



International Journal of Research in Academic World



Received: 04/January/2023

IJRAW: 2023; 2(2):71-72

Accepted: 07/February/2023

Emerging Dimensions of Human Rights Introductor

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Abstract

Throughout the past few decades, the idea of human rights has gained significance on a global scale. Since the publication of the Universal Declaration of Human Rights, the phrase "human rights" has acquired popularity and grown to play a significant role in discussions of philosophy, society, and politics. Although while there is a growing global concern for the respect and observance of human rights, flagrant violations of accepted international standards persist unabatedly in practically every region of the world. The most fundamental economic, social, and cultural rights, as well as civil and political rights, are denied to countless people around the world who suffer from hunger, disease, and lack of opportunity. These rights are crucial for the full realisation of human dignity and for the achievement of each person's legitimate aspirations. Mankind is exposed to the challenge of human rights violations. The difficulty, the worry, and the problem are all fundamental. Many are forced to reconsider India's commitment and seriousness to these concerns because the majority of the fundamental human rights and fundamental freedoms established in the Indian Constitution have stayed on paper. Human rights sometimes seem like more of a fiction in India due to the huge disparity between rhetoric and reality. The ideal of human rights may tend to be universal, but how people react to the subject of human rights depends on the type of society and the stage of national development that the system of human rights is related to. Human rights advocates must come up with a plan for the future in light of the aforementioned difficulties.

Keywords: Human rights, law, Indian constitution

Introduction

The Concept of human rights has assumed importance globally during the past few decades. Ever since the proclamation of the Universal Declaration of Human Rights, the term 'human rights' has gained currency and has become a crucial element of philosophical, social and political debates. While there is increasingly widespread concern for universal respect and observance of human rights, gross violation of internationally recognized norms continue unabated in almost all parts of the world. Countless people around the world suffer from hunger, disease and lack of opportunity, their being denied the enjoyment of the most basic economic, social and cultural rights as well as civil and political rights which are of paramount importance for full realization of human dignity and for the attainment of the legitimate aspirations of every individual. The challenge of violation of human rights faces mankind in its stark nakedness. The challenge is global, the concern is universal and the issue is basic.

In a developing society such as ours, where around fifty per cent of the population is living below the poverty line and around seventy per cent of the population is illiterate and a large number of men and women are living a life of degradation and destitution, misery and suffering, this subject assumes much greater importance. Vast sections of the Indian people continue to lead an undignified and uncongenial life.

Most of the fundamental human rights and fundamental freedoms enshrined in the Indian Constitution have remained on paper, and this compels many to re-think about India's commitment and seriousness to these issues. There is a wide gap between rhetoric and reality and sometimes human rights appear more or less a myth in India. Although the ideal of human rights may tend to be universal, responses to the issue of human rights vary according to the kind of society and the stage of national development that relates to the system of human rights. In the light of the aforementioned challenges, it becomes necessary for human rights activists to devise a strategy for the future.

Human Rights are Universal

The universal nature of human rights is beyond question. All human rights are universal, indivisible, interdependent and inter-related. They create a special climate of solidarity and responsibility. Therefore, it is necessary to identify the goals set for the future. The protection of human rights should be accepted by all as a universal principle transcending all political, economic, social, cultural, legal, religious and civic systems to make it effective. If the death toll and the injustices are to stop, the following is a broad outline which must be adhered to the full range of human rights must be respected as the equal and inalienable rights of all people. All people, regardless of their characteristics or social situation, must be

understood to have the same fundamental rights. No one is to fall, at any time or for any reason, outside the circle of those whose rights are to be universally protected.

Achievements of development and democracy must be based on universal respect for human rights and fundamental freedoms. This is essential if people are to determine their own political, economic, social and cultural destinies and to participate fully in their societies.

Every state must have an effective system for investigating and redressing violations of human rights. A strong and independent administration of justice must be secured in order to sustain human rights, democracy and development.

The process of development must become one of the highest priorities of the international community. This can only be carried out on the basis of a new pattern of global cooperation that meets the need of both the present and the future generations.

Education in human rights must be treated as an essential contribution to the development of a global human rights culture.

The protection and promotion of economic, social and cultural rights must become subject to the same scrutiny and enforcement which are applied to civil and political rights.

Gross and systematic violations of civil and political rights are taking place on a vast scale. Every effort must be made to halt these abuses, which include arbitrary detentions, torture, summary executions, and 'disappearances'.

Discrimination in all its forms must be eliminated if people are to exercise their inalienable rights and freedoms. Racism and racial discrimination, xenophobia and other forms of intolerance must be the target of major legislative and social programmes to prevent these abuses, protect potential victims and create a global ethos of mutual respect between all members of the human family.

- The rights of women of all ages, which have been denied on massive scale worldwide, must be accorded full respect. This is a fundamental building block in the Protection of the fundamental rights of all people everywhere.
- Children are the most vulnerable section of people on earth and are frequently the defenseless victims of the most appalling violations of the human rights. These must stop and be prevented in the future.
- Minorities of all types must be protected so that members can exercise fully and equally the rights to which they are entitled like all other human beings. They must have the right to develop their own culture, speak their own language, practice their own religion and participate on the basis of equality in the larger society in which they live.
- The dignity and inherent rights of all indigenous communities throughout the world must be accorded full protection through the law, social practice and international measures for their defence. Attacks upon their communities, their cultures and their economies, as well as the slaughter and gross ill treatment of their people, must be ended and prevented from recurring.
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- Factors responsible for creating vast populations displaced persons and refugees must be addressed. All those who are forced to flee from persecution must have protection of their rights to seek and receive asylum in other countries.
- Every state must have an effective system for investigating and redressing violations of human rights. A strong and independent administration of justice must be secured in order to sustain human rights, democracy and development.
- Education in human rights must be treated as an essential contribution to the development of a global human rights culture.

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