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2.1 INTRODUCTION

The problem having been raised and its statement made in the previous chapter, the back drop of the study is dealt with in detail in this chapter. The philosophical, psychological and sociological bases of human rights are described here.

2.2 PHILOSOPHICAL PERSPECTIVES

2.2.1 HUMAN RIGHTS CONCEPTS IN DIFFERENT SCHOOLS OF THOUGHT

Spirit of human dignity and ideals of human values are inherently present in almost all the schools of philosophies namely, idealism, naturalism and pragmatism etc.

The word ‘idealism’ signifies two terms ‘idea’ and ‘ideal’. According to idealism, the supreme aim of life is “exaltation of human personality”. Ross (1712-1778) says, “Human personality is of supreme value and constitutes the noblest work of God”. The exaltation of personality is based upon the concept of realization of the highest personalities of the self in a social and cultural environment. Man is essentially a moral being. The philosophy of idealism thus, “bestows dignity and grandeur upon human life”. (Rusk, 1956).

According to naturalism, material is the real world and values are subjective and relative. The main aim of naturalism is self-expression and preservation. Naturalists regard instincts of man as the guiding forces and the basis of his conduct. This philosophy disregards all rigid and traditional systems of practices. Individualization and individual freedom are most important. It fosters the spirit of joyful, spontaneous and creative activity in the individual.
Pragmatism believes that man’s first concern is to make this world worthy of human life. It is this worldly. It is utilitarian. It lays emphasis upon change as a necessary element of life. Individualistic as well as socialistic aspect of man is emphasized in pragmatism. It is humanist and based on the concept of human values. It shows its firm and deep faith in democracy. Thus, pragmatism combines manifold features and characteristics of idealism and naturalism.

Humanism is derived from the Latin term “homo” which means human being. Humanism is the philosophy in which man occupies a central place. Human welfare has been attached to the concept of humanism such as the idea of social welfare, scientific attitude, progress of democratic institution etc.

Existentialism is the passion for life which seems to be the first motto of the existentialists. Life for the existentialists is full of conflict and contradiction from which no human being is free. Therefore, man must accept conflicts and contradictions in his life. Choice is central to the existentialist view. Unique individuality is of paramount importance to the existentialists. They are certain about the fact that men are finite, their preoccupation with the past is intense and it is the future which decides whether the past is living or dead. Man himself is at the highest point of reality. He has intelligence and freedom to protect himself against all the odds and to guide his own destiny. As man grows and matures, he becomes more reflective about his experience and consequently has a better chance for controlling the agencies of nature.

Existentialists condemn determinism and approve freedom which they take as man’s best friend. Therefore, belief in freedom must be cultivated along with the sense of responsibility.
2.2.2 VIEWS OF WESTERN THINKERS

i) Rousseau

Rousseau's (1712-1778) philosophy emerged as a reaction against the contemporary social and political set-up. Rousseau is regarded as a champion of naturalism. In 'social contract' he says, 'man is born free but everywhere he is in chains'. In the field of political set-up, he advocated the concepts of liberty, equality and fraternity.

ii) John Dewey

Dewey's (1859-1952) philosophy is based on evolutionrary concepts of Darwin and Pragmatism. According to him, there are no fixed values and all values change with time and space. Man's life is a series of experiments and purposeful actions. There is organic relationship between individual and society. Dewey experienced that barriers of caste, colour, religion and language etc. have divided humanity. He advocated cooperative and associated living.

2.2.3 VIEWS OF INDIAN THINKERS

i) Rabindranath Tagore

Tagore (1861-1941) was a prophet of humanity – a lover of humanity and an individualist. Tagore believed in the rights and freedom of the individual. He was a naturalist, idealist and realist. Besides known as an ardent prophet of world unity, he was for the creative self-expression of the child.

ii) Swami Vivekanandha

Swami Vivekanandha (1863-1902) was a humanist. His philosophy hinges on universalism, spiritual brotherhood, dignity and diversity of
human beings. He found manifestation of god in man. To him, "the only God to worship is the human soul in the human body" as man to him is the highest creation. According to him, education is the birth — right of every human being. "If a poor boy cannot come to education, education must go to him", he says. He had eternal faith in the goodness of man. He laid stress on love, sincerity and patience which are the pillars of modern, democratic and secular society.

iii) Radhakrishnan

Radhakrishnan (1888-1975) was a great humanist. He considered human freedom as the most valuable element to be safe-guarded by the society and the state. His philosophy expresses that "Human personality is a sacred thing. Man has a right to life, liberty and society". According to him, dignity is the basic faith in democracy. (Sharma, 1987).

v) Mahatma Gandhi

Gandhiji (1869-1948) is known as the apostle of non-violence and peace. Gandhian concepts on Satyagraha, Education, Unity, Truth etc relate to human rights and responsibilities. Gandhiji stood for love, universal brotherhood, freedom, justice and equality to him. Service to community, is service to God.

