

Learning Human Rights from ancient Indian Mythology with special reference to Gorakhsutras

Dr. Markanday Ahuja ; Dr. Anju Ahuja & Dr. Renu Chaudhary

Abstract

Human rights are those rights which are essential for the survival of humans, humanity, humanism and human rights have been in the society right from the beginning of human civilization. Infact, In India, they have been as old as the “Satyuga” and times of Ramayana (Tretayuga) and Mahabharata (Dvapara Yuga) Particularly, the concept of “Vasudhaiva Kutumbakam” contains the spirit of human civilization. The “Rig Veda, the oldest document of the Indians declared not only all human beings are equal but the each and every creature in the universe is equal with respect to the dignity of human rights. The “Atharva Veda” advocated the same thing. In addition to this, ancient Indian stressed on the principle that one person’s right is another person’s duty. The need to feel the importance of human rights was felt in the pre-independence era where the human beings fought for their rights with the National freedom movement launched by Mahatma Gandhi. Infact, Bhagat Singh, Veer Savarkar and so many other revolutionaries fought for the rights of people in Jail. In the Independent India, efforts have been made to define human rights education in the 1950’s & 1960’s in formal school setting. But as time passes, the human rights perspectives have dominated the formulation of educational policies which is supported and recommended by major commissions and policy documents like University Education commission, (Radha Krishan Commission 1949). Secondary Education commission (Mudaliar Commission 1952) Education Commission (Kothari Commission, 1964-1966), National Policies on Education (1968,1986), The Rammurthi Committee (1992), The Chavan Committee (1999), Programme of Action (1992) etc. Thus, the history of human rights which has its existence from the power of Rig Veda has developed as time passes to take a shape of human right as right to express, right to vote, right to education in respect of sex, caste or creed, right to information etc. The UNO declared and adopted Human rights in 1948 but the Indians talked about them in their ancient civilization. Here, in this paper the authors have tried to quote few examples especially from Gorakh Sutras to prove that Indians valued Human rights much earlier than the whole world.

Key words : Satyuga, Dvapara, Tretayuga, Gorakhsutras, Human rights

I. INTRODUCTION

The concept of human right began with the start of the civilization on this earth. The human being in order to live happily, needs the rights to secure, smoothen, straighten, simplify and to give status, self esteem and meaning to his life. From the beginning of human history man struggled for his existence against /with nature and for liberty, freedom, justice, through these struggles for achieving basic freedom. This struggle paved the way to the concept of human rights. The most unique feature of human rights is that it is difficult to define but impossible to ignore. Human rights denote all those rights which are inherent in our nature and without which humans can’t survive. These rights are indispensable for the human dignity which they can enjoy from birth to death.

II. MEANING

Human rights are commonly understood as “inalienable fundamental rights to which a person is inherently entitled simple because she or he is a human being”. Human rights in the words of A.A. said, “are concerned with the dignity of the individual, the level of self-esteem that secures personal identity and promote human community”. According to Scott Davidson, “The concept of human rights is closely connected with the protection of individuals from the exercise of State, Government or authority in certain area of their lives, it is also directed towards creation of societal condition by the state in which individuals are to develop their fullest potential”. Thus, from the above definitions, it

has been seen that human rights are the essential part for the every human in order to live his/her life to the maximum fullness.

The Indian Perspective on Human Rights

Human Rights in Ancient Times

The concept of human right is not from western world. It is the crystallization of the values which are common for the whole mankind. The United Declaration of Human Rights (1948) did not come suddenly but its a milestone on the path on which the concept of human rights is already travelling for centuries. In fact, the language of human rights is the product of European countries but the concept of human rights is as old as the Indian culture. The humans expressed their concern towards human rights and fundamental freedom for all since the Vedic age. If we talk about right to live, we can find number of examples whereby, everything has been done to restore the right to live. In Satyuga (First Yuga), a sage called "Gautam" gives curse to his wife "Ahilya" to turn into a statue of stone. After lot of persuasions Gautam agrees that she will again get life once God Rama himself touches her statue. On Listening this Lord Vishnu is perturbed because his incarnation as Lord Rama is to be in Treta Yuga (Third Yuga) after Lord Krishna's avatar in Dvapara (second yuga). How can God keep the right to live of a sati like Ahilya. Therefore, Lord changes the rotation of Yugas. The third Yuga comes earlier than second yuga. Therefore, Lord Rama's incarnation is prior to Lord Krishna and cycle of time is also reversed to guarantee "right to life" of Ahilya. Such was the value of human rights in ancient Indian civilization. In ancient India, the trace of the concept of human rights can be paved back from the Vedic period of the fifteen century B.C. There are wide range of stories, pronouncements which showed the way to the concept of human rights. In Vedas, human right is signified with the concept of right to live and right to equality. The Charter of "equality of all" is defined in the Vedas in the following words-"No one is superior or inferior, all should strive for the interest of all and all should progress collectively.

