becomes more capable in terms of delivering goods and services towards the people. Hence the system must be stronger, organized, more efficient and effective for realizing proper developmental path.

J.H Mittelman, in his book "Out from under-development: Prospect for the Third World" has tried to define development as 'the increasing capacity to make rational use of natural and human resources for social ends.' Paul Baran in his book "The Political Economy of Growth" described development as 'a far-reaching transformation of society's economic, social and political structure, of the dominant organization of production, distribution and consumption.'

Ans. to Q. No. 4: 1986

Ans. to Q. No. 5: (i) According to Article 1 of the Declaration the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

(ii) According to Article 2 of the Declaration, all human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being and they should therefore promote and protect an appropriate political, social and economic order for development.

Ans. to Q. No. 6: On September 13, 2007



11.11 POSSIBLE QUESTIONS

Q. 1: Write briefly about the meaning of human right.

Q. 2: Explain the concept of development.

Q. 3: Make a note on the Declaration on the Right to Development.

Q. 4: Critically examine the relationship between development and human rights.

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UNIT 12: IDEA OF HUMAN RIGHTS IN THE GLOBAL POLITICAL ECONOMY

UNIT STRUCTURE

12.1 Learning Objectives

12.2 Introduction

12.3 State, Sovereignty and Human Rights

12.4 Human Rights as a Resistance to the Global Political Economy

12.5 Let Us Sum Up

12.6 Further Reading

12.7 Answers to Check Your Progress

12.8 Possible Questions

12.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- explain the concepts of state, state sovereignty and the most core component of human development- human rights
- examine how state sovereignty and human rights are restrained to each other
- analyse how human rights create obstacle in the path of global political economy.

12.2 INTRODUCTION

In the previous units we have discussed various issues associated with the concept of human rights. The concept of state is also an important aspect related with human rights. In modern time, the state has an important role in creating an environment in which each and every one can enjoy human rights. However, in the present context with the emergence of ideas, like globalization, privatization, the concept of human rights is also been affected. In this unit, we shall discuss various issues associated with human rights in global political economy.

12.3 STATE, SOVEREIGNTY AND HUMAN RIGHTS

As we have discussed earlier that Human Rights are the rights of human beings and it is inherent and inalienable and human beings are entitled to them by birth. On the other hand, state sovereignty means the sovereignty of a state where a state is totally sovereign and free from external threats and have exclusive control over all people and property within its territory.

The idea that the human being possesses by its nature, certain valid rights even if they do not meet or partially meet dispositions of positive legal laws has come from ancient times, being affirmed and argumented by the stoic religion as well as by the scholars who lived in all the historic times, and sometimes being inspired from the religious dogma, and other times only from the light of ration. It is said that human rights are the rights of human beings and it can be proclaimed by the state as a legal right but not as human rights and it is also said that human rights can be defended by the sovereign state and protects the rights of its own citizens and other persons from its territory and it is also said that state aims at providing, promoting and ensuring human rights and liberties and also as defence against the abuses of these rights. Transposed in the legal framework, the concept of human rights firstly designates a man's subjective rights which define its position in relation to public power but it also represents a veritable legal institution, a set of internal and international legal norms which target as regulatory aim the promoting and ensuring of human rights and liberties, his defence against the abuses of the state and perils of any nature. Through various international conventions in the field of human rights, the states principally are compelled not towards other states but to individuals who are the beneficiaries of the international regulations. Earlier, human rights have been considered to form a legal institution of the public international law. But in the present time one may affirm that a distinct branch of the international law already exists and the international regulations in this field forming the international law of human rights. The international law

of human rights represents a distinct legislative assembly like the Law of Treaties, Law of the Sea, Diplomatic Law, etc. which is being governed by the fundamental principles of international law, with certain specific characteristics.

However, it would be worth mentioning that both 'state sovereignty' and 'human rights' are complex and contested concepts. The definitions of both the concepts, their comparative importance and inviolability are contested. Human rights are interpreted to mean vastly different things to different people and group. According to the natural law school of thought centred around human rights, all humans share some significant 'human nature' and therefore, there are somethings that are valuable for, and somethings that are harmful for every human being. Therefore, all human beings have the right to the things that are universally valuable, and the right to avoid things that are universally harmful. It is however often disputed that if one is truly in possession of human rights or if there is no formal or legal recognition of such rights when often human rights are violated. The deliberative school of thought centred around human rights conceives human rights as 'political values' that the liberal societies choose to adopt. This should be done through agreement to the Universal Declaration of Human Rights (UDHR) and also through ratification of various international human rights treaties for instance. In fact, human rights exist only when they are agreed upon and codified by international and domestic law. Human rights in fact must fit closely the deliberative school of thought and refer to the set out in the global human rights framework, that is, the Universal Declaration of Human Rights (UDHR) and also associated international treaties and covenants which very well guide and govern the ways in which human beings should be treated.

State sovereignty is the idea that each nation-state should not interfere in the affairs of another nation-state, should be free from interference by other nation-states and states have supreme authority and independence. After the World War I and the World War II , the UN Charter strengthened the existing international system based on the sovereign equality of the

states so as to protect the states from violent intervention from antagonistic external forces and by extension protect the human rights of citizens.

However, due to state sovereignty all people cannot enjoy the rights in every state. It can be enjoyed at national level only if there is strong sovereign state and the state can guarantee the human rights at a national level. State sovereignty can also sometimes greatly hinder global enforcement and implementation of human rights. Sovereign states create not only international norms for the protection of human rights, but also determines the process of their implementation or even non-implementation according to their sovereign will. Moreover, human rights are the universal rights but these rights cannot be enjoyed by the people if the people are not free from the state intervention in negative manner. Some claims that sovereignty represents an outdated political and legal phenomenon, a residue of competency left to the states by international law of human rights and in acceptable dogma.

State sovereignty is the ability of a nation state to make law for its citizens without external interference. The impact that state sovereignty on human rights influences whether there is recognition, protection or enforcement of such rights.

Although in some extent state sovereignty promotes human rights, but in reality the co-existence of human rights and state sovereignty has not been easy. Any promotion of universal human rights by international community is a restraint on sovereignty. Sovereign states not only are creating the international norms for the protection of human rights but also are determining the process of their implementation or non-implementation according to their sovereign will.

Respecting state sovereignty effectively means that any tangible human rights enforcement mechanism must come from state's own domestic legal system meaning in turn that in cases where a state ignores or itself carries out human right abuses, the principle of state sovereignty comes into conflict with any possibility for resolution.

From the above discussions we can conclude that state sovereignty and the concept of human rights are restrained to each other, however, state sovereignty protect the human rights in its own territory.



CHECK YOUR PROGRESS

Q.1: What is meant by human rights?

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Q.2: What is state sovereignty?

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12.4 HUMAN RIGHTS AS A RESISTANCE TO THE GLOBAL POLITICAL ECONOMY

Human rights is an important concept in contemporary time. It is the rights of human beings and every man can enjoy it irrespective of sex, race, religion, language, caste, creed, etc. It protects the rights of human beings. Human rights are a product of the immediate aftermath of the World War II and they developed in their contemporary form in the context of the Cold War. The philosophical and political roots of human rights date back to the seventeenth and eighteenth centuries and some says even further to the Stoics of Ancient Greece. Globalisation too has unfolded mainly in the late 20th century and has reached a prominence in the post- Cold War context. In fact, globalization has been described as the most 'over used' and 'under specified' term in the international policy sciences since the end of the Cold War.

International Political Economy (IPE) also known as Global Political Economy (GPE) is that field that deals with the interaction between political and economic forces. Its central focus have always been questions of human welfare and how these might be related to state behaviour and

corporate interests in different parts of the world. There is however a side-effect of this and it is the relative neglect of non-elites and too often missing recognition of ordinary individuals. Human rights is in fact in trouble in the context of globalization specifically in the context of economic globalization which received a great attention from Global Political Economy.

There is a growing level of economic interconnection between two national economies, for example, in the form of more external trade or foreign investment which is an important aspect of economic globalization. During the past two decades, globalization had concerned on unprecedented growth in international non-governmental organizations and global social movements and together these groups are often described as comprising the new 'global' civil society. True economic globalization however, involves a qualitative shift towards a world economy that is no longer based on autonomous national economies, rather it is based on a consolidated global market place for production, distribution and consumption and which sometime ignores the concept of human rights and give more importance to the production and distribution in a large scale.

It is also said that increasing economic competition between the forms in the world creates economic war which may create problems in universalisation of human rights. The states are now concentrating more on development by raising production and market. For that reason they have been trying to produce the product anywhere and use the resources from anywhere and sell their production anywhere which has made the states developed. But it is not development because in this race they have failed to think about the rights of family and individual. In this context of globalization, we can say that human rights now is in trouble.

