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**HISTORICAL PERSPECTIVE OF HUMAN RIGHTS: ITS
ADAPTION IN INDIAN CONSTITUTION – A Study**



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ABSTRACT

Human Rights meaning:

Human beings are born free and equal in dignity and rights. These are moral claims which are inalienable and inherent in all human individual by virtue of their humanity alone. These claims are articulated and formulated in what we today call human rights, and have been translated into legal rights, established according to the law-creating processes of societies, both national and international.

The basic of these legal rights is the consent of the governed, that is the consent of the subjects of the rights.



KEYWORDS :*Human Rights, Indian Constitution, liberty and freedom.*

INTRODUCTION :

In earlier days of Europe, the Autocratic rulers, Priests, Landlords ruled the people mercilessly. They have the thought of invasions on the context of Imperialism. Their tyrannical rules made the people to revolt against them to get equality, liberty and freedom. They tried to get equal opportunities for all the people. The church played an important role and assists the kings to suppress the common people. In the context the people of Britain revolted peacefully against the king and change the rule of Britain from autocratic way to limited democracy. By the light of the above sequence, American war of independence, Martin Luther attempts, Waltair and Montesquieu inspired French people, Lenin in Russia, Gandhi in India, Nelson Mandela in South Africa, Dr. Sun-et-sen in China, Sheik Mujibur Rehman in Bengal fought for Human Rights, and the Human Rights importance is spread all over the world. With the above efforts, universal human rights charter was declared, by the U.N.O which was organized on 24th of Oct 1945. The entire world now is celebrating 10th of Dec. every year.

Human Rights- Historical movements (Perspective)

To achieve the Human Rights different movements are took part in different countries. Among all the movements (Revolutions) some of them were greatly inspired the world are given below.

English Revolution – 1688:

The English Revolution is also called the Bloodless Revolution. The kings, the popes, and the Feudalists in Britain ruled and suppressed the people for a long period, the suppressed people suffered a lot during the above period. They have resolved to organized an organization which respect the public opinion by throwing the tyrannical government. They were waiting for an opportunity to dethrone. The Autocratic king James II people of Poritain invited the William of Orange the ruler of Holland who was the husband of Mary the daughter of James II. By hearing the decision of Britain people James II left the country to secure himself. Then the William of Orange was appointed the king of Britain by the Parliament. In 1701 the British Parliament made settlement Act, which give power the parliament to decide the future king after William of Orange without shedding a single drop of blood, the power in Britain changed from kingship the Democratic way. As a result the people of Britain got the right of expression, speech and liberty. By this above revolution the people of Britain step further to get equal opportunities.

American war of Independence – 1777:

The people of Britain have a concept to get the American people under their control. The people of America wanted the Independency and were not accept the supremacy of Britain. The European people were suffered and downtrodden by the kings, Feudelists and popes. So they have decided to got out of Europe, and live peacefully. They have decided to go to the new continent America which was discovered by Amerigo Vespuche. The people of Scottland, England, France, Germany and some of the other areas left their home countries and settled at America. They have colonized 13 colonies and establish a moderate government, giving liberty, religious freedom and expression of speech. The British parliament was not accepted all these developments of America. The parliament of British always tried to get America under their control. In America the people followed one culture, one script, one language, though they came from different countries, the Church authorities mainly the people. In Germany Martin Luther revolted against the church authorities and spread the proverbs of the Bible by calligraphy. The people followed him are called protestants. (They are Presbitarians in Scottland Hugenots in France, Puritans in Britain). However the British parliament tried several times to bring the Americans under their control. For that they imposed Boat tax, stamp act a boat with colours, Tea boxes and other articles to America. The raged American youth disguised as Red Indians and sunk the boat in Atlantic ocean. This act made the British Prime Minister Edmund Burk and William pit, the secretary angry. They sent an army to curb the American army under the leadership of Benjamin Franclin fought at Bunker Hills. This resulted victory to Britain over Americans which the British attitude is severe against Americans. Finally under the guidance and leadership of George Washington the armies again fought at Saretoga in 1777 and won over the British Army. The supremacy of Britain ended with the war and America became an independent country. With the war people of America got liberty and equality, a Government the respects the public opinion.