In our literature, mythology and civilisation we have not only talked about equality amongst human beings but equality amongst all

creatures. God Shiva having snake in his neck signifies that we should embrace even the most poisonous creatures. He also gives status to Bull (Nandi) as his vehicle to travel. Lord Vishnu gives similar status to Garuda and Lord Ganesh to rat giving the message of respects and equality to even small creatures in this Universe. Kautilya beautifully sums up the concept of welfare state by saying that the happiness of the state lies in the happiness of his subjects. In his times not only civil and legal rights first formulated by Manu were implemented but a number of economic rights were also added. From the facts and anecdotes, it is truly revealed that the society under vedic period was well stimulated and organized and committed towards human rights. In fact, the importance of human rights was well supported by Jainism, Buddhism and other minority religious groups. No discussion of human rights and their roots in the ancient period is left without giving the reference of Ashoka. Ashoka inscribes, "All men are my children and I just desire for my children that they may enjoy every kind of prosperity and happiness within this world and in the next, as also as I desire the same for all men". In fact, King Ashoka worked day and night for the protection of human rights. Its unfortunate that the decline of human rights was witnessed with the decline of Mauryan Empire. The later empires of "Hunas" "Shakas", "Sultans", "Mughals" and "British" saw scant respect for all human-beings.

Human Rights in Medieval Times

As medieval period signifies the Muslim era in India. In the pre-mughal period the series of social, cultural, political and religious rights existed but with the advent of Mughal, the Hindus were stressed badly. The concept of human rights got lost. During Akbar's (1526-1605) period, once again great regard was given to the social, religious and political rights. In his religious policy, Din-E-Ilahi (divine-religion), he tried to preach the idea of secularism and religious tolerance. Similarly, various religious movements like Bhakti (Hindu), Sufi (Islamic) and Sikh made remarkable contribution to the emergence of human rights which at times were suppressed by the other Mughal Empires like Aurangzeb, Babar, Humayun etc., Saints of Bhakti movement like Eknath, Tukaram, Gyaneshwar, Meera, Surdass, Nanak



gave enough strength and meaning to human rights. Infact, remaining hungry themselves they cared for the other creatures. There is a popular story about Eknath that he was hungry for many days. One day he got a plate full of food. The moment he was about to eat a dog came and ran away with the breads (Rotis). Eknath ran behind him, not to take back the breads but with a bowl of butter, thinking that why should he eat dry bread! Such was the compassion for creatures. Further, One day he was bringing water from Gangas to be offered to Lord Shiva at Rameshwaram temple. On the way, he found a thirsty donkey. He offered the pot full of Gangas water which was to be offered to Lord Shiva to donkey itself. Everyone, in that religious "Yatra" opposed him but his message was that even Lord Shiva wants that no one should remain thirsty. At that point, a Shiva Linga continues to be there and a temple has been constructed. GorakhNathji who was also a medieval age saint has also mentioned about right to life in his Gorakh Sutras.

**tho lho laxs clk] cf/k u [kkbck
:/kz eklk**

**gal ?kkr u dfjck xksra] daFkr
xksj[k fugkfj iksra**

tho vkSj czā dk ,d gh lkFk fuokl
gSA blhfy, gR;k djds jDr ekal dk
lsou er djksA izk.k?kkr er djksA
lcdks vius gh xks=k vFkok dqy dk
le>ksA xksj[k dgrs gSa] vius
cPpksa&ikS=k] iq=k dks ns[kksA
lc izk.kh mUgha tSlS gSaA
Meaning, thereby, that all creatures should be
looked upon like your own children and grand
children.

