

Ancient Hindu Jurisprudence Relating to Human Rights as a Form of Socio-Economic Rights and its Relevance in the Modern International Legal Regime

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Abstract: *The trace of Hindu civilization can be found in and around 3300 BCE from the Indus valley civilization; where from the historical archeological discoveries, it is found that everybody were living in a social-economic and political harmony with each other and the society operating in a structural basis through the interdependency onto one another. In this context, ‘gyan’ i.e. knowledge plays a vital role in order to raise the questions of right and wrong and right and duty. Vedas being the fundamental source of knowledge, contains all the matters relating existence of life on the earth. The knowledge was inclusive in nature which not only talked about the human beings but also about the harmony between them and the tangible and intangible phenomenon of the nature. According to the ancient Hindu philosophy, all the living creatures have rights irrespective of their being sentient or insentient and it is the humans who have the utmost duty to procure justice for all. The term Human Rights, though, is of later origin but still the root of it can be found even in this ancient philosophy. The present paper intends to highlight that arena of the Hindu legal jurisprudence and identify the traces of the Human Rights under the ancient Hindu jurisprudence.*

Key words: *Natural Rights; Civil and Political Rights, Socio-Economic Rights; Ancient Hindu Jurisprudence and International Legal Regime.*

I. Introduction

The earliest evidence of Hindu civilization dates to the Indus Valley Civilization in or around 3300 BCE, when, according to historical archaeological discoveries, everyone was living in social, economic, and political harmony with one another and the society was based structurally on interdependence. Gyan, or knowledge, is crucial in this situation in order to address the issues of right and wrong as well as right and responsibility. The Vedas, which are the foundational sources of knowledge, include all the information pertaining to the existence of life on earth. The

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information was all-encompassing, discussing both tangible and intangible phenomena as well as the harmony between humans and other living things.

Humans are the sentient social being and are backed by naturally attributed rationality which makes them more powerful than any other animal. This nature attributed reason of human being has helped them to come a long path in the history of civilization. But they could not have been developed this far without the strong understanding of Rights and Obligations onto them, as individuals as well as a social being. Humans are the most powerful animal because they are sentient social beings supported by naturally occurring logic. This feature of human nature has enabled mankind to advance far in the development of civilization. However, they could not have progressed this far without having a solid knowledge of their rights and obligations both as social beings and as individuals. This concept of Right and Duty did not arise abruptly all on a sudden. Rather it is a result of gradual civil, political, social, economical and jurisprudential development and evolution. The concept of *Human Rights* bloomed in the ancient Hindu philosophy where it was included under the very notion of *Dharma*, the very concept of inner conscience, equity and natural reason embedded within.

Human Rights are those basic inalienable rights of human beings that are possessed by all against the State or other appropriate authorities of the State by virtue of their being a member of the *homo sapien* family irrespective of any other social or economic or political conditions. However, the idea of human rights is as old as the antiquated philosophy of "natural rights," established on the principles of Natural Law. *The Universal Declaration of the Human Rights*, adopted in 1948, is the first international legal document to maintain the phrase "the inalienable basic human rights." From the standpoint of Natural Rights, the idea of *Human Rights* can be traced back to the *Magna Carta* in England in 1215, where rights against unlawful detention and exile, access to prompt justice, citizens' rights to own property and freedom from excessive taxation, and rights against administrative misconduct were recognized as parts of Rights available to the people of England. The term "*Human Rights*" on the other hand, is more contemporary, having emerged from post-World War II international charters and agreements. But the idea of human rights has been there since the dawn of civilization, particularly in the Vedic Period under Hindu Philosophy, which has a worldwide appeal that upholds the values of equality, freedom, autonomy, and dignity.