It is said that increasing concept of market and economic liberalization has been creating trouble in the context of nation states. It is seen that westphalian nation states are becoming too small for something

and too big for other things in an era of globalization resonates with many economic liberals. Now, nation-states are pressurized by the economic liberals and in the sense that globalization creates cross- border activities which are no longer able to control their own issues, such as global economic transactions and environmental problems also may create problems to control the activities done against the human rights which may create a resistance to the concept of human rights.

It is also seen that in the continued process of economic globalization, nation states have lost substantial power over the economy. However, the continued process of economic globalization requires the political framework provided by nation states in particular. It requires the military territorial power of an enforcer which will increase the possibility of war and which again will create problem in the development if human rights education and will fail to provide protection to the common men.

In short, we can say that globalization is a form of capitalism because economic globalization will not benefit the impoverished masses of developing countries nor will it improve the living standard of the poor in highly industrialized country as it perpetuates capitalist class domination and exploitation of poor people around the world. If we see there is no equality in the world then we can definitely say that human rights is in trouble in the world.

From the above discussion we can say that Global Political Economy acts as a resistance to the concept of human rights which are essential for survival of every human being.



CHECK YOUR PROGRESS

Q.3: What is economic globalization?

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Q.4: Is globalization a form of capitalism?

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Q.5: What is International Political Economy?

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12.5 LET US SUM UP

- State sovereignty is the ability of a nation state to make law for its citizens without external interference. The impact that state sovereignty has on human rights influences whether there is recognition , protection or enforcement of such rights.
- State sovereignty is the idea that a nation-state should not interfere in the affairs of another nation-state. It should be free from interference by other nation-states and states should have supreme authority and independence. After the World War I and the World War II, the UN Charter strengthened the existing international system based on the sovereign equality of the states so as to protect the states from violent intervention from antagonistic external forces and by extension protect the human rights of citizens.
- Human rights may become a threat to the state sovereignty because if we give enormous importance to the humanity and human rights then it may become a threat for the sovereign state as it crosses the national boundary of a state without any permission which affects the sovereignty of other states.
- Increasing economic competition between the states creates economic war in the globe which may create problems in universalisation of human rights.
- Globalization is a form of capitalism because economic globalization will not benefit the impoverished masses of developing countries nor will it improve the living standard of the poor in highly industrialized country as it perpetuates capitalist class domination and exploitation of poor people around the world

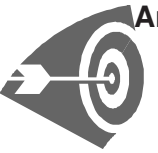


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12.7 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Human rights is an important concept in contemporary time. It is the rights of human beings and every individual can enjoy it irrespective of sex, race, religion, language, caste, creed, etc.



Ans. to Q. No. 2: State sovereignty means the sovereignty of a state where a state is totally sovereign and free from external threats and have exclusive control of all people and property within its territory.

Ans. to Q. No. 3: Economic globalization involves a qualitative shift towards a world economy that is no longer based on autonomous national economies rather it is based on a consolidated global market place for production, distribution and consumption and which sometime ignores the concept of human rights and give more importance to the production and distribution in a large scale.

Ans. to Q. No. 4: Yes, globalization is a form of capitalism.

Ans. to Q. No. 5: International Political Economy (IPE) also known as Global Political Economy (GPE) is that field that deals with the interaction between political and economic forces. Its central focus have always been questions of human welfare and how these might be related to state behaviour and corporate interests in different parts of the world.



12.8 POSSIBLE QUESTIONS

Q. 1: Define human rights and state sovereignty.

Q. 2: What is globalization?

Q. 3: What is Global Political Economy?

Q. 4: Discuss briefly How human rights and state sovereignty related to each other.

Q. 5: Discuss how human rights act as an obstacle to global political economy.

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UNIT 13: ENVIRONMENT AND HUMAN RIGHTS

UNIT STRUCTURE

13.1 Learning Objectives

13.2 Introduction

13.3 What is Environmental Degradation

13.4 Causes and Measures to Stop Environmental Degradation

13.5 Interconnection between Human Rights and Environment

13.6 Let Us Sum Up

13.7 Further Reading

13.8 Answers To Check Your Progress

13.9 Possible Questions

13.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- examine the concept of environmental degradation
- explain the causes of environmental degradation and measures adopted to mitigate the problem
- discuss the steps taken by different organizations to control it
- analyse the inter winged relationship between human rights and environment.

13.2 INTRODUCTION

In the present time the problem of environmental degradation has become a major issue. Various activities of human being have led to destruction of our eco system. While enjoying our right we must be careful that other creatures in this earth are not deprived of their own right and freedom. In this unit we are going to discuss various human rights issues associated with the problem of environmental degradation.

13.3 WHAT IS ENVIRONMENTAL DEGRADATION

Environmental degradation refers to the deterioration of the environment through depletion of resources such as air, water and soil. It has been happening due to various human activities. Human beings are destroying the basic structural components of environment for their personal and selfish interests. Such activities bring unexpected change to all biological communities of the nature. Environmental degradation is one of the ten threats officially cautioned by the High Level Panel on Threats, Challenges and Change of the United Nations. The United Nations International Strategy for Disaster Reduction defines environmental degradation as "the reduction of the capacity of the environment to meet social and ecological objectives and needs".

Adverse and rapid changes of our environment are a serious concern of today's world. The ecosystems of the environment, which are the basic necessities of life, are disturbed by human activities. Such harmful activities affect the existence of some species. Prime causes of extinction of some species are given below:

- Rapid deforestation
- Use of wetland to create more agriculture land
- Pollution from industries and waste from urban settings
- Disaster either by natural process or by human activities
- Water pollution, air pollution, soil pollution, and noise pollution
- Mining
- Use of pesticides in farms
- Land sliding

13.4 CAUSES AND MEASURES TO STOP ENVIRONMENTAL DEGRADATION

Some of the causes of environmental degradation are discussed below:

- **Deforestation:**

  Deforestation means the removal of a forest from land which in turn is converted to a non forest use. Environmental degradation due to

deforestation cause micro-climatic change, increase in temperature and decrease in humidity and rainfall, soil erosion, loss of soil fertility, frequent floods, landslides etc. Some major causes of deforestation are- growth of population, extreme industrialization, various developmental activities which need extensional development, inspiring men for thoughtless activities such as deforestation, cutting down of trees to be used for building or to be sold as fuel etc.

The most concentrated deforestation occurs in tropical Rainforests. It has adverse impacts on bio sequestration of Carbon Dioxide. Deforested regions typically incur significant adverse soil erosion and frequently degrade into wasteland. Between 2000 and 2012, around 2.3 million square kilometres of forest around the world were cut down. Surprisingly enough, more than 3.6 m hectares of virgin tropical forest were lost in 2018.

- **Water pollution:**

Water pollution in general means distortion of natural composition of water through some unusual composition which makes water unfit for human consumption and for other household day to day purposes. World Health Organization (WHO) has defined water pollution as any foreign material either from natural or other sources which may contaminate the water supply and make it harmful to life. Affect of water pollution on living being is very severe. Some of the sources of water pollution are:

(a) Municipality and industrial discharge pipes

(b) Agriculture run off

(c) Acid rain

(d) Natural pollution due to aerial contaminants entering the water body due to rainfall or melting of ice. Decaying of plants, animals and organic matter; lactates from animal excreta introduce micro-organisms in water.

(e) Mining pollution of water is due to fines or tailing from one washing, inert suspended solids, soluble toxic material and acid drainage.

(f) Accidental spillage of chemicals during leading and transit and accidental leakage from industrial storage tanks, oil refineries etc.

Some of the measures to prevent water pollution can be mentioned as follows:

(i) Domestic and municipal effluents should be properly checked before pouring out to the water bodies.

(ii) The waste matter passing through sewers can be mixed with soil to increase its fertility.

(iii) Domestic waste water is very much useful for horticulture and should be used.

(iv) We should keep clean the sources of drinking water and its nearby areas.

(v) We should maintain restrictions while using pesticides in agriculture.

(vi) Industrial management authorities should follow strict regulations not to discharge highly toxic water in to water bodies

(vii) Awareness campaign among the people about the danger of water pollution will help a great deal.



CHECK YOUR PROGRESS

Q.1: What is environmental degradation?

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Q.2: Mention any two sources of water pollution.

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Q.3: Mention any two causes of deforestation.

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- **Air Pollution**

Air is a mixture of gases, moisture and some other inert materials. Air contains both oxygen and carbon dioxide. Oxygen is essential for human beings and animal and carbon dioxide for plants. The presence of harmful and odd things in the air disturb the whole atmospheric system of the earth. Air pollution is basically the presence of foreign substances in air in excessive concentration which adversely affects the lives of the living beings. The earliest pollutants noted in the atmosphere were of natural origin such as smoke, fumes, ash and gases from volcanoes and forest fires, or sand and dust from windstorms, or any other natural sources. According to World Health Organisation , air pollution is "substances put in to air by the activity of mankind in to concentration sufficient to cause harmful affect to his or her health, vegetables, property or to interfere with the enjoyment of his or her property". Indian Standards Institute defines air pollution as, "Air pollution is the presence in ambient atmosphere of substance, generally resulting from the activity of man, in sufficient concentration, present for a sufficient time and under circumstances which interfere of persons or with the full use or enjoyment of property".

