

1. What is meant by human rights? Discuss the development of human rights?

Synopsis

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I. Introduction

The history of human rights covers thousands of years and draws upon religious, cultural, philosophical and legal developments throughout the recorded history. It seems that the concept of human rights is as old as the civilization. This is evident from the fact that almost at all stages of mankind there have been a human rights documents in one form or the other in existence. Several ancient documents and later religious and philosophies included a variety of concepts that may be considered to be human rights. Notable among such documents are the Edicts of Ashoka issued by Ashoka the Great of India between 272-231 BC and the Constitution of Medina of 622 AD, drafted by Muhammad to mark a formal agreement between all of the significant tribes and families of Yathrib (later known as Medina). However, the idea for the protection of human rights grew after the tragic experiences of the two world wars. Prior to the world war, there was not much codification done either at the national or the international levels for the protection and Implementation of Human Rights.

This answer seeks to analyse the concept and approaches of human rights and its development even before the Greek times. In this regard, the period has been classified as pre world wars and post war eras. The latter has been further divided into normative foundation, institution building and stage of implementation. Several important documents like Magna Carta, French Declaration of the Rights of Man, UDHR, ICCPR etc. and a brief discussion of various approaches to human rights have been mentioned.

II. Meaning of Human Right

Human beings are rational beings. They by virtue of their being human possess certain basic, inherent and inalienable rights which are commonly known as human rights. Human Rights are defined as all those rights which are essential for the protection and maintenance of dignity of individuals and create conditions in which every human being can develop his personality to the fullest extent. Human rights become operative with the birth of an individual. These are moral claims which are inalienable and inherent in all individuals by virtue of their humanity alone, irrespective of caste, colour, creed, and place of birth, sex, cultural difference or any other consideration. Because of their immense significance to human beings, human rights are also sometimes referred to as

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E Durkheim



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