

INDIAN DEMOCRACY AND HUMAN RIGHTS

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Abstract

Democracy is an easy subject for everyone. This is the reason why democracy is so popular and accepted by all. At least in the last few decades, there has not been much serious opposition to democracy. The subject of political science is framed around democracy, so human rights can be looked at in the context of the old political process prevalent in political science.

Keywords: Democracy, Popular, Decades, Political Science, Human Rights, Political Process.

Introduction

The subject of political science is framed around democracy, so human rights can be looked at in the context of the old political process prevalent in political science. This paper will generally outline four perspectives. Initially, the ever-expanding meaning of democracy that would be attached to human rights. What is human rights? and a brief history of human rights Third Indian Democracy and Human Rights and the Fourth Attempts have been made to discuss the current status of human rights (global epidemic) during the Globalization.

The ever-expanding meaning of democracy:

Democracy is an easy subject for everyone. This is the reason why democracy is so popular and accepted by all. At least in the last few decades, there has not been much serious opposition to democracy. If you ask anyone from a street man to a university expert, everyone tries to tell you how good democracy is. The problem with democracy, on the other hand, is that it creates a lot of expectations in people's minds for the same reason that democracy can inflate as much as you inflate it. Democracy is like a horizon that goes far until you say it is close and you keep moving. Democracy is a path in which you constantly inculcate new human values and strive in that direction and society is evolving. Human rights are of paramount importance in this regard. Rights are important in the modern world for a person to be able to develop himself or herself and live a dignified life. Empowering the citizens of our nation, enabling them to develop their personality, providing a conducive environment is considered to be an important achievement in a democratic country.

Brief History of Human Rights:

The idea of human rights was first mooted by philosophers such as Plato, Aristotle, and Cicero. The first human rights charter, the Magnacharta, was drafted by King John of Britain to curb the injustices and atrocities perpetrated by the monarchy. After the French Revolution of 1789, the three pillars of human welfare, namely freedom, equality and brotherhood, emerged. Many theories about human rights have been developed since ancient times. Human rights should not be taken away. The principle of the benefit of equality, the right not to discriminate, the natural right informs natural justice. Although it is true that norms and traditions are transformed into rights, Prof. According to Ritchie, the roots of rights are the norms, signs and traditions that people with preconceived notions want. Rights are the creation of history. This is called historical human rights theory. T.H. Green, Bozoke are proponents of idealistic theory. T.H. Green says, 'Human beings need rights to live a moral life and freedom. Without it, human beings cannot achieve their overall development. A right is a condition that a person needs to live a better life. Thinkers such as Jeremy Bentham, John Austin and Hold have built statutory theory on statutory concepts. According to these proponents, rights are the creation of the state. The state recognizes these rights, which can be enjoyed by individuals. As the state protects the rights of individuals according to the law, the state is the source of rights. As a person gets rights, he also has to fulfill his duties. So the rights are not unlimited. Social Welfare Theorist presented the theory of social welfare. The seeds of this theory are found in the utilitarian theories of Jeremy Bentham and John Stuart Mill. But Pvt. H.J. Laski is considered to be the main proponent of this theory. Another agreement that has played an important role in the protection of human rights is the Geneva Conventions. The agreement was about war and the treatment of wounded soldiers. The history of the Geneva Convention dates back to 1864. The discussion of human

rights in the colonial period needs to be centered on the workers. The International Labor Organization, founded in 1919, has to be credited with working on labor-employer relations and planning for workers' welfare. The First and Second World Wars were marred by massacres and human rights abuses. After World War I, the issue of international peace came up. It was decided that there should be an organization that would lead the world, not just depend on nations. This shows that the League of Nations was formed in 1920. But this organization has not been able to create some world peace, nor has it been able to protect human rights. The world had to face World War II. Violence broke out again and human rights were violated. The need for a better global organization instead of the United Nations began to be underlined. Discussions include the London Declaration (June 1941), the Atlantic Charter (August 1941), the United Nations Declaration (January 1942), the Moscow Declaration (October 1943), the Tehran Conference (December 1943), and the San Francisco Conference (April-May 1945). From these conferences, a worldwide organization was formed on October 24, 1945, the United Nations Organization (UNO). 2020 marks the 75th anniversary of UNO.

In the context of India, Emperor Ashoka (third decade BC) can be mentioned. Emperor Ashoka converted to Buddhism after the Battle of Kalinga (265 BC). His post-war humanitarian values, liberal approach, and adoption of the principle of equality are part of human rights. The main criterion of human rights is social interest or social welfare. He has more faith in social welfare than in personal interest.

What is human rights?

First of all, what is human rights? Let us understand that. Human rights are the inherent rights of every person. He is born with these rights. This is because human beings are also born with freedom like birds, animals or sea creatures. This idea has gained global recognition. Human rights are not based on the legal framework of any state. It is not bound by the borders of the nation. They are global in nature. They are obtained without caste, creed, religion, place of birth, language, culture, nationality. Human rights are natural. They are based on the premise that all people in the universe are equal, that everyone should be able to live life with dignity and respect.

