Chapter. IV
JYOTIBA PHULE’S VIEWS ON HUMAN RIGHTS

From the previous chapters, it is made clear that, Mahatma Phule wanted to create a new social order in India based upon equality, justice, liberty and fraternity. In the history of India, he was the first person who gave much importance to female education. For this purpose, he was opened girl schools and opened orphanages for widow women and their children. He was the first Indian who was honoured by British Government for his noble work. He was severely criticized by Brahmin Samaj for his noble work and attacked by them. But he continued with his movement. He sacrificed his life for the upliftment of untouchables, peasants and women. In this way, he was the first person to emphasize human rights. Hence, it is essential to know about the human rights of women and backward classes and for this purpose, the concepts of human rights of women and backward are discussed. Further, it is noted that, Constitution of every country assures different rights of their own citizens. But such rights are as per legal jurisdiction. Apart from legal issues, there are issues which are based on humanity and social culture. In this regard, the human rights are emphasized by many of the nations including the United Nations.
Human Rights:

Human rights are the fundamental rights, which are essential for man and woman to lead a dignified life. They are defined as those rights and freedoms which are a must for all human beings. They include all rights that should be enjoyed by every individual irrespective of class, gender, age, caste, religion, language, creed, status, and beliefs. Human rights include rights to life, rights to adequate food, rights to shelter, rights to clothes, rights to pollution free air, rights to noise free surroundings, rights to have safe drinking water, rights to vote, rights to participate in all social, economic and political activities, rights to embrace any religion, rights to speak and the like. The fundamental rights of all human beings are the rights to life. It includes almost all rights listed out above. Human rights should be enjoyed by every member of the human family. Hence, they are absolute, universal and inalienable. No power on earth can deprive an individual of his/her rights.

Human rights are universal moral rights. They belong to all human beings and they are not earned, bought or inherited, but are inherent in human dignity. The term Human Right covers in its ambit those essential rights defined or undefined which lead and contribute to the balanced development of Human Individual. The concept of Human Rights represents an attempt to protect the individual from oppression and injustice. They provide a human standard of achievement for all the people and all the nations. Therefore, these
rights are by nature independent, inalienable and inviolable and hence universal\(^1\).

Though, human rights are emphasized by the United Nations in 20\(^{th}\) century, in India, human rights related to weaker sections and women were emphasized by Raja Ram Mohan Roy, Ishwar Chandra Vidya Sagar, Mahatma Phule and Sri Narayan Guru in the 18\(^{th}\) and 19\(^{th}\) century. Many of these reformers emphasized though not used the term of ‘human rights’, they emphasized the principles based on humanity, which are later known as human rights. The first human rights group in the country – the Civil Liberties Union – was formed by Jawaharlal Nehru and some of his colleagues in the early 1930s with the specific objective of providing legal aid to nationalists accused of sedition against the colonial authorities. As such, after independence, the Indian Constitution provided few rights to all the people including women. Later after 1960s few of the associations such as, Association for the Protection of Democratic Rights (APDR) in West Bengal, the Andhra Pradesh Civil Liberties Committee (APCLC) and somewhat later, the Association for Democratic Rights (AFDR) in Punjab. In 1975, Jayaprakash Narayan launched a major agitation against the growing authoritarianism of Mrs. Gandhi that a large number of prominent liberals and humanists came together with radicals in 1975 to form the first national human rights organisation, the People’s Union for Civil Liberties and Democratic Rights (PUCLDR). It was in October 1980, after the fall of the Janata government and the return of Mrs. Gandhi to power,
that a major National Convention took place in Delhi which led to the split of
the PUCLDR into two organizations – a Delhi based PUDR and a national
PUCL. Today, there are many organizations and associations to raise their
voice against the violations of human rights².

There have been five major activities taken up by these organizations:
1) fact-finding missions and investigations, 2) public interest litigation, 3)
citizen awareness programmes (including the publication of perspective
statements on specific issues) 4) campaigns and 5) the production of supportive
literature for independent movements and organizations. In periods of major
crisis they have also thrown their weight with independent action groups and
mass movements in providing relief and rehabilitation and carrying out
lobbying on behalf of the oppressed and the victimized. This collaboration was
clearly evident following the carnage of the Sikhs in November 1984 and the
Bhopal disaster a month later³.

Article 7 of the Universal Declaration of Human Rights says – “All are
equal before the law and are entitled without any discrimination to equal
protection of law”. Equal protection of law is more positive concept implying
equality of treatment in equal circumstances. The General Assembly of the
United Nations Organization adopted the Universal Declaration of Human
Right with the object of achieving the mission of raising the standards of rights
of human beings. The preamble of the declaration states - Human Rights as a
common standard of achievement for all people and all nations to the end that
every organ of the society. The year 1968 was celebrated by the General
Assembly as the International Year for Human Rights. In 1968, the first
worldwide U.N. Conference of Human Rights was held in Tehran⁴.

