

PROTECTION OF RIGHTS In the light of Hinduism

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In presenting the topic concerning the protection of rights in the light of Hinduism I would like to make it clear in terms of philosophy and history that Hinduism is a religion that has absorbed and incorporated various religions and ideologies – whether they originated from the main body of the Vedas or migrated from distant lands to India.

From the perspective of happenings shaping the history, psychology, economy and even political geography of the globe today, we have to consider several issues which any evolved society should consider: migration of people, illiteracy, human trafficking, poverty lines, the gap of developed and under developed countries and terrorism too. A mature understanding of all these issues will enable us to think in the direction in which the history of the world should be written. If we all want the world to march forward as one humanity, working towards the common good of all, then a conscious effort in this direction on all levels is desirable.

The world which remains divided on issues of religion, political and economic supremacy and political ideologies will breed further conflicts and loss of individual's fundamental rights. Thus the common good of all should be the ideal the world leaders should pursue.

The history, philosophy and laws of Hinduism need to be examined to understand the ideas of tolerance, protection and acceptance of different groups of people in the mainstream of Hinduism.

Hinduism, mainly concentrated in the Indian subcontinent, still has its remnants in South East Asia. Hinduism today is a culture which has survived, emerged, evolved through several centuries and is dated by the modern historians as 5000 years old and even older by the orthodox scholars of India.

Several cultures and civilizations in different parts of the globe emerged, flourished and withered away within so many centuries but the Indian Hindu culture continues to live, change and evolve even today. The onslaught of invasions, foreign rules and commerce with distant lands did bring in their wake a lot of good and bad. The good cannot be ignored and the bad need not be pushed under the carpet. Invasions after invasions have been endured by this culture without any history of revenge on the

foreign aggressors. It rather offered a place, even for those aggressors to rest, settle and flourish in its folds.

One of the secrets why the culture has survived is that the culture has the basic philosophy of tolerance and acceptance. This philosophy is the vision given by the Upanishads. The very fact is that harmony was always established by a teacher or by a leader with the vision imparted by the Upanishads whenever the society lost its balance. The systems of law and order, of administration and governance also have drawn their inspiration from Upanishads and therefore to understand this vision is to understand the values of tolerance and protection of individual rights, not only of minorities. The vision of oneness, of non dualism of the Self is the vision in whose light we can frame the laws of rights and duties without transgressing the values that constitute dharma.

The philosophy from where the values of tolerance and acceptance have emerged is enshrined in the Upanishads which are the last section of the Vedas. Even the values of compassion, oneness, protection, charity etc. are seen as emerging from the deeper realization of the Truth which the Upanishads reveal.

Therefore the bodies of people over centuries that created the systems of law and moral codes have found these values as the fundamental principles. The deeper realization of oneness of existence has been the source of all human values and rights.

To formulate the legal and administrative systems of a society, this knowledge of oneness of existence is relevant today as it always was. We can find that the laws and moral codes which are direct do and don'ts, guiding and maintaining a conducive environment in the society are subject to change. And it is necessary to have them changed according to the changing times. This freedom has kept the culture alive and helped the world to preserve the values of life, which otherwise are becoming obscure in the days of fanaticism, terrorism, commercialism and deception.

Today's world has subjected human beings with several conflicts: conflicts of nations, of religions, conflicts amongst groups of the same religion, conflict of 'religion and practicality' in the mind of an individual.

Thus we find innumerable divisions splitting the world, nations, communities and the individual. This division has led the members of the society to discriminate against one another. Therefore integration on all these levels is essential. To establish the oneness and brotherhood of all is

possible with the understanding of the Upanishadic vision.

The moral codes given by religions and the social laws drawn by the Constitutions of nations necessarily must protect the fundamental rights and value the freedom of every individual.

The moral codes and laws of a society can change, but these codes and laws must necessarily safeguard the fundamental values of human life. These laws and codes are like the fence to protect a fruits' orchard. But the people who do not have the vision consider the fence as the main thing and disregard the orchard. Ignoring this distinction between the fence and the orchard, certain ideologies force their practices and views on the population. They have become terror groups causing havoc in the world.