In this context, it is important to note that the current international and national legal framework distinguishes between three categories of human rights: [i] *the First Generation of Human Rights, also known as Civil and Political Rights*; [ii] *the Second Generation of Human Rights, also known as Social, Economic and Cultural Rights*; and [iii] *the Third Generation of Human Rights, also known as Community Rights*. The two main international documents that offer proper recognition to the first two rights described above are the *International Covenant on Civil and Political Rights (ICCPR)* and the *International Covenant on Economic, Social, and Cultural Rights (ICESCR)*. The third category of rights embodies a wider sphere and includes right to self-determination, environmental protection, protection of indigenous knowledge, culture and ethnicity which have been taken into consideration through various protocols and conventions of the United Nations.

A close look onto the ancient Hindu philosophy and practices, show the inclusion of all the set of rights mentioned above through the concept of *Dharma* enshrined under *Vedic* literature and other deliberations of different practitioners of the ancient Hindu practices. The next phase of the paper is intended to focus on this aspect of Hindu philosophy and to find out the seeds of Human Rights under the ancient Hindu culture.

II. Natural Rights vis-à-vis Human Rights

Generally speaking, Right under the modern legal system can be defined as a standard of permitted actions under a legal system *i.e.* if the permitted action is breached then the legal system must have some enforcement measures to enforce that Right. These are basically called as Legal Rights. Apart from this, there exists Natural Rights, which are independent from any customs or beliefs of any culture or recognition of any Government and therefore, it is universal and inalienable in nature. These Rights includes the principles like Liberty, Equality, Fraternity and Justice. The four facets which predominantly influence the Life of individuals and they are found in the very lap of nature. In primary society, there was no difference between these two kinds of Rights.

However, with the development of secondary and tertiary society, the notion of legality and authority of the State, started being identified separately and the concept of Natural Rights became dependent onto the recognition of them by the State promulgation. The concept of law

became related to the concept of parliamentary legislation with the growing power of the sovereign and this led to the utter misuse of power and dominance of the dominant hegemony onto the marginalized population of the society. This sheer exploitation and abuse against the rights and liberty of the people led to the demand for the protection these basic inalienable basic rights. With this growing demand and revolutions throughout the history, the recognition of these rights became quintessential.

A close look onto the Constitution of India shows that the Fundamental Rights are basically the principles of Natural Rights (Equality, Liberty, Fraternity and Justice) and their validity and enforceability solely depends on their recognition by the Government of India. Thus a close connection can be found between Human Rights and Natural Rights and the trace of these rights can be found in the ancient Indian philosophy.

III. Ancient Hindu Philosophy and the Concept of Socio-Economic Rights as a Part of Human Rights

Under the Indian philosophy, the Vedic Hindu philosophy is identified as the fundamental pedagogy. However, the Vedic civilization does not stand in isolation rather it is the further manifestation of the former Indus Valley Civilization. The traces of Vedic civilization can be found around 3300 to 1300 BC in Indus Valley civilization. At this point, whether Hindu philosophy was in existence, is a matter of debate,² as at this point of time, the term Hindu was not coined as it is of later origin which identified the people and philosophy existing around the banks of river Indus. The term 'Hindu' does not even have any existence under the Vedic philosophy or even in the later period. This term is just the result of mispronunciation of the River *Sindhu*, the Persians called it Hindu, and it was termed as Indus valley by the British people. During 1830, the British writers standardized the term Hindu and Hinduism in front of the world and the term Hinduism denotes the culture and civilization of the last 2000 years of the South Asia which evolved from Vedic literature.³

² ASHOKE MISHRA, HINDUISM- RITUALS, REASON AND BEYOND 5 (1ST ed., 2019).

³ ASHOKE MISHRA, HINDUISM- RITUALS, REASON AND BEYOND 19 (1ST ed., 2019).

i. The trace of Socio-Economic Rights as a part of Human Rights during Indus Valley Civilization [3300-1300 BCE]

The discovery of the Harappan seals indicates that in the Indus Valley civilization, it was expected that the humans and the animals used to live in harmony in the society and created a sense of fraternity. Through the seals it was discovered that it was a well laid planned city. There is sufficient evidence to indicate that there was a well-organized civic life. Whether dispute settlement mechanisms were in existence is a matter of doubt. Similarly, the concept of Human Rights as it is present in modern society is unknown. But from symbiotic representation of man and animals on the seals, one is led to infer that there was harmonious co-existence during the Indus valley civilization which is also the Bronze period in History.