Causes of air pollution are divided into primary pollutant and secondary pollutant. Pollutants that are created by human activities or by natural events are called primary pollutants. Primary pollutants may be divided into two sources as- Natural sources and Man made sources. Natural sources are - dust, gases from metallic mines, polluted gases, smoke from forest fire , certain hydrocarbons called terpenes that are released from forest trees in the air. Man made sources are - industries, factories, urban centres, aircraft, nuclear experiments are mainly the man made sources that pollute air. For instance,

(a) Metals: combustion of solid waste is a source of air pollution. It is mostly produced by metallurgical process, automobiles, sea spray etc. Solids waste chiefly includes lead, nickel, arsenic, beryllium, tin etc.

(b) Hydrocarbons: Combustion of hydrocarbon fuels like benzene, liquid, hydrogen, petroleum products coal, organic, soil like peat and wood etc. pollute the air.

Secondary air pollutants are those which are produced in the air by the interaction among two or more primary air pollutants, or by reaction with normal atmospheric constituent, with or without photoactivation. For instance, Ozone , peroxyacetyl nitrate (PAN) , formaldehyde , formation of acid mists, smog etc.

Effect of air pollution on human health can be mentioned as follows:

(a) Nose and throat irritation caused by SO2, NOx , insecticides, pesticides etc.

(b) Eye irritation can be caused by many air pollutants such as NOx , O3, PAN, smong, perticulates etc.

(c) Gaseous pollutants like H2S, SO2, NO2 and hydrocarbons can cause odour nuisance.

(d) Irritation of the respiratory tract can be caused by SOX, NOX, O3, CO, etc.

(e) Increase in mortality and morbidity rate.

(f) A variety of particulates, especially pollens can initiate asthmatic attacks.

The following measures can be adopted to prevent air pollution-

(i) Deforestation should be stopped and afforestation program should be adopted.

(ii) Green belt restrictions need to be preserved around every township and villages.

(iii) Removal of pollutants from fuel gases through scrubbers or through other ways that make it possible to collect the pollutants before they slip away and spread in the air.

(iv) The old engines of the vehicles need to be replaced and regular services of the vehicles are necessary.

(v) Proper arrangement for pollution control by the industries should be made compulsory before granting permission for production.

(vi) Awareness programmes need to be arranged by the government periodically.

- **Noise Pollution**

Noise pollution is the propagation of noise with harmful impact on the activity of human or animal life. The "unwanted sound" may be called noise and thus, when unwanted sound is dumped into the atmosphere it may cause noise pollution. It is one of the serious threats to the quality of our environment. This is a very grave and serious problem, but in third world countries like ours there is no awareness regarding noise pollution. Decibel (dB) is used in environmental noise pollution as a measure of sound power level, sound intensity level, and sound pressure level. It is named after Alexander Graham Bell, the inventor of the telephone.

The sources of noise, in general, may be stationary sources or mobile sources. Stationary sources include industries, use of loudspeakers on various occasions like festivals, elections, worships in temples, mosques etc. Mobiles sources include road traffic, railway traffic, air traffic, navigation etc.

The impact of noise pollution are- hearing disorders and loss of hearing, interference with communication, effect on general heath and behavioural changes, loss of sleep from noise affects personal well being and job performance, general annoyance (general annoyance is felt at about 75 to 85 dB. Blood vessels get constricted, breathing rate is affected and muscle tension changes). Noise pollution leads to lack of acoustical privacy. Lack of acoustical privacy has been frequently experienced by people living in multi-storey buildings built with light weight construction materials. We should take some steps to control noise pollution, such as we can reduces noise pollution by turning off appliances, when not in use , we can

use earplugs, lowering volume, planting more trees , regular maintenance of vehicles and machines etc.

- **Soil Pollution**

Natural and synthetic materials that can adversely affect the physical, chemical and biological properties of soil and seriously affect its productivity are called soil pollutants and this phenomenon is called soil pollution. Some of the causes of soil pollution are-

(i) By agricultural practices: Agro chemicals such as fertilizers, pesticides and insecticides cause soil pollution.

(ii) By radioactive materials: Radioactive substances resulting from explosion of nuclear devices penetrate the soil and enter into food chain. Hiroshima and Nagasaki, which were bombarded in the World War II, are good examples of radioactive soil pollution.

(iii) By biological agents: It includes various biological organisms from human and animal excreta.

(iv) By industrial wastes: Disposal of industrial waste is the major reason for soil pollution.

Some of the effects of soil pollution are-

(a) Regular exposure to Benzene is known to cause leukaemia in both children and adults and exposure to Polychlorinated Biphenyls (PCBs) can cause liver cancer.

(b) Soil pollution can also cause neuromuscular blockage as well as depression in the central nervous system, headache, nausea, fatigue, eye irritation and many skin diseases.

(c) Animals are affected when they graze in polluted meadows and grazing.

(d) Living beings that consume things containing these pollutants may be poisoned.

(e) Soil pollution can also cause economic damage.

Measures to Control of soil pollution are-

(a) The control of solid waste can be done by using proper disposal methods such as composting biodegradable solid waste and so on.

(b) To control soil pollution from these sources, municipal and industrial waste waters have to be properly collected, treated and disposed-off scientifically in water bodies or on lands.

(c) Creating awareness regarding the hazards of the chemicals such as pesticides and insecticides and taking appropriate steps to check them out.

(d) Proper sanitation system should be made available to all.



CHECK YOUR PROGRESS

Q.4: State the definition of air pollution as provided as provided by the World Health Organisation.

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Q.5: What is soil pollution?

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Q.6: Write briefly about the sources of noise pollution.

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Q.7: Mention any two measures through which air pollution can be prevented.

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13.5 INTERCONNECTION BETWEEN HUMAN RIGHTS AND ENVIRONMENT

Human rights are those conditions of life that allow us to fully develop and use our human qualities of intelligence and conscience and to satisfy our spiritual needs. We cannot develop our personality in the absence of rights. According to Ernest Barker "Rights are the external conditions necessary for the greatest possible development of the capacities of the personality".

In the present time environment protection has emerged as one of the most important issue for the world community. The problem of environmental degradation has become a major threat to human life. In this context now a days right to a good and healthy environment is universally recognised as a human right. Human rights and the environment are interwinged because fundamental rights cannot be enjoyed without a safe, clean and healthy environment.

Environmental rights are consisted of substantive rights and procedural rights.

Substantive Rights: Substantive rights cover those in which the environment has a direct effect on the existence or the enjoyment of the right itself. Substantive rights consist of civil and political rights, such as the rights to life and liberty, freedom of expression ,freedom of religion ; cultural and social rights such as right to health, water, food, and culture and collective rights affected by environmental degradation.

Procedural Rights: Procedural rights include right to free, prior and informed concept, access to information, participation in decision making and access to justices.

We can study the interrelationship between human rights and environmental protection from three prime dimensions, such as-

(a) Environment is a pre-requisite for the enjoyment of human rights.

(b) Some human rights such as access to information, participation in decision making and access to justice are environmental matters.

(c) The right to a safe, healthy and ecologically balanced environment is a human right in itself.

The Stockholm Declaration on Human Environment (1972) and the Rio Declaration on Environment and Development (1992) showed the significance of the relation between human rights and dignity and the environment. The United Nations Commission on Human Rights and the United Nations Human Rights Council have drawn attention to the relationship between safe and healthy environment and the enjoyment of human rights. The Human Rights Council focused on these topics -

- Human Rights and climate change.
- Direct or indirect effects due to climate change in enjoying human rights.
- It raised awareness how fundamental the environment is as a prerequisite to the enjoyment of human rights.

The Preamble of United Nations Conference on the Human Environment stated that "man is both creature and moulder of his or her environment; which gives his or her physical sustenance and affords him or her the opportunity for intellectual , moral, social and spiritual growth. Both aspects of man's environment; the natural and man mad, are essential for his or her well being and to the enjoyment of basic human right even to right to like itself."



