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## **Advocating Human Rights: Legal Approaches in India**

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The concept of Human Rights has been deeply entrenched in the fabric of Indian society, permeating its social, economic, and cultural realms. Its roots are traced back to pre-independence times, gaining significant momentum and evolving to suit the distinctive needs of Indian society post-independence. The framers of the Indian Constitution meticulously shaped the Human Rights concept, tailoring it to the ethos and values of the nation. The Constitution underscores the essentiality of acknowledging and respecting human rights, recognizing the inherent dignity and worth of every individual. Human rights, essentially a set of fundamental principles, revolve around the fundamental ideas of equality and fairness, championing our autonomy to mold our lives and realize our inherent human potential.

Living a life devoid of fear, harassment, or discrimination is at the core of human rights. These rights encompass a wide array of fundamental liberties, including the right to life, a fair trial, freedom from torture and cruel treatment, freedom of speech, freedom of religion, and the right to a decent standard of living encompassing health and education.

### **Human Rights in India**

India, as a democratic nation, has enshrined the protection of fundamental rights of its citizens as one of its primary objectives. The Constitution of India not only recognizes these rights but also exhibits deep-rooted concern for their safeguard. The process of drafting fundamental rights and directive principles was thorough, encapsulating the essence of the Universal Declaration of Human Rights. The enactment of the Protection of Human Rights Act, 1993 stands as a testament to India's commitment to protecting human rights, establishing a structured framework for their preservation at both the national and state levels.

### **Role of the Judiciary in Protecting Human Rights**

The Indian judiciary assumes a pivotal role in upholding and safeguarding human rights. The Constitution enumerates various fundamental rights, including the right to life and personal liberty, freedom of speech, and the protection of minority rights. The judiciary, through

landmark cases and rigorous interpretation, has fortified these rights, addressing diverse aspects such as the right to education, right to health, and environmental concerns. The courts have consistently interpreted and applied these rights to ensure a just and equitable society.

### **National Commission for Minorities**

Articles 25-30 of the Constitution delineate the rights of minorities, and the establishment of the National Commission for Minorities Act, 1992, was a significant step toward protecting these rights. The Commission has been instrumental in addressing complaints and advocating for the rights of minorities, ensuring their representation and fair treatment.

### **National Human Rights Commission**

Established under the Protection of Human Rights Act, 1993, the National Human Rights Commission plays a crucial role in protecting human rights at the national level. It conducts thorough inquiries into alleged violations and intervenes in proceedings involving human rights issues. The Commission also actively focuses on research in the field of human rights, furthering the cause of human rights protection.

### **Human Rights Courts**

Set up by state governments, Human Rights Courts play a pivotal role in ensuring the protection of human rights at the grassroots level. These courts, established in each district, have the authority to address human rights violations and hold individuals accountable.

### **Advocating Human Rights: Legal Approach**

Advocacy groups, including legal professionals, play a vital role in preventing human rights abuses and seeking justice for victims. The media, with its immense power to give visibility to human rights violations, acts as a vigilant watchdog, bringing attention to cases that need urgent action. Legal aid and education, along with the active involvement of the corporate sector and non-governmental organizations (NGOs), collectively contribute to the promotion and

realization of human rights. The corporate sector, NGOs, and educational institutions play a significant role in disseminating awareness about human rights and ensuring their protection.

### **Role of NGOs in Human Rights Advocacy**

Non-governmental organizations (NGOs) have emerged as crucial actors in the advocacy and protection of human rights. These organizations work tirelessly to bridge the gap between vulnerable communities and the authorities, advocating for the rights of the marginalized. NGOs often engage in awareness campaigns, legal support, and policy advocacy, acting as a voice for those who may otherwise go unheard. They play a critical role in documenting human rights abuses, raising international awareness, and pressuring governments to take action.

### **The Expanding Role of Media in Human Rights Advocacy**

Media, in contemporary times, has amplified its role as a watchdog for human rights violations. With the advent of digital platforms and social media, information dissemination has become faster and more widespread. Media outlets, through investigative journalism and exposés, shed light on human rights abuses, prompting action and accountability. They play a pivotal role in shaping public opinion, mobilizing communities, and demanding justice in cases of human rights violations. Responsible and unbiased journalism stands as a cornerstone in advocating for a society where human rights are upheld and respected.

### **Legal Aid and Human Rights: A Synergistic Approach**

Legal aid is a fundamental component of ensuring access to justice and upholding human rights. It ensures that legal assistance is not contingent on financial capabilities, thus promoting equality before the law. Governments and legal aid organizations must collaborate to create a robust legal aid infrastructure, enabling marginalized and vulnerable populations to seek redress for human rights violations. By providing legal aid, the legal community plays a direct role in advocating for human rights and ensuring that justice is served impartially and without discrimination.

### **Educational Institutions and the Propagation of Human Rights Education**

Educational institutions bear a significant responsibility in fostering a culture of respect for human rights. Integrating human rights education into curricula cultivates an understanding of fundamental freedoms, equality, and justice from an early age. It equips future generations with the knowledge and values necessary to actively engage in the protection and promotion of human rights. Furthermore, educational institutions serve as spaces where critical discussions on human rights can occur, fostering a generation that is empathetic, aware, and committed to the principles of human rights.

### **The Corporate Sector and Human Rights: A Balancing Act**

The corporate sector, with its vast influence and resources, can significantly impact the landscape of human rights. Responsible business practices that encompass respect for human rights, environmental sustainability, and ethical conduct can lead to positive societal outcomes. However, corporations must also be held accountable for any violations and unethical practices. A delicate balance between profit-making and human rights preservation is essential, ensuring that economic progress occurs in harmony with social well-being and environmental sustainability.

### **Conclusion: A Collective Responsibility**

Advocacy for human rights in India and across the globe is a collective responsibility that demands the active involvement of governments, legal entities, civil society, media, educational institutions, corporations, and individuals. A robust legal framework, coupled with vigilant advocacy, is necessary to ensure the protection and realization of human rights. By fostering a culture of respect, understanding, and inclusivity, we can strive towards a world where every individual's dignity, worth, and rights are upheld and celebrated. Through sustained efforts and a united front, we can create a just and equitable society where human rights form the bedrock of our shared humanity.