The real meaning of sathyagraha is holding on to truth hence, truth — force. Truth or sat is love, soul or spirit. Gandhi therefore, called sathyagraha as love — force, soul — force or spiritual — force. Gandhi states, "I discovered in the earliest stages that pursuit of truth did not admit of violence being inflicted on one’s opponent but that he must be weaned from error by patience and sympathy". (Jayalakshmi, 2001). Gandhiji considered education as one of the most potent instruments of man — making and social transformation. He was convinced that education alone can play an effective
role in developing the human personality. Everyone has the right to education. Education shall be free and compulsory for all children until they complete the age 14 years. Gandhiji advocated for women education which he said, was a "must" for social uplift and enlightenment. The world Swaraj signified a government, which is thoroughly democratic and in which there is no place for corruption or abuse of power. It could be realized by the people provided they were politically conscious, bold and literate. Gandhi believed that without Ahimsa, it is not possible to seek and find truth. Ahimsa and truth are like the two sides of a coin. Gandhi believed in self-discipline and self-control among one's thoughts and words.

iv) Jawaharlal Nehru

Nehru's (1899-1964) is naturalistic humanism. The sole focus of his faith was man and so he formulated the religion of humanity. His argument was that any religion which was founded on blind faith, superstition, reaction, exploitation and vested interests was an impediment to national unity.

2.3 PSYCHOLOGICAL PERSPECTIVES
2.3.1 PSYCHOLOGICAL SIGNIFICANCE – A BASE FOR HUMAN RIGHTS
i) Need Satisfaction

Needs, or desires create motive which ultimately leads to tension state. In this stage, human beings struggle to identify specific motivated behaviours or goal – directed activities that reduce tension and give relief which paves way to reach the state of need satisfaction which is a base for human survival. When needs are not met the individual cannot enjoy his basic rights. When the basic need satisfaction is prevented by any anti-social element, naturally there will be a violation of human rights.
Murray (1938), Maslow (1954) and Madsen (1961) prefer the concept of motivation to satisfy needs. Some basic needs are food, shelter, love and maintenance of positive self-esteem. According to Maslow (1954), the needs related to physiological safety, love and esteem are considered as deficiency needs. These needs are very essential to physical and psychological well-being. Until and unless, these needs are satisfied, a person cannot satisfy himself and have a comfortable life and if the need satisfaction is not made at the low level of deficiency needs, it naturally prevents the following rights: right to life and live, right to food, dress, shelter and medicare, right to health, right to protection, right not to be tortured, right to peace, right to equality right to dignity etc.

Specifically the psycho-social needs are associated with the socio-cultural environment of an individual. They are actually acquired through social learning. Even though, these needs are directly linked with the survival of an individual, these may lead to enter the psychological stage and thereby the individual's survival and welfare will be seriously affected. For example i) The need for freedom is linked to practise the right to freedom; ii) The need for security is connected with the right to security; iii) The need for love and affection is related to emotional craving which is responsible for practising the right to choose life-partner and freedom; iv) The need for recognition or social approval is meant for maintaining social status which leads to practise right to dignity in the society.

2.3.2 SELF-ACTUALISATION AND HUMAN RIGHTS

Self-actualisation is defined as the desire to become everything that one is capable of becoming. It is characterized by acceptance of self and others. The democratic relationship with others, creativity, honour and independence – in essence, psychological health. It is the most important growth need which depends on the satisfaction of all other needs. If the needs are fulfilled it will create an atmosphere in which cultural, economic, social,
religious, political and environmental rights may be practised. There would not be any problem of denial/violation of human rights then.

2.3.3 COGNITIVE DISSONANCE AND CIVIL RIGHTS

The need to maintain a positive self-image is a powerful motivator. Much of the human behaviour is directed toward satisfying on his personal standard. For instance, if one believes that he or she is good and honest he or she is likely to engage in good and honest behaviour even when no one else is watching. Some times, the realities of life force the people into a situation where their beliefs contradict their positive self-image or conflict with their beliefs; that naturally affects civil rights.