Further he says:- **tho D;k gfr;s js
l;am /kkjh] ekfj yS iapHkw Hkzxyk
psjS Fkkjh cqf/k ckM+h] ;ksx dk
ewy gS n;k nku
daFkr xksj[k eqdfr yS ekuok]
ekfjyS jS eu nzksgh
tkdS ci cj.k ekl ugha yksghA
gs 'kjhj /kkfj;ks tho gR;k D;ksa djrs
gks\ ikap HkkSfrd eu:lk e`x dks
ekjks tks rqEgkjh cqf¼ ckM+h dks**

**pj jgk gSA vjs ;ksx dk ewy gh n;k]
nku gSA xksj[k dgrs gSa gs euq";!
eqfDRk ds vFkZ esa nzksgh eu
dks ekjks] ftlds u 'kjhj] u ekal gS u
jDr gS vkSj u o.kZ gSA** Meaning, why
do you kill other creatures, kill the mind which
is eating your intellect and forcing you to
commit atrocities upon others . He says further,
"Yoga means compassion and offerings.
Liberation to Gorakh means, "To kill the traitor,
dirty mind which forces you to do wrong things
like oppression and suppression.

Human Rights in Modern India

This period starts from the advent of British empire. The process of Indian administration started by the Britishers with the introduction of Regulating Act of 1773. Under it, Indian were suppressed by the Britishers completely in context to social, economical, political and religious rights. They were told that being black they did not deserve any rights. Basic rights such as rights to life and livelihood, right to freedom, right to expression, right to equality, right to preach etc were denied to them. In such a atmosphere, the Indian leaders and people felt that their rights had been lost in the hands of the colonial rule, so they thought of fighting for their rights. Perhaps the first explicit demand for fundamentals rights appeared in the Constitution of India Bill 1895. The Bill guaranteed every Indian the right to expression, right to equality before law, right to property, right to personal liberty, right to education etc. A series of resolution were passed between 1917 and 1919 for demanding civil rights and equality. Another major development was drafted by "Mrs. Besant 's Common wealth of 1925." The Bill contained a list of seven fundamental rights –

- (i) Liberty of person.
- (ii) Freedom of conscience & free profession & practice of religion.
- (iii) Free expression of opinion.
- (iv) Free elementary education.
- (v) Use of roads, public places, courts of justice & the like.
- (vi) Equality before the Law, irrespective of consideration of nationality.
- (vii) Equality of the sexes.

The resolution was passed under the chairmanship of Moti Lal Nehru in 1927 which came into effect in May 1928, Motilal Nehru as

its Chairman. It is known as Nehru Report which declared that its first concern of Indians was “to secure the fundamental rights that had been denied to them.” In context to fundamental right another resolution was the Karachi resolution adopted by the congress session held in March 1931. The decade of 1940’s was generally marked by the emergence of fundamental rights by the increased activities related to in by UN Assembly. The further stage of development of fundamental rights in Indian context was the “Sapra Committee Report” of 1945. So, after Independence, various laws were made, suggestions came from the various committees to enlarge the concept of fundamental rights by covering the entire human race.

Human Rights Enshrined in Indian Constitution

Human Rights in the Indian Constitution can be

found in the Preamble of the Constitution of India. In addition to it, Part III- related to fundamental rights, Part IV-Directive Principles which together form the core of the

Constitution.

A. PREAMBLE:- It is the sort of introductory statement that gives the guiding purpose & principle of the document. Preamble stated :WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC, REPUBLIC and to secure to all its citizens – JUSTICE, social, economic and political LIBERTY of thought, expression, belief, faith & worship. EQUALITY of status and of opportunity and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation.

III. IN OUR CONSTITUENT ASSEMBLY THIS TWENTY-SIXTH DAY OF NOVEMBER 1949, DO HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

B. THE FUNDAMENTAL RIGHTS

The rights that are basic for the freedom of humans so that they can live & enjoy as it for the proper & harmonious development of their personality are known as fundamental rights.

These rights are applied universally irrespective of caste, race, creed, religion, color or gender. They are enforced by the courts subject to certain articles. There are six fundamentals rights which are as follows:

IV. RIGHT TO EQUALITY

S. No.	Name of the Rights	Indian Constitution
1.	Equality before Law	Article 14
2.	Social Equality & equal access to public areas.	Article 15
3.	Equality in matters of public employment	Article 16
4.	Abolition of untouchability	Article 17
5.	Abolition of titles	Article 18

V. RIGHT TO FREEDOM

These rights are considered vital by the framers. It contains Articles 19 to Article 22 which are as follows:

