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One Day National Seminar on  
**Human Rights**

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Chief Editor  
Dr. Yogeesh N.



Organized by  
S.J.M College of Arts, Science and Commerce,  
Chandravalli, Chitradurga, Karnataka (INDIA)



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**SJM Vidyapeetha (R.), Chitradurga**

**S.J.M College of Arts, Science and Commerce,**

**Chandravalli, Chitradurga**

**Accredited "A" Grade by NAAC**



*Department of Political Science, Kannada, Sociology  
and Commerce*

*Organised One-Day National Level Seminar*

**On**

**HUMAN RIGHTS**

\* \* \* \*

**Conference Proceedings**

**Date: 15-03-2022**

**Venue: Jayadeva Sabha Bhavana**





### **About Fort City Chitradurga**

Chitradurga is an ancient city of strong fortress having seven rounds, containing a number of historical monuments of national and international importance. It is a unique historical place of Karnataka as well as India.

Chitradurga has an ancient history. Archaeological remains found in the area trace its history to the 3rd millennium B.C. Chitradurga was ruled by feudatories under all important imperial dynasties, namely: Shatavahanas, Kadambhas, Chalukyas, Rashtrakutas, Hoysalas and Vijayanagara. After the fall of Vijayanagara empire in south India, the feudatory of Chitradurga became an independent ruler in 16th century popularly known as 'PALEGARS'. The thirteen rulers ruled from 16th to 18th century for more than 200 years. Bharamanna Nayaka and Madhakari Nayaka were the prominent rulers of that time.

It is located at a distance of 202 Kms north west of Banagaluru, which is the capital city of Karnataka state and is situated adjacent to busy national highway No.4 connecting Pune and Banagaluru, as well as National highway NO.13 connecting Solapur and Managaluru. This district covers geographical area of 8442 square kms with 1044 villages. It is a recognised tourist centre by the department of tourism of Government of Karnataka. The other special features of Chitradurga district is that, it has headed towards becoming a 2nd Scientific Research Centre in the country with the establishment of branches of prestigious premier science institutions like IISc, DRDO, BARC etc., at Challakere

### **Profile of SJM Vidyapeetha**

S.J.M Vidyapeetha is an apex body established in 1969 by late. Sri Sri Mallikarjuna Murgharajendra Maha Swamiji, pontiff of Bruhanmatt Chitradurga to promote and provide education in Karnataka with a emphasis on rural areas and technical education. It has been running about 120 educational institutions right from primary education to medical education. SJM Vidyapeetha runs a medical, dental, ayurvedic, engineering and pharmacy colleges also. Dr. Shivamurthy Murugha Sharnaru, the present pontiff of Bruhanmatt is the president of SJM Vidyapeetha. He has been incessantly trying to spread the teachings and messages of Lord Basaveshwara and eradicating social evils and superstitions. With his tireless efforts and dedication he has tried to bring great social change by initiating many of his disciples to spiritual field from different social strata. Even the government of Karnataka has recently given its approval to start SJM University at Chitradurga.

### **Profile of SJM College**

SJM College of Arts, Science and Commerce, Chandravalli, Chitradurga, a brain child of late. Sri Mallikarjuna Murugharajendra Maha Swamiji, established in 1969 is in the forefront in providing higher education to the people of Chitradurga district. It has been reaccredited



with 'A' Grade by NAAC. The college is situated in a splendid place called 'Chandravalli', which has a panoramic view of mountains, greenery, caves and a historically significant 'Chandravalli Tank' on Holalkere Road in the out skirts of the city. Academic excellence is the top priority of the college. Besides encouraging students in the academic pursuits, the college conducts frequently faculty development programmes for the teaching staff to enhance the competencies of the teachers to meet the present requirements and expectations in the field of

### **A Summary of National Seminar**

In commemoration of 75th Independence of India- Azadi ka Amruth Mahotsav, a one day national seminar on Human Rights was organised jointly by the departments of Political Science, Sociology, Kannada and Commerce with an initiative from the IQAC of the college on 15-03-2022 in the college campus. Dr. Lohith D Naiker, Advocate, Dharwad and Visiting professor to National Law University and Judicial Academy, Assam had inaugurated the seminar by watering the plant. He in his inaugural address lauded the efforts made by the college in spreading awareness and sensitized people, faculty and students on human rights by organising this kind of seminars. On this occasion Sri. S.K Basavarajan, Secretary, SJM Vidyapeetha, Chitradurga and Prof. H.K Shivappa, Vice Principal, and Dr. R.V Hegadal, IQAC Coordinator were also present. Dr. K.C Ramesh, Principal of the college presided over the seminar.

In the second session of the seminar C.S Patil, Prof. of Law, Karnatka State Law University, Hubballi was the resource person and he spoke on human rights in India, the session was followed by an interaction and intense debate with the participants who have come from different colleges and places. This session was very educative, creating a great interest among participants how the human rights are violated in our country and he made valuable suggestions to uphold the rights of the venerable people in our society.

In the second session that followed the lunch hour, the resource person Dr. G.R Jagadeesh, Principal, CBR National Law College, Shivamogga spoke at length on the topic- The Rights of Women and Children. He drew the attention of the participants how the rights of women and children are blatantly violated in India and he stressed on the need to create awareness on the Laws made by the government to safeguard their rights and interest.

The third session several participants presented their valuable papers on different sub themes on human rights. There was also debates and discussion on the papers presented by the participants.

The last session of the seminar was valedictory session. Prof. S Mohan Kumar, Vice-chancellor, SJM university, Chitradurga gave his valedictory address to the gathering. The vice-chancellor recalled how in the modern times the United Nation plays a vital role in spreading awareness on human rights and safeguarding them at the international level. He also appreciated the college, faculty members in taking initiative in organising on a topic which is very



relevant both at the national and international level. Dr. K.C Ramesh, the principal of the college in his presidential address thanked everyone who made this seminar a very successful one.

### **Preface to the Seminar**

Basic rights which all human beings need alike for leading a decent and dignified life are called human rights which are basic rights that belong to every person from birth to till death, are vital for the existence of human beings in any civilized society. Regardless of race , religion, sex, language and economic status, all human beings are entitled for basic human rights. Creating awareness on human rights is the need of the hour. Now a days the human rights are blatantly violated in all countries for one reason or the other. Discrimination is made against people on the basis of religion nationality and race. Especially the rights of vulnerable sections of the society like women, children and third gender. The religious minorities in several countries have been denied their basic right of practicing their religion freely. More ever the Human Rights are blatantly violated during the war times, like the present Russia and Ukraine war on both sides.

Our constitution has guaranteed human rights to every citizens of the country for leading a decent, dignified, oppression and exploitation free life. But in a multi-religious , multi-cultural and hierarchical society like India inequality, oppression and exploitation still exists in many forms. Therefore in view of the above prevailing situation there is greater need today to spread awareness and sensitize people about the human rights. Since the need of the hour is to sensitize and motivate the public functionaries like principals, lectures of degree colleges and also educational officers to fulfil their duties in protecting the human rights of weaker sections of society especially the women and children and other vulnerable groups.