French Revolution -1789:

France was under the tyrannical rule of Louis for many years. The kings were luxurious. During their regime the society is divided into two classes. The king, the Pope and the Feudalist are one class, the common people are second class. The First class people have all rights and facilities provided by the Government. But the second class common people have no any rights. Almost they lead life of slavery and labours. And also they should pay all taxes imposed by the Government. They do not have any Anvils to cook their food. They have no rights to question the upper class if their crops damaged by the

animals of the upper class. Majority of the days in a year the commons should work for the constructions of the Government work.

Waltair, Montesque and other philosophers inspired the commons and lit a light in their hearts towards revolution. The commons gathered together and decided to dethrone the Louis on the French thrown. At the time of Revolution Louis XVI was ruled France. He was an inefficient king luxurious and the administration was in the hands of his wife Mary Antonette. She always follow the suggestions of Nector who was her close intimate. The suppressed people after bearing all the difficulties assembled near Tennis court on June 14, 1789 and resolved to dethrown the king and to freed the political prisoners at Bastile Jail on July 14, 1789 the outrageous public revolted against the king, demolished the Bastile. The king and the queen were captured and sent to jail. The people organized the Government which they like. That gives the public Liberty, Equality and Fraternity. These ideals of democracy gave value to Human rights throught out the world. In 1793, the king Louis XVI and his wife were hanged in public.

Russain Revolution or Bolshivik Revolution 1917

In the earlier days the Czar kings of Russia established an elaborate country by annexations and invasions. The kings of Russia maintained secrecy, not outspoken their activities. Unlike other countries, here people have no any rights, freedom, not even to ask their minimum needs. The kinds led a luxurious life by spending public money which pooled from taxes. Many times the Government suppressed the secret societies organized by the public. The Government was not keeping any interest on the needs of the people. Because of the lack of the efforts of the govt. and its negligency people were suffered a lot, and not even to get daily amenities. By the experience of the difficulties, the people were waiting for an opportunity to revolt against the Government. At the same time Wladimir Ilich Leanov, generally known as Lenin started Bolshivik party. He organized the people to revolt against Czar Nikolas II.

In 1905 the common people of Russia were paraded to buy daily commodities and bread. They came out of the houses and were all on the roads. The army of the king fired cruelty. Many people died and several were injured. With this act the people enraged and dethrown the king Nikolas and established a public Government under the leadership of Kerenski. The properties of the king, the popes and Feudalists were confiscated by the new GovernmeSnt the loans and debts of other countries were evaded. The new Government the council of people's commissars' gave freedom. Liberty, Equality, Expression of ideas the people. It is also a trend to get Human Rights in Russia. This new Government banned the individual property all the property of individuals who got earlier is nationalized.

The first war of independence– 1857 (Indian Revolution) (Cepoys mutiny)

The East Indian company rule was started in India after getting the Victory at Plassey 1757. The intention of the company rule was only extend the British Empire in India. To achieve the goal the company introduced many acts which are benefited to their rule. First of all they abolished the traditional economic system. They abolished the small and cottage industries which give rural economy strength. Among the above policies, they imposed taxes; famines; draughts were occurred with this the life of the people was in danger. The people were angry against the Government. Abundant mineral wealth is available but the British Government was not establish an industry here. They plunder the wealth and minerals to develop their own country.

Some of the Governor Generals took drastic steps to curb Indian indigenous rulers. For example, Lord Dalhousie introduced the system of the 'Doctrine of Lapse' which resulted to confiscate the dominion of the indigenous ruler if he had no male child. By this law rulers of Jhansi, Avadh were lost their kingdoms.

The Britishers followed dual race system; which give priority to Britishers. So that the Indians, the Indian soldiers in the army lost their equal rights. This affects the dissatisfaction in the Indian soldiers inspite of the above reasons, the Government imposed some special restrictions against (the Hindu, Muslim) religious signs which resulted angry in among Indian soldiers. There was another rumor about using the weapons, the Bullets in the weapon were dumped in the fat of cow and pig ofcourse it reflect the religious tendency in the soldiers and they were not interested in using the weapons.