These groups have successfully raised three kinds of issues: 1) direct or
indirect violations by the state (police lawlessness, including torture and
murders of opponents through fake “encounters,” repressive legislation,
political manipulation and terror by mafia groups, etc.), 2) denial in practice of
legally stipulated rights as well as the inability of government institutions to
perform their functions and 3) structural constraints which restrict realization of
rights, e.g., violence in the family, landlord’s private armies, the continuing
colonization of tribals, etc.

There have been significant achievements in mitigating some of the
complex sources of oppression. Bonded laborers have been freed and
rehabilitated, major judgments by the more sensitive individuals in the
judiciary have opened up new avenues for the realization of justice, and corrupt
public officials and policemen have been prosecuted. But above all, these
groups have kept the democratic movement alive among a section of the urban
middle class, as well as helped protect and, to an extent, expand the spaces for
independent political action. They have thus made a definite contribution in
widening, even if marginally, the base of democratic consciousness in the country.

**Human Rights of Women:**

Women’s rights, like civil and political rights, are in danger of subordination to the development ideology, whose very absorption of all other rights implies their irrelevance. Proponents of the ideal, rights-protective version of development often do not recognize that, in practice, development is a political, frequently a coercive activity. The international development community of the late twentieth century views development as planned, non-political social change. But human rights standards are necessary precisely because non-political social change is impossible.

The international consensus on human rights is represented by the 1948 Universal Declaration of Human Rights, which outlaws discrimination based on sex. Women have the same human rights as men. Most African states have agreed in principle to this document, and many African constitutions make specific reference to it. In 1979, the United Nations proclaimed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which specifically addresses the rights of women in development, and in particular the rights of rural women, acknowledging “the significant roles which rural women play in the economic survival of their families”.
Women are promised *inter alia* the right “to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes”. These concerns reflect the detrimental effects of capitalist development on women; in Africa, these include loss of land, discriminatory denial of credit, and discrimination in land resettlement schemes. December 31, 1992, CEDAW had been ratified or signed by thirty-eight African governments, but the establishment of these rights for women has been predominantly a normative exercise. The United Nations Declarations are not necessarily enforceable in law; nevertheless, they do provide a standard of comparison by which activists who favour rights for women can assess their governments.

Women’s rights require cultural change in all societies. Respect for cultural differences should not obscure the fact that, in most cultures, women are subordinate to men. Violence affects the lives of millions of women worldwide, in all socio-economic and educational classes. It cuts across cultural and religious barriers, impeding the right of women to participate fully in society. Violence against women takes a dismaying variety of forms, from domestic abuse and rape to child marriages and female circumcision. All are violations of the most fundamental human rights.

Women also established international networks to promote CEDAW. The International Women’s Rights Action Watch (IWRAW) was started in
1985 as a result of discussions at the Nairobi meeting that closed the Decade. An International group, headed by Arvonne Fraser, decided that an international organization was needed to monitor the relatively new Convention.

Over sixty of the workshops, seminars, and lectures presented at the forum specifically addressed women's human rights. The global campaign's buttons declaring that “Women’s Rights are Human Rights” were seen on many official delegates’ lapels. By far the most visible manifestation of this declaration was the Global Tribunal on Violations of Women's Human Rights. The Tribunal's purpose was to present cases that documented human rights abuses against women and demonstrated clearly the failure of existing human rights mechanisms to protect and promote women’s human rights.

The issue of the advancement of women’s rights has concerned the United Nations since its establishment. Yet the alarming global dimensions of female-targeted violence were not explicitly acknowledged by the international community until December 1993, when the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women.

In India, Article 2 of the Indian Constitution guarantees rights without discrimination as to sex, but Article 18 stresses the family as the “natural unit and basis of society” and Article 17(3) also mandates that the state should protect “morals and traditional values recognized by the community”.
Traditional values frequently reflect deeply held ideological beliefs that include an entrenched notion of the moral inferiority of women to men and of the need to subordinate women to men’s familial and political authority⁴.

The Constitution of India for fundamental rights and Directive Principles, in Chapter III and Chapter IV respectively, so as to bring in peace and happiness among the citizens. Some of the fundamental rights as enshrined in the Constitution of India are:

- a) Equality before Law,
- b) Prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth,
- c) Equality of opportunity in matters of public employment,
- d) Abolition of untouchability,
- e) Freedom of speech and expression,
- f) Protection of life and personal liberty,
- g) Right against exploitation,
- h) Right to freedom religion,
- i) Cultural and educational rights, and
- j) Right to constitutional remedies.

Realizing the gender equality, after independence, Indian Constitution emphasized women’s rights as under.
a) Article 25 of the Constitution of India allows every citizen to enjoy freedom of conscience and the right to profess, practice and propagate any religion. This right has been guaranteed under the Constitution and it is not open to any authority to restrict or prohibit any of these rights. The two principals facets of rights of women namely, the problem of equality with men and trafficking and other undesirable practices and atrocities against women have been given due importance both by the legislature and the judiciary. In the context of Indian society women have not been give equal rights with man like equal pay for equal work, equality of opportunity, equality before law, political equality etc. Though a number of laws exist on these subjects, implementation of these laws has left much to be desired. We have today Acts like the Indecent Representation of Women (Prohibition) Act, 1986 to check obscenity and Suppression of Immoral Traffic in Women and Girls Act, 1956 to prevent and protect women and girls from flesh trade. Women’s right to health is not only protected by Indian laws but by international human rights laws also. 'Health' as per definition given in the Constitution of the World Health Organization “is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.”