The Indus valley civilization is often separated into three phases: the early Harappan phase from 3300 to 2600 BCE, the mature Harappan phase from 2600 to 1900 BCE and the late Harappan phase from 1900 to 1300 BCE. The Vedic period is estimated to be 1700 to 500 BCE. It commences in the late Harappan phase and continues beyond. The decline of Indus Valley Civilization is said to have commenced from 1900 BCE.⁴ The most important evidence of this period is that

Hindu ancient period is generally divided into three- the Vedic period, the Puranic period and the Itihasa Period.

ii. The Sruti and the Smriti Era: Traces of Socio-Economic Rights as a part of Human Rights during Vedic Period [1700-500 BCE]

It is fair to assume that Vedic period carried forward the legacy of the Indus valley as to some extent same cultural and religious practices had been found in this era. The inhabitants of this civilization were overwhelmed by the mystery of the natural elements and their forceful impact upon their lives. As these forces are uncontrollable, so they thought of pleasing them with their worship so that those elements work in their favour. Thus the concept of the deities like Varun [water], Vayu [air], Agni [fire], Prithvi [Earth], Akasha [Space] ushered in.⁵

⁴ ASHOKE MISHRA, HINDUISM- RITUALS, REASON AND BEYOND 20 (1ST ed., 2019).

⁵ ASHOKE MISHRA, HINDUISM- RITUALS, REASON AND BEYOND 17 (1ST ed., 2019).

In the absence of a specific name, this philosophy came to be known as Sanatana Dharma *i.e.* without any beginning and ending [eternal in nature] and it mostly consists of virtues like honesty, refraining from injuring living beings, goodwill, purity, mercy, patience, self-restraint, generosity and asceticism.⁶

The term ‘*Dharma*’ in the context of Hindus is not religion but rather under the ancient Hindu philosophy, right, duty, privilege, obligations, responsibility are all rolled into the concept of ‘*Dharma*’. Anything that does not fall within the purview of Dharma is ‘*Adharma*’ and not acceptable to the society. Under the Hindu philosophy the whole ambit of the human activities are considered as one. The Human Rights are an integral part of Hindu way of life as reflected in the *Rig Veda*. In the following shloka the reflection of the same is found-

*“omsahanavavantu
Sahanaubhunaktu
Sahaviryamkaravavahai
Tejaswinavadhitamastu
Ma vidmishamahai”*

Taittareya Upanishad, Sikshavalli

This implies that he protects and nourishes people as a group, that people work more effectively as a team, and that the academic pursuits of people are active and fruitful. One should not dislike dislike another. Let there be the world of peace. These prayers primarily address the material well-being and pleasure of all people. The invocation-

*“Om Sarve BhavantuSukhinah, Sarve SantuNir-Aamayaah /
Sarve BhadraanniPashyant, MaaKashcid-Duhkha-Bhaag-Bhavet /
Om ShaantihShaantihShaantih //”*

is so ancient that its source cannot be traced definitely but attributed to Yajur Veda and Brihadaryanaka Upanishad. It means may all the living beings be at peace. May there be no sufferer from illness, may all see what is auspicious, and may no one suffer due to injustice and unfairness. There is no distinction between humans and animals as all are the creatures of

⁶ ASHOKE MISHRA, HINDUISM- RITUALS, REASON AND BEYOND 37 (1ST ed., 2019).

God. Moreover, there is no difference between humans on the basis of colour of skin, races and castes.

