

Importance of Individual Rights

Dr. Geetali Tilak

Professor , Department of Journalism and Mass Communication

Tilak Maharashtra Vidyapeeth , Pune .

geetali.tilak@gmail.com

Rucha Shinde

Assistant Professor , Department of Law

Tilak Maharashtra Vidyapeeth , Pune.

kulkarnirucha28@gmail.com

Abstract:

Human rights are those rights which an individual should have in order to be a human being. These are the rights which every person should enjoy to principal a proper life as a human being. All individuals should enjoy these rights without any difference of race, religion, caste, colour or sex. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without judgment. These laws have been given a proper place in the structures of almost all the democratic “countries” of the world. In the present day world, there is a lot of concern about the protection of human rights. Human Rights must be ensured to all human beings for their prosperity and happiness. India, being a democratic country, provides such rights to its citizens. The makers of the Indian Structure have incorporated many of the human rights mentioned in our constitution. Our fundamental rights are based on these rights. These rights have great importance for the Indian people. This paper disuses the importance of human/individual rights and their types.

Keywords: Human Rights, laws, freedom, legal

Introduction:

Every person has dignity and value. One of the ways that we recognize the fundamental worth of every person is by acknowledging and respecting their human rights. Human rights are a set of principles concerned with equality and fairness. They recognize the freedom to make choices about everyone’s lives and to develop the potential as human beings. They are about living a life like free from fear, harassment or discrimination. Human rights are same for all people everywhere – men and

women, young and old, rich and poor, regardless of background, where we live, what we think or what we believe. And this is what makes human rights ‘universal’. [1]

Human rights connect us to each other through a shared set of rights and responsibilities. A person’s ability to enjoy their human rights depends on other people respecting those rights. This means that human rights involve responsibility and duties towards other people and the community. Individuals have a responsibility to ensure that they exercise their rights with consideration for the rights of others. For example, when someone uses their right to freedom of speech, they should do so without interfering with someone else’s right to privacy.

International Human Rights Law:

International human rights law lays down the responsibilities of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups. [2]

One of the great achievements of the United Nations is the creation of a comprehensive body of human rights law—a universal and internationally protected code to which all nations can subscribe and all people desire. The United Nations has defined a broad range of internationally accepted rights, including civil, cultural, economic, political and social rights. It has also established mechanisms to promote and protect these rights and to assist states in carrying out their responsibilities.

The foundations of this body of law are the Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, respectively.

Since then, the United Nations has gradually expanded human rights law to encompass specific standards for women, children, and persons with disabilities, minorities and other vulnerable groups, who now possess rights that protect them from discrimination that had long been common in many societies.

The Universal Declaration of Human Rights:

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. This simplified version of the 30 Articles of the Universal Declaration of Human Rights has been created especially for young people. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time,

fundamental human rights to be universally protected and it has been translated into over 500 languages. [3]



Types of Rights:

1. Natural Rights:

Many researchers have faith in natural rights. They stated that people receive several rights from nature. Before they came to live in society and state, they used to live in a state of nature. In it, they appreciated certain natural rights, like the right to life, right to liberty and right to property. Natural rights are parts of human nature and reason. Political theory maintains that an individual enters into society with certain basic rights and that no government can deny these rights.

In classical political philosophy “natural right” denotes to the objective rightness of the right things, whether the virtue of a soul, the correctness of an action, or the excellence of a government. Aristotle stated in Politics (1323a29-33) that no one would call a man happy who was completely lacking in

courage, temperance, justice, or wisdom. A man who was easily terrified, unable to restrain any desire toward food or drink, willing to collapse his friends for a nothing, and generally senseless could not possibly lead a good life. Even though chance may occasionally prevent good actions from having their normal consequences, so that sometimes cowards fare better than brave men, courage is still objectively better than weakness. The virtues and actions that contribute to the good life, and the activities essential to the good life, are naturally right.

The modern idea of natural rights raised out of the ancient and primitive policies of natural law, but for other scholars, the concept of natural rights is unreal. Rights are the products of social living. These can be used only in a society. Rights have behind them the recognition of society as common claims for development, and that is why the state protects these rights. John Locke (1632–1704), the most influential political philosophers of the modern period, argued that people have rights, such as the right to life, liberty, and property that have a foundation independent of the laws of any particular society. Locke claimed that men are naturally free and equal as part of the justification for understanding legitimate political government as the result of a social contract where people in the state of nature conditionally transfer some of their rights to the government in order to better ensure the stable, comfortable enjoyment of their lives, liberty, and property. Since governments exist by the consent of the people in order to protect the rights of the people and promote the public good, governments that fail to do so can be resisted and replaced with new governments.