13.6 LET US SUM UP

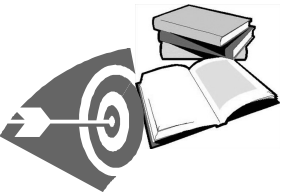
- Destruction of the basic structural components of environment such as air, water and soil is called environmental degradation.
- Some of the causes of environmental degradation are- deforestation, air pollution, water pollution, noise pollution, soil pollution etc.
- Deforestation means the removal of a forest from land which in turn is converted to a non forest use. Environmental degradation due to deforestation cause micro-climatic change, increase in temperature and decrease in humidity and rainfall, soil erosion, loss of soil fertility,

frequent floods, landslides etc. Some major causes of deforestation are- growth of population, extreme industrialization, various developmental activities which need extensional development, inspiring men for thoughtless activities such as deforestation, cutting down of trees to be used for building or to be sold as fuel etc.

- Water pollution in general means distortion of natural composition of water through some unusual composition which makes water unfit for human consumption and for other household day to day purposes. Some of the sources of water pollution are-municipality and industrial discharge pipes, agriculture run off, acid rain etc. Water pollution can be prevented by adopting some measures.
- Air pollution is basically the presence of foreign substances in air in excessive concentration which adversely affects the lives of the living beings. Causes of air pollution are divided into primary pollutant and secondary pollutant. Air pollution has adverse impact on living beings. Some of the measures to prevent air pollution are-deforestation should be stopped and afforestation program should be adopted, green belt restrictions need to be preserved around every township and villages, removal of pollutants from fuel gases through scrubbers or through other ways that make it possible to collect the pollutants before they slip away and spread in the air, proper arrangement for pollution control by the industries should be made compulsory before granting permission for production, awareness programmes need to be arranged by the government periodically etc.
- Noise pollution is the propagation of noise with harmful impact on the activity of human or animal life. The "unwanted sound" may be called noise and thus, when unwanted sound is dumped into the atmosphere it may cause noise pollution. The sources of noise, in general, may be stationary sources or mobile sources. The impact of noise pollution are- hearing disorders and loss of hearing, interference with communication, effect on general heath and behavioural changes, loss of sleep from noise affects personal well being and job performance, general annoyance etc. We should take some steps to control noise pollution, such as we can reduces noise pollution by

turning off appliances, when not in use , we can use earplugs, lowering volume, planting more trees , regular maintenance of vehicles and machines etc.

- Natural and synthetic materials that can adversely affect the physical, chemical and biological properties of soil and seriously affect its productivity are called soil pollutants and this phenomenon is called soil pollution. Some of the causes of soil pollution are- use of fertilizers, pesticides, radioactive materials, industrial wastes etc. Measures to Control of soil pollution are- control of solid waste, by creating awareness, proper sanitation system etc.
- Environment and human rights are interwinged. While enjoying the human rights we must consider the environmental matters otherwise the earth will be unfit for survival. The United Nations has also recognised the importance of a good and healthy environment in enjoying the human rights.



13.7 FURTHER READING

1. Deswal, A. and Deswal, S. (2013). *A Basic Course in Environmental Studies*. Dhanpat Rai & Co. (P) LTD.
2. Goswami, Dr. Meera Kumari. *Environmental Education and Population Education*.
3. Kidwai,A.R. *New Directions in Higher Education*. Viva Books Publications.

13.8 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Environmental degradation refers to the deterioration of the environment through depletion of resources such as air, water and soil. It has been happening due to various human activities.

Ans. to Q. No. 2: Municipality and industrial discharge pipes and acid rain.

Ans. to Q. No. 3: Growth of population and extreme industrialization.

Ans. to Q. No. 4: According to World Health Organisation, air pollution is "substances put in to air by the activity of mankind in to concentration sufficient to cause harmful affect to his or her health, vegetables, property or to interfere with the enjoyment of his or her property".

Ans. to Q. No. 5: Natural and synthetic materials that can adversely affect the physical, chemical and biological properties of soil and seriously affect its productivity are called soil pollutants and this phenomenon is called soil pollution.

Ans. to Q. No. 6: The sources of noise pollution, in general, may be stationary sources or mobile sources. Stationary sources include industries, use of loudspeakers on various occasions like festivals, elections, worships in temples, mosques etc. Mobiles sources include road traffic, railway traffic, air traffic, navigation etc.

Ans. to Q. No. 7: (a) Deforestation should be stopped and afforestation program should be adopted.

(b) Green belt restrictions need to be preserved around every township and villages.



13.9 POSSIBLE QUESTIONS

Q. 1: Write briefly about substantive rights and procedural rights.

Q. 2: Write briefly about environmental degradation.

Q. 3: What are the causes of deforestation?

Q. 4: Write about the causes and impacts of air pollution.

Q. 5: Make a note on water pollution.

Q. 6: Write about the causes and impact of noise pollution. What are the measures that can be adopted to prevent noise pollution?

Q. 7: Examine the problem of soil pollution.

Q. 8: Discuss the relationship between environment and human rights.

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UNIT 14: HUMAN RIGHTS EDUCATION

UNIT STRUCTURE

14.1 Learning Objectives

14.2 Introduction

14.3 Concept of Human Rights Education

14.4 Importance of Human Rights Education

14.5 Problems and Prospects of Human Rights Education

14.6 Let Us Sum Up

14.7 Further Reading

14.8 Answers to Check Your Progress

14.9 Possible Questions

14.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- explain the concept of Human Rights Education
- discuss the importance of Human Rights Education
- identify the different problems and prospects of Human Rights Education.

14.2 INTRODUCTION

This unit aims to provide a thorough knowledge about Human Rights Education (HRE), which is a primary condition to live a quality life at present. People should be aware of their own rights and responsibilities. The knowledge of Human Rights Education is very important for every citizen in a country. It can be defined as the education, training and information which aim at building a universal culture of human rights through sharing knowledge, imparting skills and moulding attitudes for strengthening the respect for human rights and fundamental freedom. The knowledge of Human Rights Education is very important for developing human personality, promoting fraternity and maintaining peace in the society. But promoting awareness about Human Rights and developing the right attitudes is a very challenging task. This unit

throws light on the different needs, importance and problems related to Human Rights Education. It basically aims to provide detailed knowledge about the different consequences of Human Rights Education.

14.3 CONCEPT OF HUMAN RIGHTS EDUCATION

Human Rights generally reflect the basic human needs which include equality, dignity, respect, freedom and justice. These are the basic standards without which people cannot live in dignity. These rights are held by all individuals equally and universally. These are inalienable, indivisible and interdependent by nature. Human rights are very important to live a quality life at a personal, local and global level.

Every society has developed different systems to ensure social cohesion by codifying their citizen's rights and responsibilities. In 1948 the international community developed a code of rights which would be binding on all states and thus the Universal Declaration of Human Rights (UDHR) came into existence. In the year 1993, the World Conference on Human Rights held in Vienna declared Human Rights Education as essential for promoting and achieving stable and harmonious relations among various communities and also for fostering mutual understanding, tolerance and peace among them. The General Assembly of the United Nations in 1994 declared the UN Decade of Human Rights Education (1995-2004) and urged all the member states to promote "training dissemination and information aimed at the building of a universal culture of human rights".

Human Rights Education (HRE) is considered as the learning process which develops knowledge, skills and values of human rights. It is a comprehensive education which provides knowledge about human rights and the mechanisms that protect them. It imparts skills needed to promote, defend and apply these rights in day-to-day life. Human Rights Education fosters the attitudes and behaviour of individuals, which are needed to uphold the rights of all members of society. It can be defined as a culture where everyone's rights are respected; where individuals understand and realize their various rights and responsibilities; recognize violations of human rights and take action to protect the rights of others whenever necessary.

The Indian Constitution has also incorporated a number of human rights in its Preamble. It has set up various national institutions for promoting and protecting the interest of the most vulnerable sections of the society such as the National Commission for Scheduled Caste (SC)s and Scheduled Tribes (ST)s, National Commission for Women and the Minorities Commissions and the National Human Rights Commission in 1993 etc. The Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of State Policy are the concrete steps towards the realization of human rights made by the Constitution of India. In India, the protection of freedom and liberties of individuals are emphasized in Fundamental Rights and Directive Principles of State Policy. In India, the provisions in Constitution which safeguard human rights are:

- Article 14: Ensures equality before the law.
- Article 15: Ensures non-discrimination on the ground of religion, race, caste, sex, and place of birth.
- Article 16: Provides equality of opportunity.
- Article 19: Ensures freedom of speech, expression, assembly, association, movement, residence, acquisition, and disposition of property, the practice of any profession, carrying out any occupation, trade, or business.
- Article 23: It prohibits traffic in human beings and forced labour.
- Article 24: Ensures prohibition of labour for children below 14 years
- Article 25: Provides freedom of religion
- Article 28: Ensures no provision for religious instruction in any educational institution which is maintained out of State funds
- Article 29 [1]): Provides the right to conserve language, scripts, and culture
- Article 30: Ensures the right of minorities to administer educational institutions
- Article 38 [1]: Provides State guarantee of social order
- Article 39: Ensures adequate means of livelihood, equal pay for equal work for both men and women, non-abuse of the health of the

worker, opportunity for children to develop in a healthy manner with freedom and dignity.