The Purushasukta of Rig Veda states that the universe was created out of a single cosmic man (Purusha) when his body was offered at the primordial sacrifice. The four *varnas* or classes came from his body, from mouth emerges Brahmin (priest), from arms emerges Kshatriyas (warrior or Kings), from thighs emerges Vaishyas (peasant, traders etc.) and from feet emerges Shudras (servant). According to Purushasukta, these four classes do not exist in isolation from one another rather they exist inter-dependently for one another and their separate functions in the society builds the foundation of the same. Interestingly there was mobility among the varna hierarchy. A Shudra could become a Brahmin through education and good karma. So could a Kshatriya become a Brahmin.⁷

Under western philosophy this division may seem rigid and opposed Rule of Law as well as Human Rights. However, this is not what is envisaged under Varnashrama. According to Brihadaranyaka Upanishad, in the beginning there was only one truth, Brahman.⁸ It did not flourish by itself, so he thought “ekohambahusyam” *i.e.* “I am one. I desire to be many”. Hence it created the Brahmins or priests [whose work was to explain the Brahman]. Still it did not flourish, so it created the Kshatriyas *i.e.* warriors [whose work was to protect the socio-economic and political life of the people]. But still it did not flourish, hence it created the Vaishyas *i.e.* peasants, traders and merchants [peasants and merchants who had to work and secure the economy and establish an interrelation between each other]. When it still did not flourish, it created the Shudras *i.e.* labourers and artisans [whose function into the society was to give their labour for the smooth running of the society]. With the emergence the Varnashram, there emerged the notion of Dharma which is not identical the concept of Religion as understood in the western world. This was a flexible arrangement where one could traverse from one ashram to another by acquiring the qualities of the desired varna. Hence, it was possible for a Shudra to

⁷Satyakam, son of Jabala (a fallen woman) is treated as Rishi for his honesty. (Chandogy Upanishad IV.4) Viswamitra was a Kshatriya but became a Brahmin through knowledge and penance. (Ramayana) Kavasha Ailusha who was a Shudra was admitted to the class of Rishis because of his literary achievements and wrote some mantras of the *Rig Veda*. (X3-40).

⁸Connotes the highest Universal Principle, the Ultimate Reality in the universe (Atma Vidya). It is the material, efficient, formal and final cause of all that exists and it is the duty of the Brahmins to identify that highest universal principle through their scriptural studies and interpretation. RAMANUJ PRASAD, VEDAA WAY OF LIFE 11-13 (2004).

become a Bramhin, a Bramhin to Kshatriya. For example, Rishi Viswamitra who was a Kshatriya by birth became a Bramhin by acquiring the qualities of Bramhin.⁹

The Varnashrama reflected social organization during the period under consideration. It was not the same as the present day caste system and they were not hereditary. In Shankar Digvijay, AdiShankara boldly proclaims-

*“Janmanajaayeteshudrasanskaraat
Dwijaucchate
Vedapaathibhavetviprah Brahma
Janatibrahmanah”*

It means by birth all are Shudra. By actions men become twice born (dwija). By the study the Veda, one becomes Vipra (rank of Bramhin) and becomes Bramhin by gaining the knowledge of Brahma. Therefore, everyone is a Shudra by birth. Men become twice born (dwija) by their acts. One attains Vipra (rank of Bramhin) through studying the *Veda*, and one attains Bramhin status by learning about *Brahma*.

Dharma according to Vedic Philosophy is a bundle of right, duty, privilege and obligations that help human being to identify their ultimate goals in life (achieve Purushartha) and also to understand the righteous actions in life. It is one of the four objectives of human life and the other three can be termed as- desire [kama], material gain [artha] and liberation [moksha]. They are collectively known as Purusharthas.¹⁰ The sole objective of Dharma is to harmonise co-existence which includes justice and goodness. This harmony eliminates chaos in the cosmos and brings integration between the conflicting interests in the society.

