



HUMAN RIGHTS COMMISSION - ORGANIZATION AND EVOLUTION

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ABSTRACT

In 2002, the Commission produced the inaugural Annual English Journal with the goal of making it easier for people to share their thoughts, experiences, and information about human rights issues on a global scale. Its goal is to encourage open discussion and the free flow of ideas on a wide variety of important problems pertaining to human rights. In the previous sixteen issues of the NHRC Journal, a variety of aspects of human rights, including the rights of women and children, workers, the right to education, issues of corruption and governance, the right to health, the right to food, human rights education, gender equality, the right against torture, the criminal justice system, and other related topics, have been the primary focus. The Commission's goal in publishing this Journal was to provide a significant venue for the development of a body of work of a high calibre pertaining to human rights study as well as a community of human rights academics. Through the years, esteemed jurists, academicians, scholars, and other professionals have contributed to the enrichment of this Journal by sharing their perspectives on human rights in the articles that they have written for it.

Keywords: *Human rights commission, Commission*

INTRODUCTION

Since the end of World War II and the establishment of the United Nations in 1945, the term "human rights" has only recently entered common usage. This is due to the fact that the concept of human rights has been around for a relatively short amount of time. Nevertheless, the concept of human rights predates the history of human civilisation by a significant amount.

Since the beginning of civilization, "human rights" have been one of the primary concerns of society. These 'rights of man' were recognised throughout the majority of the ancient civilizations that formerly flourished across the globe. In the Babylonian laws, the beginnings of international law may be traced back to the reigns of Laigas Uruka of Laigas (3260 BC), Sargon of Akkad (2300 BC), and Hammurabi of Babylon. All three of these kings ruled during the same time period (about 2134 to 2088 B.C). Both the Assyrian laws that were in effect during the reign of Tighalat Pilashar (1115-1072 B.C.) and the Hittite laws that were in effect during the reign of King Telpenus had provisions to preserve the rights of man. In China, the jurisprudence of Lao-Tze and confusions (550-478 BC) defended the rights of the people. In India, the deterrence-based stage of punishment (danda) and more or less formal dispute procedure (vyavahara) in the post-classical system protected the rights of the people. Cicero, the great Roman jurist, tells us that the Great Stoics developed, around 200-300 years BC, on the basis of what we now consider to be basic human rights, an authentic "natural

law theory" prescribing the inviolability of these rights. This theory was developed on the basis of what we now consider to be basic human rights.

The so-called "natural law concept" was prevalent in Greco-Roman and mediaeval ages, and its primary focus was on teaching obligations rather than the rights of "man." Furthermore, as is evident in the writings of great scholars such as Aristotle and Saint Thomas Aquinas, the doctrine acknowledged the legitimacy of slavery and the practise of Serfdom, and because of this, it excluded perhaps the central most ideas of human rights as they are understood today, namely the ideas of freedom on liberty and equality. In addition, the Inca and Aztec codes of conduct and justice, in addition to the Iraquais Constitution, were all examples of native American materials that existed long before the 18th century.

The term "natural rights" soon went out of favour, but the notion of "universal rights" gained traction. Renowned thinkers like Thomas Paine, John Stuart Mill, and Henry David Thoreau expounded on the concept throughout this time period. Within the context of his work, "Civil Disobedience," it is believed that Henry David Thoreau was the first philosopher to utilise the term "human rights" (1849). People like Leo Tolstoy, Mahatma Gandhi, and Martin Luther King are seen to have been greatly influenced by this work. Gandhi and King, in particular, developed their ideas on non-violent resistance to unethical government actions from this work. This work has been extremely useful because of the people who have been greatly influenced by this work.

Therefore, the fact of the matter is that what the western world has just just learned about human rights, India has had ingrained in her deeply ingrained traditions ever since the beginning of time. Individuals, communities, and the cosmos are all seen as part of a single biological whole in the Indian way of thinking. Everyone is a child of God, and we all have a common ancestry and belong to the same extended family since we are all linked to one another.