Gallery of Event

Conference inaugurating by Sri. S.K Basavarajan Secretary , SJM Vidyapeetha, Chitradurga



Prof. G.N Basavarajappa, addressing



Preyer Song by Ku.Divya



Welcome speech by Prof. R.K Kedarnath, Convener of Conference



Felicitation to Sri. S.K Basavarajan, Secretary



Key Note address by Dr. Lohith .D Naikar, Visiting Professor, National Law University & Judicial Academy, Assam







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**Felicitation to Dr. Lohith. D Naikar**



**Presidential Remarks by Principal Dr. K.C Ramesh**



**Participants from Various corner of the Nation**



**Registration by Various participants**







Dr. G.R Jagadeesh, Principal, CBR National Law College, Shivamogga, delivering talks on Rights of Women and Children



Prof. S.B Shivakumar introducing the Resource person



Vote of Thanks by Dr. R.V Hegadal, IQAC Coordinator



Feedback by Prof. M.S Sudha devi Principal Sarswathi Law College, Chitradurga



Feedback-



Valedictory session - Prof. Mohankumar, Vice chancellor, SJM University, Chitradurga





ISSN: 2581-8511

**Interaction session**



**Felicitation to SJM University Vice Chancellor, Dr. Mohankumar**



**Felicitation to Resource Person Dr. G.R Jagadeesh**



**Felicitation to Principal Sudha devi**



**Felicitation to Principal Dr. Dinesh S, SJM Law College, Chitradurga**



**Registration Session**







## Basaveshwara and Human Rights

Lohit Naikar

### I. INTRODUCTION

Ever since the U.N. General Assembly adopted the Universal Declaration on Human Rights in 1948 and declared "all human beings are born free and equal in dignity and rights" and "everyone is entitled to rights and freedoms without distinction of any kind....", the concern for human rights has assumed global dimension. Its significance has pervaded every inter-State, intra-State political relations and diplomacy. It has been a subject of discussion in almost all national and international conferences, discourses, deliberations, negotiations and transactions. It has been a subject of interpretation in every religious, political, social and economic ideology. It has been a subject of study in all academic disciplines.

Awareness to protect human rights has grown to such an extent that today it is being used as a yardstick to measure the civilization of Societies, States, regimes and positive laws. It is being used as a criterion for making value judgments, both by the individuals and Governments. It is being used as limitations on the Governments and Authorities. It is being used as a vehicle of development in every international monetary and humanitarian aid. History is now spoken and written in the language of human rights – the rights protected and guaranteed.

In the long history of humanity and its development, the world has witnessed various societies and sub-societies with 'inequality pervading every aspect of social, political, economic, educational and cultural life. Whenever 'inequality' has caused blatant violation of human rights, men and women of exemplary characteristics have arisen and led the societies. One such religious social leader/was Basava, who came on the stage of history of Karnataka region in southern India during the 12<sup>th</sup> century, who preached equality, liberty and fraternity 600 years before the French Revolution and 800 years before the U.N. Declaration on Human Right. that led to a formation of a new sub society called the sharana society; a society where in all human rights we talk today were assured; a society where every member lived with dignity and status; a society where every member respected the rights of others; a society where every one irrespective of gender, caste, colour and status were equal to one another.

Histories are reinterpreted and rewritten whenever new evidences are brought in, perceptions change and new claims are made. Historically the facts remain same. Because there is a change in perception, an attempt is made to study the teachings of Basava and its effect on the said sub society in human rights perspective. An attempt is made to establish that the rights we talk of today are nothing but the rights recognised by Basava and enjoyed by the sharana society. Attempt is also made to establish that Basava was a champion of human rights.

**Human Rights and Vachanas :**





The Preachings and teachings of Basava is Captulated in the form of 'Vachanas'. 'Vachana' is a literary form in Kannada literature, vachana literally means a saying or something said. Also termed as cryptic sayings or musings. It was the form of expression chosen by the Saranas of 12<sup>th</sup> century to communicate their ideas, thoughts, sentiments, emotions and mystical experiences to the common masses.

The language used in Vachanas is simple Kannada, close to the colloquial spoken by common folk. Since saranas never wrote vachanas deliberately and with aim of composing literature, the style is found in vachana, they are not regular poems. They are prose pieces. However, the prose style is not that of the time found in Canpa Kavya. They may be regarded as unique types of prose lyrics, possessing the lyrical grace of poetry and the rhythmic articulation of prose. In vachanas there are no strict rules, of metric and rhyme, alliteration, foot, rhythm, syllable and accent usually found in regular poetry.

The figures and images, the similes and metaphors, the illustrations and examples, wide experiences used in vachanas make them more powerful so as to reach the readers' hearts.

Vachanas contain the noblest of human thoughts. They range from most ordinary manners and courtesies of social life to highest moral and spiritual values. In vachanas we see yearning for divine, prayer, modes of bhakti, universal human values, code of conduct, righteousness, love and compassion, non-violence, peace, universal brotherhood and respect for fellow human beings.

Vachanas in the nature of appeals, commands, declarations, injunctions, illustrations, critiques etc., mean to the thousands of citizenry of Kalyana and followers of Basava? History evidences that Basava's ideas, ideals, ideologies in the vachanas had such an impact, that led to strong movement and to an establishment of sub society of their own called the 'Sharana society'.

To this sub-society, mainly comprising of members of the lower castes and the out-castes, vachanas became a way of life. They followed the preaching's, acted upon them and tried to live accordingly. This largely meant the members of sharana society, defied the then existing law, the code of Manu.

This entire processo of Basavas teachings, the devotees following and acting upon the vachanas, the denial of existing religious laws, establishment of sub-society, led to a revolution and setting up of a society based on human right-the right based on equality, liberty and fraternity . where indian duals led a life based on human dignity, the contemporary basis for respect for human rights and the core value recognized in Article- I.

### **III. Dignity as core Value of Human Rights :**

Article 1 of the UNDHR recognises one of the most important human rights, in the contemporary thinking, that "all human beings are born free, equal in dignity and rights".



This Article embodies the concept of Natural law which has occupied a pervasive role in the realm of ethics and law, from the time of Greek civilization. The central notion is that there exists objective moral principles which depend on the essential nature of the universe which can be discovered by natural reason. And ordinary human law is only truly law if it confirms to these principles.

This right, in a way defines the concept of human rights.

The term "born free" means indicates that every individual is a product of nature. To whatever school of thought one may ascribe, a democrat or socialist, a believer or atheist, the truth remains that in creation of every human being, the nature has its share, and therefore all man are equal.

I means The term 'equal in dignity and rights' means that every individual has some worth which is common to all that there are certain rights which are inherent in man, by virtue of being man itself and these rights belong to them permanently.

Basava, believed and advocated that all men are born they are worth the same in dignity.