The Indian government has set up several special institutions under different Acts of Parliament, to give effect to the constitutional provisions of human right of all persons including those of the disadvantaged and weaker sections of the society. These are the National Human Rights Commission
(NHRC), The National Commission for Women (NCW), The National Commission for Backward Classes etc. In India, it was late in 1993, National Human Rights Commission (NHRC) was established. Nearly 16 states have also set up state Human Rights Commission. Till 1970s, there was no case of human rights violations that have been lodged. Since 1993, the cases include human rights violations due to communal violence, caste conflicts, female foeticide, dowry deaths, domestic violence and attacks on media. Though NHRC has got only investigating role, but had no power to punish the culprits. For Indian women violence takes the form of foeticide, infanticide, dowry related murders, battering among others. What escalates violence is the widespread sanction for violence against women. Through such sanctions women are controlled and subjugated.

Procedural or due process norms have helped women in ensuring fairness in the process of arrest, interrogation, custodial detention and detention in protective homes. The requirement of female police officer to arrest and search women, the need to arrest and interrogate women only during day hours, separation of female prisoners from male prisoners and fair conditions in protective homes to maintain the dignity of women have been insisted upon in many a number of cases decided by the Supreme Court.

b) Uniform Civil Code: The Constitution of India provides for a uniform civil code. This has, however, been a very controversial and highly emotive issue
and the basic necessity of such code is to maintain gender equality without discrimination or distinction in the name of religion. The Muslim minorities have been against such civil code and it reached a flash point in the year 1985 in the famous case of Shah Banu where the Supreme Court urged the necessity of a uniform civil code. In this context it may be mentioned that most of the courts in India have stressed the need and urged the early implementation of Article 44 of the Constitution.

In 1995, the Supreme Court once again came up with issue of uniform civil code when one of its respected judges ruled that the Government take immediate steps to implement Article 44, which created controversy and emotions of a minority community.

c) Educational Rights of Minorities: Articles 29 and 30 of the Constitution guarantee some specific and unspecific rights to religious and linguistic minorities. The right to establish and administer an educational institution is one of the rights guaranteed to minorities.

Under the Equal Remuneration Act 1976, employers are obliged to pay equal remuneration to workers of both sexes for the same work or work of a similar nature. The Act extends to the whole of India. The Act of 1976 was amended by the Equal Remuneration (Amendment) 1987. This Amendment extended the scope of the Act to other aspects of personnel administration such as recruitment, promotions, training or transfer.
Article 38 of the Indian Constitution provides for the welfare of women in matters relating to justice. This includes social, political and economic justice. Article 39 provides the men and women equally the right of livelihood. It also provides for equal pay for equal work for both men and women.

Further, property such as ornaments, jewelry, dresses, gifts, property obtained by self exertion, dowry and traditional presents given at the time of marriage is called ‘Stridhan’. It means woman's property. If the husband or her in laws refuse to give it back to her, on her demand, they would be guilty of criminal breach of trust.

The Sati Prevention Act was passed in 1829 to prohibit the custom of burning Hindu widow alive in the funeral pyre of her husband. But unfortunately the practice is still in vogue among some orthodox Hindus. To put an end to this crime, the commission of Sati Prevention Act was passed by the Government of India in 1987. The Hindu Marriage Act of 1955 has recognized the right of a Hindu woman to divorce her husband on a petition presented by, either the husband or the wife on some grounds like conversion to another religion, venereal disease, co-wife living, the husband is guilty of rape etc. Thus it is regarded as a significant step in achieving emancipation and equality for our women. In 1856, the widow Remarriage Act was passed for legalizing the marriages of widows. Widow houses were set up by social welfare agencies to ameliorate their conditions and to offer them new
opportunities for economic independence. It is considered as one of the most important enactments to give better rights to women with regard remarriage.

Education today is as indispensable as food and water. In recognition of the importance of education of girls and women in accelerating socio-economic development the government has formulated a variety of measures from time to time in this direction. Education is made free for the women upto higher level. Thirty percent seats are reserved for them. As a result of these measures there had been gradual but progressive increase in the involvement of girls over the plan period and the gap in the enrollment of boys and girls appeared to have been narrowing down during the last two decades. There are different characteristics of the National Policy on Education 1986. Ten core elements in national curriculum is one of them. Sex equality is one of the core elements. Through this core element women have given the same status that the men have in their family, in society and everywhere.

Hindu Women’s Right to Property Act (1937) marked a new phase with history of women’s struggle for equality with men in Hindu society. The Hindu Succession Act (1956) entitled the female children to share the property of their father along with their brothers. The women have the right to use, sell, mortgage or dispose of the inherited property in the way they like. Women are given equal training and employment in every field. Thirty percent seats are reserved for them in jobs. So now the women are working in different fields
like education, industry, administration, telephone, tourism, business etc. Employment Exchanges set up by the Directorate - General of Resettlement and Employment afford opportunities for women to seek employment.

