

## HUMAN RIGHTS - ETHICS AN OVERVIEW

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### **Abstract**

*Ethics defines the elements essential to human well-being and proposes principles to be used as guidelines for generating an ethical culture. It also refers to the specific values, standards, rules and agreements. People adopt for conducting their lives. Ethics are not merely social conventions, like table manners. It defines the social conditions necessary for human beings to thrive. Human rights do not simply define the needs of people, but recognize people as active subjects and claimholders, thus establishing the duties and obligations of those responsible for ensuring that needs are met. This paper attempts to explain the relationship between Ethics and Human Rights. The objective of serving a universal minimum provision of respect for persons can be achieved through proper address towards these issues.*

**Key words:** 1. Applied ethics, 2. Egalitarian, 3. Covenants, 4. Servitude, 5. Ethnicity, 6. Good governance

### **Introduction**

Ethics as a part of Philosophy plays a fundamental role in Modern World. Global ethics is nothing but the necessary minimum of common values, standards and basic attitudes. A concern on human obligation or responsibility will adhere full respect towards human rights. A proper unbiased morality will protect human rights. Classification of ethics may be numerous. “**APPLIED ETHICS**” plays a vital role to taste the actual essence of human rights. It is clear that in Conjunction with Ecology and Human Rights, ethics contributes one of the three fundamental areas of the state of the Contemporary world.

### **What does “Ethics” mean?**

Ethics defines the elements essential to human well-being and proposes principles to be used as guidelines for generating an ethical culture. It also refers to the specific values, standards, rules and agreements. People adopt for conducting g their lives. Ethics are not merely social conventions, like table manners. It defines the social conditions necessary for human beings to thrive.

### **Human Rights**

Human rights do not simply define the needs of people, but recognize people as active subjects and claimholders, thus establishing the duties and obligations of those responsible for ensuring that needs are met.

**“The Rights of everyman are diminished when rights of one man are threatened”**

Hidden meaning of “**RIGHTS**” - “**DUTIES**” is to respect human rights. One man cannot cherish human rights. Each single man should contribute to ethics in human rights with a deeply rooted ethical responsibility.

This paper attempts to explain the relationship between Ethics and Human Rights.

States have the primary responsibility to create the enabling environment in which all people can enjoy their human rights and have the obligation to ensure that respect for human rights norms and principles is integrated in to all levels of governance and policy making.

In India, the Protection of Human Rights Act 1993 defined Human Rights as “**rights relating to liberty, equality and dignity of the individual guaranteed by the Indian Constitution as embodied in the Fundamental Right and the International Covenants**”.

Human rights are inalienable fundamental rights to which a person is inherently entitled since he is a human being irrespective of race, caste, nationality, sex, language etc. Moral principles that set out certain standards of human behavior, which are regularly protected and declared as legal rights in national and international law. Human rights are conceived as **UNIVERSAL** (applicable everywhere) and **EGALITARIAN** (same for everyone) because each person is a moral and rational being who deserves to be treated with dignity. Before Second World War, there wasn't recognized human right. The 30 basic rights to which people are entitled was drafted as “**UNIVERSAL DECLARATION OF HUMAN RIGHTS**” by representatives of all regions of the world and encompassed all legal traditions.

#### **Basic Principles of Universal Declaration of Human Rights (UNDHR)**

Some of the basic principles of Universal Declaration of Human Rights are:

1. All human beings are born free and equal in dignity and rights:
2. Everyone is entitled to all the rights and freedom without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin:
3. Everyone has the right to life, liberty and security of person:
4. No one shall be held in slavery or servitude:
5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment: and
6. All are equal before law and are entitled to equal protection against any discrimination.

The declaration is a **Living Document** that has been accepted as a contract between government and its people throughout the world. The Constitutional law was an extract of the parent living document - **UNIVERSAL DECLARATION OF HUMAN RIGHTS 1948**. Human rights are classified into three main heads.

- A. Universal Protection of Human Rights
- B. Regional Protection of Human Rights
- C. National Protection of Human Rights

**Indian Constitution and Human Rights**

The 30 basic rights are packed as

- Article 1 and 2 - General
- Article 3 to 21 - Civil and Political Rights
- Article 22 to 27 - Economic, Social and Cultural Rights
- Article 28 to 30 - Stands on Rights Freedom and duties
- Article 32 - Right to Constitutional Remedies

**Sustainable Human Development and Human Rights**

Human rights are essential to the well being of every woman and child. The sustainable human development aims to eliminate poverty, promote human dignity and rights, and provide equitable opportunities for all through good governance.

**Good Governance:**

What is the relationship between human rights and good governance?

The concepts of good governance and human rights are mutually reinforcing both being based on core principles of participation, accountability, transparency and state responsibility. Although human rights empower people, they cannot be respected and protected in a sustainable manner without good governance. Human rights strengthen good governance.

From the human development perspective, good governance is democratic governance. It means

1. People's rights and fundamental freedoms are respected, allowing them to live with dignity;
2. People can hold decision-makers accountable;
3. People are free from discrimination based on ethnicity, gender or any other attribute.

India faces a trouble of sexual harassment, threat to life, hurdles for education, communal clashes, oppression against minorities and many. This list is not exhaustive it is illustrative. The loosened ethical responsibility like disrespect to humanity, importance to sexual issues, educational imbalance, pride of supremacy give rise to human rights violations.

The nature of irresponsibility and disrespect to human rights is the birth of violation. The conceptual strength of human rights are dismantled due to lethargy in stress on duties by political, moral and legal authorities who are responsible in implementing the rights and duties. The violation of human rights prevails all over the world, where India is one among due to its complicated large size, tremendous diversity and its status as developing country.

**Suggestions**

1. Only laws are not sufficient. The implementation agency is also important.
2. NHR Commission and SHR Commission have strictly pays the attention to protect the people's human rights and government also empowers this commission.
3. Each and every person respect to others right to protect his own rights.
4. Development assistance will focus on the capacities of dutybearers, at all levels, to meet their obligations to respect, protect and fulfill right as well as the capacities of right holders to claim their rights.

**Conclusion****Knowledge makes a man unfit to be a slave.**

All human rights are by definition directly bound up with responsibility to observe them. **Rights and Responsibilities are differentiable but not separable.** Ethics, human rights and the developing global interactions of whole human race are intimately intertwined. Many human rights organization such as Amnesty International and the Human Rights Watch (HRW) have condemned human rights abuses with the supporting act like "Armed Force Special Power Act" (AFSPA). The legal duty to protect human rights includes the legal duty to respect them. A right does not exist without responsibilities.

If one proclaims a declaration of human rights, one should combine it with a declaration of human responsibilities. Ethics is revealing a culture as a quality possessed by the individual. The human rights agenda on ethics must reaffirm the universal and overarching importance of ethics in advancing respect for human rights and seek to rebalance the present agenda dominated by right to cultural identity.

"HUMAN RIGHTS AND ETHICS ARE TWO SIDES OF SAME COIN".

The objective of serving a universal minimum provision of respect for persons can be achieved through proper address towards these issues.

"Like declaration of human rights, declaration of human responsibilities is indeed primarily a moral appeal".

**References**

1. Policing, Ethics and Human Rights by "Peter Neyroud and Alan Beckley".
2. Human Rights: Theory, Developments and Ethical Issues by "David J.Plevak".
3. Research by David B.Resnik in "What is Ethics in Research and why is it important?".
4. WWW.human rights.asia/resources/journals.
5. C.Merrills, "Human rights in the world (2005), Universal Law Publishing Co.Pvt.Ltd.,
6. WWW.global education magazine.com.