

FROM HUMAN RIGHTS TO HUMAN DIGNITY – AN UNENDING STORY

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The story of Human Rights is an unending story of human kinds search for absolute values and its failure. The twenty five hundred years of struggle for Human Rights can be summed up as follows:

From exploitation to exploration
From exploration to proclamation
From proclamation to Declaration
From declaration to protection
From protection to perfection

The expression human rights is a usage that emerged during the post second world war period from international Charters and Conventions. The first documentary use of the expression 'human rights' is found in the Charter of the United Nations, which was adopted after the Second World War at San Francisco on June 25, 1945. The Preamble of this Charter declared its object to reaffirm faith in 'fundamental human rights'. It was not a binding instrument. The first concrete step in formulation of human rights is the UN Declaration of Human Rights, which was proclaimed in 1948 as a common standard of achievement for all peoples and all nations.

Broadly this document deals with a wide range of civil, political, social, economic, and cultural rights. The Declaration is now accompanied by the two international covenants (The Covenant on Civil and Political Rights, The Covenant on Economic, Social and Cultural Rights)

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of 1966, which in dealing with civil and political rights and with economic, social, and cultural rights, in a sense linked the opposing ideologies in the world over. The two covenants

Two covenants came into force in December 1976, after requisite number of members States (35) ratified them. These covenants are legally binding on all member States who ratified them. In 1950 a group of States who were members of the Council of Europe adopted a European Convention for the Protection of Human Rights. It is binding on 18 States which ratified it. It came into force in 1953. The Convention also set up a European Court of Human Rights in 1959, to determine disputes arising from the enforcement of the Convention and its decisions involve interpretation of the text of Convention and pronounced in the form of legal judgments. The European Court contributed towards affirming and implementing Human Rights in a large variety of cases including; Detention and Pre-detention trial; sex discrimination; Abolition of Capital Punishment; Fair Trial; Freedom of Expression, Freedom of Association; Against degrading treatment; Property Rights; Respect for family life; Respect for private life; Right to life and many more areas of its application. The UK has changed its 11 primary legislations in response to adverse findings of Courts while implementing the Human Rights under the European Convention.

In 1969 the Organization of American States adopted the Convention on Human Rights, a legally binding convention. It also has set up Inter-American Commission on Human Rights. The Heads of the Governments of Commonwealth Countries met at Singapore in January 1971 and declared certain human rights fighting against racial prejudice, colonial domination and racial oppression. The Lusaka Declaration 1979, emerging from meeting of Commonwealth Heads of Government rejected 'apartheid' in South Africa.

The 1948 Declaration and the 1966 covenants, according to Sieghart, (1986), may be said to be the core instruments of the international human rights code, which demonstrates a clear bias in favour of the kind of society that displays a specific coherent set of civilized values;