S. No.	Name of the Rights	Indian Constitution
1.	(i) Freedom of speech & expression. (ii) Freedom to assemble peacefully without arms. (iii) Freedom to form associations or unions. (iv) Freedom to move freely throughout the territory of India though reasonable restrictions can be imposed on this right in the interest of the general public. (v) Freedom to reside & settle in any part of the territory of India. (vi) Freedom to practice any profession or to carry on any	Article 19

	occupation, trade or business.	
2.	(i) No one can be awarded punishment which is more than what the law prescribed. (ii) No one can be convicted twice for the same offence. (iii) Protection of life and personal liberty.	Article 20
3.	(i) No citizen can be denied his life and liberty except by law. (ii) Every child has the right to get free and compulsory education.	Article 21 Article 21A
4.	(i) No one can be arrested without being told the grounds for his arrest. (ii) Arrested citizen has to be brought before the nearest magistrate within 24 hours.	Article 22

VI. RIGHT AGAINST EXPLOITATION

Under it, Article 23 & 24 has been given the provisions which are as follows:

S. No.	Name of the Rights	Indian Constitution
1.	Abolition of trafficking in human beings and begar (forced labor)	Article 23
2.	Abolition of employment of children below the age of 14 years in dangerous jobs like factories, mines etc.	Article 24

VII. RIGHT TO FREEDOM OF RELIGION

Under it Article 25, 26, 27 and 28 are covered which are described as under:

S. No.	Name of the Rights	Indian Constitution
1.	Religious freedom to all citizens of India	Article 25
2.	Religious communities can setup charitable institution of their own.	Article 26
3.	No person shall be compelled to pay taxes for the promotion of a particular religion.	Article 27
4.	State run institutions cannot impart education that is pro religious.	

VIII. CULTURED & EDUCATIONAL RIGHTS

S. No.	Name of the Rights	Indian Constitution
1.	No citizen can be discriminated against for admission in state or state aided institutions.	Article 29
2.	All minorities, religions or linguistic can set up their own educational; institutions to preserve & develop their own culture.	Article 30

IX. RIGHT TO CONSTITUTIONAL REMEDIES

This right covered under Article 32.

S. No.	Name of the Rights	Indian Constitution
1.	It empowers the citizens to move a court of law in case of any denial of the fundamentals rights.	Article 32

C. DIRECTIVE PRINCIPLES OF STATE POLICY

These principles are embodied in Part-IV of the Constitution. In it the directions are given to the states for the establishment of social & economic democracy as proposed by the Preamble. The state is expected to keep these principles in mind while framing laws and policies. Under it, following articles are included:

S. No.	Name of the Principle	Indian Constitution
1.	It declare that the principles are fundamental to the governance of the country & impose an obligation on the state to apply them in matters of legislation.	Article 37
2.	It emphasize the positive duty of the state to promote the welfare of the people, to fight against equality and to ensure individual dignity.	Article 38
3.	(i) Providing adequate means of livelihood of all citizens. (ii) To provide free legal aid to ensure equal justice to all.	Article 39 Article 39 A
4.	State should work for the organization of village panchayats & help them to function as units of Self-government.	Article 40
5.	State should provide right to work, to education and to public assistance in cases of unemployment, old age, sickness & disablement within the limits of economic capacity.	Article 41
6.	State should provide for just and humane conditions of work and maternity relief.	Article 42
7.	(i) State should ensure living wage & proper conditions for workers, with full enjoyment of leisure and social and cultural activities. (ii) State should take steps to promote their participation in management of industrial undertakings.	Article 43 Article 43A
8.	State shall endeavor to secure a uniform civil code for	Article 44

	all citizens.	
9.	State should provide free and compulsory education to all children till they attain the age of 14 years.	Article 45
10.	State should to work for the economic and educational upliftment of caste, scheduled and other weaker sections of the society.	Article 46
11.	State shall commit to raise the level of nutrition and the standard of living and to improve public health.	Article 47
12.	(i) State should organize agriculture and animal husbandry on modern and scientific lines. (ii) State should protect and improve the environment and safeguard the forests and wild life of the country.	Article 48 Article 48A
13.	Obligation of the state to protect the places, monuments and objects of historic and artistic interest and national importance against destruction and damage.	Article 49
14.	State should do separation of judiciary from executive in public services.	Article 50
15.	State shall strive for the promotion and maintenance of internationally peace and security.	Article 51

D. Fundamental Duties.

According to Eighty Six constitution amendment Act, 2002, there are now 11 fundamental duties of the citizen of India that are as follow:-(i) Respect the National Flag and the National Anthem.(ii) To cherish and follow the noble ideals which inspired our national struggle for freedom.(iii) To uphold and protect the sovereignty, unity and integrity of India.