Dharma has been given as injunctions which must be adhered to¹¹, in order to keep balance in the society. This balance is only a reflection of the eternal law which leads to the expression of harmonious co-existence. The principal tenets of Veda are maintenance of the cosmic laws to

⁹ Rishi Vishwamitra-the King who became a great Sage, Vedicfeed (Jul 20, 2021, 09.11 PM)
<https://vedicfeed.com/brahmarishi-vishwamitra/>.

¹⁰ RAMANUJ PRASAD, VEDA A WAY OF LIFE 11-18 (2004).

¹¹ In Bhagwad Gita, it is stated that if Dharma is not followed on earth, God himself comes to restore dharma on earth. The following proclamation is evident of the same-

*“Yadayada hi dharmasyaglanirbhabatibharatah
Abhithanamadharmasya
Tadatmanamsrijamyaham
Paritranayasadhunangvinashaychaadushkritam
Dharmasangsthapanarthysambhabamiyugeyuge.” Bhagwad Gita I: 7-8.*

maintain harmony in society with respect to rights and duties¹² that entails giving importance to Human Rights.

The Vedas have lofty ideals about natural phenomena, social relations and political set ups and the majority portion of the same is devoted to the ordinary and natural way of living in harmony. Hence, it divides the phases of human life into four phases- Brahmacharya [to stay in focus of knowing the self under the guidance of Guru, the Teacher], Grihastha [being in a family, building household, perform marriage and maintain a family bonding], Vanaprastha [it is the phase where human leave the household duties to the next generation and goes to Vana (the forest) and renunciate from the material world] and Sannyasa [renounce the mundane pursuits and dedicate the life to spiritual education], which together becomes a facet of Dharma. The four facets of life prescribed under Hindu Philosophy embraces all the Socio-Economic Rights under the guise of Dharma, disobedience of which entails social sanction too. The concepts of Dharma (righteousness), Artha (wealth), Kama (desires) and Moksha (salvation) are the universal higher morals under Hindu philosophy which are above the positive law.

The Hindu sages had an open and inclusive attitude towards the all the aspects of the society. The very shloka “vasudhaivakutumbakam”¹³ mentioned in Maha Upanishad shows the modern sense of globalization under the ancient Hindu philosophy. This very phrase means- ‘the world is one family’. It not only included the humans into an equal frame, rather it included all sentient, insentient beings and environment within its fold.¹⁴

Hence, it can be stated that the major thrust of the Vedic civilization is establishing harmony in the society. Humans are reminded repeatedly that they are an integral part of the entire system but still not the absolute powerful. The relationship of humans and animals is a part of greater symbiosis. At the Smriti era, Manu Smriti states- “meat cannot be obtained without causing injury to the animals and the slaughter of animals obstructs the way to heaven, let him therefore shun the use of meat.”¹⁵ This notion of the Shruti and Smriti era shows respect, not only towards

¹²*Id.*

¹³Maha Upanishad 6.71-75.

Also in “Ayognijahparovetilaghuchetasam
Udarcharitanamvasudhaivakutumbakam”Hitopadesha 1.3.71.

¹⁴ Hindus believe that there is one cosmic soul. All forms of life are integrated part of the cosmic soul. Since all are ‘one’, hence, there is no scope for hatred or disgrace.

¹⁵ Manu Smriti 5.49.

the Humans and their Rights but also it manifests the notion of obligation towards other insentient beings, the nature and its protection. All these concepts were in existence at this timeframe as positive morality in this society, which were accepted largely at a much later timeframe under the *International legal regime*.

iii. The trace of Socio-Economic Rights as a part of Human Rights during Itihasic Stage [800 -200 BCE]

Itihasa (traditional account of events) refers to the collection of written descriptions of important events in Hindu philosophy. It includes Ramayana and the Mahabharata. Puranas are also considered as Itihasa by some thinkers. In this section the focus is on Ramayana and Mahabharata.

With the development of the civilization, matters relating to politics, sociology, economics, philosophy came into focus. Princely States became separate autonomous entities and Kings were endowed with divinity. The epics Ramayana and Mahabharata are history of two such kingdoms.