2.3.4 PERSONALITY DEVELOPMENT AND HUMAN RIGHTS

Personality is a sum total of physical, mental and social qualities in an integrated manner. These qualities cannot be developed within the individual itself, but they manifest themselves in social interactions as well. In the process of social-interaction, some of rights related to social aspects are used by the individuals in a society i.e right to freedom, right to preserve culture, right to social justice, etc.

a) Personality Development Through Need Satisfaction

According to Maslow (1954), needs are closely related to each other and they are hierarchical from the lowest level to the highest level. The physical needs for survival are at the bottom. The psychological needs are on the top. Starting from the satisfaction of the physiological needs, every individual strives for the satisfaction of the other needs of higher order. In the same way, personality also develops rights attitude from the bottom to the top. This striving for one or the other level of needs provides the motivation for his
behaviour. A need that has been satisfied is no longer a need. It ceases to be a motivating force and therefore, the satisfaction of need leads an individual to try for the satisfaction of the other needs. In this way, the motivational behaviour of a person is always dominated, not by his satisfied needs, but by his unsatisfied desires and needs. When there is a struggle that exists among individuals to satisfy a particular need, there also occurs a denial of human rights. However there may be an exception to the hierarchical order. One may be more motivated for the satisfaction of one need at the cost of another and therefore a person can reach the top without caring for the satisfaction of needs of the lower order. It is very clear, however that the need of self-actualisation dominates and rules all the other lower level needs. In this juncture, the rights related to each and every level of lower needs or deficiency needs may not be practised.

b) Neurotic Personality

It is a kind of personality character that predisposes him or her to neurosis. In the field of psychology, neurotic personality inventory identifies the feeling of security and insecurity. The feeling of insecurity develops when the person is having neurotic tendency. The person who comes under highly neurotic cannot have the feeling of security and this tendency prevents him from exercising his right to security. Therefore the development of human personality enables the people to participate effectively in a free society which paves a way and contribute a lot to prevent human right violations.

2.3.5 ATTITUDINAL CHANGE

Moulding the attitude is the outcome of human learning. The social tendency of a person identifies the attitude of the other individual who is completely neglected by a social group and this kind of attitude occurs only in certain situation. Attitude is the expression of mental state and it is not a
permanent one which is acquired through experience. The attitude of neglected persons may be identified in cognitive, affective and conative aspects and special attention may be made on them to modify their attitude and mould their behaviour which is more relevant to social group.

2.3.6 CREATIVITY AND HUMAN RIGHTS

Creativity as a natural endowment needs stimulation and nourishment. One of the important aspects of creativity development is providing opportunities for creative expression. That is nothing but freedom to respond. Permitting individuals to move freely and think of as much ideas as they can, promote creative abilities. Here, the main aspect of human rights is permitting others to exercise their rights. Since creativity is identified with the personality traits such as ability in decision-making, flexibility in thought, perception, transfer of learning, divergent thinking, good aesthetic judgement, self-respect, self-discipline, sense of justice and awareness of obligation and responsibilities, these personality traits of the individual help him or her to practise some of the rights – right to freedom of expression, right to justice, right to dignity, right to basic responsibilities, right to sense human abilities, right to social justice and right to liberty. Therefore the creative abilities must be enriched in the minds of young generation right from the beginning and that results in creating novel materials and performing intellectual exercises.

2.4 SOCIOLOGICAL PERSPECTIVES

In a true democratic social environment, people react very sensitively, when their rights / freedoms are restricted and these denials, violations or, inhibitions on freedom cause political struggles and social unrest (Poggler, 1970). In sociological aspect, right to freedom must be practised by the individuals in a society and in social contexts – as rights “Originally bestowed by man, arising directly from his nature as being endowed with
reason and free will, conscience and responsibility in other words, not first granted by the state” (Geiger, p.1103). Right to freedom is a gift which may be interpreted as a common property of society instead of as the purely private possession of the individual (perhaps person may be attached with a service in a community) (Poggler, 1970). The socio-cultural life of people in the democratic society is mainly based on norms and values. Values are considered as a base for promoting human rights culture and it also strengthens social bonds and brotherliness (Sharma, 1989). According to a sociologist social development should be understood in a broader sense implying progress towards higher living standards, greater equality of opportunity and securing of certain basic human rights enhancing the abilities of individuals to control their own lives through economic, social and political actions. Therefore the social action / involvement which leads to social development is also based on certain basic human rights and its practices.

