

## **SPIRITUALISM AND HUMAN RIGHTS**

In the evaluation of the species the highest form is considered to be man invested with the power of intelligence of thought and philosophy. As yet humanity is the highest form of creative development and civilized existence. Indeed, man is the expression of divinity and is striving for higher forms of sublime existence as Arobindo has explained in his book "The Divine Life". Human society is civilized only when barbarity is abolished and human rights belong to every member of society. When America won independence, a Constitution was framed and amendments made. Under it every citizen was entitled to human rights. Later when the French Revolution was evolved in France, Human Rights found a place in its Constitution. Much earlier, the Magna Carta won by the people of Briton inscribe valuable human rights for every Briton. In the vedic days and later in the Greek and Roman Empire Human Rights were part of the culture of the people. Thus history is a record of growing development of basic rights. Factually the human element is absent in society. In the struggle for independence made by India, non-violence and compassion were integral part of swaraj. When India framed a Constitution, fundamental rights became a vital part of the basic structure of the Constitution. Life cannot survive without duties, hence a State to enforce and regulate the fundamental rights and duties was created by the Constitution. Thus we have a luminous preamble Part III, IV & IVA setting out the vision of Human Rights and their duties guaranteed by the Constitution.

Democracy is an inalienable value of culture where everyone has equal rights and freedom of expression and association of faith and movement. The right to life is the most fundamental. Life to be meaningful must enjoy dignity and freedom of thought and peace and security. Right to public health and against slavery are a mark of civilisation. The right to justice is

supreme as it has to be administered through an independent body. The typical form of governance is through a trinity of instrumentality achieved through free election. The executive is by elected members. The rule of law is all important if justice is to govern society. In this a legislature is necessary based on the franchise of the people. The judicature is the instrument through which those whose rights are violated can claim back by decrees and writs and other directions for which judges are necessary. The judges must possess independence and integrity, learning in jurisprudence and criminal law whereby those who commit crimes will be punished. A stage has risen for delinquency, and so we must have police men to enforce order, must have Parliament to discuss and debate. To meet the needs of the people and laws to be obeyed through the might of the State periodic election are necessary when bad governments have to be changed and people's representatives have to be removed. This is the fundamental foundation of the Indian Constitution. The Constitution has to be amended when it is found unsatisfactory in working. Election must be free and fair and adult franchise is the basis of true democracy. A harmony of democracy depends on the happy alliance and co-ordination of the trinity viz., the Executive, the Legislature and the Judicature. For stability of democracy the party system is necessary, basically the two party system as in the UK and USA.

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