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A Study of Human Rights Existence in Ancient India

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Abstract:

In the present paper we study that in addition to being in complete agreement with the Universal Declaration of Human Rights of the United Nations, ancient India's human rights also serve as a model for contemporary thought in the region. "Nobody is superior or inferior," states the Rig Veda. All of them are brothers. Working together for the common good and progress should be the goal of everyone. According to Article 15, everyone is entitled to a nationality. According to Article 16, the family is entitled to protection from society and the state because it is the natural and fundamental group unit of society. No one shall be denied the right to alter or lose their nationality at random. In ancient India, the individual also existed as a state citizen with rights and responsibilities. The Vedas proclaim freedom of body (Tan), dwelling house (Skridhi), and life (Jibase), which was the ideal of ancient Indian legal theory.

Human rights were thought of and practiced in ancient India, according to the study above. Inscriptions, coins, and contemporary art and architecture all show how human rights have been implicitly expressed in the Bible. The Dharmastras and Grihastra, which define one's relationship with others, society, and the state, and vice versa, outline the Hindu way of life. In addition, they establish certain standards, obligations, and rights. The sixteen samskaras, which contain every contradiction and aberration, govern every Indian's life from birth to death. For instance, the marriage samskara establishes a couple's relationship and defines their rights and responsibilities toward one another and society as a whole. The forfeiture of Istrdhana's marriage-related propriety rights has been accepted by Kautilya, Manu, and others.

Keywords: Human Rights, Contemporary, Rig Veda, Progress, Dwelling, Inscriptions.

Introduction:

Human rights in ancient India are not only in complete agreement with the United Nations' Universal Declaration of Human Rights, but they also serve as a model for contemporary thought in the region. According to the Rig Veda, "Nobody is superior or inferior." They're all brothers. Everyone ought to work toward the common good and advance collectively. "Let your resolutions, hearts, and minds be one."

All of you ought to cultivate the capacity for coexistence. The Atharva Veda states that everyone has equal rights to food and water. Everyone bears equally the burden of the chariot of life's yoke. According to the Atharva Veda-samjnanaisukta, "Whereas the peoples of the united nations have in the charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in large freedom," the preamble of the United Nations Organization also states that "Whereas recognition of the inherent dignity and of the equal and inalienable rights.

Concept of Human Rights:

Human rights are the rules that help keep everyone safe from serious political, legal, and social abuses everywhere. There are some fundamental rights, such as the right to justice, the right to equality, the right to freedom, the rights of women, slaves, and the right not to be exploited, the right to marry, the right to property, the right to education, and so on. They are based on the idea that everyone is born free and equal in their dignity. Human rights and fundamental freedom allow us to fully develop and use our human qualities, intelligence, talent, and conscience to satisfy our spiritual and other needs. These rights are inherent in every individual, regardless of caste, creed, religion, sex, or nationality. They are all of the opportunities that allow an individual's personality to grow and be fully realized. Man cannot lead a decent life without these opportunities.

Contribution of Vedas:

We are able to say that the concepts of today's human rights were enshrined in the ancient Indian sources, such as the Vedas, the Arthashastra, Dharmasutras, Dharmasutras, the Mahabharata, and the Ramayana, as well as in epigraphic sources, etc., after a comparative study of the human rights declared by the General Assembly of the United Nations Organization. Both the Rig Veda and the Atharva Veda incorporate equality. Religious traditions provided an inherent, such as the need to develop a moral imperative or universal sense of obligation toward humanity, responsibility to all humanity, and the development of concepts of duties. Article 1 states that every human being is born free and has the same rights and dignity. They should behave toward one another in a spirit of brotherhood because they are endowed with reason and conscience. Article 15 states that everyone has the right to a nationality. Article 16 states that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State. No one shall be arbitrarily deprived of his nationality or denied the right to change it. As

a citizen of the state with rights and responsibilities, the individual also existed in ancient India. The ideal of ancient Indian legal theory was the establishment of a socio-legal order free from traces of conflicts, exploitations, and miseries. The Vedas proclaim liberty of body (Tan), dwelling house (Skridhi), and life (Jibase). These rights and duties have largely been expressed in terms of duties (Dharma). These duties include ones to oneself, one's family, other people, society, and the entire world. Because India adhered to the tenet of "Vashudhaiva kutumbakam," which means "the welfare of all," human rights have always held a high priority in the country's rich legacy. In the Bhagavad Gita, righteousness is referred to as the essence of dharma, and Swadharma is defined as values based on one's own beliefs. Even if they are imperfect, performing one's prescribed duties is preferable to performing another's.