**Human Rights of Backward Classes and Lower Castes:**

The 19th century Maharashtra was dominated by Brahmanical ideology and dominance of upper caste over social, cultural, economic and political facets. The oppressed and deprived sections of the society could not find their space in the Hindu social system, which resulted into the lack of assertion against their deprivation, and elimination of basic human rights. Many anti-social practices were not only prevailed but they found their sanctity from the Hindu social structure and dominant class of this system. Rationality and reason which is considered as values necessary for making ‘thinking individual’ was lacking in this system. In such conditions, raising voice against these anti-social practices, and working immensely for empowerment and assertion of deprived sections was really an intricate responsibility⁵.

Today for the majority of Dalits regardless of education or economic status, to journey through life as a Dalit entails daily subjugation, humiliation and exclusion from India’s mainstream caste society, commencing from birth, through childhood and as an adult worker until death. Emerging trend is that, increasing atrocities related to land, water, wages and other livelihood. Most of the atrocities are committed when Dalits attempted to assert their right to
resource (land, water, wages and other livelihood) and they attempted to avail legal recourse. This is despite the fact that many Dalits do not report crimes for fear of reprisals by the dominant castes. Despite this 27 officially registered atrocities being committed against Dalits every day, police often prevent Dalits from entering police stations, refuse the registration of cases by Dalits and regularly resort to the practice of torture against Dalits with impunity, and there exists a gross negligence of the state machinery, especially the police, resulting in impunity. The Justice Delivery Mechanism, primarily the Legal System, which is supposed to protect the poor and the marginalized Dalit victims of injustice, is struggling with the gigantic problems of huge number of pending cases and the biased mindset of human element within its system. Lack of minimum legal awareness among the poor and the marginalized Dalits makes their situation further worse. There is a strong comfort level in both society and the state that crimes against Dalits do not matter, need not be punished. This attitude of impunity is rooted in the social and cultural values and though the Constitution has made a very conscious change and consistent interventions of various organizations and movements, the mindset in society has not changed\textsuperscript{6}. But the awareness about the rights among Dalits and backward classes was generated and increased by many of the socio-political reformers and significantly, by Mahatma Phule.
Mahatma Phule’s Concept of Human Rights:

Phule made powerful pleas to abolish untouchability and the entire caste-system. He revolted against the unjust caste-system under which millions of people had suffered for centuries. The Dalit at that time did not have any political, social, educational and economic rights. He condemned dual morality of the Brahman system. He said equal opportunity should get to all people. He said by birth all are free and equal. All human beings have natural rights. He was a militant advocate of human rights to the downtrodden.

Savitribai Phule is an inspiration of movement for the liberation of backward and weaker sections from oppressive social system. She successfully confronted against many evil social practices and worked for establishment of ideals based on rationality and human reason such as truth, equality and humanity. She promoted gender equality and considered women equally with men. She recognized self-respect of women and their basic rights. It was almost impossible to start schools for girls and lower castes in the place like Pune which was highly dominated by Brahmanical ideology in the mid nineteenth century. Mahatma Phule challenged this dominance and started educating girls and lower castes. His encouragement to Savitribai Phule, his wife instilled confidence in him to contribute to his struggle. Savitribai actively participated in the struggles waged by Mahatma Phule’s mission. She became the leader of the movement after Jotiba’s demise. In order to recognize the significance of
contribution of Savitribai Phule it is essential to know social, cultural, religious and political conditions of Maharashtra, especially of Pune, in the 19th century.

Women and Shudras do not realize that they have been deprived of human rights through a perfidious plot of the Brahmins. Phule also pointed out the dominance of men against women in the religious texts. However, despite his concept of ‘Nirmik’, he does not prescribe elaborate rituals and blind pursuits of gods’ images and temples. He vehemently opposed worthless rituals and any intermediary between god and person. No sacrifices to god are acceptable to him. He advocates gender equality, opposes hierarchical superiority and propagates honesty and conscientious behaviour. Education is significant for human progress. Without education, lower castes will always remain oppressed and deprived. Denial of education is responsible for degradation of society. Phule did not have a limited purpose to make people literate. They wanted to create informed citizens and leaders of social reform through education. Mahatma Phule expressed his views for women education, lower caste education, vocational education, restructuring curriculum, agricultural education, technical education, teachers’ training, etc. Unfortunately, his ideas on education did not get acknowledgement in India. 8

Mahatma Phule and Savitribai Phule always considered ‘education’ as best possible way to improve the life of socially oppressed. Education is significant technique of social awareness and social revolution. Thus, they
always strived for providing education to these classes of the society. The Hindu social system denied right to education to women as well as lower castes on the grounds that they were not ‘competent’ enough to take education. The upper castes had this right as they were regarded as most competent. Education was a privilege only available to upper caste males. According to Phule, this deprivation of education was a strategy of upper castes/dominant classes in the society to keep unprivileged classes vulnerable and marginalized. It resulted into the maintenance of their dominance in social structure and dependence of the ‘vulnerable’ class on them for survival. Hence, the denial of right to education to women and lower castes made them more ‘vulnerable’ and ‘marginalized’. This denial also led to the refutation of right to knowledge and spread of information. The upper castes’ monopoly over knowledge system and interpretation of religious texts led to the maintenance of their authority over Hindu social structure. Due to this the lower castes and women couldn’t recognize their oppression which also helped the maintenance of such oppressive system.