Where the value for human life is found missing and dogmas have taken the front seat, we find a decline in human progress in those sectors of the world. This happens in the history of religions and nations, but when leaders refuse to recognize it, they dig the grave of the very religion that they want to preserve.

The view of Hinduism on protection of the rights, is therefore protection of the human values based on the vision of ultimate oneness which is the acme of spiritual quest. This the Upanishads call the vision of God, from where the goodness flows. This is the fountainhead of love and acceptance. Framing the laws and rights of people must be guided by the values of nonviolence, tolerance, truth, etc. Then the rights of every individual are protected and not the rights only of "some individuals". Religious fundamentalism or immature political idealism crushes human values and basic human rights. This is detrimental to a world wanting to become one humanity.

Protecting the rights of minorities will naturally follow when they are protected by a legal system. The legal, social systems must help a minority group (or those who migrated) to relate well with the majority through positive contribution, without losing its own identity.

The best example I can share to show this is the Parsi community in India, who fled Persia many hundreds of years ago, landed on the western coast of India and adapted the local dress and language. They did not have to change their religion and they are today a major contributor to the economic development of the country. They are loved and respected all over in India.

The laws governing and declaring individual rights and duties would vary from society to society due to several factors. The age, education, position, etc. are some factors which determine the laws that are framed. Laws and regulations of one society may be totally irrelevant to another society. But the fundamental rights and the duties of the individual would remain universal in any civilized society.

Today when various nations are being asked to accommodate immigrant refugees, or groups like LGBT struggling for recognition of their rights, or various economically deprived groups in the third world countries, issues of women and children and the problem of people living below the poverty line, though they may not be minority – require immediate attention.

As far as the refugees are concerned there has to be an introspection on the part of the refugees as well on the part of these governments who are offering them refuge. This introspection then helps all involved to avoid repetition of the sad situations where people had to flee from their homes. The healthy nations who accepted the refugees with magnanimity will then not have problems.

A body of law focusing only on rights of the individual and not on the duties of the individual would in some way create disparity by making one group more privileged than the other, and unquestionable too.

Duties of an individual are as much important as his rights are. The privilege of rights can be enjoyed naturally by an individual when he responsibly accepts the duties as an individual. The demand only for rights without meeting the duties is like asking for freedom without responsibility.

It is the duty of any governance to protect the basic fundamental rights of an individual in a civilized society. Discrimination based on religion, color, sex, language etc. should be denounced. Demand to be treated separately on the basis of religion etc. is a demand to isolate the community and discriminate against the individual.

The state law should allow one to practice whatever faith one belongs to, but “not” encourage one to have a separate law for one’s community based on grounds of religion. This has to be so because the state law is founded on the basis of human rights and human values.

Religious laws supporting any form of discrimination based on color, creed, sex, etc. cannot be held as standards to set laws of a nation as those religious notions need serious reconsideration.

Violence, discrimination etc. justified under any banner should not be encouraged. Rather, the basic human values conferring the fundamental rights of a person must be protected and not compromised with.

To draw the last line, the book of laws for the Hindu society *manu-smriti* says that the laws of the society can be amended, changed by a body of enlightened people and therefore religious laws are also subject to change and amendment. Refusing to change them would make the society to regress and not progress.

The vision of oneness of life as imparted by the Hindu scriptures bring to the modern man a respite from the stifling grip of competition, insecurity and violence. The goodness in an individual and in a society blossom naturally as a consequence of realization of this vision.

From this vision of oneness springs love for the world and respect for its beings. From this vision of oneness comes the end of sorrow and fear. From this vision of oneness arrives the end of evils of life. From this vision of oneness comes justice and peace. From this vision of oneness we can build a world for tomorrow which has place for all like the rainbow has place for different colors. From this vision of oneness, differences do not divide. From the vision of oneness arrives the freedom to be different but not divided. Let us have this vision and there will be integration and the world will be one.

From this vision of oneness springs life and joy. And darkness rules where the vision of oneness is lost.

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