In a nutshell the administration of the British gave dissatisfaction anger and agony in the farmers, labours, soldiers and indigenious rulers. The soldiers at Meerut revolt against their higher authorities without following the army rules. This movement slowly started in the common people against. The Government Lakshmi Bai of Jhansi, Nana sahabm Tantia Tope were led the peoples movement. But unfortunately the movement could not get the support of the Land Lords, rich people and some of the indigenous rulers. So that the Govt. took an advantage in suppressing the revolution.

Though Indian first war of independence is totally a failure one. But it lit a light in the hearts of Indian to fight for equal rights, freedom and independency. It paved a way to future Indians to fight against Britishers. It was succeeded later and got Independence in 1947. Later in 1905-1911, the Vande Mataram Movement against the Division of Bengal, Home Rule League by Smt. Annebesant and Tilak in 1916-18, Non-Cooperation Movement 1920-22 by Gandhiji, Finally Quit India Movement in 1942 by Gandhiji raised to protect Indian Rights from British rule.

Chinese National Movement – 1918

China was not greatly damaged in I world war. But the consequences after the war made China the most turbulent. Internal crisis arose in the country and it results the great loss to the Chinese lives, property and humanity. In 1916 the leader of China, Yuvan-TSe-Kai was died. After his death the internal crisis continued upto 1918. In that period many internal wars, revolts were rose against the circumstances. The people of China protest the tyranical rule and Imperialists concepts and made their country a Communist one.

The revolution from 1916 to 1918 put an end to the Marchus rule and its aim was to establish a Parliamentary Republic in the country. But unfortunately the Marshal Government came into force. Chinese people tried several times to protest against the Government. The Government from 1917-25 acted against the peoples opinion. It suppressed the Economic, Social and Cultural fields of the people. Finally Dr. Sun-et-Sen became the leader of Chinese and fought against the Marshal Government and succeeded to establish a Republic Government. He gave life to the individual liberty.

Bangladesh Freedom Movement – 1971

To get supremacy over West Pakistan, the rulers of East Pakistan invaded on West Pakistan and a military action was imposed. The West Pakistan people were experienced a cruel and atrocity methods by East Pak rulers. The military made ferocive atrocities, (not enough words to express) on West Pak people. The military killed babies before their parents, the ladies were raped before their husbands and many of them were shot dead. To face the atrocities of East Pak Commander Gen. Yahya Khan, Sheik Mujibur Rehman, a nationalist lead the people to protest against the military rule. He struggled a lot to cope the people. Atlast the then Indian Prime Minister Mrs. Indira Gandhi helped the West Pak people

to freed from East Pak. Finally 1972 Bangladesh and Independent country came to origin, Dhaka as its Capital. The Government of Bangladesh guaranteed the rights, equality and freedom to its nationals.

South Africa, a rational Movement

The Britishers occupied South Africa which was a remote one at that time. Mainly their intension was to plunders the Minerals and Forest wealth. They employed the local Africans as Labours. Generally, geographically South Africa is a Torrid Zone, as a reason the people in the region are black. They are also called Negros. The Britishers generally white in colour are developed the dual race theory and make the Negros as slaves. They have no rights, equal opportunities and etc. Some of the Indian groups are also there. They were also worked as labours in the Tea Estates, Mines and Forests. To preserve the rights of Indians Mahatma Gandhi went South Africa and fought for the rights of Indians. He organized the people and enlighten them to fight for their rights and liberty.

After a long struggle the African National Congress was established by the African Nationalists, to achieve their equal rights. Later on Nelson Mandela became the President of ANC. He struggled for the people for a long time and was imprisoned nearly 27 years. Finally with the efforts of the people South Africa freed from British.

The UNO and the different countries came to an understanding, that the people of world required Liberty, Equality, Fraternity and Law. We can prevent the revolution movements by providing the above ideals.

Even though, now itself some of the countries suppressing the humans Economic, Social, Cultural conditions, directly and indirectly. For example, American economic supremacy, racial wars in Sri Lanka, overlooking of human rights in Sri Lanka, Afghanistan and Pakistan.

CONCLUSION

Throughout the world, different countries, different regions for years together for people fought for the freedom waging revolutions against atrocities of the Autocratic rulers. With the sacrifice the people, now the people enjoying the liberty, equality, rights in the society.

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