2. Moral Rights:

Moral Rights are based on human awareness. They are supported by moral force of human mind. These are based on human sense of goodness and justice. These are not assisted by the force of law. Sense of goodness and public opinion are the sanctions behind moral rights.

If any person disrupts any moral right, no legal action can be taken against him. The state does not enforce these rights. Its courts do not recognize these rights. Moral Rights include rules of good conduct, courtesy and of moral behavior. These stand for moral perfection of the people.

Moral rights were first acknowledged in France and Germany, before they were included in the Berne Convention for the Protection of Literary and Artistic Works in 1928. Canada recognized moral rights in its Copyright Act. The United States became a signatory to the convention in 1989, and incorporated a version of moral rights under its copyright law under Title 17 of the U.S. Code. There are two major moral rights under the U.S. Copyright Act. These are the right of attribution, also called the right of paternity and the right of integrity.

Legal Rights:

Legal rights are those rights which are accepted and enforced by the state. Any destruction of any legal right is punished by law. Law courts of the state enforce legal rights. These rights can be enforced against individuals and also against the government. In this way, legal rights are different from moral rights. Legal rights are equally available to all the citizens. All citizens follow legal rights without any discrimination. They can go to the courts for getting their legal rights enforced.

Legal Rights are of three types:

1. Civil Rights:

Civil rights are those rights which provide opportunity to each person to lead a civilized social life. These fulfil basic needs of human life in society. Right to life, liberty and equality are civil rights. Civil rights are protected by the state.

2. Political Rights:

Political rights are those rights by asset of which populations get a share in the political process. These allow them to take an active part in the political process. These rights include right to vote, right to get elected, right to hold public office and right to criticize and oppose the government. Political rights are really available to the people in a democratic state.

3. Economic Rights:

Economic rights are those rights which provide economic security to the people. These permit all citizens to make proper use of their civil and political rights. The basic needs of every person are related to his food, clothing, shelter, and medical treatment. Without the fulfilment of these no person can really enjoy his civil and political rights. It is therefore essential, that every person must get the right to work, right to acceptable wages, right to freedom and rest, and right to social security in case of illness, physical disability and old age.

Why are human rights important?

Values of tolerance, equality and respect can help reduce friction within society. Putting human rights ideas into practice can help us create the kind of society we want to live in.

In recent decades, there has been a tremendous growth in how we think about and apply human rights ideas. This has had many positive results - knowledge about human rights can empower individuals and offer solutions for specific problems.

Human rights are an important part of how people interact with others at all levels in society - in the family, the community, schools, the workplace, in politics and in international relations. It is vital therefore that people everywhere should struggle to understand what human rights are. When people better understand human rights, it is easier for them to promote justice and the well-being of society.

Petition of Right:

The Petition of Right is a major English constitutional document that sets out specific liberties of the subject that the king is prohibited from overstepping. Passed on 7 June 1628, the Petition contains restrictions on non-Parliamentary taxation, forced sheltering of soldiers, custody without cause, and restricts the use of martial law. Following disputes between Parliament and King Charles I over the execution of the Thirty Year's War, Parliament refused to grant subsidies to support the war effort. The declaration of martial law over large bands of the country. There are as many as 4 articles in Petition of Right as follows:

Article 1: No person should be required to pay a tax or caring without parliament approval.

Article 2: No person should be imprisoned without cause being shown with the Royal command not to be sufficient cause.

Article 3: No troops should be quarter in private home without consent of and compensation to their owner.

Article 4: The crown should issue no commission proceeding Marital Law.

Research Methodology:

A research methodology involves specific techniques that are adopted in research process to collect, assemble and evaluate data. It defines those tools that are used to gather relevant information in a specific research study by using some tools like Surveys, questionnaires and interviews.

The overall research methodology adopted in this research will be discussed under following sub heads:

- **Research Design:** The research design is a detailed plan of action for the research. It contributes the blue print for collection, measurement, tabulation and analysis of the data. Historical research turns history or the past to study the patterns, their impact on the present, process and so on. In this sense, this research can be termed as a historical research.

