



HINDUSTHAN COLLEGE OF ARTS & SCIENCE

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DEPARTMENT OF COSTUME DESIGN & FASHION

HUMAN RIGHTS-UNIT 1

INTRODUCTION TO HUMAN RIGHTS

Meaning of Human Rights

Human Rights are the basic natural rights that every human being possesses from birth to death. These rights are essential for leading a dignified, respectful, and meaningful life. Human rights transcend boundaries of culture, nation, religion, caste, gender, and economic status.

They represent:

- * Human dignity
- * Freedom
- * Equality
- * Justice
- * Protection from oppression

Human rights exist to ensure that every person is treated as a human being with inherent worth.

Historical Background of Human Rights

The concept of human rights developed through various stages:

1. Ancient Period

- * Many ancient civilizations like India, Greece, Rome recognized concepts like fairness, justice, and natural law.
- * Upanishads and Buddhist teachings stressed non-violence and human dignity.

Medieval Period

Magna Carta (1215)** in England limited the arbitrary power of the king.

- * Islamic law emphasized equality before God and justice for all.

Modern Period

American Declaration of Independence (1776)** asserted inalienable rights.

French Revolution (1789)** promoted “Liberty, Equality, Fraternity”.

Abolition of slavery**, rights of women, and workers’ rights strengthened human rights consciousness.

After World War II

* The horrors of Nazism and genocide led the world to establish a permanent system to protect human rights globally.

* This led to the formation of the **United Nations (1945)** and the **Universal Declaration of Human Rights (1948)**.

Nature and Characteristics of Human Rights**

1. Universal:

Applies to every individual without any discrimination.

2. **Inherent:**

People possess these rights by virtue of being human. No one grants them.

3. **Inalienable:**

These rights cannot be taken away except under lawful circumstances.

4. **Indivisible:**

Each right is equally important.

5. **Interdependent:**

Enjoyment of one right often depends on the enjoyment of others.

(E.g., right to education relates to right to work and right to equality.)

6. **Dynamic:**

Human rights evolve with time—e.g., digital rights, environmental rights.

7. **Legally protected:**

International laws, national constitutions, and judicial institutions safeguard human rights.

SCOPE OF HUMAN RIGHTS

Human rights cover a wide range of human life. The scope is broad and continually expanding based on political, social, technological, and environmental developments.

Civil Rights**

These ensure individual liberty and protect citizens from state abuse.

Examples:

- * Right to life
- * Right to equality before the law
- * Freedom from slavery
- * Freedom from torture
- * Right to privacy
- * Freedom of movement

These rights limit the power of governments and protect personal autonomy.

Political Rights

These allow individuals to participate in government and decision-making.

Examples:

- * Right to vote
- * Right to contest elections
- * Freedom of speech and expression
- * Freedom of assembly and association
- * Right to criticise the government

These are essential for democratic functioning.

Economic Rights

These ensure individuals have economic security and livelihood opportunities.

Examples:

- * Right to work
- * Right to fair wages
- * Right to own property
- * Right to social security
- * Freedom to form trade unions

Social Rights

These relate to basic living conditions and societal welfare.

Examples:

- * Right to education
- * Right to health
- * Right to housing
- * Right to food
- * Right to safe drinking water

Cultural Rights

These protect people's identity and cultural heritage.

Examples:

- * Right to participate in cultural life
- * Right to use one's language
- * Rights of minorities to preserve traditions
- * Protection of cultural monuments

Rights of Vulnerable Groups

Some groups need special protection due to their social position.

These include rights of:

- * Women
- * Children
- * Disabled persons
- * Senior citizens
- * Refugees
- * Migrant workers
- * Indigenous/tribal populations

Their rights ensure equality, protection from exploitation, and access to resources.

Environmental and Development Rights

These emerged due to modern global challenges.

Examples:

- * Right to clean environment
- * Right to safe climate
- * Right to sustainable development
- * Right to natural resources

Digital and Cyber Rights*

With the digital age, new rights have emerged.

Examples:

- * Right to privacy online
- * Right to data protection
- * Right to freedom of expression on the internet
- * Right to access digital technologies

CLASSIFICATION OF HUMAN RIGHTS

Human rights are commonly classified into three major generations:

First Generation Rights (Civil and Political Rights)**

These are rooted in the liberal-democratic tradition.

They protect individuals from government abuse.

