CHAPTER I

INTRODUCTION
1.1 Statement Of The Problem

One of the great problems the world faces today is the violation of human rights. Today the life of human beings is threatened by various types of human rights violations both at the individual level as well as at the international level. Humanity is suffering from mental tension, mutual distrust, dissatisfaction and scarcity of peace and pleasure in life. In this age of globalization, increasing competition, materialism, and loss of spiritual and moral values have turned man into egoist, brutish, selfish and violent. Violence caused the denial of the most fundamental human right, the ‘right to life’, in other words, the right to live with peace. Today the increasing violence in the society destroys the peace of individual and social life. The more recent phenomenon of terrorism has brought the world to the edge of destruction. It is one of the great causes of human rights violation in the contemporary world. Majority of the people are still living in terror in many parts of India and the world because terrorist attacks can break out at any time and from any corner. People have no security in their lives. Why this situation is going on in a democratic set up? All persons have the right to live with peace so that they can fully develop all their capacities, physical, intellectual, moral
and spiritual, without being the target of any kind of violence. Violence breeds violence and leaves behind a legacy of bitterness, hatred, ill-will, revenge, enmity, suppression and oppression and gives rise to counterviolence. Hence violence must be eradicated from the individual and the society to restore the human rights of all.

Though the United Nations Declaration of Human Rights came into existence about 56 years ago, can we say that every citizen of India enjoys the rights contained in this Declaration? Even today millions of people in the world are left without enough food, proper clothing and secure shelter. Thousands of unemployed youth are looking for a job. In India too, the condition is not better. The majority of the people were denied even the fundamental rights. Labourers are treated as slaves; their women are molested and exploitation of the masses is rampant. The foundation norm governing the concept of Human Rights is that of the respect for human personality and its absolute worth, regardless of colour, race, sex, religion, or other considerations. These rights are essential for the full development of the human personality and for human happiness. Undoubtedly the concept of human rights has always been regarded as the backbone of every democratic
set up. To assure the fundamental rights of the people is the fundamental
duty of a democratic system. The area of human rights violation is mainly
focused on women and children and the downtrodden people of the society
such as dalits and tribals. For the protection and promotion of human rights,
we have Human Rights Protection Act, SC/ST Atrocities Act, Practice of
Untouchability Act, Protection of Civil Liberties Act, etc. But the problem
is that, the people are not ‘acting’ according to the Act. Why such a situation
still exists in the present day society? How can we restore our fundamental
inalienable right, the right to live with dignity?

1.2 Relevance Of The Study

In today’s world people’s lives are constantly and rapidly deteriorating
below decent subsistence. The vast majority of humanity is crawling in
poverty, economic backwardness and oppression. There is more violence
and there are more jobless, poor, sick, hungry and illiterate in this era than in
any time in history. In a democratic set up violence causes deterioration of
the dignity of life of the people. Every citizen has the right to dignity in life.
The growing unemployment, economic insufficiency, poverty etc. are the
challenges threatening the dignity of life of the people. How many people
know that they have acquired by birth precious fundamental freedoms and rights which cannot be denied to them even by the mighty state? The reality is that there are thousands of people who have not even heard of them. It is imperative to create awareness on human rights among the oppressed and exploited as it is the strongest defence against human rights violations. Violation of human rights remains as a blot on democracy. Who can remove the blot and cleanse the democracy through the restoration of the rights of all? The state or the laws alone cannot protect the rights of the people. But the 'moral citizens' can play an important role in this regard. For that, there is need for restructuring the social system on the basis of love, non-violence, truth, freedom and equality. Without these moral principles, no society can safeguard the rights of all. The implementation of human rights is closely related to the betterment of the human condition individually and collectively. These are essential for human progress. Rights may be justified as being inalienable, transcendental, and absolute. Without them a man cannot realize his self or contribute to the good of the society in which he lives. The legal provisions regarding human rights only cannot protect human rights, but the law with morality can safeguard the rights of all. In this context, the Gandhian perspective on human rights is very relevant in the contemporary world
1.3 Objectives Of The Study

1. To study the origin and development of Human Rights in India

2. To analyse the various sources of influences on Gandhi to make him a strong defender of Human Rights.

3. To analyse the personality and principles of Gandhiji and how far it would be relevant in the contemporary world to protect human rights.