- Article 41: Ensures the right to work, education, and public assistance in specific cases.
- Article 45: Promotes provision for free and compulsory education of children up to 14 years of age, and
- Article 46: Ensures education and economic development of scheduled castes, scheduled tribes, and other weaker sections of society.

There are basically three dimensions of promoting Human Rights education:

a. Knowledge: It deals with providing information about human rights and the different ways to protect those rights.

b. Values, beliefs and attitudes: It is about promoting the 'human rights culture' by developing these processes.

c. Action: It is about encouraging people to defend human rights and prevent various challenges related to it.



CHECK YOUR PROGRESS

Q.1: When was the UDHR adopted?

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Q.2: Which Article of the Indian Constitution promotes free and compulsory education?

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Q.3: Name some national institutions for protecting the interest of the most vulnerable sections of society.

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Q.4: What are the different dimensions of promoting Human Rights Education?

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14.4 IMPORTANCE OF HUMAN RIGHTS EDUCATION

Human Rights are considered as a prerequisite for maintaining peace and development in any democratic country. The Universal Declaration of Human Rights (Article 1) states that human beings are born free and all of them are equal in dignity and rights. These basic fundamental rights are universal and the same for everyone. But, some of the problems like trafficking, sexual exploitation of women, caste conflicts etc. also lead to human rights violations. For the sake of democracy, Human Rights Education is essential. Awareness regarding different issues is required for resolving the human right conflicts. Human Rights Education imparts the skills for promoting, protecting and applying human rights in our lives. Education is a tool for creating and maintaining the idea of human rights. It also helps people to know its importance in their daily life.

Some of the needs and importance of Human Rights Education can be mentioned below:

- Human Rights Education helps individuals in understanding the concept of human rights and to incorporate this concept into their development of values and decision-making processes.
- It develops awareness about translating human rights into social and political reality.
- It helps in the development of personality and sense of dignity.
- Human Rights Education promotes understanding, tolerance, gender equality and friendship among all nations and groups of people.
- The knowledge of Human Rights Education helps people to participate effectively in a free and democratic society which is governed by the law of equality.

- It is the most essential element to develop and maintain peace.
- The promotion of sustainable development and social justice is never possible without the proper knowledge and implementation of Human Rights Education.
- In a country like India, for the sake of democracy and sustainable development, Human Rights Education is necessary because the violation of these rights can only be controlled with its proper knowledge.
- True knowledge of Human Rights Education produces changes in values, attitude and behaviour of the individual.
- Education for human rights empowers people to enjoy their rights and also to respect and uphold the rights of others.
- Human Rights Education contributes directly to improving the lives of both individuals and the community.
- Human Rights Education plays an important role towards promoting and protecting all human rights in order to secure a complete and universal enjoyment of these rights which cannot be fulfilled without mass awareness and the sensitivity towards the issues related to human rights.
- A civilization can only know about its rights through education and hence the knowledge of Human Rights Education is the most important tool to protect it.



CHECK YOUR PROGRESS

Q.5: Education is an important tool to bring awareness about human rights. (True/ False)

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Q.6: What is the most essential element to develop and maintain peace?

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Q.7: Give any two examples of human rights violations.

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Q.8: Mention any two needs and importance of Human Rights Education.

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14.5 PROBLEMS AND PROSPECTS OF HUMAN RIGHTS EDUCATION

The Human Right to Education was established in the Universal Declaration of Human Rights (1948). Article 26 of the Universal Declaration specifies the Right to Education which sets the aims of all activities related to education and defines the principle of having free educational choice. In the year 1993, The International Congress on Education adopted a Plan of Action of Education and Human Rights and Democracy in Montreal (Canada) for rights and democracy. It emphasized that Human Rights Education must be considered as a culture in democracy and teaching of human rights and democracy should be included at all levels of school curricula. United Nations (UN) considers education as a constitutional right of all children and adults irrespective of their gender, ethnic, social, cultural, religious, linguistic or any other disparities.

Various Education Commissions and Educational Policies in India also have articulated the importance of rights to education for reforming and developing education in India. In 1985, the University Grants Commission (UGC) prepared a blueprint for promoting human rights teaching and research for students of both professional and nonprofessional education of all faculties at the undergraduate, graduate and post-graduate levels. It included proposals for the restructuring of the syllabus and introducing new courses in Human Rights. A few universities introduced some courses on Human Rights in the departments of Law and Political science primarily. But the scope of research in this field was very limited.

The modern era is considered as the era of democracy where human rights are the most essential conditions for bringing peace and development.

In a democratic country like India, human rights cannot be thought of without education. To run democracy smoothly it is very important to incorporate human rights in the field of education. University Education Commission states that education is the most important instrument of social emancipation through which a democracy establishes, maintains and protects the spirit of equality among the citizens. Education serves as a booster for imposing the Fundamental Human Rights among the members of a nation. In India, the National Human Rights Commission plays an important role in promoting 'human rights awareness' and spreading 'human rights literacy'.

Human Rights Education helps in acquiring knowledge about different human rights and their needs and importance to live a life with peace and dignity. It also encourages taking action to promote and protect their rights and also the rights of others on a different individual, local, national and international levels.

In 1980, UGC appointed the Sikri committee to consider and report on the different ways and means for promoting Human Rights Education in India. The committee suggested inculcation of values without marks weightage at the school level. At the college level, it was suggested that all disciplines should include topics related to human rights. At present, Human Rights Education is an important part of many university programmes including certificate courses, diplomas, postgraduate diploma, master degree programmes etc. The National Law school of India, Bangalore offers a full course on Human Rights for the Bachelor of Laws (LL.B) degree. In the Department of Political Science of many Indian universities, Human Rights Education is a limited part of the course on the constitutional and political development of India and international politics. Again, in some universities, it is a part of some other branches of study like Sociology, Economics, Modern Indian history etc. Specialization in Human Rights Education is also given in some departments of law at post-graduate level. But, no university offers a Master of Laws (LL.M.) degree exclusively in human rights law in India. Master degree course is also provided by some universities on human rights through distance mode. A few universities have introduced a one-year postgraduate diploma course in human rights.

Indira Gandhi National Open University (IGNOU) has also introduced Human Rights as a subject in its curriculum. But the development of research in this field is not satisfactory yet. Only a few dissertations and theses can be seen on human rights. The UGC has also made provisions to provide financial assistance to different universities and colleges for the development of some specific courses in human rights.

The status of Human Rights Education is developing gradually. But, it is not an easy task. It has to face many difficulties and challenges in order to make people aware of the necessity of Human Rights Education. Without the proper knowledge of the rights of a citizen, it is just impossible to develop a peaceful nation. Again, for the sake of democracy and sustainable development, especially in a country like India, Human Rights Education is an essential condition. Some of the major challenges related to Human Rights Education can be discussed below:

- **Illiteracy:** The primary condition to understand and realize the rights related to education is literacy. But, when most of the citizens are illiterate, it is never possible to promote Human Rights Education. For example, the major population of India resides in villages without sufficient educational support. In such a situation, the development of Human Rights Education is very challenging.
- **Poverty:** Promotion of Human Rights Education is impossible in a country where people fight every day to satisfy their basic needs of life. Poverty is a major obstacle in the promotion and development of Human Rights Education.
- **Lack of awareness:** To utilize human rights properly, awareness among the citizens is very essential. If the members of any country are not even aware of their rights and responsibilities, Human Rights Education faces many difficulties.
- **Insufficient research work:** To know the prospects and obstacles of Human Rights Education from its roots it is necessary to conduct research in this field. Only research can provide a clear picture of the current status and it may also provide some basic ideas to solve different problems related to Human Rights Education.

- **Improper plans and policies by the government:** The government should make proper plans and policies to utilize the knowledge of Human Rights Education. Improper and unstructured policies cannot reach the common people of the country. The government must take all responsibilities to implement the knowledge of Human Rights Education and developing the attitude of common men towards it.
- **Gender inequality:** Preference of male over female is another major obstacle in the way of developing Human Rights Education. Women should be equally treated to get all knowledge and facilities for implementing Human Rights Education. They should also be encouraged for developing different skills related to it.
- **Lack of professional attitude:** Lack of professional attitude towards the subject is a major challenge towards its development. To make it popular among people and utilize their knowledge properly, people should be trained professionally.
- **Unstructured curriculum:** Unattractive and unstructured curriculum always fails to connect the desired section of students. Distance from real life, the absence of trending topics, lack of practicability and activity, book-oriented education etc. are major failures of any curriculum.
- **The absence of skilled teachers:** Human Rights Education cannot be taught only through traditional teaching. It should promote awareness among people and also develop their skills and attitude towards it. Hence, teachers must be trained professionally for this. Teachers who are no skilled enough can never promote Human Rights Education.
- **Violation of Human Rights:** Before developing Human Rights Education, first care should be taken to stop human rights violations such as trafficking, sexual and commercial exploitation of women, religious violations, caste-based violations etc. Democracy can never run smoothly if human rights are violated. Protection of human rights is the basic condition for the development of Human Rights Education.