Key rights:

- * Right to life and personal security
- * Right to fair trial
- * Right to property
- * Freedom from torture
- * Freedom of religion
- * Freedom of speech
- * Freedom from arbitrary arrest
- * Right to vote

These rights are **negative rights**, meaning they require non-interference by the state.

Second Generation Rights (Economic, Social, and Cultural Rights)**

These are based on the principles of equality and social justice.

Key rights:

- * Right to work
- * Right to health
- * Right to education
- * Right to social security
- * Right to adequate food, shelter, and clothing
- * Right to rest and leisure
- * Cultural participation

These are **positive rights**, meaning they require active government intervention.

Third Generation Rights (Collective or Solidarity Rights)

These rights belong to groups, nations, or humanity as a whole.

Key rights:

- * Right to development
- * Right to self-determination
- * Right to clean environment
- * Right to peace
- * Right to share global resources
- * Rights of future generations

These rights reflect global solidarity and cooperation.

Other Classifications

Human rights can also be classified as:

A) Natural Rights

Derived from human nature (life, freedom).

B) Constitutional Rights

Granted by national constitutions (e.g., Fundamental Rights in India).

C) Legal Rights

Granted by statutes (e.g., labour laws).

D) Moral Rights

Based on ethical principles (e.g., right to be treated with respect).

UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

Introduction

- * Adopted: **10 December 1948**
- * By: **United Nations General Assembly**
- * Format: **30 Articles**
- * It is the first global declaration of basic human rights.

The UDHR is not legally binding but forms the foundation for:

- * International human rights treaties
- * National constitutions
- * Human rights education

Importance of UDHR

- * First international recognition of universal human rights
- * Promotes dignity, peace, and justice
- * Influenced over 200 constitutions and legal systems
- * Provides a common standard for all nations

Structure of UDHR**

The 30 Articles can be classified as:

A. General Principles (Articles 1–2)**

- * Humans are born free and equal
- * Freedom from discrimination

B. Civil and Political Rights (Articles 3–21)**

- * Right to life
- * Freedom from torture

* Freedom of movement

* Freedom of religion

* Right to marriage

* Freedom of expression

* Right to vote

C. Economic, Social, and Cultural Rights (Articles 22–27)**

* Right to social security

* Right to work

* Right to rest and leisure

* Right to adequate food, clothing, housing

* Right to education

D. Duties and Final Clauses (Articles 28–30)**

* Duties towards community

* Protection against misuse of rights

DETAILED ARTICLE-WISE SUMMARY OF UDHR**

****Article 1:****

All humans are born free and equal in dignity and rights.

****Article 2:****

No discrimination on any basis.

****Article 3:****

Right to life, liberty, and security.

****Article 4:****

Abolition of slavery.

****Article 5:****

No torture, cruelty, or degrading treatment.

****Article 6:****

Right to legal recognition.

Article 7:

Equality before law.

Article 8:

Right to legal remedy.

Article 9:

No arbitrary arrest or exile.

Article 10:

Right to fair trial.

Article 11:

Presumption of innocence.

Article 12:

Right to privacy.

Article 13:

Freedom of movement.

Article 14:

Right to seek asylum.

Article 15:

Right to nationality.

Article 16:

Right to marriage and family.

Article 17:

Right to own property.

Article 18:

Freedom of thought, conscience, and religion.

Article 19:

Freedom of opinion and expression.

Article 20:

Freedom of assembly and association.

****Article 21:****

Right to participate in government.

****Article 22:****

Right to social security.

****Article 23:****

Right to work and equal pay.

****Article 24:****

Right to rest and leisure.

****Article 25:****

Right to adequate living standard.

****Article 26:****

Right to education.

****Article 27:****

Right to cultural participation.

****Article 28:****

Right to a social and international order.

****Article 29:****

Duties to community.

****Article 30:****

Protection against misuse of rights.

HUMAN RIGHTS AND INDIA**

Constitutional Provisions**

The Indian Constitution strongly reflects the UDHR:

* ****Fundamental Rights (Articles 14–32)****

* ****Directive Principles of State Policy****

* ****Fundamental Duties****

India was one of the original members who supported the UDHR.

National Human Rights Commission (NHRC)**

NHRC protects human rights through:

- * Investigations
- * Recommendations
- * Human rights awareness
- * Monitoring institutions

CHALLENGES TO HUMAN RIGHTS

- * Poverty
- * Discrimination
- * Human trafficking
- * Terrorism and extremism
- * Gender violence
- * Cybercrime
- * Child labour
- * Environmental degradation
- * Political corruption