- (iv) To defend the country and render national service when called upon to do so;
- (v) To promote harmony and the spirit of common brotherhood amongst all people of India;
- (vi) To value and preserve the rich heritage of our composite culture;
- (vii) To protect and improve the natural environment;
- (viii) To develop the scientific temper, humanism and the spirit of inquiry and reform;
- (ix) To safeguard public property and to abjure violence;
- (x) To strive towards excellence in all spheres of individual and collective activity;
- (xi) To provide opportunities for education by the parent, the guardian, to his child.

Policy Pronouncements and human right education

The report given by various Indian Education Commissions and education policy. Statements have stressed on the importance of human rights and its development in the educational system. Major Commissions and policy documents like University Education Commission (1949), Secondary Education Commission (1952), Education Commission (1964-66), National Policies on Education (NPE – 1968,86), The Ramamurthi Committee (1992), the Chavan Committee (1992) were established to develop the concept of human rights in education as Value-Oriented educational system.

Chronology of events/Indian Laws regarding human rights in India.

Following is a list of some of the important national statutes which have a bearing on the promotion/



protection of human Rights in India.

1829 - The practice of sati was formally abolished.

1923 – Workmen’s Compensation Act.

1926 – Trade Unions Act.

1929 – Child Marriage Restraint Act.

1933 – Children (Pledging of Labor) Act.

1936 – Payment of Wages Act.

1946 – Industrial Employment Standing Orders Act.

1947 – Industrial Disputes Act.

1948 – Minimum Wages Act.

1950 – Caste Disabilities Removal Act.

1955 – Protection of Civil Rights Act.

1956 – Immoral Traffic Act.

1961 – Maternity Benefit Act.

1976 – Equal Remuneration Act.

1986 – Environmental Protection Act.

1986 – Juvenile Justice Act.

1987 – Commission Of Sati (prevention) Act.

1990 – National Commission for Women Act.

1993 – Establishment of Human Rights Commission.

2005 – Right to Information Act passed.

2010 – The Right of Children to Free and Compulsory Education Act came into force etc.

X. CONCLUSION

From the above details, it has been concluded than the history of the concept of human rights is from the advent of human culture which grew in the Vedic period, passed through the medieval and modern times and reached its due importance with the framing of the Constitution of India in which due importance has been given to human rights in context to fundamental rights, directive principles and fundamental duties. It is also worth mentioning that western civilizations got the concept of human rights much later than the East. The value for human rights, humanism and humanity continues to be much more in East than the West Gorakh sutras have dwelt upon this matter and can be a good source for learning human values. Further studies may be required to highlight the importance of East in this matter.

REFERENCES

- [1] Arun Raj, National Rights Commission of India, formation, functioning and fututr prospects, vol-1. Khana, New Delhi,2005, p.37
- [2] Durga Das Basu, Human Rights in Constitutional law. Prentic Hall of india. New Delhi,1994,p.540
- [3] Malkit Singh, “Thinking of Human Rights in Colonial India.” Research Journal Social Science. Vol- 15no.2.,2007, p.84
- [4] Maharaj Yatindranath Ji Yogi, Gorakh Vani aur Gorakh Yog (2003),Randhir Publication
- [5] Osho,“Die O Yogi Die”ISBN 8172611919 (2004)
- [6] J.C.Johari, Human Rights and New World Order Towards Perfection of the Democratic way of life,Anmol. New Delhi,1996,p.2
- [7] Arun Ray,n.1.pp.45-46
- [8] Jump up to:a b c Briggs (1938), Gorakhnath and the Kanphata Yogis, 6th Edition (2009 Reprint), Motilal Banarsidass. ISBN 978-8120805644
- [9] Arun Ray, n.1, 38 [7]
Ibid.,pp.38-39
- [8] M.Sundara Raj, ”Awakening of Human Rights”,C.J.Nirmal(ed.), Human Rights in India, Historical, Social and Political Perspective. Oxford University press, New Delhi,2006,p.3
- [9] M.Sundara Raj,n.8.p.4.
- [10] Ibid.,p.447.
- [11] Arun Raj,n.i,pp.42-43
- [12] Vijaya KumarV.,” The working of the National Human Rights Commission ,A Perspective.” C.J.Nirmal(ed.)Human Rights in India, Historical, Social and Political Perspective. Oxford



University press. New Delhi,2000,p.274.

[13] Arun Ray,n.1.p.43.

[14] Ibid,p.83,94-96.

[15] Human Rights A Source Book- NCERT

[16] Indian Constitution

[17] Wikipedia

[18] NHRC.