



NEW YEAR MESSAGE 2016

HUMAN RIGHTS – MODERN AND HINDU PERSPECTIVES

Today, Human Rights is a global issue. It is being addressed from the legal, social, ethical, religious, social perspectives and many other contexts. A very large number of organizations, from the level of the United Nations to the small-town NGOs, are associated with this movement. The Universal Declaration of Human Rights was adopted by the United Nations General Assembly on 10th December 1948 at Paris. However, it is observed that many people are not aware about the exact meaning of human rights.

Human rights are moral principles or norms or a code of conduct. These are based on a particular philosophy, religion, culture, values, customs and traditions. They represent what people think they should do. The citizens of one nation are entitled to such Human Rights in another country.

Human rights are inherent (inborn, inbuilt, natural) rights of each human being regardless of nation, location, language, religion, ethnic group or any other consideration. These rights cannot be taken away under any circumstances. These are applicable everywhere and at all times. They are universal and egalitarian in nature. Each human being deserves to be a beneficiary of human rights. He has a duty to respect the human rights of others. It emphasizes on human dignity. The judicially enforceable Fundamental Rights of the Indian Constitution include all seminal civil and political rights and some of the rights of the minorities as enshrined in part 3 of the Constitution (articles 12 to 35). According to Justice Subba Rao in Golaknath V. State of Punjab “Fundamental rights are the modern name for what have been traditionally known as natural rights.”

However, the Vedic and post Vedic Hindu culture of India had prescribed and extolled the enforcement of certain inherent rights not only for human beings but for other species as well.

Our Vedas declare:

“Ajyesthaaso Akanisthaasa Yete
Sam Bhraataro Vaarudhuh Soubhagaya “

(Rig Veda, Mandala-5, Sukta-60, Mantra-5).

It says “No one is superior or inferior; all are brothers; all should strive for the interest of all and progress collectively.”

As one enters the Parliament Building in Delhi one sees a Sanskrit verse at the entrance:

“Ayam Nijah Paroveti Ganana Laghu Chetasaam
Udaara Chaitaanaam tu Vasudhaiva Kutumbakam”

It says, “Small and narrow-minded people look at the reality in terms of ‘this is yours and this is mine’; for those of higher consciousness the whole world is a family.”

and

another prayer in the Sikshavalli (Chapter on Education) in the Taittareya Upanishad is also very significant:

Om Sahana Vavatu
Saha Nau Bhunaktu
Saha Viryam Karavavahai
Tejaswi Nava Dhitam Astu
Ma Vidvishavahai
Om Shantih Shantih Shantih

It says, “May He protect us together
May He nourish us together
May we work together with greater energy
May our study be vigorous and effective
May we not hate each other
Let there be peace all over.”

As an essential prerequisite for the Right to Happiness, the Rig Veda unequivocally declares that all human beings are equal. The Atharva Veda goes further and talks about various Rights and obligations of human beings:

“Samani Prapa Saha Vo Annabhagah
Samane Yoktre Saha Vo Yunajmi
Aaraah Nabhimiva Abhitah.”

It says, “All have equal right to articles of food and water. The yoke of the chariot of life is placed equally on the shoulders of all. All should live together in harmony supporting one another like the spokes of a wheel of the chariot connecting its rim and hub”.

-- (Atharva Veda --
Samjnana Sukta)

In the post Vedic period Buddhism and particularly Jainism were against killing of animals and inflicting torture on other species. Emperor Ashoka (304-232 BCE) championed, secured and protected human rights like rights to equality, liberty, happiness and security of life. Torture and inhuman treatment of prisoners was prohibited in his kingdom. Our Vedas also preached about the protection of animals as a spiritual conduct, e.g.,

“You must not use your God-given body for killing God’s creatures, whether they are human, animal or whatever.”

--Yajur Veda 12.32

and

“Those noble souls who practice meditation and other yogic ways, who are ever careful about all beings, who protect all animals, are the ones who are actually serious about spiritual practices.”

--Atharva Veda 19.48.5

Given this backdrop the recent court judgments on the issue of the fundamental rights of the birds are welcome decisions. The Hon High Court of Delhi --in the case of People for Animals vs. Md Mohazzim, have declared that birds have the fundamental right to “live with dignity” and fly in the sky without being kept in cages or subjected to cruelty. Running their trade was a “violation of their rights”. Justice Manmohan Singh expressed anguish that instead of being allowed to fly free, they were “exported illegally to foreign countries without availability of proper food, water or medical aid”. “I am clear in mind that all the birds have fundamental rights to fly in the sky and all human beings have no right to keep them in small cages for the purpose of their business or otherwise,” the judge said. Further “...This court is of the view that running the trade of birds is in violation of the rights of the birds. They deserve sympathy. Nobody is caring as to whether they have been inflicted cruelty or not despite a settled law that birds have a fundamental right to fly and cannot be caged and will have to be set free in the sky.” “Birds have fundamental rights including the right to live with dignity and they cannot be subjected to cruelty by anyone including claim made by the respondent (Mohazzim).”

The Hon Supreme Court of India -- A bench headed by Chief Justice H.L. Dattu agreed to examine the validity of the Gujarat high court order holding that birds have fundamental rights to fly. The bench issued a notice to the Gujarat government on the appeal filed against the Gujarat High Court order. The High Court had said: “it is the fundamental right of birds to live freely in the open sky ,and it is the duty of every citizen to see that there is no unnecessary pain of suffering to animal or bird.” The saints and realized souls like Shirdi Sai Baba not only believed in Humanism “Manav Vada” but also in the equal protection of other species “Prani Vada”. The realized souls believed in a cosmic whole. According to them the human race cannot be happy without the proper protection, growth and sustenance of other species. Besides it will dis-balance nature and create ecological problems. The ecological problem is very much there for all us to experience. It is not too late to learn from our forefathers.

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