Besides the above-mentioned problems, the Human Rights Education also faces many other obstacles. For example, apathy in women empowerment, insufficient infrastructure facilities of the school, lack of fund, ignoring the weaker section of the society, underutilized knowledge and skills, low status of working conditions of people, distance from local people and their lives, outdated teaching methods, absence of proper examination and evaluation etc. are some of the major challenges of Human Rights Education. In a country like India, where the majority of the population is illiterate, Human Rights Education must not be linked to formal education only. Those illiterate people also have the right to know their own rights. The government should frame policies and programmes on the basis of their needs and situations too. Some techniques like street play, documentary films, drama, media, posters, awareness programs etc. can be applied for promoting Human Rights Education. Use of mother tongue while providing instructions related to human rights may make people more prompt about their values, rights and responsibilities. Financial support should be made available to different institutions for the development of specific courses in human rights. Human Rights Education should be given a rightful place in the curriculum, textbooks, supplementary reading materials, educational policies, and attitudes of teachers and policymakers. The observation of World Human Rights Day on 10th December every year may also help to create awareness among students, parents and the community. It is high time when people should realize the importance and needs of Human Rights Education. It should come to the forefront of international consciousness and fulfil its responsibilities as a preventive tool for controlling human rights violations.



CHECK YOUR PROGRESS

Q.9: Which Article of the Universal Declaration specifies the Right to Education?

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Q.10: When did UGC appoint the Sikri Committee?

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Q.11: In 1985, ... prepared a blueprint for promoting human rights teaching and research. (Fill in the Blank)

Q.12: Name some major challenges of Human Rights Education.

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14.6 LET US SUM UP

- The World Conference on Human Rights (1993) declared Human Rights Education as essential for promoting and achieving stable and harmonious relations among various communities.
- Human Rights Education is considered as the learning which develops knowledge, skills and values of human rights. It is a comprehensive education which provides knowledge about the mechanisms to understand and protect human rights.
- Different articles are framed in the Indian Constitution to control human rights.
- There are three dimensions of promoting Human Rights education- Knowledge; Values, beliefs and attitudes; Action.
- To run democracy Human Rights Education is essential. Awareness regarding different issues is required for resolving the human right conflicts.
- United Nations (UN) considers education as a constitutional right of all children and adults irrespective of their gender, ethnic, social, cultural, religious, linguistic or any other disparities.
- In 1985, the University Grants Commission (UGC) prepared a blueprint for promoting human rights teaching and research for students at all levels.
- National Human Right Commission plays an important role in promoting 'human rights awareness' and spreading 'human rights literacy' in India.

- In 1980, UGC appointed the Sikri Committee to consider and report on the different ways and means for promoting Human Rights Education in India.
- Human Rights Education faces different obstacles like illiteracy, poverty, gender inequality, unattractive curriculum, insufficient infrastructure facilities of the school, lack of fund, underutilized knowledge and skills, distance from local people and their lives, outdated teaching methods, the absence of proper examination and evaluation etc.
- International consciousness is essential for bringing the development of Human Rights Education. Human rights violations can only be controlled through education.



14.7 FURTHER READING

1. Kurvey, B. (1999). *Human Rights Education in India: Needs and Future Actions*. Vol. II.
2. Mahaparta, N. (2012). *Role of Education in Promotion and Protection of Human Rights*. Odisha Review, pp. 26-30.
3. Panda, P. (2001). *Human Rights Education In Indian Schools: Curriculum Development. VOL. IV.*
4. Sharma, M.C. (2002). *Human Rights Education in Indian Universities and Colleges. VOL. V.*
5. Thilagavathy, T. and Kuchy, Sheeraz Ayoub. (2016). *Human Rights Education in India: Importance, Present Status and Future Actions*. Asia Pacific Journal of Research, Vol: I. Issue XXXVI, ISSN: 2320-5504.

14.8 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: In 1948

Ans. to Q. No. 2: Article 45, Directive Principles of State Policy

Ans. to Q. No. 3: The National Commission for SCs and STs, National Commission for Women and the Minorities Commissions, the National Human Rights Commission in 1993 etc.

Ans. to Q. No. 4: There are three dimensions of promoting Human Rights education:

a. Knowledge

b. Values, beliefs and attitudes

c. Action

Ans. to Q. No. 5: True

Ans. to Q. No. 6: Human Rights Education

Ans. to Q. No. 7: Trafficking and sexual exploitation of women.

Ans. to Q. No. 8: (i) True knowledge of Human Rights Education produces changes in values, attitude and behaviour of the individual.

(ii) Education for human rights empowers people to enjoy their rights and also to respect and uphold the rights of others.

Ans. to Q. No. 9: Article 26 of the Universal Declaration specifies the Right to Education.

Ans. to Q. No. 10: In 1980

Ans. to Q. No. 11: UGC

Ans. to Q. No. 12: Illiteracy, poverty, gender inequality, unattractive curriculum, insufficient infrastructure facilities of the school, lack of fund etc.



14.9 POSSIBLE QUESTIONS

Q. 1: What is Human Rights?

Q. 2: Mention any two examples of human rights violation.

Q. 3: What is Human Rights Education?

Q. 4: Write a brief note on the needs and importance of Human Rights Education.

Q. 5: Explain the different dimensions of Human Rights Education.

Q. 6: Explain the status of Human Rights Education in India.

Q. 7: Discuss elaborately the provisions of the Indian Constitution which safeguard human rights.

Q. 8: Discuss different problems of Human Rights Education.

Q. 9: Mention some measures to control the issues related to Human Rights Education.

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UNIT 15: HUMAN RIGHTS AND HUMAN SECURITY

UNIT STRUCTURE

15.1 Learning Objectives

15.2 Introduction

15.3 Meaning of Human Rights

15.3.1 Kinds of Human Rights

15.4 Meaning of Human Security

15.5 Relationship between Human Rights and Human Security

15.6 Issues and Challenges in the field of Human Rights and Human Security

15.7 Let Us Sum Up

15.8 Further Reading

15.9 Answers to Check Your Progress

15.10 Possible Questions

15.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- discuss the meaning of Human Rights and Human Security
- explain the relationship between Human Rights and Human Security
- analyze the issues and challenges in the field of Human Rights and Human Security.

15.2 INTRODUCTION

Human rights are inherent to human being. These rights are considered to be significant for human being for their all-round development. Human rights are inalienable rights of all individual of human categories. These are the rights without which human being cannot lead a very dignified life. It was for the first time in Babylonian Laws different rights for man has been incorporated. In the context of India, during Vedic period the idea of Human Rights spread for the first time. But right from the dawn of civilization,

human being has been acquainted with natural rights, directly related with human essence. Both the idea of human rights and modern idea of fundamental rights have sprung from the doctrine of natural rights. For the realization of human rights of the people in true sense of the term, it needs to develop a close association with the concept of human security.

Human security is an emerging paradigm for understanding global vulnerabilities. Its main objective is to secure human lives from pervasive threat for ensuring human fulfillment. Human rights framework takes a legalistic approach and human security framework by utilizing a diverse range of actors, adopts flexible and issue-specific approaches. The human security framework is a valuable tool and moral goal that transforms human rights and human dignity, from vision to reality. Therefore, a broad consensus is needed for human rights education to ensure peace and human security.

15.3 MEANING OF HUMAN RIGHTS

Human rights are those rights which have been conferred by the states towards the individuals through different ways. For instance, fundamental rights incorporated in the Constitution are also a part of human rights. Every individual can avail these human rights irrespective of their caste, creed, religion, sex and nationality. These rights are inherent in each and every human being. By considering the significance of human rights for human beings, these rights can be considered in different ways such as- fundamental rights, inherent rights, natural rights, basic rights etc. Human rights as a whole embraces civil rights, civil liberties and also economic, cultural and social rights for which it is very difficult to give a precise definition of the term 'human rights'. These are the rights which all people must have by virtue of their being human. Chief Justice of India, J.S Verma has rightly stated that human dignity is the quintessence of human rights. For all-round development of the personality of the individuals in the society, human rights must be necessarily protected and be made available to every individual.

Human rights can also be described as those rights which are natural and inherent for the life and happiness of every individual. For the maintenance of human dignity, these rights are considered to be significant and indispensable as well. Human rights are inherent in our nature and it is not possible for the human being to sustain without these rights. Human rights are those essential rights which contribute largely to the balanced growth and development of Human beings. These rights are independent, inalienable, inviolable and universal.