It is generally accepted today that the concept of human rights in their modern sense was conceptualised in India during the course of British rule. The fight for independence in India was truly an effort by the people of India to secure fundamental human rights for all of their fellow countrymen. As a result, the promulgation of the Constitution by the people of India in January 1950 ushered in the heroic development of the concept of human rights in India. The historical account of this movement can be found in the book, "The Story of Human Rights in India It is impossible to leave Emperor Ashoka and the Prophet Muhammad out of a discussion on the origins of human rights.

Historical Developments:

Even though it didn't take its modern shape until the 20th century, concern for human rights has been around in some form or another from the beginning of time. This issue gained widespread attention in the 20th century. It is not dynamic, but rather a component of the "continuous dialectic process through which advancement in the area may be and plainly has been accomplished." Although it is not dynamic, it is a part of the "continuing dialectic process."

The majority of students who study human rights believe that the historical roots of the idea may be traced all the way back to ancient Greece and Rome, where it was strongly tied with the old natural law notion of Greek Stoicism.

This school of thought, which was initially established by Zeno of Citium, held the view that a "universal working face pervades all creation and that human conduct, therefore, should be judged accordingly to, and brought into harmony with the law of nature." Zeno of Citium is credited with being the founder of this school of thought. This aspect of Stoic philosophy was critically important to the development of political doctrines of natural rights in both Greece and Rome. On the other hand, Western political philosophy holds the belief that the "An examination of the individual and his role in the operation of a civil society, in particular "the polis," formed the basis of classical Greek philosophy. This examination served as a forerunner to the philosophical debate on the "right of man," a debate that has persisted throughout the history of the western world. This concept was linked to the related ideas of natural law and political idealism as far back as the period of Plato and Socrates. On the basis of these ideas, it was later argued that above and beyond the real world of the laws and rules promulgated by Kings and Emperors, there existed certain immutable and natural laws to which all human beings are entitled and by which rulers should be judged. According to the author "Such views were taken up and developed by the stoics and later by Christian thinkers such as St. Augustine in the mediaeval period."

However, during the mediaeval period, which roughly spans from the 13th century to the treaty of Westphalia (1648), encompassing the period of Renaissance and the decline of feudalism, certain fundamental shifts in the beliefs and practises of society were seen as a result of people feeling the concept of human rights as a general social need. These shifts were brought about as a result of the idea that human rights are a necessity for society as a whole. On the European continent, the teachings of Aquinas (1224-1274) and Hugo Grotius (1583-1645) were added as demonstrations of this transformation. In England, some pronouncements such as the Magna Carta (1215), the petition of right (1628), and the English Bill of rights (1689) were also included as proofs. 14 "All of these incidents demonstrated the developing general idea that all human beings are endowed with certain everlasting and inalienable rights and that these rights could never be surrendered even when human race contracted to enter the civil society." ". 15 From the standpoint of a primitive one, or from the claim of the divine rights of the Kings, and as a result, the progressive vision of rights took on a true meaning as natural rights throughout the 17th and 18th centuries. The scientific and intellectual accomplishments of the 17th century, such as the discoveries of Galileo and Sir Isaac Newton, the materialism of Thomas Hobbes, the rationalism of Rene Des Cartes and Goltfried Wilhelm Leibniz, the pantheism of Benedict de Spinoza, and the empiricism of Francis Bacon and John Locke, encouraged a belief in the natural law and universal order.

It was during the 18th century, which is considered to be the "period of enlightenment," that a rising faith in human reason and, of course, the perfectibility of human affairs led to it being a more all-encompassing one. John Locke in England, Montesquieu, Voltaire, and Jean Jacques Rousseau in France, to mention just a few, backed human reason and also strove to justify the supremacy of Natural Law. Locke was from England, while the others were from France. In his writings, John Locke, a child of the Glorious Revolution of 1688 and, of course, the father of modern liberalism, argued that certain natural rights, such as the right to life, liberty, and property, are self evidently necessary because they existed in the state of nature before humankind entered into civil society. These rights include the right to life, the right to liberty, and the right to property. He went on to argue that following the contract, the state is obligated to uphold these established natural rights, and if it fails to do so, the people have the right to rebel against the state. He made this point in the context of the contract.