ಹೊಲೆಗಂಡಲ್ಲದೆ ಪಿಂಡದ ನೆಲೆಗಾಶ್ರಯವಿಲ್ಲ,  
ಜಲ-ಬಿಂದುವಿನ ವ್ಯವಹಾರ ಒಂದೇ,  
ಆಶೆಯಾಮಿಷರೋಷಹರುಷ ವಿಷಯಾದಿಗಳಲ್ಲಾ ಒಂದೇ.  
ಏನನೋದಿ, ಏನ ಕೇಳಿ, ಏನು ಫಲ?  
ಕುಲಜನೆಂಬುದಕ್ಕೆ ಆವುದು ದೃಷ್ಟಿ?  
ಸಪ್ತಧಾತುಸಮಂ ಪಿಂಡಂ ಸಮಯೋನಿಸಮದೃವಂ!  
ಆತ್ಮಜೀವಸಮಾಯುಕ್ತಂ ವರ್ಣಾನಾಂ ಕಿಂ ಪ್ರಯೋಜನಂ ಎಂದುದಾಗಿ,  
ಕಾಸಿ ಕಮ್ಮಾರನಾದ, ಬೀಸಿ ಮಡಿವಾಳನಾದ.  
ಹಾಸನಿಕ್ಕಿ ಸಾಲಿಗನಾದ, ವೇದವನೋದಿ ಹಾರುವನಾದ,  
ಕರ್ಣದಲ್ಲಿ ಜನಿಸಿದರುಂಟೆ ಜಗದೊಳಗೆ?  
ಇದು ಕಾರಣ ಕೂಡಲಸಂಗಮದೇವಾ,  
ಲಿಂಗಸ್ಥಲವನರಿದವನೆ ಕುಲಜನು. (590)

*Unless the flow of blood appear,  
There is no harbourage  
Wherein the embryo may dwell.  
The function of the seed is e'er the same.  
Greed, lust, anger and joy,  
All other passions are the same,  
Whatever you read or hear, what fruit?  
What is the rule to judge a caste?  
"The embryo needs the seven elements:*



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T u m b e

Group of International Journals

National Seminar on Human Rights

Volume-5(Special Issue 1)2022

*It is the same birth out of the same womb;  
Same the alliance of self and soul;  
What, then, the usefulness of caste?"  
You are a blacksmith if you heat;  
A washerman if you beat;  
A weaver, if you lay the warp;  
A Brahmin, if you read the Books!  
Is anybody in the world  
Delivered through the ear?  
Therefore, O Kudala Sangama Lord,  
The well-born is the man who knows  
The nature of Divinity! (589)*

In the vachana, he clearly expresses that all human beings are one and same, because all the children of God. He

#### **U.N. DECL, ON HUMAN RIGHTS AND BASAVA**

says if the embryo of the child has to find a place in the womb of the mother, it has to pass through the same passage. All are subject to desire anger and joy. How can one conceive high and low? No one has born through the ear.

ಮನೆ ನೋಡಾ ಬಡವರು; ಮನ ನೋಡಾ ಘನ,  
ಸೋಂಕಿನಲ್ಲಿ ಶುಚಿ; ಸವಾರಂಗ ಕಲಿಗಳು  
ಪಸರಕ್ಕನುವಿಲ್ಲ; ಬಂದೆ ತತ್ಕಾಲಕ್ಕೆ ಉಂಟು;  
ಕೂಡಲಸಂಗನ ಶರಣರು ಸ್ವತಂತ್ರ ಧೀರರು. (326)

*Look at their hearth, they're poor indeed;  
Look at their heart, they're great (dignity)  
Their simple touch is bliss;  
They're brave from top to toe;  
There's nothing they can spare,  
But only for the hour that comes;  
Kudala Sangama Saranas  
Are brave and free! (325)*

In this vachana, we see that dignity is something, which cannot be evaluated in tangible terms. Dignity has nothing to do with wealth. Basava says that, even if the sharana stay in simple houses they are rich in dignity.

By saying that mind is dignified, he means to say that it is something to do with the psyche of people. It is in the mind of the people who hold someone high and some other low. This is true because contemporary philosophers see dignity in the image of man, the image





capable of respecting himself and others, constructively participating in the shaping and sharing of all human values. And this is culmination of many trends in thought, secular as well as religious originating far back into antiquity and coming down through centuries. Thus by saying so, he upheld that dignity inherent is same. Today 'drgmty' is the basis and a way of assigning institutions and human rights.

### **III . EQUALITY AND BASAVA**

'Equality' has had a long history. It has figured prominently in many different contexts, and has been given numerous meanings and definitions. Some have viewed it as a fundamentally religious and spiritual notion, namely that all men are equally the children of God and equal in His sight despite their widely differing circumstances. Others have stressed its affinity with and supposed derivations from the state of nature, wherein all the power and jurisdiction is reciprocal, no one having more than another's; and where all are equal one amongst other, without subordinate or subjection. The famous Declaration on Human Rights have treated equality as a basic political and legal concept, proclaiming in unmistakable terms the self evident truth that all men are created equal and that all are equal in their rights and dignity.

Equality in the real sense is impossible because it depends upon various factors where one is placed. It depends upon the birth, the community, the religion, the socio-economic set up of the family, education, employment, earning, attitudes and moral values one takes up, so on and so forth. Nowhere in the history do we find, in any period, during any rule that there was equality in the real sense. What then does equality mean? Equality means to recognise the preeminence of men in the world of things. It is to draw the line between human and nonhuman. To insist on equality means to affirm humanity.

Equality means, not to abolish differences between men, but only those differences which might give birth to difference in the situation of men; not in real leveling of conditions of life, but in equal opportunities offered by the given social system, in creating equal and possibly ample opportunity for self realization.

### **U.N. DECL. ON HUMAN RIGHT AND BASAVA**

Article 2 of UNDHR, declares another important principle on which human rights depend upon, the principle of non-discrimination. Article 2 states everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The remarkable feature of Indian Social System is its caste system. During the times of Basava, the varana system (color), division of the society based on color, and the jati (caste) system existed. It is estimated that there are 3,000 castes today in India. During the times of Basava, the society was segregated into high born and low born based on heredity.



Equality means a non-excluding principle. Since we are all human, members of the same human family, nobody should be let out on the basis of status. It follows all should have the same membership of human race. That is to recognise inalienability and undeniability of being human. It means to recognise the equal worth of all human beings.

The concept of Basava's equality is unique it is composite and complete. It encompasses every individual's day to day life, individual to individual and individual to society.

This complete concept of equality as preached by Basava can be understood in connection to,

1. Spirituality
2. Ishtalinga
3. Ritual purity
4. Open community
5. Kayaka
6. Dasoha.

### 1. Equality and Spirituality

In a highly stratified society in which Basava lived, caste determined the status of person. In order to eliminate casteism that existed and reform the society, like many great prophets, Basava too used the instrument of spirituality, religion and metaphysics. He expressed not to respect him on the basis of his family or caste. For him the problem was not a question of birth but of spiritual brotherhood. Vachana,

ದೇವ, ದೇವಾ ಬಿನ್ನಹ, ಅವಧಾರು;  
ವಿಪ್ರ ಮೊದಲು, ಅಂತ್ಯಜ ಕಡೆಯಾಗಿ  
ಶಿವಭಕ್ತರಾದವರನೆಲ್ಲರನೊಂದೆ ಎಂಬೆ.  
ಹಾರುವ ಮೊದಲು, ಶ್ವಪಚ ಕಡೆಯಾಗಿ  
ಭವಿಯಾದವರನೆಲ್ಲರನೊಂಬೆ ಎಂದೆ;  
ಹೀಗೆಂದು ನಂಬುದೆನ್ನ ಮನ,  
ಈ ನುಡಿದ ನುಡಿಯೊಳಗೆ ಎಳ್ಳ ಮೊನೆಯಷ್ಟು ಸಂದೇಹವುಳ್ಳಡೆ,  
ಹಲುದೊರೆ ಮೂಗ ಕೊಯಿ, ಕೂಡಲಸಂಗಮದೇವಾ. (711)

*Lord, O Lord! Heed my prayer;  
The Brahmin at one end,  
At other the low-born man  
All devotees of siva I deem one;  
is concept of Basava's equality ,  
The priest at one end,  
The sweeper at another*



*All worldlings I deem one.  
It's this my heart believes...  
Should in this talk of mine be doubt  
As large as a seasmum tip.  
Lord Kudala Sangama  
Will, sure, chop off my nose  
Until the teeth show out! (710)*

The above vachana which is in the form of prayer oath, he proclaims that there is no difference between people and-Brahmana and untouchable who worship the same Lord.