Ramayana

Ramayana successfully depicts the picture of the society existent at that point of time. Valmiki, the author of Ramayana depicted while describing the society of Ayodhya that everybody led a harmonious life without any sort of discrimination, hatred or ill will amongst themselves.¹⁶ Here, it is further stated that the so called development leads to the destruction and pollution to the mother earth, but it is the foremost duty of human beings to protect the nature as a whole including all the sentient and insentient beings. Valmiki in his narration upheld that the foremost duty of the humans is to observe their Dharma as it is the sole essence of the universe. Humans should strive to attain Dharma as only through this they can attain happiness, wealth and prosperity.¹⁷ Ramayana demonstrates the highest level of family values and teaches the right way to observe the relationships like mother-father, husband-wife, between siblings, King and the people. Even at that ancient period, Valmiki showed the way to democracy and depicted that even the all-powerful King is not above the law. In Ramayana, Ram is portrayed as a person of high legal and moral values. Such portrayal has given rise to the utopian concept of Ram Rajya.

¹⁶ Valmiki Ramayana, 18/25.

¹⁷ Valmiki Ramayana, Aranya Kanda, 9-30, 31.

It is the perfect example of the concept which the modern legal system terms as Rule of Law. Even though the lofty ideals of Vedic period were not strictly adhered to, still the concept of human rights were of utmost importance as were the concern for animals and the environment.

Mahabharata

Another important epic from this age is Mahabharata, authored by Vyasa around 400 BC which narrates the story of struggle between two groups of cousins, Kaurava and Pandavas. In Shanti Parva of this epic, the author elaborately depicts the Rajdharmaparvani.e. the duties and obligation of the Kings towards the people and the claims of the people which the King is bound to honour for the welfare and protection of the rights of the people. The trace of Human Rights in the form of socio-economic rights are further found through the provision for open legal system, freedom from arbitrary imprisonment or death, freedom town property, freedom of movement, belief and expression, protection of individuals from harm by others, support for the needy and vulnerable, safeguards of human welfare during the times of was so on and so forth.¹⁸ Another important aspect of human development was found in the description of levy of tax onto the people of the kingdom and there is further discussion relating to the levy of oppressing tax onto the people. At that point of time levying tax was considered just but the concept of reasonability was there and a King levying excessive tax and failing to protect their people was considered to be a thief.¹⁹ Here right to protection of the King is being manifested as a basic right of people, which is also a fundamental facet for securing Human Rights.

A very interesting facet of Mahabharata is that of *Vidura*. Though born of the union of Vayasa and maid servant, he is known as *Dasi Putra* and decidedly of lesser social status. Yet he is depicted as the wisest advisor of the king. He is the author of *VidurNeeti*, which is considered to be a foremost text of administration of the State. *Vidur*, a Shudra was considered spiritually so superior that even Krishna preferred his hospitality to that of his royal cousins.

Similarly, *Matsyagandha* was daughter of a fisherman. She was desired by Rishi Parashar and Vyasa, the author of Mahabharata was born of that union. Later King Shantanu happened to see her and he desired her. Eventually she married the King.

¹⁸ Lynn Thomas, Negotiating the Spaces: Exploring the Issues of Human Rights in an Indian Text 48 No. 1 Religion 105, 106-118 (2018) (discussing the aspects of human rights in Mahabharata).

¹⁹ *Id.*[Mahabharata- 137.96, 72.10-11, 67.23, 72.10].

Though Mahabharata is a story that has deception, discrimination, outraging the modesty of women, war and rivalry, still it has given the greatest text of *Socio-economic Rights* in the form of Bhagwad Gita.

iv. The trace of Socio-Economic Rights as a part of Human Rights during Puranic Stage [200 BCE – 500 CE]

This period is known as the golden age of Hindu philosophical evolution and it coincides with Gupta Empire. During this period, six branches of Hindu philosophy emerged viz. Samkhya, Yoga, Nyaya, Vaisheshika, Mimamsa and Vedanta.