Evolution of Human Rights

Man has been endowed by nature with two qualities that are intertwined: first, the quality of being an individual, and then, the quality of being a social creature. It comes easily to him to be part of a community that is arranged into groups. To get an understanding of human rights, one must first examine their history, which will bring us all the way back to the time when people first began to live in communities. It was inevitable that, in many situations, what was wrong would win out over what was good since those who had power overpowered those who were weak.

The passage of time has resulted in the establishment of these rights as conventions or understandings, including the connection between the ruler and the ruled, which have been brought together in a variety of diverse ways in different regions of the world. They found form in the idea of natural law, which went on to become the emblem of the movement of the people against absolute dictatorship and the foundation of constitutional democracy worldwide. The Magna Carta, which was written in England in 1215, the American Declaration of Independence, which was written in 1776, the French Declaration on the Rights of Man, which was written in 1789, and the Bolshevik Revolution, which was written in 1917, are all significant landmarks in the evolution of the concept of human rights.

The Magna Carta established significant constraints on arbitrary power in addition to laying the groundwork for the establishment of the Rule of Law, although it only made certain concessions to the feudal lords. The American Declaration, followed by amendments to the Constitution, included what are considered to be very extensive safeguards for the rights of man. During the time that the American and French Declarations were putting the finishing touches on the fundamental principles of equality before the law, freedom of thought, human dignity, and democratic government, countries that were in the process of rapidly industrialising their economies were becoming more aware of the need for social justice and economic security. The Bolshevik Revolution in Russia (1917) was a progression from the previous revolution. It underlined the significance of economic and social rights, stating that they were on par with civil and political rights in terms of importance.

The idea of natural rights underwent a process of rationalisation, secularisation, and democratisation throughout Europe and North America. At the close of the 18th century, an idea that would later be referred to as "the Rights of Man" began to take shape. This idea encompassed, to a significant extent, what are today generally understood to be civil and political rights. Beginning in the middle of the nineteenth century, advances in the industrial-capital economy of Europe and North America began to head in a new path. These advancements were often accompanied by acts of violence.

While nations in Europe and North America were making progress toward greater political and economic freedoms as a result of rapid industrialization, the people of the rest of the globe were more or less experiencing the agony and humiliation caused by colonialism and imperialism. It was only inevitable that the interaction and comparison of people from the two groups would result in a heightened awareness and a greater demand for human rights among the people who were subject to colonial control. For them, a proclamation that was made at the turn of the century in India by Bal Gangadhar Tilak at the time of the country's independence was a clarion call that had a great deal of historical significance: "Swaraj is my birth right and I shall obtain it."

Objectives

1. To study human rights commission

2. To study on human rights

Universalisation of Human Rights:

Around the middle of the current century, a notion known as human rights began to take shape as a result of the confluence of a number of different historical causes. This progression was given voice in the Charter of the United Nations, which proclaimed "universal respect for, and observance of human rights and fundamental freedom for all without distinctions as to race, sex, language, or religion." This development led to the establishment of the Universal Declaration of Human Rights. The promotion of these rights was named one of the fundamental objectives of the United Nations by the Charter, and member states were bound "to take joint and independent action in partnership with the United Nations for the realisation of this goal." Therefore, human rights were becoming universalized and internationalised; nevertheless, the United Nations Charter, which outlined principles of a more general character, did not define or specifically specify human rights.