The same is reiterated in the following more radical vachana.

ನಲನೊಂದೆ; ಹೊಲಗೇರಿ ಶಿವಾಲಯಕ್ಕೆ  
ಜಲವೊಂದೆ; ಶೌಚಾಚಮನಕ್ಕೆ  
ಕುಲವೊಂದೆ; ತನ್ನ ತಾನರಿದವರಿಗೆ,  
ಫಲವೊಂದೆ; ಷಡುದರುಶನ ಮುಕ್ತಿಗೆ,  
ನಿಲವೊಂದೆ; ಕೂಡಲಸಂಗಮದೇವಾ, ನಿಮ್ಮನರಿದವರಿಗೆ.(878)

*There is one earth to hold  
God's temple and the pariah colony,  
One water for the closet and the bath;  
One sect for those who know themselves;  
One meed for those who are released,  
By means of the sixfold mystic way;  
One height of those who know Thee, Lord  
Kudala Sangama!(879)*

Basava transcends all divisions and propagates the ideal of equality, connecting both, extremes of purity scale the temple and settlement of untouchables the traditional contrasts as both are built upon the same earth. So also water is neither holy nor impure used again for all holy and unholy purposes. In the third line he propagates idea of one community who have true knowledge, which knows no distinction between people. It is also explicit in this vachana that knowledge leads to liberation (mukti) the union of soul with God. Therefore, he concludes that there is only one abode for all people who know the Lord Shiva. Since everybody strive for this destination they must have same attitude in life and they cannot isolate themselves from others; thus bringing to the fore the concept of universal equality of all people.

## II Equality and Linga

The devotion propounded by Basava revolved around worship of sacred symbol of Shiva the Linga and personal Linga (Ishtalinga). Ishtalinga, which is to be worn by the member





on his body, symbolizes the formless and boundless nature, the ultimate truth, the God. It represents the universal spirit.

During the times of Basava, Ishtalinga played an important role in elevating the status of low caste or sudras. It became an instrument to levelise the low caste untouchable sudras on par with dwija (twice born) people. The effect of Linga worship means a drastic social change.

ಬಂದು ಬಿಲ್ಲಹ ಬಿಡಲು ಹೊಲಗೇರಿ ಎಂಬ ಹೆಸರೊಳವೆ, ಅಯ್ಯಾ?  
ಲಿಂಗವಿದ್ದವರ ಮನೆ ಕೈಲಾಸವೆಂದು ನಂಬಬೇಕು  
ಚಾಂಡಾಲವಾಟಿಕಾಯಾಂ ವಾ ಶಿವಭಕ್ತಃ ಸ್ಥಿತೋ ಯದಿ|  
ತತ್ ಶ್ರೇಣಿಃ ಶಿವಲೋಕಸ್ಯ ತದ್‌ಗೃಹಂ ಶಿವಮಂದಿರಮ್| ಎಂದುದಾಗಿ  
ಲೋಕದ ಡಂಬಕರ ಮಾತು ಬೇಡ,  
ಕೂಡಲಸಂಗನಿದ್ದುದೇ ಕೈಲಾಸ.(608)

*Is there the name 'pariah colony'  
When a bhakta comes to make his dwelling there?  
We must believe the house where Linga is  
To be Kailasa: thereto this is  
The authority:  
If in a pariah's street  
A Sivabhakta has taken his residence,  
That street will be the Siva-world,  
That house a Siva shrine.'  
Heed not the words  
Of this world's hypocrites:  
Where Kudala Sangama is,  
There is Kailasa!(407)*

### III. Equality and Pollution

The basic idea underlying caste system is the notion about purity of people. The Dvija (Twice) born, eligible to perform religious rites and rituals were considered pure and sudhras ineligible to perform such were considered as impure. Basava adopted a clear stand with regard to this pollution, with worship of linga as a deciding factor, as can be seen in the following vachana.

ಹೊಲೆಯುಂಟೆ ಲಿಂಗವಿದ್ದೆಡೆಯಲ್ಲಿ?  
ಕುಲವುಂಟೆ ಜಂಗಮವಿದ್ದೆಡೆಯಲ್ಲಿ?  
ಎಂಜಲುಂಟೆ ಪ್ರಸಾದವಿದ್ದೆಡೆಯಲ್ಲಿ?  
ಅಪವಿತ್ರದ ನುಡಿಯ ನುಡಿವ ಸೂತಕವೆ ಪಾತಕ,  
ನಿಷ್ಕಳಂಕ ನಿಜೈಕ್ಯ ಇವಿಧ ನಿರ್ಣಯ,



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ಕೂಡಲಸಂಗಮದೇವಾ, ನಿಮ್ಮ ಶರಣರಿಗಲ್ಲದಿಲ್ಲ. (770)

*Can there be filth where Linga is ?  
Can there be caste where Jangama is ?  
Can there be offal where Prasada is ?  
The impurity of speaking unholy words Is sin !  
The Formless, the united with Reality,  
The triple consummation, O Lord Kudala Sarigama,  
Is only for Thy Saranas ! (769)*

Here the linga is so pure that it renders ineffective all imperials. Jangama the religious mendicant who has given up all attachment of caste, cannot speak of caste. Pollution also fades away where prasada; the sacred offering food is shared.

#### IV. Open Community and Equality

Basavas rejection of pollution made possible people from all castes including the untouchables (sudhras) join the Virashaiva movement.

ಸೆಟ್ಟೆಯೆಂಬೆನೆ ಸಿರಿಯಾಳನ?  
ಮಡಿವಾಳನೆಂಬೆನೆ ಮಾಚಯ್ಯನ?  
ಡೋಹರನೆಂಬೆನೆ ಕಕ್ಕಯ್ಯನ?  
ಮಾದಾರನೆಂಬೆನೆ ಚೆನ್ನಯ್ಯನ?  
ಆನು ಹಾರುವನೆಂದಡೆ ಕೂಡಲಸಂಗಯ್ಯ ನಗುವನಯ್ಯಾ. (345)

Shall I call Siriyala a man of trade,  
And Macayya A washerman?  
Call Kakkayya a tanner, and  
Cennayya a cobbler?  
And if I call myself  
A priest, will not  
Kudala Sangama just laugh at me? (344)

In this vachana Basava rejects all distinctions between people on the basis of caste. The persons mentioned in this vachana are contemporaries of Basava and belonging to outcaste sudras. The vachana expresses the social structure based on caste and its incompatibility with the egalitarian society visualised by Basava. The vachana simply states that one should avoid characterizing people by caste background, never so with intention of emphasising one's own higher caste.