According to Satya Shodhak Samaj, existence of God was replaced by Nirmik, the creator. Satya Shodhak Samaj propounded the spread of rational thinking and rejected the need for a Brahman priestly class as educational and religious leaders. Phule, in an attempt to explain caste oppression, turned the Aryan theory of race upside down. According to this inverted theory, the Aryans were indeed of foreign origin, but were far from superior compared to
the race they conquered. “They were cruel and violent invaders who had overturned an originally prosperous and egalitarian society.” Brahman rule, supported by state power and religious hegemony, was seen as the root cause of oppression for the original inhabitants of India who were the indigenous masses. Deenbandhu, the mouthpiece of the Satya Shodhak Samaj, played an important role in Satya Shodhak Samaj’s movement.

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Mahatma Phule articulated his views and concerns in his ‘Sarvajanik Satya Dharma’; it was in fact a declaration of fundamental principles of democratic revolution in this country. Their objective of establishing a society based on ideal principles of truth, equality, and humanity was difficult to attain in such conservative milieu. In such situation, devoting a life educating deprived classes amidst confronting dominant classes and their ideology was truly difficult objective. However, both of them strived hard to achieve this objective and paved the way for the future movements. The extracts of Sarvajanik Satya Dharma of Mahatma Phule contained human rights and summarized as under.

During those days Brahmin supremacy treated the Shudras as inferiors in the society and their very touch was a cause for pollution. He later knew that scriptures and Hindu law books—like Manu smriti all have graded the Depressed Classes and Shudras like slaves and serfs born only to serve the upper castes. A radical social reformer within him revolted for those who worked day and night till their death. He took the cause for the uplift and awakening of the Shudra classes, the peasants, the landless labour, the artisans, exploited for centuries in the name of low caste, untouchability and caste barriers. Phule aware very well how the farmers were exploited by the rich landlords, middlemen trading community and the Government officials. He not only wrote in their support highlighting their problems but also sympathetically
suggested practical ways and means leading to prosperity by adopting improved implements and scientific methods.

Mahatma Phule made an appeal to Government to fix a reasonable assessment on land. The British workers produced cheap articles because they worked on machines. The British merchants purchased in India raw material such as cotton and hides and made huge profits over them by turning them into useful goods. Consequently the Indian artisans and workers were reduced to penury in an increasing number. The report of the native officers that the farmers lavished their money on marriage functions was a wicked lie. The result of such reports was that there was no customs duty of British goods. The English moneylenders had derived a huge amount of interest for years and if the Government had sympathy for the poor Indian farmers they should stop giving interest of five crores of rupees each year to British money-lenders and should declare the Indian farmers free from their debts. The Government would be praised for its just and kind act. It was no use depriving small moneylenders of their interest. It shows the humanitarian attitudes of Mahatma Phule.

Concerning the children of weavers artisans, labourers, carpenters blacksmiths, coppersmiths, chatnars and also the children of the criminal tribes, Jotirao said that different kinds of schools should be opened and pupils should be instructed in their trades in those schools, so that children of the low castes might not turn out to be wicked men. They would improve their lot like the
workers in Europe and America. If they did not send their children to these schools, compulsory attendance should be enforced.

In his book, Sarvajanik Satya-Dharma Pustaka, Mahatma Phule remarked that: “All religious works are written by men and they do not contain truth from beginning to end. Changes were made by certain obstinate men in these books to suit certain occasions and the requirements of the times. So religions have not become equally helpful to all; and they give rise to divisions and cults full of hatred and envy”. It shows the humanity is main basic theme of life and not religion, gender or caste and according to him all are equal in society.

God created all things. He is kind and desires that all should enjoy human rights. If the earth we inhabit is created by God why should the peoples of different countries be torn asunder by enmity and the madness of patriotism, and why should religious bigotry prevail so much? When there are so many rivers in different countries, how can a particular river in a particular country become the most sacred? That most sacred river does not hesitate to carry with its water the droppings of dogs. All men possess the same kind of features and intellect. Nobody is sacred by birth. Everybody has his virtues and vices as a human being.

Offering food to God, is not the proper way of honouring him. Those men of the society who serve the people and by chance become helpless in old
age, should be supported, and the orphans and crippled children should be maintained. The man whose conduct does not show discrimination, and who loves and serves all irrespective of caste or creed, be he a Brahmin, or a Red Indian or a Mahar, he should be entertained at dinner.

There is no such thing as heaven. It is no part of the universe. Woman is superior to man. One can repay the gratitude of all persons except the mother. She is the beauty of the home; she is the kind eye that guards all. Woman is by nature weak. Man is greedy and bold. So he bent her to his will and kept her under his domination very selfishly by preventing her from acquiring worldly knowledge. Polygamy is cruel. Man is the source of greed, hatred and sin.