15.3.1 Kinds of Human Rights

Under the banner of UN and especially UDHR, human rights are categorized in two categories which are known as-- 1.Civil and Political rights and 2.Economic, Social and Cultural rights.

1 **Civil and Political Rights:** The rights which are related to the protection of the right to life and personal liberty of the individual are known as civil rights. Civil rights are essential for a person to live a very dignified life. There are different civil rights for the individual such as --- right to life, liberty and security of persons, right to privacy, home and correspondence, right to own property, freedom from torture, inhuman and degrading treatment, freedom of thought, conscience and religion, freedom of movement etc. Political rights are those rights that make it conducive for the individual to participate in the political mechanism or government of a state. There are different forms of political rights which include right to vote, right to contest in election, right to conduct public affairs either directly or indirectly etc.

Both civil and political rights are included in first Covenant under UN initiative, i.e. International Covenant on Civil and Political Rights. The rights which are included in the International Covenant on Civil and Political Rights are known as First Generation Rights.

2. **Economic, Social and Cultural Rights:** These rights are known as Second Generation Rights which are enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Second Generation rights are related to the guarantee of minimum necessities of the life to human beings. These rights include right to adequate food, adequate standard of living, freedom from hunger, right to social security, right to work, right to education, right to physical and mental health etc. These rights are fundamentally based on the concept of social equality. For the realization of these rights, the institutional mechanism much become capable enough to deliver good services towards the citizen. In a democratic set-up, these rights are considered to be a primordial aspect for the individual. Therefore, sometimes these rights are also called as positive rights. Regarding economic, social and cultural rights, part 1, Article 1 of ICESCR has made necessary arrangements. The International Covenant on Economic, Social and Cultural Rights recognizes the right of all people to self-determination, including the right to 'freely determine their political status', pursue their economic, social and cultural goals.

15.4 MEANING OF HUMAN SECURITY

The term 'human security' is widely used to describe the complex inter related threats associated with civil war, genocide and the displacement of population. The Commission on Human Security (2001) outlines "Human security means protecting vital freedoms. It means protecting people from critical and pervasive threats and situations, building on their strengths and aspirations. It also means creating systems that give people the building blocks of survival, dignity and livelihood. Human security connects different types of freedoms- freedom from want, freedom from fear and freedom to take action on one's own behalf."

The traditional notion of security always deals with the idea of national security which later on ensures people's security. Therefore, an overlapping consensus is there in the whole idea of human security and national security. However such perception of security is being questioned because secured states do not automatically mean secured people. Infact, in some cases, the state mechanism which is taken for granted used to be the source of threat and insecurity.

Human Security has been interpreted in different ways. Sometimes as a global template, in some cases as a means of reducing the human costs of violent conflict and so on (Acharya.A 2001;442). The UN Development Programme (UNDP)'s 1994 Human Development Report's definition of human security argues that the scope of global security should be expanded to include threats in seven areas. It includes- Economic Security, Food Security, Health Security, Environmental Security, Personal Security, Community Security and Political Security.

In the words of Kofi Annan, "Human Security in its broadest sense embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and healthcare and ensuring that each individual has opportunities and choices to fulfill his or her potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear, and the freedom of future generations to inherit a healthy natural environment- these are the interrelated building blocks of human- therefore human security."

The Commission on Human Security which was formed in 2000 UN Millennium Summit also defined human security as "protecting fundamental freedoms- freedoms that are the essence of life. It means protecting people from critical (severe) and pervasive (widespread) threats and situation. It means using processes that build on people's strengths and aspirations. It means creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity." So, human security is a very comprehensive concept which includes security of all individuals and groups against every kind of threats. It emphasizes on security of people in their daily lives.



CHECK YOUR PROGRESS

Q.1: Write briefly about the meaning of human rights.

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Q.2: State the meaning of human security.

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Q.3: Mention any two economic rights.

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15.5 RELATIONSHIP BETWEEN HUMAN RIGHTS AND HUMAN SECURITY

Human security is indebted to the human rights tradition. The development of human security model can be seen to have drawn upon ideas and concepts fundamental to the human rights tradition. Both approaches use the individual as the main referent and both argue that a wide range of issues i.e. civil rights, cultural identity, access to education and healthcare are fundamental to human dignity. A major difference between the two models is in their approach to addressing threats to human dignity and survival. While the human rights framework takes a legalistic approach, the human security framework, by utilizing a diverse range of actors, adopts flexible and issue-specific approaches, which can operate at local, national or international levels.

The nature of the relationship between human security and human rights is contested among human security advocates. Some human security advocates argue that the goal of human security should be to build upon

and strengthen the existing global human rights legal frame work. However, other advocates view the human rights legal framework as part of the global insecurity problem and believe that a human security approach should propel us to move above and beyond this legalistic approach to get at the underlying sources of inequality and violence which are the root causes of insecurity in todays' world.

Human Rights Education must be offered to all human beings without any discrimination. The principles of the Universal Declaration of Human Rights categorically state that children should enjoy special protection and be given opportunities and facilities to enable them to develop. They also reiterate that the children are entitled to the benefits of social security and to education and that they should be protected from neglect, cruelty and exploitation.

Political security which was expressed by Mahbub ul Haq in exploring the concept of Human Security is concerned with whether people live in a society that honours their basic human rights. According to a survey conducted by Amnesty International that political repression, systematic torture, ill treatment or disappearance is still practised in 110 countries. Human rights violations are most frequent during periods of political unrest. Along with repressing individuals and groups, governments may try to exercise control over ideas and information. Violations of human rights ultimately galvanize the post-conflict situation. Emergence of Human Rights Education as an academic discourse plays a significant role in realizing the norms of human rights as well as the paradigms of human security. Peace is considered to be a situated concept. To ensure Perpetual Peace as stated by Immanual Kant on long term peace process of development of Human Rights Education through human security framework need to be accelerated.

In different occasions, structural violence often culminates in violent conflict or direct form of violence including family violence, racial violence, hate crimes, terrorism, genocide and war. By educating the people in terms of human rights knowledge, a peaceful situation can be established in a

society prone to conflict induced violence. The non-traditional dimension of security paradigm helps in exploring the nuances of peace by developing awareness in the field of human rights of the common civilian.

15.6 ISSUES AND CHALLENGES IN THE FIELD OF HUMAN RIGHTS AND HUMAN SECURITY

All the post 9/11 events undermine the issues of human rights and human security. We need to respect both the issues human rights and human security along with national security concern. Prof. Mahbub ul Haque introduced the very concept of human security by broadening the scope and parameters of security away from traditional state security. According to Lloyd Axworthy, "Human security is in essence, an effort to construct a global society where the safety of the individual is at the centre of the international priorities and a motivating force for international action; where international human rights standards and rule of law are advanced and woven into a coherent web protecting the individual; where those who violate these standards are held fully accountable; and where our global, regional and bilateral institutions- present and future- are built to enhance and enforce these standards."

Since human rights have been described as the core of human security, so by creating the environment to respect human rights of each and every individual, effort has to be made to shape a new, holistic approach to understand human security issues.

A dilemma arises between human right and human security, because there are lots of violation of Human Rights cases are going on in the name of security. In the name of establishment of peace and security i.e human security, lots of states sponsored violent activities are gradually increases. For example, the human rights abuse cases of Manipur, Kashmir, Punjab etc.

In Manipur, the torture, rape and extra judicial killing in July 2004 of 32 year old Thangjam Manorama by members of the Assam Rifles became an emblematic case of abuses committed in the North East under the Armed Forces (Special Powers) Act (AFSPA).

In September 2006, Human Rights Watch, another leading international human rights group released a 150-pages report titled, "Everyone lives in Fear: Patterns of Impunity in Jammu and Kashmir" threw light on numbers of cases of killings, disappearances, torture, arbitrary detentions etc. which in the long run culminated in gross human insecurity.

Kofi Annan, the former Secretary General of the United Nations, pointed to the relationship between human rights, national security and human security in the context of the fight against terrorism-"We should all be clear that there is no trade-off between effective action against terrorism and the protection of human rights. On the contrary, I believe that, in the long term, we shall find that human rights, along with democracy and social justice, are one of the best prophylactics against terrorism.

In the whole development model initiated by the Indian government, the peripheral regions face a lot of trouble due to the unequal distribution of resources. Apart from the developmental deregulations, the north eastern India in general and Assam in particular is experiencing political instability due to the problem of insurgency since the time of India's independence. Security has been the primary problem of Indian State since the dawn of independence and ceases to be remaining constant till date. The Indian state would like to tackle the problem of security by treating it as a military phenomenon and has failed to address the non-military dimensions of security. The traditional dimension of international politics basically analysed the concept of security from military perspective to acquire more power. From realist point of view the concept of security symbolises the protection of the power of the nation-state. But this traditional dimension of security has failed to define the complex nature of modern nation state system in the 21st century. There are lots of complex problems like- populated society, global warming, inter and intra-state conflicts such as protracted social conflicts, extremist nationalism, nuclear warfare in the age of weapons of mass destruction, economic inequities etc. become more prevalent in the new millennium.