Chennayyya, me cobbler, is my sire, Kakkayya: the tanner, my uncle is; Cikkayya is my ghand sire lo, My elder brother is Bommayya the lutanist, Then, why, Kudala Sangama, do you not Take cognizance of me? (348) In this vachana Basava 'takes spiritual achievement and not with



traditional values of ascription. In associating with untouchables he tried to overcome the barrier by caste ideology.

## V. Kayaka and Equality

One of the twin important principles through which Basava ensured equality was kayaka. Kayaka literally means physical labour or work of the body. Kaya means body and kayaka means work done by the body.

In the wider sense, it means an occupation, a profession, a vocation, labour, work, duty undertaken as livelihood.

Kayaka was a very important principle through which Basava not only tried to eradicate the discrimination that existed, but also infused `dignity; in the labour one puts in., however mean the type of labour may be in the eyes of others. Kayaka in principle, opposes the Brahminical theory of karma. Karma supposes that each man's vocation is predetermined by birth according to one's karma (deeds). That is vocations professions are determined by heredity. This meant that a farmer's son should become farmer, a barber's son a barber and a preacher's son a preacher and so on.

Basava revolted against this system and infused 'dignity' and 'divinity' in one's labour or work. He vehemently condemned discrimination on the basis of occupation.

In one of the vachanas,

ದೇವ ಸಹಿತ ಭಕ್ತ ಮನೆಗೆ ಬಂದಡೆ,  
ಕಾಯಕವಾವುದೆಂದು ಬೆಸಗೊಂಡೆನಾದಡೆ,  
ನಿಮ್ಮಾಣೆ! ನಿಮ್ಮ ಪುರಾತರಾಣೆ! ತಲೆದಂಡೆ! ತಲೆದಂಡೆ!  
ಕೂಡಲಸಂಗಮದೇವಾ, ಭಕ್ತರಲ್ಲಿ ಕುಲವನರಸಿದಡೆ  
ನಿಮ್ಮ ರಾಣಿವಾಸದಾಣೆ.(453)

When devotees come to me  
With God on them, and if I ask  
What is their profession,  
May Thy curse and Thy Pioneers' curse  
Be upon me and my head, my head!  
O Kudal Sangama Lord,  
May Thy Queen's curse blast me  
If I should seek to know  
What sect they be!

He swears, if a devotee, weret of linga comes to his house, he would not ask as to what occupation he belongs. To whatever profession he may belong for him hi is incarnation of Shiva.





## VI. Dasoha and Equality :

Dasoha is closely knit with the concept of kayaka, they are bracketed together, if kayaka is the purpose, dasoha is the end. If kayaka embodies that everyone should earn their livelihood, dasoha prescribes that the money earned through kayaka does not entirely belong to the individual, therefore it should be shared with the society.

Dasoha involves the principle of distributive justice, that individual should share to some extent the responsibilities of the society. Dasoha is not restricted to money or goods sharing. It applies to knowledge and skills. Dasoha is a service to human kind through the medium of devotion, realizing that all beings are sparks of divinity and God exists in all creatures. It is a way to seek God through serving human beings. It is not a gift or charity.

ನಾನು ಆರಂಭವ ಮಾಡುವನಯ್ಯಾ, ಗುರುಪೂಜೆಗೆಂದು,  
ನಾನು ಬೆವಹಾರವ ಮಾಡುವೆನಯ್ಯಾ, ಲಿಂಗಾರ್ಚನೆಗೆಂದು  
ನಾನು ಪರಸೇವೆಯ ಮಾಡುವೆನಯ್ಯಾ, ಜಂಗಮದಾಸೋಹಕ್ಕೆಂದು,  
ನಾನಾವಾವ ಕಮರಂಗಳ ಮಾಡಿದಡೆಯು  
ಆ ಕರ್ಮಫಲಭೋಗವ ನೀ ಕೊಡುವೆ ಎಂಬುದ ನಾನು ಬಲ್ಲೆನು,  
ನೀ ಕೊಟ್ಟ ದ್ರವ್ಯವ ನಿಮಗಲ್ಲದೆ ಮತ್ತೊಂದಕ್ಕೆ ಮಾಡೆನು,  
ನಿಮ್ಮ ಸೊಮ್ಮಿಗೆ ಸಲಿಸುವೆನು. ನಿಮ್ಮಾಣೆ ಕೊಡಲಸಂಗಮದೇವಾ. (709)

*That, I may worship Guru  
I practice husbandry  
That I perform my rites  
To linga I follow trade:  
That I may slave for Jangama  
I am another's drudge.  
Whatever the work that I may do,  
I know that you  
Have given me my reward;  
No other occupation do I have  
But for the wages that you give...  
A curse upon me if I fail  
To give you what is yours,  
O Kudala Sangama Lord!(708)*

Basava makes clear that all vocations must be performed as an act of worship. Whether it is agriculture, business, or manual work, all is done with a spiritual intent. Basava clearly emphasises that all proceeds are given by God and do not belong to men, therefore man is obliged to give back the fruits of labour. Basava swears that he will not withhold anything that belongs to the Lord, but it will give back all the wages earned.



#### **IV. Social justice and Basava.**

In contemporary philosophy, social justice in the manner in which benefits and, burdens are distributed among the citizenry. This politically is called the distributive principle.

This distributive principle means each member of the group should enjoy an equal amount of happiness. The 'good' whose distribution is refereed may consist either of individual status (happiness, want satisfaction, dignity) or of the resources external to the individual (wealth, education) The principle states how the 'good' is to be divided either individuals and what his/her shall be (medical facilities, housing). The principle also specific how the wealth or recourses of the state should be distributed. That is, the distribution of benefits and burdens through out the society, as it results from its social institutions.

Basaveshawara was the champeou of socil jusutice in the contempory legal philoso-phy. Social justice mems striking a harmomous balance helieen 'rights', 'desers(desrves) and 'needs' It is concerned with (A) Distribution of and protection of rights through a legal system; (B) Distribution of power (as a benefit), depending on the power structure and social structure. Power as a benefit includes intangibles such as prestige, self respect and dignity, C) Distribu-tion of Wealth or material goods and (D) Distribution or allocation of security measures such as housing, medicine, welfare benefits etc.

##### **A. Distribution of Rights:**

During the times of Basava, the legal system which existed was based on the classical religious laws, where rights were not equitably distributed. Only the upper castes enjoyed and enforced the rights. Engorcement and punishments were based on caste, which were highly discriminative. It was against this Basava revolted and tried to secure equal rights to the lower castes more particularly the then important claims the right to be equal in worship, religion and right of women to be equal y men.

##### **B. Distribution of Power:**

or Distribution of power politically political empowerment was not possible, because the po-litical structure was based on monarchy, wherein the heirs succeeded. Executive power and judicial power vested with upper castes and privileged few.

Through his concept of equality, Basava empowered large number of people socially, culturally, educationally and economically. Social empowerment through caste eradication, ie., right to equality, cultural empowerment through right to worship, right to religion, right to spiritual attainment, Economic empowerment through 'Kayaka' and 'Dasoha'.