Marriages of old men with young girls must be condemned. Widow remarriages of young girls are prohibited by Brahmins, but old men are not prohibited from marrying in old age and ravaging the youth of girls. So girl widows, persecuted by their male relatives, fall a victim to their lust. During Vedic times a widow was allowed to cohabit with the brother of the husband and to produce children. There should not be discrimination between laws for men and women. One law should be applicable to both. A man is allowed to marry three women, but a woman marrying three persons is not tolerated. So a man must not be allowed to marry more than one woman if his first wife is alive. Greedy men have adopted these selfish laws.
To observe the caste system is no religion. The caste system is a fraud. Annihilate the idea that a Brahmin is sacred at all times, at all places. Originally, there was no caste system. The Aryans, the Brahmins, introduced it for their own selfish ends. If a sweeper is to be considered a lowly man then one's mother should be classified a member of that class. The caste system should not be based on occupations either.

Profession is not religion. One who shaves is a barber by calling, but not by religion. One who washes clothes is a washerman by calling but not by caste or religion. A man is by calling a gardener, but not by caste or religion. To make shoes is a shoemaker's calling and not his religion. To receive bribe is not the religion of a Government servant, but disloyalty. To live on the exploitation of others in the name of religion is no religion, but selfishness and hypocrisy. To cohabit with a prostitute and next day again assume sacredness is no religion but degradation. To live on carcasses is not the religion of the Mahar-Mangs but utter helplessness. To impose taxes on subjects for their protection and convenience is a duty of the Government and is not a religion. Parents bring us up and educate us with boundless affection when we are mere dumb children. It is our duty to look after our parents when in their old age they are helpless and crippled.

Those who believe that man and woman are born free and they have all rights to enjoyment are followers of Truth. Those who do not worship stars and
stones but the God of the Universe are followers of Truth. Those who, instead of dedicating things to God with the false notion of propitiating Him, do not prevent human beings from enjoying things created in the world and who allow others to sing the glory of God, are followers of Truth. Those who do not hurt causelessly any creature in the world are followers of Truth. Those who do not individually or unitedly make aggression on others are followers of Truth. God has given us freedom and religion. Those who do not deprive others of their rights or put others to a loss are followers of Truth.

Every man or woman has a God-given right to freedom of expression in writing, speaking and publishing; he or she should not do it in such a way as to deprive others of their rights. Then alone they are followers of Truth. Those who do not condemn others for their political views or religious beliefs and do not harass them are followers of Truth. Men and women should be appointed to village and Government posts according to their qualifications. Those who ensure that the appointments are given to the proper persons are followers of Truth. Those men or women who respect their parents and other elders are followers of Truth. Those who protect the rights of all men and women to property and freedom, and protect them from harassment are followers of Truth. Those who do not take wine and opium, or those who do not help such drunkards are followers of Truth. Those who do not kill beings except bugs, lice, scorpions, serpents, jackals, lions and tigers, and do not help greedy persons and murderers or suicides are followers of Truth.
Those who do not exploit poor people either in the name of religion or because of astrological superstitions are men of right conduct. Those who do not exploit the poor by selling them amulets are men of right conduct. Those who do not entertain men who set the people by ears are men of right conduct. The men, who live in a brotherly way with men of different habits and styles of dress, or food, are men of right conduct. Those who help the men suffering from dangerous disease, or orphans or crippled or respect them who do so are men of right conduct. The religious books which are prepared by great men for the use of the common man contain some truth.

His principles are humanity based and he made a powerful pleas to abolish untouchability and the entire caste-system. He revolted against the unjust caste-system under which millions of people had suffered for centuries. The Dalit at that time did not have any political, social, educational and economic rights. He condemned dual morality of the Brahman system. He said equal opportunity should get to all people. He said by birth all are free and equal. All human beings have natural rights. He was a militant advocate of human rights to the downtrodden. His principles emphasized human rights and are summarized by Sirswal9 as under:

- All men and women should live together unite on this earth as one family, with honesty and without discrimination, no matter to which village, province, country, continent or religious beliefs they adhere to.
The Creator created man to be independent and capable of enjoying equal rights as others. The Creator has given freedom to all men and women to express themselves freely, but without causing harm on account of their thoughts or views. This is known as true (righteous) conduct.

The Creator has endowed everyone with human rights. Hence it follows that an individual or a group cannot dominate another. To follow this principle is to practice righteous conduct.

The Creator has given all men and women religious and political freedom. One who does not harm another in any way and does not usurp another’s rights is a practitioner of righteous conduct. Conduct which will please the Creator is public truth (virtue). The honest behaviour of any human being towards his fellow human beings may be termed as morality. Similarly, on the religious beliefs Phule remarked as under.

He discarded idolatry, ritualism, asceticism, fatalism and the idea of incarnation. No intermediary between God and devotee was considered essential by him. Phule never believed that any book was God ordained.