The Dharma was a significant force in ancient India. Dharma is described as the universe's foundation in the Upanishads. Evils are driven away by it. Neither the monarch nor the king were above the law during the Vedic period; He could face the same penalties as other citizens. Dharma binds men and women, kings and citizens. When there is an independent judiciary to enforce rights, human rights only have meaning. Article 7 says that everyone is equal before the law and has the right to equal legal protection without discrimination.

Everyone has the right to the same level of protection against any kind of discrimination that goes against this Declaration as well as any kind of incitement to such discrimination. Article 6 says that everyone has the right to be seen as a person in the eyes of the law everywhere. One of the most notable aspects of the ancient Hindu judicial system was the judiciary's independence, and the administration of justice was always separate from the executive. The vinayapitakacase of Ananthapindika vs. Jeta is a shining example of this principle. It claims that a law court ruled against the Prince after a Prince and 42 private citizens presented their cases. The decision was accepted by the Prince as a given and was legally binding. The ancient Hindu concept of law as binding on and above the sovereign was largely responsible for the development of the principle of separation of the judiciary from the executive. In a similar vein, ntiparva stipulates that a king may be punished for departing from the dharma. The dharma was regarded as superior to all human authority, and the King was just like any other citizen to the law.

In the Manu Smti, the term "dharma" refers to the fundamental principles of dharma that cannot be altered. The fundamental dharma principles of nonviolence, honesty, and avoiding illegitimate wealth, among others, cannot be altered by nature. They are priceless forever. If humanity desires peace, happiness, and social harmony, it must adhere to the aforementioned dharma fundamental rules. However, Manu Smti suggests that some dharma rules should be disregarded. For instance, even though they were practiced for a considerable amount of time, practices like nude worship, sati, animal/human sacrifice, and untouchability, which are unquestionably immoral, inhuman, and cause discontent and public resentment, must be abandoned.

According to the verse, Manu Smti has established the equality doctrine and instructed the state to treat everyone equally: In the same way that the earth supports all living things, the king should support all of his subjects equally. Manu says that this is a strong statement. Punishment was known as daa in ancient India, and daa is the most important aspect of law. In the same way that the earth protects everyone equally regardless of their religion or caste, the state must do the same. Manu observed that the daa is in charge of rectifying the world as a whole and that even the gods and demi-gods are subject to its rule.

Manu equates daa with dharma, stating that dharma's approval is necessary for all men to enjoy the world. Daa is the authority that represents the state's will, and as such, it has a moral as well as a legal supremacy. It is the source of social harmony.

The Kau'ilya say that only the rule of law can guarantee people's well-being and safety. The science of government (daaniti) is the use of punishment to maintain law and order. It is the power of punishment alone that, when used impartially in proportion to guilt and regardless of whether the person punished is the king's son or an enemy, protects this world and the next. In addition to mentioning a number of economic rights, Kauilya also mentioned legal and civil rights. According to Kauilya, the king's happiness and benefit lie in the subjects' happiness and benefit. The judges of the rank of dharmasthas were appointed to provide free legal aid in cases involving the temple, Brahmins, ascetics, women, minors, elderly people, sick people, orphans, and the poor, as well as expecting mothers and children. The judge was obligated to deliver justice to such individuals at their residence. When a case is decided by a lower court, it moves to a higher court, and if the parties are dissatisfied, an appeal against the lower court's decision can be made to the higher court. However, in the event of corrupt practices, even the judges were given the task of deciding the case. The king had ultimate authority. It demonstrates that the king made every effort, with the assistance of the ministers, to ensure that everyone received fair and equal justice. In the sense of preventing and punishing criminal activity, Kautilya broadly defined the maintenance of social orders and order. His work dealt with the well-being and happiness of the people, and he established certain rules and regulations for the operation of the state.

According to the principles outlined in the Arthastra, farmers were freed from the burden of collecting taxes and crops from the kings of the region. There was a strict and equitable taxation system. He also said that the judges were paid well so that they could do their jobs with integrity and dignity, and that the chief judge got paid as much as a minister does. The dharma, artha, and kama, or overall development and welfare of the people, were the state's primary goals.

Rights for pregnant women and those who had not given birth a month earlier were also outlined in the Arthastra.