His concept of equality ensured prestige self respect and dignity. ...

##### **C. Distribution of Wealth:**



Basava absolutely rejected the accumulation of property. He thought that egoist dealing with fruits of labour as highly improper. There are many vachanas, which contain warnings against the temptations of wealth. Example,

ಹಾವು ತಿಂದವರ ನುಡಿಸಬಹುದು,  
ಗರ ಹೊಡೆದವರ ನುಡಿಸಬಹುದು,  
ಸಿರಿಗರ ಹೊಡೆದವರ ನುಡಿಸಲು ಬಾರದು ನೋಡಯ್ಯಾ,  
ಬಡತನವೆಂಬ ಮಂತ್ರವಾದಿ ಹೊಗಳಲು  
ಒಡನೆ ನುಡಿವರಯ್ಯಾ, ಕೂಡಲಸಂಗಮದೇವಾ.(132) *Question you may one bitten by a snake;*

*Question you may one ghost-possessed;  
You cannot question one possessed  
By the ghost of wealth... But if  
The exorcist called poverty  
Draw near, he speaks at once,  
O Kudala Sangama Lord! (132)*

Here, Basava treats wealth as a demonic power, which can destroy every thing. He says an unconscious person bitten by snake can be talked to, so also an unconscious person hit by evil planet can be talked to, but a person possessed by evil of wealth cannot be talked too easily, the only remedy or cure to such possessions is poverty. The exorcist to remedy the evil of wealth in poverty. By saying so, he calls upon his devotees to give up the lust of property.

In many Vachanas, Basava makes clear that all vocations must be performed as an act of worship. He emphasizes that all proceeds are given by God and thus do not belong to men. Since enjoyment of fruits of labour is by His grace, man is obliged to give back these fruits. He swears he will not withhold anything that belongs to God.

Basava was against the concentration of wealth and he called his devotees to resist the temptation of wealth. True to the principle of social justice which seeks distribution of wealth, Basava through his concept of Dasoha not only propagated the idea of distribution of wealth, but also saw it was practiced, which in turn secured social justice to the innumerable devotees more particularly belonging to the weaker sections of the society – the sudras and pachamas.

His concept of Dasoha is nothing but service to humanity, though distribution of wealth. Dashoha means the earnings of one labour must be given away, in particular to the religious mendicants, the jangamas, and also to the poor needy members of the community. Dashoha was a method or means to distribnli the weach. The modern concept of socialism.

ನೀನಿಕ್ಕಿದ ಬೀಯದಲ್ಲಿ ವಂಚನೆಯುಳ್ಳಡೆ  
ಸಂಗಾ, ನಿಮ್ಮ ತೊತ್ತತನಕ್ಕೆ ದೂರವಯ್ಯಾ.  
ಕದ್ದು ತಿಂದಡೆ ಕೈಹಿಡಿದೊಮ್ಮೆ ಬಡಿದು





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ತುಡುಗುಣಿ ತನವ ಬಿಡಿಸಯ್ಯಾ,  
ಜಂಗಮ ಮನೆಗೆ ಬಂದಲ್ಲಿ ಓಸರಿಸಿದಡೆ  
ಹಿಡಿದು ಮೂಗ ಕೊಯ್ಯಯ್ಯಾ  
ಕೂಡಲಸಂಗಮದೇವಾ.(434)

*If I commit a fraud  
In food bestowed by Thee,  
I'll be, O Lord, removed  
Far from Thy servanthood !  
if I eat thievishly,  
Restrain my hand at once.  
Purge me of thievish ways !  
And should I turn my back  
Upon a Jangama come to my door,  
Catch me and chop my nose,  
O Kudala Sangama Lord !(433)*

Basava swears that whatever is given to him, without doubt he would share with devotees. He appeals to the Lord, to punish him if he does not share with devotees.

ಕಾಗೆ ಒಂದಗುಳ ಕಂಡಡೆ ಕರೆಯದೆ ತನ್ನ ಬಳಗವನು?  
ಕೋಳಿ ಒಂದು ಕುಟುಕ ಕಂಡಡೆ ಕೂಗಿ ಕರೆಯದೆ ತನ್ನ ಕುಲವನೆಲ್ಲವ?  
ಶಿವಭಕ್ತನಾಗಿ ಭಕ್ತಿಪಕ್ಷವಿಲ್ಲದಿದ್ದಡೆ ಕಾಗೆ ಕೋಳಿಯಿಂದ ಕರಕಷ್ಟ  
ಕೂಡಲಸಂಗಮದೇವಾ(438)

Does not a crow, on seeing a crumb,  
Call to its flock?  
Does not a hen, on finding a morsel  
Call, clacking, to her brood ?  
If, being a bhakta, a man lacks loyalty  
To his own faith,  
He's worse than hen or crow,  
O Kudala Sangama Lord! (437)

Here too Basava, illustrates the same distributive principle by giving example of crow and hen. He says if a crow or hen find a grain of food, they call their kith and kin to share. Likewise a devotee, should call upon other devotees to share. That is, whatever one has, should be shared.

ಅನ್ಯರ ಮನೆಗೆ ಹೋಗಿ, ತನ್ನ ಉದರವ ಹೊರೆಯದ,  
ಅಚ್ಚ ಶರಣರ ಕಂಡಡೆ,  
ನಿಶ್ಚಯವಾಗಿ ಕೂಡಲಸಂಗಮದೇವನು.



*Whenever I see a devotee  
Rendering service and serving food,  
It is as if I saw  
A hidden hoard.  
Whenever I see one living of  
Prasada and Padodaka,  
It is as if  
Departed breath had come again.  
Whenever I see a perfect Sarana  
Not visiting others' houses to keep himself,  
I call him Lord Kydala Sangama, forsooth! (758)*

## V. Conclusion

Connecting human rights and environment is a valuable sourcebook that explores the uncharted territory that lies between environmental and human rights legislation. Human beings can be ensured fundamental equality and adequate conditions of life in an environment that permits a life of dignity and well-being.

The advancement of the relationship between human rights and environment would enable incorporation of human rights principles within an environmental laws. With each day that passes, the connections between climate change and human rights, between environmental protection and human rights protection, become more and more obvious. Human rights and environmental protection are linked because both are required in order to achieve the highest quality of life for all.

Invoking human rights in an era of environmental crisis raises the question of whether there is a relevant human right to invoke. There is broad consensus that "environmental degradation can and does interfere with the enjoyment of a wide range of human rights." There is also general agreement that viewing environmental protection through a human rights lens leads states towards choices that promote human dignity, equality, and freedom while simultaneously improving environmental policies.

However the author has established in this brief article. Basaveshwara 600 years before the France Revolution and 800 years before UN Declaration on Human Rights used the Dignity, Equality, Liberty and Justice not only as philosophical basis to assign rights but effectively protected them in his new sub society formed Sharana Society. The Human Rights we talk today in Declaration Covenants Conventions and Constutions were recognized, enjoyed and effectively protected by Basaveshwara. Thus to this author Basaveshwara has been the greatest champion of Human Rights and no human rights philosophy can be advanced without the study of Basaveshwara Vachanas.