Samkhya emphasizes upon purifying the elements of human beings and describes the full spectrum of human existence. Samkhya leads to Yoga which helps one to understand the philosophy and language of human body. Yoga teaches one to maintain a harmonious existence not only within the body but also in the external society. It is effectively a map of human society.

The Nyaya philosophy adheres to atomic pluralism and legal realism. It states that atom is constituent of matters and there are not one but many entities both material (human) and spiritual as ultimate constituent of the universe. By holding pluralism it refutes monotheism. By logical analysis it recognizes diversity of social existence. In legal realism it recognizes sixteen categories (padarthas) such as valid means of knowledge sources, doubt, aim, perception, inference, comparison, causation, hypothetical reasoning, conclusion or accepted position so on and so forth.

The Vaisheshika school of thought also dealt with legal realism and eventually merged Nyaya school of thought and that merged school is known as Naya-Vaisheshika. They identify six categories of realism, such as- substance, qualities, action, genetic similarities, specific differences and inherence. The categories in the combined school are twenty two that are intended for using harmony in the human society. The Vaisheshika holds that the smallest, invisible, indestructible part of the world is an atom (anu) and all physical things are combination of atoms of earth, water, fire and air. They are activated by the supreme energy through unseen forces of moral merits and demerits.

Mimamsa embodies a systematic rule of interpretation and Vedanta deal with human beings and states that every individual soul is potentially divine and not mere material beings. Vedantic identity of human beings are more ethical and spiritual than material, hence, attributes divinity and immortality to all human beings even after death. The concept of the legal philosophy of Kant is metaphysical entity though but still he was not able to reach the subtler, unobserved element of personality.

Hindu philosophical literature especially Vedanta abounds in ideas that proclaim universal oneness and universal wellbeing. In his important work 'Happiness for All to Secure Social Harmony' Lt. Rama Jois writes that the Vedas and Upanishads were primordial source of Dharma, a compendious term for all human rights and duties, the observance of which was regarded as essential for securing peace and happiness to the individuals and the society.

The Shruti, Smriti and Puranas are collection of rules of Dharma including civil rights and criminal liabilities which is known as Vyavahara Dharma (behaviourial righteousness) and Rajdharma (the law of governance). Text books like Kamandaka, ShukraNiti, Arthashastra unanimously declare that the objective of the State was to secure happiness for all.

In *Maneka Gandhi v. Union of India*²⁰, Justice P.N. Bhagawati observed that the Fundamental Rights represent values cherished by the people of India since Vedic times and they are meant to protect the dignity of the individual and create conditions in which every human being may develop his/her personality to the fullest extent.

However, there are also some other texts known as Puranas in the Hindu philosophical literature. There are eighteen main Puranas such as Shiva Purana, SkandaPurana, LingaPurana so on and so forth. There are also eighteen sub-Puranas such as MatsyaPurana, KurmaPurana, Agni Purana, so on and so forth. The time frame of these Puranas cannot be ascertained definitely. Each Purana narrates same or similar stories but there are contradictions regarding the details. However, the common theme that runs through the Puranic literature is that of tolerance, compassion and triumph of good over evil. For instance, SkandaPurana, Shiva Purana and LingaPurana are replete with instances of Shiva's compassion towards animals, reptiles, demons and rakshasas.

²⁰ 1978 (1) SCC 248. (India).

v. Trace of Socio-Economic Rights as a part of Human Rights under Post Puranic Age [600 BCE and beyond]

The Puranic age started getting diluted from the core Vedic philosophy, and got more concerned with the Brahmanic texts which are mostly concerned with worships rituals. The simplicity of the Vedic culture was fading, and the upper class of the society established monopoly over the worshipping rituals. This hegemony led to the oppression of the common people of the society specifically on the Vaishyas and Shudras. Even, the Kshatriyas and Brahmins also had conflict of interest between themselves. Women lost their position in the society completely. In this socio-economic backdrop, peace somehow disappeared and it eventually led to the distrust of people on the Vedic rituals.