2.4.1 VALUE INCULCATION PROMOTES HUMAN RIGHTS CULTURE

According to the Indian Educational Commission Report, (1964-66) values promote individual to have self-thinking, introspection and judge himself without which it is not possible for him to become a responsible member of a democratic society. Value may be defined as a factor which affects human behaviour. The best way to protect the individual’s right above all is through good and honest governance, response to their needs, education and reasonable standard of health from which will flow a life of dignity and a capacity to better understand and assert their rights.
2.4.2 GUIDANCE AND COUNSELLING PRACTICES LEAD TO UNDERSTAND SOCIAL VALUES

The guidance and counselling given with positive mental attitude in the social and moral aspects leads to develop good citizenship – appreciation and understanding of social values, needs, problems, social attitudes, group loyalties, social responsibilities and proper utilisation of human resources which enrich the knowledge of the people and develop an understanding of life.

2.4.3 HUMAN RELATIONS DEVELOP HUMAN VALUES

Human relation indicates the man-man relationships which promote understanding, interaction and humanitarian attitude in order to get positive solution to any problem.

The human relation is focused on the following four aspects (Edigar, 1983):

i) **Co-ordination**: Co-ordinating activity (effort and work) promotes good rapport among the people and that leads to realize the ultimate aim of their activities.

ii) **Need**: Achieving certain common goals which are needed for development.

iii) **Principle of Division of Labour**: Sharing the responsibilities based on the competency and skills of the leader.

iv) **Integration**: It focuses on the necessity for co-ordinating the efforts of the whole group of members. The co-ordinating activities are guiding, limiting, controlling, informing and managing.

In human relations, communication plays a vital role. According to Petrovsky and Yaroshevsky (1985) “Human relations are the system of attitudes, orientations and expectation of group members with respect to each other, which is determined by the content and organization to joint activities and
values on which human communication is based. The human relation also develops socially significant activities. Right to maintain dignity, right to sense human abilities and right to form associations or unions are mainly based on human values.

2.4.4 COMMUNAL HARMONY

Communal harmony is the base for exercising human rights in the society. Religious fanaticism is considered as a serious threat to communal harmony. People's religious thoughts in general are too narrow. In the present day, it is everybody's duty to enhance the horizon of the spiritual field in order to have endurance and tolerance. Another one is religious fundamentalism. It also affects the human rights of the people. Its important role is to control the civil society. The religious fundamentalism particularly affects the minority group. In the process of welfare of the nature, minorities' valuable ideas are even neglected and ignored in the name of caste, creed and religion. In order to develop communal harmony the religious and moral education must be given with social perspectives so that the values related to moral and religion aspects may be instilled in young minds and at the same time, the spirit of tolerance and social cohesiveness must be developed among youth through all means.

Hunan rights culture may be promoted through the development of values, believes and attitudes which uphold human rights and also support human rights concepts.

2.4.5 SOCIOLOGICAL DIMENSIONS OF HUMAN RIGHTS

Deprivation in any sense throughout the whole span of human development is the basic threat to human rights. Large sections of the world's populations are deprived of basic necessities. They are denied of their rights to minimum basic need, work; health care, education and shelter. How can a man
or woman live with dignity when he or she has to go hungry, beg for food and live under the fear of death for want of medical care?

The world order in which people live is skill characterized by paradoxes, inequality of incomes and asset distribution and of systems and institutions. There is exclusion, absence of feelings of compassion and solidary and organized financial social swindling which has ruined economics, the rapid degradation of the global environment, the invasion of information technology on privacy and degradation of moral and ethical standards. Environmental degradation jeoparadises the survival of mankind. Human rights has an expanding horizon which includes various social phenomena viz., deprivation, disadvantaged and under – privileged sections, corruption, terrorism and extremism; violence, discrimination, gender – bias, poverty, etc.

2.4.6 SOCIAL WELL-BEING BY UPHOLDING INDIVIDUAL’S HUMAN RIGHTS

Individual in relation to society is inextricably linked. Excellence in the individual can strengthen society; even as society can help the individual to attain excellence. Society which is an aggregate of individuals, acts through individuals. But on the other hand, it is equally true that individuals act on behalf of society or in conformity with socially sanctioned expectations.