**Table of Content**

Sl.No	Paper Title	Author Name	Page
1	A Study on Overview of Child Rights in India- An Empirical Study	Dr.Suresha A N	1
2	Indian Rural Society and Sanitization –A Study	Rangaswamy.H.	9
3	Violations of the Human Rights of People Who Use Drugs- A Study	Nagarajappa.L	17
4	Human Rights and Corporate Social Responsibility- A Study	B.M.Swamy	26
5	Impact of Covid-19 on Human Rights-A Study	Ananda.S	33
6	Human Rights and Values in Education	Dr. B C Anantha Ramu	39
7	Human Rights in Business-A STUDY	Dr. Channakeshava.C	42
8	Role of Education in Promotaion and Protection of Human Rights	Dr. Byrasiddappa. G.E	44
9	Gender Discrimination And Human Rights	L. Rajanaik	48
10	Workers rights and Empowerment: A Study of Puffed Rice Units	Harish Tigari	55
11	Protecting and Restoring Biodiversity are Key to Achieving the Sustainable Development Goals, Preventing Future Pandemics, and Building Better in Response to and Recovery from Covid-19-A Study	C.N. Venkatesh	59
12	Human Rights and Status in Different Society-A Study	Dr. Sharanappa.K.C.	67
13	Importance of Media in Human Society-A Study	Kariyanna.D.	79
14	Topic :Womens Human Rights Problems and Perspectives	Dr. Latha.S.	83
15	Impact of Covid-19 on Mahathma Gandhi National Rural Employment Guarantee Program-A Study	L.Nagarajappa.	86
16	Industrial Disaster, Environment and Human Rights- A Study	Manjunathswmy.H.M	95
17	Role of Judiciary in Protecting the Human Rights of the Tribal Peoples in Indian Perspective	Dr. Gowda.N.D	101
18	Human Rights and Vulnerable Sections Vulnerable Groups – Health and Human Rights	Dr. Padmalatha R & Viswanatha K N	109
19	Legal regulation of property rights of women	Dr. Shashikala S	114
20	Human Rights of Minority Communities in India	Aswatha	119
21	A Survey of Information Seeking Behavior of Faculty Members, Research Scholars and Postgraduate Students in the Field of Environmental Science with Special Reference to Selected Universities and Institutions in Karnataka State”	Thippeswamy J	124
22	Women Rights in India	Kavitha.U.M.	129
23	Human Rights and Indian Agricultural Marketing Laws- A Study	Lakshman Naik.N	135



ISSN: 2581-8511

24	Protection of Child Rights in India: An Overview	Dr. Sathish Naik H & Dr. B. Revanna	145
25	The Role of Vachana Philosophy and Human Rights	Dr Jayanna C T	150
26	Human Rights for the Wellbeing of Older Persons	Vinaya S.N	156
27	Sexual Harassment at Workplace: Role of Employer at Crucial Stage	Pradeep K N & Shantika U M	164
28	Enforcement of Human Rights in India-an Appraisal	K.S.Jayakumar & ( Dr). C. Basavaraju	175
29	Legal Aspects of Rights of women relating to live in relationship in India	Dr. M.N Adarsha	183
30	Eco Gender Gap: Visualising Women in Management and Conservation	Dr. A Anala,	188
31	Right to Environment as a Human Right	Ms.Suman C. Patil	196
32	ಮಾನವ ಹಕ್ಕುಗಳ ತರಬೇತಿ	ಡಾ. ಎಂ. ಪೂರ್ವಾಚಾರ್ & ಡಾ. ಕೆ. ಚಂದ್ರಪ್ಪ,	203
33	ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆ	ಡಾ. ಬಿ.ರೇವಣ್ಣ	206
34	ಮಾನವ ಹಕ್ಕುಗಳು ಮತ್ತು ವಚನ ಸಾಹಿತ್ಯ	ಡಾ. ಸುಜಾತ.ಎಸ್	212
35	ಮಾನವ ಹಕ್ಕುಗಳು ಮತ್ತು ಬಸವಣ್ಣನವರ ವಚನಗಳು	ಸತೀಶ್.ಎ.ಎಸ್.	217
36	ಏಕೀಕರಣೋತ್ತರ ಮಧ್ಯಕರ್ನಾಟಕದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು: ಕಾರ್ಮಿಕರ ಸಂಘಟನೆ ಮತ್ತು ನಾಯಕತ್ವ	ಉಮೇಶ್.ಆರ್.ಎಸ್* ಮತ್ತು ಡಾ. ಶಿವಪ್ಪ.ಆರ್	220
37	ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಪ್ರತಿಪಾದನೆ	ಡಾ.ಕೆ.ಜಿ. ಚವಾಣ	229
38	ದೇವರಾಜ ಅರಸರವರ ಆಳ್ವಿಕೆಯಲ್ಲಿ ಭೂಸುಧಾರಣಾ ಶಾಸನದ ಅನುಷ್ಠಾನ 1974 ಕುರಿತು ಒಂದು ವಿವೇಚನೆ.	ಶಿವಣ್ಣ ಮತ್ತು ಡಾ. ಪೂರ್ವಾಚಾರ್ ಎಂ.	232
39	ಮಹಿಳಾ ಹಕ್ಕುಗಳು ಮತ್ತು ವಚನ ಸಾಹಿತ್ಯ”	ಪ್ರೊ. ಬಸವರಾಜ ಟಿ	234
40	ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯ ನಿವಾರಣೆಯಲ್ಲಿ ಕಾನೂನು/ಶಾಸನಗಳ ಪಾತ್ರ	ನಯಾಜ್ ಅಹ್ಮದ್	238
41	ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕ ಘೋಷಣೆ- 1948	ವಿಜಯಕುಮಾರ್ ಎಂ.ಸಿ.	242
42	ಕೋವಿಡ್ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ-ಒಂದು ಅಧ್ಯಯನ	ಡಾ. ಸಿ. ಸುಧಾರಾಣಿ	246
43	ಕರ್ನಾಟಕದ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಅಭಿವೃದ್ಧಿಯಲ್ಲಿ ಸರ್ಕಾರಿ ಯೋಜನೆಗಳು- ಒಂದು ಅಧ್ಯಯನ”	ದೇವರಾಜ .ಎಂ.ಎಸ್. ಡಾ.ಪೂರ್ವಾಚಾರ್ ಎಂ	254
44	ಪ್ರಸ್ತುತ ಸಮಾಜಕ್ಕಾಗಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಪ್ರಸ್ತುತತೆ	ಬಾಬುಕುಮಾರ್ ಓ	257
45	ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಕಾರಣಾತ್ಮಕ ಅಂಶಗಳ ಕುರಿತು ಒಂದು ಸಮಾಜಶಾಸ್ತ್ರೀಯ ಸಾಹಿತ್ಯ ಅವಲೋಕನ	ಬಸವರಾಜು ಮತ್ತು ಡಾ.ಪೂರ್ವಾಚಾರ್.ಎಂ	261
46	प्रेमचन्द के साहित्य में मानवाधिकार : एक अवलोकन	Dr. Nazirunnisa S	267





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# Presented Papers



## A Study on Overview of Child Rights in India- An Empirical Study

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### Abstract

Children's rights are the HRs of children with particular attention to the rights of special protection and care afforded to minors, including their right to association with both parents, human identity as well as the basic needs for food, universal state-paid education, health care and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights, and freedom from discrimination on the basis of the child's race, gender, sexual orientation, gender identity, national origin, religion, disability, color, ethnicity, or other characteristics. Interpretations of children's rights range from allowing children the capacity for autonomous action to the enforcement of children being physically, mentally and emotionally free from abuse, though what constitutes "abuse" is a matter of debate.