- **Research Instrument:** This research is based on the secondary data. And the secondary data has been collected from different types of sources as literature reviews, research papers, books, articles, journals and websites.
- **Research Area:** The study is based on the general human rights research importance, how human rights are an important part of all levels in society - in the family, the community, schools, the workplace, in politics and in international relations. Also this research discuss various types of research.

Data Collection:

The data collection includes the collection through related research papers, newspaper articles, magazines, books, journals, research papers, reports and web sites etc. Mostly data is collected through Literature review.

A researcher collected the data through any or a combination of the following sources:

1. **Personal Experience/Knowledge of the existence of a problem:** Investigated new ideas and to be developed from hints also regular assignments done from different types of sources related to the human rights and individual rights of every sectors.
2. **Discussion or tips from other people:** Discussion is done with some lawyers regarding human rights laws, also taken tips from friends, social associates also from listening to conversations in public offices, libraries, newsstands or newspaper vendors' locations.
3. **Reading.** Reading of local, national and international newspapers, magazines, websites are to be done.
4. **News:** News on radio, television. It also includes paying attention to 'breaking news' and asking why or how what has been announced happened? Studied new laws and new information related to said topic.
5. **Previous projects by other researchers or academic projects.** Problems already investigated may be re-looked under the following conditions: controversial findings, methodological weaknesses changes in time and place and suggestions for further investigations, which may be contained in previous studies. So read lot may articles and research papers related to said topic and completed the literature review.

Analysis:

Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without judgment. So in this research the data is collected via the secondary source. The data is collected and reviewed by literature review for understandable form.

‘Literature’ in the context of this paper refers to the written or printed word -documents and files of public institutions, media publications, books, etc., The researcher had gathered relevant document, printed, handwritten form for review. ‘Review’ means comparing and contrasting the works, views, perspectives and findings of previous researchers. The similarities and differences in their views or findings, etc., are identified. By the literature review researcher is discussed some of the opinions, findings, etc. of those who had worked in similar areas in the past. This literature review served a number of purposes: it provided a theoretical basis for the work and offered the researcher an insight into the best methods, instruments for data gathering and the statistical tools for analyzing the data gathered, which previous researchers had used.

Conclusion:

Protecting human rights is an important goal for every individual and for society as a whole. The Human Rights Commission staff work hard to ensure compliance with human rights laws. The commission also works to help the public gain a better understanding of the importance of protecting all people from violation of their human rights.

The preceding discussion gives an impression that natural Human Rights had to pass a long way to obtain the legal and international recognition. Universal Declaration of Human Rights (UDHR) created the stream of worldwide efforts and international co-operations for assuring human rights. Though Human Rights have a universal figure, its scope and margin differ because of different socio-economic and political structure of various countries. In a well-developed social system of Europe or America, right to freedom of thought or freedom of opinion can be regarded as the most important human rights whereas relief from poverty or ignorance is the standard of rights in a poor, developing country of the Third world. The widespread poverty, illiteracy, malnutrition, want of social security and abuse of rights are confined still in the holy pages of constitution. The political leaders, thinkers, economists, scientists, social workers must do meaningful to ensure human rights around the globe and in case of failure in this regard the world will never be happy abode for human beings.

Limitations:

Due to the very limited scope of this report, it was not feasible nor necessary to review the large number of studies based on the primary data about Journalism and politics, which resulted in this report having focused/limited only for theoretical understanding of this area of research, but it would certainly be enlightening to get a more complete understanding. This report could be used as a first step towards building a theoretical framework. This paper discussed about the Human Rights/Individual Rights, their types how these rights are important in anyone's life and different natural laws and articles on Human Rights.

Topics for further research:

The Human Right subject is increasing even more in importance with every passing day as a result of the growing awareness about social issues. The topic that can create social awareness is good for researching. What's even more important is that the topic any researcher select is unique and fills the gaps in the body of literature that presently exists. He/she should be able to make a unique contribution through their work rather than reinventing the wheel.

Human rights is a topic that's growing in popularity for research purpose. The issues of human rights are dominant not only in the underdeveloped and developing countries but also in some of the most advanced countries of the world. So some future topics for research paper on human rights are:

- Regulation of LGBT marriages – problems and solutions.
- The effect of child labor on healthy adult psychology.
- Working women can manage their domestic responsibilities.
- Differences between male and female leadership.
- Role of social media in women empowerment.
- Causes of phobia of minority's religion in the developed countries.
- The future of civil rights in India.
- How should laws be amended if gay marriages are to be legalized?
- Physical abuse in marriage in Indian Country

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