4. To examine Gandhiji’s modus operandi in South Africa and India for the protection and promotion of human rights and to find out the main characteristics of Gandhiji’s method of protection of human rights.

5. To assess the relevance of Gandhiji’s method for the protection and promotion of human rights in the contemporary world and to propose some suggestions regarding the effective protection of human rights today.

1.4 Hypothesis

Today more than ever before, Human Rights have a unique role in man’s life. Without Rights human beings cannot have a meaningful existence. Gandhiji had an intense faith in the basic rights and dignity of human being and that made him a strong defender and promoter of human rights. The Gandhian
method of protection and promotion of human rights is basically a humanitarian and a non-violent one. This is meant to accept and respect the rights of all persons regardless of caste, colour, creed, sex etc. Gandhiji seemed to have an in-depth understanding of Human Rights and had an intense desire to safeguard them. The Gandhian approach for the protection and promotion of Human Rights appears to be one of the best methods that can be applied in the present day society. It can provide an alternative solution to various types of Human Rights violations existing in the contemporary world.

1.5 Universe Of The Study

The universe of the study can be the entire world and all the human beings in it. But it is nearly impossible to conduct such an exhaustive study within a stipulated time. We are mainly concerned about the people of India and their rights. More importance to the role of human rights and to promote the dignity and worth in human life is given. Thus the Gandhian perspective on human rights is given importance. Hence we limit our study to Gandhiji’s human rights activities in South Africa and India.

1.6 Methodology and Sources of the Study

The methodology followed in this study is neither historical nor sociological but it is a conceptual analysis of human rights based on Gandhian
perspective. Hence descriptive, analytic method has been followed in general.
A variety of source materials have been consulted for this study. Primary sources
are the collected works and other works of Mahatma Gandhi and the Indian
Constitution and various source books on human rights. The secondary sources
such as different books on Mahatma Gandhi and other books on Human rights,
articles published in various journals, periodicals and papers presented in various
national and international seminars are also made use of for this study. Other
useful pieces of information are collected through interviews with many scholars
and human rights activists in India.

1.7 Plan Of Work

The present study is divided into eight chapters. The Introductory chapter
deals with the statement of the problem, relevance of the study, objectives and
hypothesis, the scope and limit of the study, the methodology and the sources
of the study.

The second chapter presents the origin and development of human rights.
It tries to discuss the historical evolution of the concept of human rights in
ancient times, middle ages, 17th and 18th centuries, natural rights and doctrine
of humanitarian intervention in 19th century, U.N. Charter, International Bill of
Human Rights, Universal Declaration of Human Rights etc.
Chapter three examines the early life and influence of Mahatma Gandhi. It consists of various sources of influence such as, Indian influence, western influence, religious influence etc. Gandhiji was a man of influence. His early influence made him a positive personality based on truth and non-violence. It was the foundation of his moral nature and it also influenced him to think of the welfare of all.

The fourth chapter discusses the personality and principles of Gandhiji. It consists of the various aspects of his personality. He was a charismatic leader and visionary with profile of courage and strong faith. Moreover, he was an upholder of human dignity and human rights. As a writer of change and awareness, he had edited three journals for the sake of the public to understand their rights. The principles of Gandhiji were truth, non-violence, Satyagraha, morality and religion, and Sarvodaya. Of all these principles, truth and non-violence were the foundation of his distinct personality.

The fifth chapter examines Gandhiji and promotion of human rights in South Africa. It consists of the Indian immigration and the conditions of indentured labourers in South Africa, discrimination laws of the whites against the Indians, the Natal Indian Congress and prelude to Satyagraha. The South
African period is an important landmark in Gandhiji's life as it resulted in the transformation of a mild youth into a fighter for social justice and human rights.

Chapter six discusses Gandhiji and promotion of human rights in India. It consists of the major public activities he had led in India for the protection and promotion of human rights. They were the Champaran Satyagraha, Kheda Satyagraha, Ahmedabad labour strike, Khilafat and the Non-cooperation movement, constructive programme and the Indian freedom struggle. The Indian freedom struggle is the proven model of the invisible power of Non-violence before the world.

Chapter seven examines the relevance of Gandhian perspective on human rights in the contemporary world. It consists of the various aspects of Gandhian perspective on human rights and presents the findings, suggestions and policy recommendations of the study.

In the concluding chapter, an attempt is made to review the various aspects of the subjects raised, discussed and analysed in the previous chapters.