Classification of Human Rights:

Two distinct points of view may be roughly distinguished when discussing human rights: First, from the point of view of the many facets of human existence, including the social, economic, political, moral, and civic spheres; and second, from the point of view of the means by which these facets might be protected. The second argument for them is that they are both constitutional and lawful. The following topics can be used to discuss these categorizations:

1. **Natural Rights:** Natural rights are rights that are generally accepted to be an essential part of human nature and to have always existed in that capacity. In point of fact, each person possesses their own unique property by virtue of their individuality, which cannot be taken away from them by any authority. These rights include intellectual property rights, rights of the mind, and the right to behave as an individual for the purpose of one's own pleasure and happiness, provided that one's actions do not violate the inherent rights of other people.
2. **Moral Rights:** These rights are grounded in the overarching values of equity and fairness that govern society. Simply put, they are the hopes and ideals of the individuals who make the claim for it. People will sometimes try to explain these privileges by arguing that it is because of the function that they play or the position that they have in society. For instance, the mother of a family can feel the need to assert her right to be consulted over the activities that are taking place within their household. In this particular instance, she is putting into practise the notion that parents have the right to be consulted whenever there are choices affecting members of the family. Therefore, it is the moral obligation of the other members to act in the same manner.
3. **Fundamental Rights:** There are some rights that take precedence over others in terms of their significance and fundamentality. Take the right to life as an illustration; it is the most fundamental of all rights, and the enjoyment of all other rights is contingent upon it. These rights are inviolable and cannot in any circumstance be curtailed or eliminated by any authority. Because of this, every community has a basic need to exercise some level of protection at all times. A person has the right to be recognised as a person in the eyes of the law, the right to equal protection under the law, and the right to be free from illegal arrest or incarceration, amongst other fundamental rights.

4. **Legal Rights:** Legal rights are sometimes referred to as positive rights in some circles. These entitlements are guaranteed by the law. The legislation of the state also serves to ensure and defend these rights for citizens. Therefore, legal rights are universal and accessible to everyone, regardless of caste, colour, racial or cultural background.
5. **Civil and Political Rights:** Civil and political rights are, respectively, the rights that are awarded by the government and the rights that are granted by civil society. These rights serve as the foundation for the realisation of fundamental requirements for the continuation of social existence. Without them, it is impossible to live a civilised existence; as a result, they are seen as being of the utmost importance for the liberated and forward-thinking life of man. However, civil and political rights include the rights to freedom of speech and assembly, the ability to freely move around, to own property, and to engage in one's chosen trade or profession, as well as the right to participate in the administration of one's own nation. There are parallels can be seen between these rights and Part III of the Constitution of India.
6. **Economic, Social and Cultural Rights:** These are the rights that individuals have in relation to the state, and their purpose is to eliminate social injustice and economic disparity, as well as to mitigate the negative effects of factors such as age, gender, and the environment. However, the state is the one who bestows these rights on its citizens. It is not required that the state fulfil all of these entitlements all at once. It is dependent on the societal economic resources that are available. The majority of socialist regimes acknowledge these rights as essential people's rights, which is important to note. Some examples of these rights include the right to equality, the right to work, the right to have a family, the right to privacy, the right to information, the right to public assistance in old age and sickness, the right to medical care, and the right to specialised care during childhood and while a mother is breastfeeding. These rights are recognised in India's Constitution as Directive Principles of State Policy, which are found in Part IV of the document.

Since the establishment of the Universal Declaration, there have been a great deal of debates and conflicts about the topic of which rights are more significant than others and which are less significant. The officials of certain states have been arguing that economic, social, and cultural rights are less essential than civil and political rights.

CONCLUSION

The concept of human rights refers to the holistic development of the human individual in a manner that is congruent with that of his fellow beings across the entirety of the relationships that exist within a society. The idea of human rights must perpetually develop in order to keep up with the progression of human civilization within the setting of an ever-shifting social, political, economic, and cultural environment. Therefore, it is a challenging responsibility for the state to establish conditions in society that would enable an individual to nourish the best version of them while living in society.

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