In armed conflict situation women have to face sexual violence, trafficking and sexual slavery, domestic violence, and even trauma of

children born of rape and sexual exploitation and the societal taboos related to it. Human trafficking in conflict situation particularly in case of women and children is very much widely practiced in different parts of the world. International Organization for Migration (IOM), one of the main Europe-wide actors in developing counter-trafficking defines the act of trafficking in migrants as occurring when a migrant is illicitly recruited and/or moved by means of deception or coercion for the purpose of economically or otherwise exploiting the migrant, under conditions that violate their fundamental human rights. It means the exploiter get the chance to exploit and harass the abuse due to later's disadvantageous position or formers hegemonic control over resources. Accordingly trafficking involves the smuggling of humans for sexual purposes, including acts of sexual exploitation perpetuated by any parent, family members, middlemen and women, strangers and kinsmen and women. Trafficking in Persons Report 2004 states that between 70 and 90 percent of contemporary traffic in women and children in Europe and Asia is related to prostitution and other forms of sexual exploitation (mainly the pornography industry). The standard view, such as it is, argues that collective sexual violence is only the frankest expression of men's power over women.

All the proponents of human security agree that its primary goal is the protection of individuals. Since it is used to indicate a comprehensive security concern, therefore human security includes food security, health security, economic security, environmental security, gender security etc.

Human security also assumes significance so far as the economic and human resource development is concerned. Infect, concern for human security demands for establishing parity between growth and development. As human security stresses on all the necessary components for human skill development, therefore focus on human security can greatly contribute towards human resource development.

But, ironically, the people are helpless so far as their fight for security is concerned. Because threats for life of human being come in both ways -

internally and externally. So, the need of the hour is that to develop an effective mechanism to ensure human security. In this respect, awareness on the part of Human Right Education is very much needed. Consciousness on the part of the masses only can bring positive results.



CHECK YOUR PROGRESS

Q.4: Who introduced the concept of human security?

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Q.5: Write briefly about the relationship between development process and human security.

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15.7 LET US SUM UP

- Human rights are inalienable rights of all individual. These are the rights without which human being cannot lead a very dignified life.
- Human rights can also be described as those rights which are natural and inherent for the life and happiness of every individual. For the maintenance of human dignity, these rights are considered to be significant and indispensable as well. Human rights are inherent in our nature and it is not possible for the human being to sustain without these rights.
- There are various categories of human rights- civil rights, political rights, economic rights, social rights, cultural rights.
- Human security is an emerging paradigm for understanding global vulnerabilities. Its main objective is to secure human lives from pervasive threat for ensuring human fulfillment.

- Scope of human security includes threats in seven areas. It includes- Economic Security, Food Security, Health Security, Environmental Security, Personal Security, Community Security and Political Security.
- The nature of the relationship between human security and human rights is contested among human security advocates. Some human security advocates argue that the goal of human security should be to build upon and strengthen the existing global human rights legal frame work. However, other advocates view the human rights legal framework as part of the global insecurity problem and believe that a human security approach should propel us to move above and beyond this legalistic approach to get at the underlying sources of inequality and violence which are the root causes of insecurity in todays' world.



15.8 FURTHER READING

1. Agarwal, H.O. (2006). *Human Rights*. Allahabad: Central Law Publications.
2. Stephen, R.M. (2002). *Human Rights: Concepts and Perspectives*. New Delhi: Concept Publishing Company.
3. Syed, M.H. (2003). *Human Rights: The New Era*. New Delhi: Kilaso Books.
4. Yasin, Adil-ul & Upadhayay, Archana. (2004). *Human Rights*. New Delhi: Akansha Publishing House.

15.9 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1: Human rights can be described as those rights which are natural and inherent for the life and happiness of every individual. For the maintenance of human dignity, these rights are considered to be significant and indispensable as well. Human rights are inherent in our nature and it is not possible for the human being to sustain

without these rights. The concept of human rights is as old as the human race. Human rights are those essential rights which contribute largely to the balanced growth and development of Human beings. These rights are independent, inalienable, inviolable and universal.

Ans. to Q. No. 2: The term 'human security' is widely used to describe the complex of inter related threats associated with civil war, genocide and the displacement of population. The commission on human security outlines "Human Security means protecting vital freedoms. It means protecting people from critical and pervasive threats and situations, building on their strengths and aspirations. It also means creating systems that give people the building blocks of survival, dignity and livelihood. Human security connects different types of freedoms- freedom from want, freedom from fear and freedom to take action on one's own behalf." The UNDP's 1994 Human Development Report's definition of human security argues that the scope of global security should be expanded to include threats in seven areas. It includes- Economic Security, Food Security, Health Security, Environmental Security, Personal Security, Community Security and Political Security. So, human security is a very comprehensive concept which includes security of all individuals and groups against every kind of threats. It emphasizes on security of people in their daily lives.

Ans. to Q. No. 3: Right to adequate food, Right to work

Ans. to Q. No. 4: Mahbub ul Haque

Ans. to Q. No. 5: In the whole development model initiated by the Indian government, the peripheral regions face a lot of trouble due to the unequal distribution of resources. Apart from the developmental deregulations, the north eastern India in general and Assam in particular is experiencing political instability due to the problem of insurgency since the time of India's independence. Security has been the primary problem of Indian State since the dawn of independence and ceases to be remaining constant till date. The

Indian state would like to tackle the problem of security by treating it as a military phenomenon and fail to address the non-military dimensions of Security. The traditional dimension of international politics basically analysed the concept of security from military perspective to acquire more power. From realist point of view the concept of security symbolises the protection of the power of the nation-state. But this traditional dimension of security has failed to define the complex nature of modern nation state system in the 21st century. There are lots of complex problems like- populated society, global warming, inter and intra-state conflicts such as protracted social conflicts, extremist nationalism, nuclear warfare in the age of weapons of mass destruction, economic inequities etc. become more prevalent in the new millennium.



15.10 POSSIBLE QUESTIONS

Q. 1: State the meaning of human rights

Q. 2: Write about the meaning of human security.

Q. 3: Explain various categories of human rights.

Q. 4: Discuss the relationship between human rights and human security.

(i) Phukon, Dolly. Conceptualizing Gender, Peace and Conflict: The Assam Case, in Wasbir Hussain ed(2010). P-216

(ii) International Organization of Migration, Trafficking in Migrants. IOM policy and Response. Geneva:IOM,1999

(iii) P, Martin, P.,& Miller, M.(2000). Smuggling and Trafficking: A conference Report, International Migration Review

(iv) Littlewood, R.(1997). Military Rape: vol 13, No-2, p- 9

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1) Agarwal, H.O. (2006). Human Rights. Allahabad: Central Law Publications.
2) Anuradh, K.P. (2010). Human Rights Issues In India. New Delhi: Adhyayan Publishers and Distributors.
3) Dhiman, O.P. (2011). Understanding Human Rights: An Overview. Delhi : Kalpaz Publications.
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11) Yasin, Adil-ul & Upadhayay Archana (2004). Human Rights. New Delhi: Akansha Publishing House.

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Learner's Feedback on Course

Dear Learner,

Regarding the course as mentioned above, we would like to know your opinions and comments so as to improve the quality of self learning materials in future. Please respond to the following statements by ticking the number you feel most reflect your opinion. After completion of the additional comments, please detach the page and send/mail the same to us at the address given below.

The Director, Centre for Internal Quality Assurance, KKHandiqui State Open University
Housefed Complex, Dispur, Guwahati-781006
(E-mail id: ciqa@kkhsou.in)

1) Approximately how many hours did you spend for studying the units in the course? ☐☐☐

2) Please give your opinions (by ✓ mark) to the following items based on your reading of the block:

Sl. No.	Statements	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
I)	The SLMs of the course fulfil the learning objectives set out in the beginning of each unit					
II)	The units of the SLM could satisfy my academic needs and expectations					
III)	The Unit writers have excellent knowledge about the course contents					
IV)	Language and contents of the units were presented at a level which I could readily understand					
V)	Ample opportunity for participation in the activities provided in the units					
VI)	Used enough Illustrations (Diagrams, tables etc.) for conceptual clarity					
VII)	Quality of content is engaging, relevant, and up-to-date					
VIII)	The self check questions are very helpful					
IX)	The Possible/model questions and the answers to check my progress have benefited me a lot					

Additional Comments: *(Please feel free to provide your open comments)*

1) Which aspects of the SLM, according to you, worked well?

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2) What sort of changes/improvements do you feel KKHSOU could implement to improve the overall quality of the SLM?

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Thank you for taking the time to complete this form.