Social well-being is a multi-faceted phenomenon which includes social, moral, economic, political and developmental aspects of human beings. The concept of social well-being can be understood in terms of the maintenance of the social sanctions and norms by the individuals which ultimately regulate the smooth functioning of society at large and facilitate the healthy adjustment of the individual. Hence, the violation of social sanctions and code of conduct by any individual and authority at the cost of other individuals, may hurt the rights of others which may be termed as violation of human rights. The entire society and all authorities dealing with human rights will have to respond with humanism and human values. Thus, the maintenance of human
rights will pave way for the attainment of mental health, human development and social harmony and finally for the achievement of social well-being.

2.5 PSYCHO-SOCIAL RELEVANCE OF HUMAN RIGHTS IN NATIONAL DEVELOPMENT

Human rights are the essence of human existence and survival of the whole man-kingdom. If liberty, equality and dignity are said to be the foundation stones of human rights, tolerance, patience, empathy, cooperation, altruism and mutual understanding are the psycho-social bases for ensuring and upholding it.

Human rights are universal and contextual both. They are universal because they stem from human itself. They are contextual in that humans are situated. Individuality has meaning only in a social context. Society derives its being by the collectivity of individuals. The rights of the individuals are obligations of the society and the duties of the individuals are the values of the society.

The aim of social development is to uplift the masses from the morass of ignorance, poverty, disease, squalor and unemployment. Human rights as an economic, social and cultural instrument ensure each and every citizen to avail all opportunities for betterment and excellence. Hence, the purpose of human rights and social development depends on each other. The two are intertwined.

Human beings are consumers as well as patrons of human rights, which is an immunity against the loss of dignity. Anti-rule behaviours such as physical and mental torture by the Government powers directly tell upon the freedom and dignity of men and women and threaten the existence of human and humanity at large. Human rights are a necessary condition for enhancing the self-worth of human kind. Awareness of human identity is the bed-rock of human rights. Promoting the sense of oneness among all people is the sure safeguard against the abuse of others’ rights. Social identity formation involves
ingroup bias and outgroup prejudices. The social identity theory provides some interesting insights for an understanding of group identity formation and the means of promoting it and then by making human identity feeling strong, perception of common interests preclude conflict and promote accord.

In any civilized society, the two most important things that determine the quality of life are the protection of life and property and the dispensation of justice. Hurdles in the process of national development ultimately deter the maintenance of human rights of the citizens. In essence, development in terms of social, economical, political and cultural, is inconceivable without adequate support for and protection of human rights.

Dignity of the individual largely gravitates around his ability to have a decent livelihood. Social sanctions like Minimum Wages Act, Social Security Act, Old Age Pension etc. ensure that this is available. There is no meaning of right to freedom or anything else to a man who is hungry, sick, poor and illiterate; unless his basic needs are fulfilled, rights hardly carry any significance to him. Similarly while talking about equality, it means equality as a person and equal opportunity for his development.

2.6 PSYCHO – SOCIAL BASES FOR TERRORISM

Psychologists and sociologists believe that there are certain common traits in terrorists, viz., they are young, disillusioned, usually poor with little or no education. Very often personal factors can turn a person into a terrorist. These men are in a desperate situation driven by poverty, hatred and revenge. To combat terrorism, it is important to understand the psychodynamics of terrorism. Experts say that terrorism stems from an alienated, disillusioned section of society that feels a deep sense of injustice and deprivation.
2.7 CORRUPTION AND HUMAN RIGHTS

The epidemic of corruption does deprive the people from getting due shares and in turn threat the human rights in any way. Corruption is the great hindrance in the economic development of a country. It is the biggest threat to the security and life of people. It is the degeneration of human values.

The most significant psychological effect of corruption can be seen and the behavioural manifestations of the meritorious and desiring youths and other personnels who are competent enough to get a right place but they cannot. They feel themselves great unfortunate ones and as a result a sense of frustration and insecurity. It distorts the personality as a whole. Corruption lowers and degenerates the self-esteem and self-confidence of an individual thereby sowing the seeds for further corruption.

Similarly the other problems like Illiteracy, Environment Pollution, Prostitution, AIDS, Mental Retardedness have direct impact on the development and well-being of the society.

2.8 CONCLUSION

The present chapter has so far dealt with the philosophical, psychological and sociological aspects of human dignity, humanism, human values and human rights. The chapter to follow explains the conceptual framework of the study.