Phule visualised Sarvajanik Satya Dharma (Public True Religion) to take place of Hinduism. His true religion broke from Hindu tradition altogether. He severely criticised the mythology and sacred books like Smritis and Vedas of Hindu. He tried to prove that the history of Hinduism was in fact, the history of Brahmin domination and slavery of
Shudras. He found cunningness, selfishness and hypocrisy in sacred scriptures than discussion of true religion.

- The elite reformers criticized the contemporary degenerated form of Hinduism, while Phule attacked it from its very inception and showed that Brahmins had deceived lower castes throughout history. Phule interpreted Hinduism as a relation based on Varna and caste system devised by the cunning Brahmins to deceive the lower castes.

- He dismissed Hinduism altogether, he did not reject the very idea of religion or Dharma. He tried to put in its place universal religion based on principles of liberty and equality. His Sarvajanik Satya Dharma put emphasis on truth seeking without the aid of any Guru or text. His religious ideas were definitely influenced by Christianity but he never advocated conversion because he was also influenced by the radical religious argument of Paine, who had shown a number of defects in Christianity.

- His universal religion was liberal and in many respects very different from traditional religions. His religion was mainly and primarily concerned about secular matters. Phule had visualised a family where each member of that family might follow his own religion. In this ideal family a wife might embrace Buddhism while her husband might be a Christian and children might follow other religions because Phule
believed that there might be some truth in all the religious texts and scriptures and therefore one of them could not claim the ultimate truth.

❖ He thought that the government should not close its eyes to inhuman religious customs or unjust traditions and practices of Hinduism. At one place he criticized the colonial government for its policy of continuing the practice of giving grants to temples, since he claimed that the money had been collected from lower castes in the form of tax. Thus there was no place for any communalism or unwarranted neutralism in matters of religion so far as Phule’s religious ideas were concerned.

From Jyotiba Phule’s ideas, it is clear that, all men and women should live together unite on this earth as one family, with honesty and without discrimination, no matter to which village, province, country, continent or religious beliefs they adhere to. The Creator created man to be independent and capable of enjoying equal rights as others. The Creator has given freedom to all men and women to express themselves freely, but without causing harm on account of their thoughts or views. This is known as true (righteous) conduct. The Creator has endowed everyone with human rights. Hence it follows that an individual or a group cannot dominate another. To follow this principle is to practice righteous conduct. The Creator has given all men and women religious and political freedom. One who does not harm another in any way and does not usurp another’s rights is a practitioner of righteous conduct.
Conduct which will please the Creator is public truth (virtue). The honest behaviour of any human being towards his fellow human beings may be termed as morality. If the Creator of this earth and the solar system is one, why are countries inimical towards one another and harbour deluded notions of patriotic pride? Then, also rivers from different countries of the world join the sea, then how can a particular river of one country alone be sacred? Although all human beings on the face of this earth are equal in the eyes of God, some have become superior by virtue of their birth; how did this come about? Is it not a fact that everyone is alike in birth and death and equally endowed with virtue and vice?

If the Creator is the ‘Nirmik’ of us all, then he should grant human beings mercy to suitably enjoy all the human rights that have been created. Since this does not happen, human beings have to undergo various kinds of unbearable sufferings. Feelings of enmity have flourished among the people of the nations of the world, giving rise to undue pride in one’s country and religion. Rivers of numerous nations of the world join the sea. How then can anyone river be termed holy? For even that holiest of holy rivers carries the excreta of a dog in its womb before proceeding to the seas. When all human beings are equal in body and mind, how can some acquire holiness by birth and thus attain superiority? They cannot escape life and death, just like the rest of us, and they are as virtuous as the rest of us. Man should not try to find out what the Creator is like or where He resides. The universe is bottomless and limitless. So it is impossible for an insignificant creature such as a human being
to fathom the Creator. He is incomprehensible. Even Brahma, who originated from the lotus, had never set his eyes on the Creator. The Creator has created’ flowers and other beautiful things in this world for enjoyment by man. So there is no point in offering them in worship to Him. The flowers’ purpose will be fulfilled if they are offered in the form of garlands in the name of God to those virtuous people who feed their families on the sweat of their brow, struggle day and night for the good of the world to free their ignorant brethren from selfish, opportunistic people.

Between men and women, women are the superior sex. One can repay everyone’s debt but never mat of the mother who gives birth. A home is not a home without a woman in it. A woman selflessly looks after everyone. Being the weaker sex and with man being greedy and selfish, the woman has been subjugated by the latter. Men have even forbidden her learning so that she would not know her rights.

Those who admit that men and women have been born independent from birth and are capable of enjoying every right, can be said to be practising righteous conduct. Those who do not worship the stars and stones, but have respect for the ‘Nirmik’ (Creator) of the universe, can be said to practise righteous conduct. Those who do not let other creatures enjoy all the things created by the Creator but offer them in empty worship to the ‘Nirmik’ cannot be said to practise righteous conduct. Those who do not torment in any way
other living beings can be said to practise righteous conduct. Those who let others enjoy human rights and do not oppose them individually or collectively, can be said to practise righteous conduct. All men and women have religious and political freedom. Those who acknowledge others’ rights and do not harass or harm them can be said to practise righteous conduct. Men who consider all women except their wives as their sisters and women who consider all men except their husbands as their brothers can be said to practise righteous conduct. All men and women have been granted the freedom to voice, write and publish their thoughts and views on human rights. However, those who take care that their thoughts or views do not harm others can be said to practise righteous conduct. Those who do not condemn others for their opinions or political views and do not persecute them can be said to practise righteous conduct. These ideas of Mahatma Phule emphasized the human rights of all people in society.