No philosophy or way of life as old as that of the Hindus can be exempt from modern deviations. It has been marred by several historical conflicts and intentional misinterpretations. However, it connects with the highest philosophical debates and a wide range of popular systems of worship at the same time as it embraces a content understanding of all other systems of religion in its current continuity. The exclusive mediaeval regulations that forbid other faiths from surviving are the only drawback. Since the beginning, harmony and cooperation have been the central messages of Hindu philosophy.

IV. Conclusion

The archeological findings from the ancient Indus valley civilization and beyond represent a universal appeal that transcends mere regional aspect and gives a wider outlook to it. The chief difference between ancient Indian culture and other cultures lies in the continuity of the history, rituals and customs. The culture and civilization of Egypt, Sumer, Babylon, Persia *etc.* have ceased to exist, however, the Indian history and institutions form an unbroken connection of past with the present.²¹ It is worth mentioning that though the ancient Hindu culture have been subjected to aberrations with time and there emerged several other branches of practices *viz. Buddhism, Sikhism, Jainism* and so on, however, all of them share the same core knowledge of the creation with an universal appeal.

²¹ R. C. MAJUMDAR, A.D. PUSALKER, A.K. MAJUMDAR, eds., *The History and Culture of the Indian People: the Vedic Age* 37-40 (6th ed. BharatiyaVidyaBhavan 1996).

The icons discovered at *Mohenjodaro* are those of gods and goddesses who are still worshipped under Hindu practices and customs with the same inner values attached to it with the same Vedic hymns which used to be uttered by the ancient sages nearly four thousand years ago. This continuity in language, literature, social practices and culture is prominent in India than any other culture of the world and the core principle attached to it is that of coexistence of all in the nature together under one umbrella in harmony and peace, where everybody shares same status according to their duties and functions into the society. This fundamental principle of Hindu philosophy upholds the modern concept of Human Rights, embracing all the civil, political, economic, social and cultural aspects attached to it by the modern international as well as national instruments. Finally, it is important to state that if the intention is focused on the establishment of modern world giving due respect to the principles of Equality, Liberty, Fraternity and Justice; it is the clarion call to hear the urges of the modern community and give due acknowledgement to the concept of Human Rights.

Under the *International legal regime*, since 1945, with the adoption of the *Charter of the United Nations, 1945* all the principles embedded therein are the byproduct of the concept of the ancient *Vedic philosophy*. The concept of right to food, to work, to shelter, to equality and most importantly right to clean and healthy environment is embedded within the ancient Indian jurisprudence from time immemorial. All the other subsequent international instruments *viz. the Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966, the International Covenant on Economic, Social and Cultural Rights, 1966, the United Nations Convention on Rights of Child, 19789* are the manifestation of the concept of *Socio-economic Rights* as were integral part of the ancient Hindu philosophy. All the *Sustainable Developmental Goals* adopted under the *United Nations Conference on Sustainable Development, 2016* are the same principles that were embarked thousands of years ago under the ancient Indian philosophy.

To sum up, it is apt to state that even before the international recognition of *Socio-economic Rights* as a part of *Human Rights*; these concepts were established under the Hindu faiths and beliefs. The associated rights within the umbrella term of *Socio-Economic Rights* like right to food, clothing, shelter, livelihood, security are the well-established concepts under the Indian legal framework. Hence, it is noteworthy to mention that India has pioneered in generating and

establishing these concepts within the contour of natural justice and equity within its functional legal framework. However, under the colonial legacy India along with the rest of the world have forgotten these pioneering concepts and ambits of rights and the world need two world wars followed by cold war to uphold and establish these basic and the most ancient forms of concepts of rights. The fundamental ideas underlying socio-economic rights run deep within the legal, social, and cultural fabric of India, assisting its citizens in adopting and enacting legislation to safeguard their socio-economic rights.

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