

HUMAN RIGHTS ARE EVERYONE'S BUSINESS

Relevant for: Developmental Issues | Topic: Rights Issues - Human Rights and NHRC

The ongoing protests by farmers against the three hastily promulgated agriculture laws have drawn international attention, with the denial of democratic rights to them by the government's construction of military-grade barriers and shutting down of the Internet at protest sites getting strong statements of support from numerous international celebrities. The official response of the Ministry of External Affairs was disproportionate to the provocation, but it was not merely the reaction of a thin-skinned government. The argument put forth by the government pushed a more fundamental premise: it warned the concerned global voices that these matters — democracy and human rights, left unstated — were India's 'internal affair'.

The recent arrest of the 22-year-old environmental activist, Disha Ravi, for amplifying the farmer protests internationally, unmasked the government's designs to criminalise those who speak for human rights. This attitude was also visible in the Home Ministry's directions to social media companies to block accounts of those expressing a point of view contrary to that of the government. A democracy which does not ensure and secure universal rights for all is a democracy only in name.

Being respected, not having their dignity violated and having a sense of security is what everyone, anywhere should get, whether it is Syrians on an Italian shore, the Rohingya in Myanmar, Hindus in Pakistan or stateless refugees on a border in Mexico. No government has immunity because it violates human rights in its jurisdiction. Prime Minister Narendra Modi could not have been more misplaced as he was, when he spoke of 'Foreign Destructive Ideology' in Parliament to refer to global concerns for rights of protesting farmers. The belief that what India or what any other nation does to its people is an 'internal matter', is as misdirected a defence as the one a wife-beating husband deploys with his neighbours — that it is not their business.

India played a signature role in drawing the world together to oppose the apartheid government of South Africa, and it took till 1962 to override the sovereignty shield used by the government to continue oppressing the Black population. India stayed firm from the 1950s till a resolution was adopted and a United Nations Special Committee Against Apartheid was set up by the United Nations. India's work, in consistently creating awareness and resistance against the demonisation of Nelson Mandela via the Rivonia trial in 1963, checked the Apartheid regime from awarding him the death sentence.

The principle document signed in the last century, the Universal Declaration of Human Rights laid down the terms for the post-war world, it enshrined the rights and the freedoms of all people, living everywhere. It was not something that was forced down India's throat by its colonial rulers. India was a member of the first Human Rights Commission, which was to draft the 'international bill of rights'. The Universal Declaration of Human Rights was drafted from January 1947 till December 10, 1948, when it was eventually adopted by the General Assembly.

Along with the Charter of the United Nations that was signed earlier in San Francisco in 1945, Indian freedom fighters did their best to influence it and make its brief wider and more effective. Mahatma Gandhi issued a press statement in April 1945 which was directed at participants of the San Francisco conference and he extensively quoted from the All India Congress Committee resolution of August 8, 1942: "While the AICC must primarily be concerned with the independence and defence of India in this hour of danger, the Committee is of opinion that the future peace, security and ordered progress of the world demand a world federation of free nations, and on no other basis can the problems of the modern world be solved." A line is

particularly evocative – “...Thus the demand for Indian independence is in no way selfish. Its nationalism spells internationalism.”

At the time of the conference, Vijaya Lakshmi Pandit who went on to become the first woman President of the UN General Assembly, was on a year-long lecture tour of the U.S., and she had a deep impact on African-Americans battling entrenched racism at the time. Pandit powerfully advocated Mahatma Gandhi and Nehru’s ideas and emphasised their universality and the indivisible nature of rights that all human beings must enjoy.

She sent a note to the conference, urging them to be bolder than they were to be eventually. Scholars agree that Pandit’s alliances with Eleanor Roosevelt, Black activists and others forged at the time, subsequently helped push for a more comprehensive adoption of the Universal Declaration of Human Rights in 1948. The work of Indians like Hansa Mehta, Minoo Masani and Lakshmi Menon conveyed the message as being the same as that of the freedom movement — of freedom from oppression for all human beings (<https://bit.ly/3qLAGiA>).

The makers of the Indian Constitution did not invoke paranoia about respecting Indian tradition, customs or hiding perverse practices. Dr. Sarvepalli Radhakrishnan famously said while commending the Objectives Resolution, or the basic road map of the Constitution, to the Assembly, that the endeavour was “a fundamental alteration in the structure of Indian society,... to abolish every vestige of despotism, every heirloom of inorganic tradition.”

The triad of ‘Liberty, Equality and Fraternity’ engraved in the Preamble, drew significantly from the slogan which had proved influential following the French Revolution. It flowed from the realisation, in Dr. B.R. Ambedkar’s words, that given the vice-like grip of the “graded inequality” of the caste system, all three elements, together, were absolutely essential if Indians were to realise their full potential. To quote B.R. Ambedkar who on the eve of the adoption of the Preamble explained how Liberty, Equality and Fraternity were connected and locked into each other firmly: “Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty would produce the supremacy of the few over the many. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.”

To cite Atmanirbhar as a counter to international concerns about freedoms, equality and the right to dissent amounts to hiding behind the flimsy excuse of sovereignty to escape the bitter truth of the slithering slope of democratic rights India appears to be going down. The case the Indian government is making is all the more specious as its own immediate concern expressed, officially by its External Affairs Minister when visiting Sri Lanka, on the Sri Lankan government needing to do more to safeguard Tamil lives belies this principle. The starkest case where India made human rights of citizens of other countries its business was in 2019 when the Citizenship (Amendment) Act, offered a home for certain persecuted citizens of three foreign countries.

When it comes to universal human rights and international attention, the premier example is of the liberation of Bangladesh which India led and shepherded by invoking these principles. That India chose to and continues to host the Dalai Lama, who attracts visible support from high-profile global celebrities, is a testament to New Delhi’s commitment to human rights. That the public concern from international celebrities is tantamount to foreign ‘intervention’ carries no weight, as this is not about the Central Intelligence Agency or Vladimir Putin’s Russia meddling in Indian electoral processes. In fact, the Bharatiya Janata Party has been cavalier about amending the Foreign Contribution (Regulation) Act, or FCRA, rules permitting itself, a political party, to whitewash foreign funds with retrospective effect, in 2016.

The Prime Minister and his government have actively courted foreign approval. Two dozen

foreign envoys were taken on a guided tour of Kashmir last week because getting a favourable opinion from foreigners matters to the government. At the height of tensions and the shutdown there, before Indian Members of Parliament were allowed, a delegation of far-right European Parliament members was bussed around deserted streets. The Prime Minister has personally appeared with celebrities in foreign lands during his numerous trips, seeking their approval. The craving for approval is natural for any publicity-seeking politician, but a democracy cannot be reduced to only demanding praise from the rest of the world and raising the bogey of 'internal matters' when international voices express solidarity with dissenters and raise serious concerns.

Global concerns about democratic rights in India cannot be dealt with by arresting messengers, bullying 'amplifiers' or shutting down social media accounts. India does not have an image problem; it has a reality problem. Changing the reality and adhering to best democratic practices inside is the only durable solution if the Modi government wants its image 'fixed'.

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