From the above discussion, it is clear that though the United Nations is much conscious about the protection of human rights of people all over the world, many of the principles emphasized by Mahatma Phule reveals the human rights. After independence, nineteen rights were enumerated in the Motilal Nehru Committee Report, 1928 to include in the Indian Constitution and it is noted that these human rights were derived from the principles and ideals stated by Mahatma Phule. The rights emphasized by the Motilal Nehru
Committee and these were based on the ideals emphasized by Mahatma Phule. They are\(^{10}\):

1. Personal liberty, inviolability of dwelling place and property
2. Freedom of conscience and of profession and practice of religion
3. Expression of opinion and the right to assemble peaceably without arms and to form associations
4. Free elementary education
5. Equality for all before the law and rights
6. Right to the writ of Habeas Corpus
7. Protection from punishment under ex-post facto laws
8. Non-discrimination against any person on grounds of religion, caste or creed in the matter of public employment
9. Equality of right in the matter of access to and use of public roads, wells etc.
10. Freedom of combination and association for the maintenance and implementation of labour and economic factors
11. Right to keep and bear arms
12. Equality of rights to man and woman

The Indian Constitution was framed by the Constituent Assembly of India, which met for the first time on December 9, 1946. The Constitution of India gave primary importance to human rights. On 10\(^{th}\) December 1948, when the Constitution of India was in the making, the General Assembly proclaimed
and adopted the Universal Declaration of Human Rights, which surely influenced the framing of India’s Constitution.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Rights</th>
<th>Universal Declaration of Human Rights</th>
<th>Human Rights in Indian Constitution</th>
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<td>Equality Before Law</td>
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<td>Article- 14</td>
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<td>2</td>
<td>Prohibition of Discrimination</td>
<td>Article-7</td>
<td>Article-15 (1)</td>
</tr>
<tr>
<td>3</td>
<td>Equality of Opportunity</td>
<td>Article 21 (2)</td>
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<td>4</td>
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<td>6</td>
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<td>Remedy for Enforcement of Rights</td>
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<td>13</td>
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<td>Right to Social Security</td>
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<td>15</td>
<td>Right to Work, to just and Favourable Conditions of Work</td>
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<td>Article-41</td>
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<td>16</td>
<td>Right to Equal Pay for Equal Work</td>
<td>Article- 23 (2)</td>
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<td>17</td>
<td>Right to Education</td>
<td>Article- 26 (1)</td>
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<td></td>
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<td>18</td>
<td>Right to Rest and Leisure</td>
<td>Article - 24</td>
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<tr>
<td>19</td>
<td>Right of everyone to a Standard of Living Adequate for him and his Family</td>
<td>Article- 25(1)</td>
<td>Article- 39(a) &amp; Article-47</td>
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<tr>
<td>20</td>
<td>Right to a Proper Social Order</td>
<td>Article - 28</td>
<td>Article-38</td>
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<td>21</td>
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It is noted that apart from above mentioned human rights emphasized by Mahatma Phule and the United Nations, the Indian Constitution has also included different provisions on abolition of untouchability, elimination of gender and caste inequality, universal education, etc, which are emphasized by Mahatma Phule.

Mahatma Phule and Savitribai Phule’s thoughts and practical contributions in the field of education are significant for the realization of ideals of truth, equality, justice, humanity in Indian society and polity. They were the pioneers in the field. During the British rule, Mahatma Phule was the first personality to condemn and aims to abolish untouchability in India and for this purpose, he emphasized caste-less society. He has also realized that caste and gender are major obstacles for development of all people in India and for this purpose, he emphasized education of Shudras, weaker sections, backward classes and women. He, not only laid down the principles, but also contributed much to improve education of women and backward classes. Savitribai Phule has also cooperated her husband in educating women. Without support of the Government and other agencies, they have opened schools for women and
Shudras. To increase the knowledge and fight for their rights, Mahatma Phule increased the knowledge of backward classes and women by motivating them towards scientific and conscience based thinking and not based on blind faith. In this way, he increased awareness and emphasized human rights among women and backward classes. He has also contributed towards welfare of peasants by suggesting the British Government to reduce taxation. Savitribai Phule was concentrated much on women’s education and an ideal teacher and founder of girls’ schools in Maharashtra. Their principles and activities are based on truth seeking and humanity. As such, these principles, later recognized as human rights and even included in the fundamental rights of the Indian Constitution under various articles. Unfortunately, the thoughts and contributions did not get proper attention due to prevalent Brahmanical biases in the academia. Nevertheless, their works have played significant and relevant role in the empowerment and consciousness of the lower castes and women in modern India.
Notes and References:


3. Kothari, Ibid.


7. National Campaign on Dalit Human Rights,  
http://www.ncdhr.org.in/ndmj/