Indian Democracy and Human Rights:

The role of the media, the Indian people, pressure groups, neo-social movements, institutions, organizations and anarchists is crucial in making Indian democracy more meaningful and prosperous. One of the anarchic elements is civil society. India is known as the largest democracy in the world. Indian democracy is a combination of ancient Indian democratic tradition and Western modern democracy. Therefore, human rights are crucial in Indian democracy. The nature and character of human rights in the context of India has been linked to the specific form and history of colonialism in India.

The construction of modern civil society in India began in the 19th century. Because the principle of equality in Indian society seems to be coming forward. The two modern values of individual freedom and equality were introduced to the Indian man. In the nineteenth century, religion was awakened in India on the one hand and the social reform movement on the other. These sects seem to insist on modern values. E.g. Brahmo Samaj, Prathama Samaj, Veda Samaj, Swaminarayan Sampraday, Satyamadhama etc. At the same time, the social reform movement started discussing human rights as a holiday. These include the various streams of the Indian independence movement, Jhal, Mawal, Gandhi and beyond. In these two directions, nationalism in India seems to be developing at the same time. Of course, the demand for freedom was related to human rights. Partha Chatterjee has defined civil society and political society. The movement of nationalism started from which the modern nation state started. Human rights are the right to freedom, the right to equality and the right to dignity. 'Bharat Ratna' Dr. Babasaheb Ambedkar has given human rights in Article 32 of the Indian Constitution. He had said that this clause is the soul of the Indian Constitution.

The Constitution Committee of Independent India had to be formed by holding a vote in 1947. According to the new constitution, the first general elections were held in 1952. In which all were given the right to adult voting. These human rights are essential for the overall development of human beings. Human rights cannot be separated from human personality. The Indian Constitution provides for the dignity of human beings. People should be protected to live a peaceful life by the state by protecting their right to equality, right to freedom, right to justice, right against oppression without any distinction between people on the basis of caste, religion, gender and creed. The protection of fundamental rights, the right to nationality, food, clothing, shelter and many more have been recognized. In India, the Protection of Human Rights Act

was passed in 1993. Accordingly, ordinary citizens got the right to self-defence.

Types of human rights

- A. Civil Rights - Right to Security, Right to Freedom, Right to Health and Right to Equality
 - B. Democratic Rights - Right to Freedom of Speech and Press, Right to Establish Institutions, Right to Contract, Right to Vote, Right to Fight Elections, Right to Apply, Right to Criticize and Women's Rights
- Indian Constitution and Human Rights:**

1. Right to equality - Articles 14 to 18
2. Right to Freedom - Articles 19 to 22
3. Rights against exploitation - Sections 23 to 24
4. Right to religious freedom - Articles 25 to 28
5. Cultural and Educational Rights - Articles 29 to 30
6. Right to Statutory Treatment – Execution

Globalization and Human Rights (References Global Epidemics):

Since February 2020, the whole world has been in the grip of the Great Depression and the whole world has suddenly taken a break. From then on, only two words started spreading everywhere. First: Covid 19 and second lockdown. Both of these caused economic and social problems for the whole world.

1. Weak elements: The victims of this dilemma, of course, became the weaker sections of the society in large numbers and basically these weaker sections living at a lower economic level faced a time of starvation.
2. Migrant workers: began to face poverty. As a result, 16 workers died in a train accident near Aurangabad on Friday
3. Freedom of communication
4. Right to health
5. The right to security
6. Employment
7. Ethnic atrocities
8. Domestic violence

Conclusion:

On the one hand, there will be adverse effects on employment, on the other hand, the digital age will spread. Such, and rapid, changes will only increase social dissatisfaction. Another challenge will be to deal with it. Therefore, there will be harmony among the society, there will be adequate security for the weaker sections, there will be vigilance to ensure that rights are not violated, the judiciary will be within the reach of the common man, democracy will be nurtured and so on. Due to the wave of development in agriculture, industry, service sector as well as globalization and industrialization, changing lifestyles, special care has been taken to ensure that human rights are not violated anywhere and injustice is done to the common man. Yet the benefits of human freedom have not reached the underprivileged, the downtrodden. There is a need to create awareness among the people about human rights. Legal guidance on human rights should be given, awareness should be created through study activities. Awareness about national human rights and human rights can be achieved by the state in a way that it can give the common man natural rights, historical rights, the right to an ideal life, a statutory right, a social welfare right.

References:

1. Bhole, B. L., (2010) *Bhartiy Ganrajyache Shasan Ani Rajkaran*, Pimpalpure Prakashan, Nagpur.
2. Kulkarni, P. K., (2013) *Manvi Hakk Ani Samajik Nyay*, Dimond Prakashan, Pune.
3. Austin, Granville (2007): *Indian Constitution. The Cornerstone of the Nation*, Oxford University Press, New Delhi.
4. Palshikar, Suhash (2004) *Indian Democracy: Meaning & Practices*, Sage Publication, New Delhi.
5. Palashikar, Suhas (2019) *Rajkamacha Taleband – Bhartiy Lokshahichi Vachal*, Sadhana Prakashan, Pune.
6. Basu, D. D., *Indian Constitutional Law*, Kamal Law House, Kolkata.
7. Jain, Sangit, (2 May, 2020) *Bhavishyachya Anishchatechn Vedh Ghetana*, Observer Research Foundation.