

ISSUE OF HUMAN RIGHTS

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Introduction

The human rights were the result of the Vienna Declaration and it has faced lots of lacuna during First and the Second World War.

The Universal Declaration of Human Rights (UDHR), 1948, defines human rights as, “rights derived from the inherent dignity of the human person”.

Human rights are the basic entitlements which a person possesses on the basis of being a human being.

‘Human rights are inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status.

Theories of Human Rights

- ▣ **Thomas Hobbes in his work, Leviathan, talked about equality among all the people of the world. No person should be discriminated on the basis of sex, caste or religion.**
- ▣ **In the book, 'Two Treatises Government' John Locke stated that every human being have the basic natural rights such as right to life, personal liberty, and property, and no person or authority can take away these basic rights from the people .**
- ▣ **John Rawls in his writing 'A Theory of Justice' talks about three principles of justice:**
 - 1.equal liberty to all.**
 - 2. equality of opportunity .**
 - 3. principle of redistribution.**

- ♦ **Rousseau in his work 'The Social Contract' advocated the principle of equality among all men. He concluded that all human being in the universe have certain basic rights of equality, liberty and fraternity. It formed the base for the French Declaration of the Rights of Man and of the Citizen.**
- ▣ **Thomas Paine's work 'Rights of Man' was a form of rescue for the protection of people in the form of rights of liberty, equality.**
- ▣ **Karl Marx emphasized on social rights rather than individual rights.**
- ▣ **South Africa and India have ratified various international legal documents including Convention on Elimination of All forms of Discrimination against Women (CEDAW) to prevent discrimination against women; Convention on the Rights of Persons with Disabilities (CPRD) to protect the rights of disabled persons etc.**

Development of Human Rights Concept

- **President Woodrow Wilson proposed The League of Nations to bring peace and maintain international security.**
- **On December 10, 1948, the Universal Declaration of Human Rights (UDHR) was adopted by the 56 members of the United Nations. The UDHR is also known as The International Magna Carta. It aims to protect and promote human rights across the globe. The UDHR contains 30 articles enshrined in the form of the three generation of human rights.**
- **The International Covenant on Civil and Political Rights focuses on issues like the right to life, freedom of speech, religion, and voting.**
- **The International Covenant on Economic, Social and Cultural Rights focuses on issues as food, education, health, and shelter.**

➤ **ICCPR + ICESCR + UDHR = INTERNATIONAL BILL OF RIGHTS**

Chart-1 Three Generations of Human Rights



