



**UNIVERSAL DECLARATION OF HUMAN RIGHTS : A FIRST STEP TO RESTORE
HUMAN DIGNITY**

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December 10, is commemorated internationally as Human Rights Day. The United Nation General Assembly adopted the Universal Declaration of Human Rights on 10 December, 1948 with a view to set forth comprehensive and common standard of achievements for all people and all nations by bringing the entire humanity under the uniform cover of human rights umbrella. It was primarily meant to promote a simple but powerful idea that all human beings are born free and equal in terms of dignity and rights. It was made clear by this declaration that rights are not conferred by any government, they are the birth right of all people. It does not matter what country we live in, who our leaders are, or ever who we are, because rights are inherent in our nature and their absence shall endanger human race, and governments are bound to protect them. This paper is an attempt to discuss the brief history of human rights. The focus of the paper is to discuss UN Declaration of Human Rights 1948, that has given a new dimensions to the concept of Rights.

History of Human Rights-

The order of Human Rights seems to be recent phenomenon originating with the declaration of Human Rights in 1948. But in fact, concept evolved over a long period of history. Although man is recognized as the supreme creature of all species on the earth, yet man is the only one who has an unpardonable record of its own destruction and degradation. The history of mankind is full of gruesome chapters on events of human slavery, tyrannical, serfdom, ruthless social discrimination, absolutions despotism outrageous gender bias and barbaric rituals. Human being has always struggled for his rights and liberties to come out of the tarantulas clutches of absolute monarchy and found expression in the form of Magna Carta in 1215, an agreement signed between the English king and the Baronage to protect the rights and privileges of the feudal lords. After this, John Locke, a British philosopher gave an impetus to the conception of rights who stressed upon the right of life, liberty and equality as the innate and inalienable natural rights of man. Glorious Revolution of England was justified by lock on the ground that a natural law was rooted in the reasonable nature of man and political power was merely a trust for the benefit of people.



Thereafter, the bill of Rights 1689 and Act of Settlement 1701, established supremacy of the Parliament and curtailed the powers of the king. The notion of rights gained momentum after the American Declaration of Independent (1776) and the declaration of Rights of Man and the Citizen in France (1789).¹

The concept, Human Rights, in its present form, originated after the ugly events of the II-World War which had caused destruction and brought untold miseries upon mankind. To prevent the recurrence of second war incidence; to promote peace and good will among the nations of the world and to ensure social justice and human rights, an International Organization United Nation was formed in 1945. The United Nations Charter, “reaffirmed faith in fundamental human rights and dignity and worth of the human person” and committed all member states to promote universal respect for, and observance of human rights and fundamental freedom for all without distinction as to race, sex, language or religion. The concrete step in the field of formulating various human rights was taken by the United Nation was the adoption of the Universal Declaration of Human Rights by the General Assembly on December, 10 1948. Each year, December is observed as Human Rights Day all over the world. The declaration is a comprehensive catalogue of the basic and traditional human rights that ensure the life, liberty and security of an individual and provide for equal of port unities of work and progress to bring him the honour and dignity that he rightfully deserves.²

Human rights Declaration consists of 30 articles which proclaims- Civil, Political, Economic, Social and Cultural Rights to human being. The declaration also mentions the duties of human being towards the community.

Article I and II of declaration are foundation blocks with the principles of dignity, liberty, equality and brotherhood. These state, “all human beings are born equal in dignity and rights” and are entitled to all the rights and freedoms set forth in the declaration “without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.

Article 3 to 21 of the declaration set forth the civil and political right to which all human beings are entitled, including the right to life, liberty and security, freedom from slavery and servitude, freedom from torture or cruel in human or degrading treatment or punishment, the right to recognition as a person before the law, the right to judicial remedy; freedom from arbitrary arrest, detention or



exile; the right to a fair trial and public hearing by an independent and impartial tribunal; the right to be presumed innocent until proved guilty; freedom from arbitrary interference with privacy, family, home or correspondence freedom from attacks upon honour and reputation; the right to protection of the law against such attacks; freedom of movement; the right to asylum, the right to a nationality; right to marry and to found a family; the right to own propriety; freedom of thought, conscience and religion, freedom of thought, conscience and religion, freedom of opinion and expression; the right to peaceful assembly and association; the right to take part in government and to equal access to public service.

Article 22 to 27 of the declaration mentions the social and cultural rights such as right to social security to get work, equal pay for equal work; right to form and join trade unions, right to rest and leisure, right to a standard of living adequate for the health and wellbeing of himself and his family; right to education and right to participate in the culture life of the community.

Concluding article, 28 to 30 mentions an international and social order in which these rights can fully realized and that each person has duties to his community in which she or he lives. These rights may only be restricted for the purpose of securing the recognition and respect of the rights and freedom of others.³

The declaration brings the entire humanity under the uniform cover of Human Rights Umbria by mentioning in detail the various civil political economic and cultural rights of humanbeing. But, Universal Declaration of Human Rights was not legally binding covenanting and UN had no machinery for its enforcement. The deficiency was sought to be removed by the UN General Assembly by adopting in December, 1965 two Covenants for the observance of human rights-

(i) The Covenant on Civil and Political Rights (ii) The Covenant an Economic, Social and Cultural Rights. The first one formulated legally enforceful rights of the individual and the second one was addressed to the states to implement them by legislation. The two Covenants come in to enforce in December, 1976, after the requisite number of member states ratified them. Many states ratified the covenants subsequently at the end of 1981. These covenants are, therefore, legally binding on the ratifying states.

India, being a party to the said covenants, the President of India promulgated the Protection of Human Rights Ordinance, 1993 under Article 123 of the constitution of India on 28th September, 1993 to provide for the constitution of a National Human Rights Commission, State Human Rights Commission in States and Human Rights courts for better protection of human rights and for matter



connected there with or incidental there to. Indian Constitution has protected the rights of the citizens by mentioning it in the chapter of fundamental rights from article 14 to 32 and for security the social and economic justice of the citizen, provision have been made in the non just cable chapter Directive Principle of State Policy. Moreover, to replace this ordinance, the Protection of Human Rights Act, 1993 was enacted in India.⁴

Evaluation-

In the 68 years since the Declaration was adopted, many nations including India have made progress in making human rights a reality by providing them full measure of liberty, dignity and humanity. Public Interest Litigation and Supreme Court played a major role in protecting the rights of humanbeing. In many places, indiscriminate laws have been repealed, legal and social practices that degraded human been abolished. Vulnerable groups have been given due recognition. The progress made in the direction was due to the efforts of various organizations, campaign and people who had to fight to change not only laws but hearts and minds of the people.

However, there is still much to be done to secure the progress for all the people. There continue to be massive and widespread violation of human rights. Numerous instances of starvation, unemployment, feudal oppression, educational backwardness, exploitation of children and women are found in many country of the world. Human Rights are being violated more vigorously either by terrorism terrorist or by the state in the name of crushing.

It may be concluded that the UN has established a new order of equality and freedom in the social, economic and political context by this declaration as there is acceptance of universal respect and adherence to human rights, infringement of internationally recognized norms continues unabated in almost parts of the world. There is still much to be done for the restoration of human dignity in the whole world. Human Right Day is an occasion for us to analyze that our nation has undertaken so far on the direction of ensuring human rights to each citizen of the world.



References-

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