The standard for women's torture was half that. The court also allowed widow remarriage. After a period of waiting that varies depending on the circumstances, they allowed remarriage of a woman whose husband was dead, had become an ascetic, or had left the country. Regarding divorce or repudiation, Kautilya says that in the event that a

husband was of bad character, had left the country, or had fallen from his caste, women were allowed to get divorced. In general, Kautilya treated husbands and wives with the same respect.

Buddhism played a significant role in elevating women's status:

The insolent appropriation of social status and privileges solely on the basis of caste has been viewed as abomination in Buddhism. Buddhist ethics had a significant moral and social-political impact on the fight against persistent social inequality and discrimination. Women did not initially have a place in the Buddhist order, but over time, they were accepted and membership in the order was made available to all women. In Buddhist history, women also earned the stage of spiritual emancipation, and even the birth of a girl did not cause despair. The Buddhists' rejection of practices like child marriage and widow remarriage had a significant positive effect on women's status. Buddhism condemned a variety of social practices that violate human rights standards and emphasized human freedom and equality. However, women's individuality was still not fully appreciated, and they were regarded as inferior to men. Women monks had a lower status in Buddhism than their male counterparts. In Buddhism, nonviolence was depicted. The pacifist perspective of Buddhism can be seen in the commandment not to harm, kill, or kill any animal, human, or insect.

It is depicted as futile warfare. "The peaceful person lives happily, giving up victory and defeat...the slayer gets a slayer in return," Buddha said. "Victory breeds more hatred, the defeated live in pain, and the peaceful person lives in peace." One who conquers 48 him is given to the conqueror. It is still possible to wage war, but only in self-defense. It was necessary to first consider all options, including diplomatic efforts, compromise, compensation, threats, and demonstrations.

The Superintendent of Market was tasked with checking the weights and measures for any potential fraud in order to guarantee that the standards established by the state were adhered to. 49 A one-fourth of a part deviation, or 1/400 of a part, was allowed in weights and measures to accommodate the vendor's unintentional error. In the case of a tula, it is not a violation to miss a karsa. The fine was six panas for two karsa or less, and the severity of the penalty increases with each subsequent karsa. As a result, law was preventative rather than arbitrary. Kautilya urged the king to prevent the oppression of the country by traders, artisans, actors, mendicants, jugglers, and others because he was of the opinion that the king's most important duty was to ensure the happiness and well-being of the masses. The category of service providers includes artisans, actors, jugglers, and others. The king is likely to punish any and all of these people who were deceiving the general public. They are referred to as criminals. This attempt by Kautilya is without a doubt a pioneering work in the field of criminality and criminology, a practical approach to safeguarding the interests of consumers, and it was settled by the court of three magistrates of the rank of ministers appointed by the king. What he saw more than 2,000 years ago is now conceptualized in the form of various consumer protection measures.

Conclusion:

According to the aforementioned study, human rights were thought of and practiced in ancient India. Human rights have been implicitly expressed in the Bible, reflected in inscriptions, coins, and contemporary art and architecture. The Hindu way of life is outlined in the Dharmastras and Grihastra, which define one's relationship with others, society, and the state, and vice versa. They also establish certain norms, responsibilities, and rights. Every Indian's life, from birth to death, is governed by the sixteen samskaras, which contain every contradiction and aberration. For instance, the marriage samskara defines the rights and responsibilities of two people toward one another and society as a whole and establishes their relationship. Kautilya, Manu, and others have accepted that the marriage-related propriety rights to Istrdhana are revoked. In a similar vein, Kautilya grants widows a number of rights, including the option to remarry or lead a pious life. All of the Smti support the nyog provision. The fact that there were no sati columns during our research period indicates that sati does not exist. The Pratihara-era sculptures frequently feature such sati columns.

The Gupta-era Eran Inscription contains the first epigraphic evidence of sati. In a similar vein, there is not a single sculpture in the period's art tradition that depicts women wearing a veil. Instead, the famine's beauty is shown in a bold and free way. The images of salabhanjika and yakshi are excellent representations of female freedom. We can confidently assert that the medieval curses of sati and purdha were absent from approximately 300 BC to 300 AD because sculptures exemplify the atmosphere of the time.

However, women did not enjoy the same rights and status in society as men did. The dras were not intended for the upanayana ceremony. Slaves' rights are also recognized by the dharamastras. As previously mentioned, there were eight distinct categories of slaves, each with its own set of limitations, obligations, and entitlements. They might even be able to free themselves from slavery in some cases. They had a much better life in India than they did in other parts of the modern world. Because of this, Megasthenese was unable to discover slavery in the Mauryan Empire.

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