**Keywords:** Children's Rights, Minors, Universal State-Paid Education, Health Care, Criminal Laws, Abuse

### Introduction

"A kid is any human being under the age of eighteen years, unless the majority is acquired earlier under the law applicable to the child" (CRC 1989). A child is a person, not a subperson, according to Cornell University. The term "child" usually refers to a juvenile, however it can also refer to adult children as well as adult nondependent children (Child Rights. Cornell University). In international law (Children and Youth. HREA), there are no definitions for other names used to designate young people such as "adolescents," "teenagers," or "youth," but the children's rights movement is considered different from the youth rights movement. Law, politics, religion, and morality all intersect in the issue of children's rights.

The Meaning of the Child and the Child Rights Etymologically, the term "child" comes from the Latin infants which mean "the one who does not speak". For the Roman, this term designates the child from its birth, up to the age of 7 years. This notion evolved a lot through centuries and cultures to finally designate human being from birth until adulthood. But this conception of the child was wide and the age of the majority varied from a culture to another. The Convention on the Rights of the Child of 1989 defines more precisely the term "child": "a child is any human being below the age of 18 years unless, under the law applicable to the child, the majority is attained earlier" The idea, through this definition and all the texts concerning child



welfare, is that the child is a human being with rights and dignity. What characterizes the child; it is his youth and vulnerability. Indeed, the child is growing, a future adult, who has no means to protect himself. So, the child has to be the object of particular interest and specific protection. In this perspective, texts proclaiming the protection of the child and his rights were adopted. The Recognition of the Rights of the Children Children's rights were recognized after the 1st World War, with the adoption of the Declaration of Geneva, in 1924. The process of recognition of children's rights continued thanks to the UN, with the adoption of the Declaration of children's rights in 1959. The recognition of the child's interest and his rights became real on 20th November 1989 with the adoption of the International Convention on the Rights of the Child which is the first international legally binding text recognizing all the fundamental rights of the child. Children's Rights: HRs Children's rights are HRs. They protect the child as a human being.

**As HRs, children's rights are constituted by fundamental guarantees and essential HRs:**

- Children's rights recognize fundamental guarantees to all human beings: the right to life, the non-discrimination principle, the right to dignity through the protection of physical and mental integrity (protection against slavery, torture, and bad treatments, etc.)
- Children's rights are civil and political rights, such as the right to identity, the right to a nationality, etc.
- Children's rights are economic, social and cultural rights, such as the right to education, the right to a decent standard of living, the right to health, etc.
- Children's rights include the individual right: the right to live with his parents, the right to education, the right to benefit from protection, etc.
- Children's rights include collective rights: rights of refugee and disabled children's, of minority children or from autochthonous groups.

Children's Rights: Rights Adapted to Children Children's rights are HRs specifically adapted to the child because they take into account his fragility, specificities, and age-appropriate needs. Children's rights take into account the necessity of development of the child. The children thus have the right to live and to develop suitably physically and intellectually. Children's rights plan to satisfy the essential needs for a good development of the child, such as the access to an appropriate alimentation, to necessary care, to education, etc. Children's rights consider the vulnerable character of the child. They imply the necessity to protect them. It means to grant particular assistance to them and to give protection adapted to their age and to their degree of maturity. So, the children have to be helped and supported and must be protected against labour exploitation, kidnapping, and ill-treatment, etc. (humanium.org) Movement The 1796 publication of Thomas Spence's Rights of Infants are among the earliest English-language assertions of the rights of children.



Throughout the 20th-century children's rights activists organized for homeless children's rights and public education. The 1927 publication of *The Child's Right to Respect* by Janusz Korczak strengthened the literature surrounding the field, and today dozens of international organizations are working around the world to promote children's rights. Historical Time Line of Child Rights Children across the world, have broadly been construed in terms of a 'golden age' that is synonymous with innocence, freedom, joy, play and the like. It is the time when spared the rigors of adult life, one hardly shoulders any kind of responsibility or obligations but, then, it is also true that children are vulnerable, especially when very young. The fact that children are vulnerable, they need to be cared for and protected from 'the harshness of the world outside' and around. This being so, the adult-child relation, parents, in particular, is said to provide 'care and protection' serving thereby the 'best interests of the child' and meeting their day-to-day 'needs of survival and development'.

The adult is presumed to be the guardian and, in that respect, expected to take the responsibility of child's welfare and development. Whether or not, the premise underlying this is correct or not, the childhood 'reality' on the whole is questionable, demanding critical evaluation. Accordingly, idealistic notions and representations associated with children and childhood have been challenged, especially in relation to poverty, disease, exploitation, and abuse across the globe. Many also believe that childhood is that period during which children are subject to a set of rules and regulations unique to them, and one that does not apply to members of other social categories.

It is indeed a period in a person's life during which she/he is neither expected nor allowed to fully participate in various domains of social life. It is thus not a world of freedom and opportunity but one of confinement and limitation in which children are 'wholly subservient and dependent'. This being so, childhood is nothing short of a world of isolation, sadness, exploitation, oppression, cruelty, and abuse. To dichotomize and juxtapose these theoretical models of the child-adult relation reveals fundamentally different ways of seeing and understanding the very essence of childhood and children. In this sense, childhood is not a static, objective and universal fact of human nature, but a social construction which is both culturally and historically determined.

The history of Hebrews, Greeks, and Romans, whose cultures had a great impact upon the Western society, bears testimony to the fact that children, by and large, were taken for granted by their parents and the patriarchal society at large. The resultant effect of all this was that they were treated as objects of intervention rather than as legal subjects in their own right. Many labeled them as a 'problem population' whereas others reduced them to being seen as property and thus treated them as non-entities.

The Roman law, for instance, provided for the *patria potestas* whereby the father was endowed with absolute power and authority over his family. It included *ius vitae et mortis*, the power of life and death, and a fortiori, of uncontrolled corporal chastisement over wife, children, and other family members. Ancient Greeks left girls and children born with disabilities on the wild





hillsides, where exposure or animals were sure to kill them and the practice was continued routinely in Rome until Christianity became the State religion. The killing of unwanted children may have become less common in the centuries since then, but it never completely disappeared. In the given adult-child power relation, the usual cliché of childhood being a ‘golden age’ not only seemed to be a myth but a distant dream for the majority of these children. The French historian, Philippe Aries, in his landmark book *Centuries of Childhood*, also claimed that ‘the idea of childhood did not exist at all in earlier times’, as once the ‘child’ moved from the biological dependence of ‘infancy’ it ‘belonged to adult society’. According to his analysis, children were ‘miniature adults’ as they dressed, behaved and conversed similarly, and were engaged in the same social activities and work. And that the concept of childhood as a discrete life stage emerged in Europe between the 15th and 18th centuries as part of a process driven by two primary imperatives. First, there was an effective or ‘codling’ dimension ‘in which the child, on account of his (sic) sweetness, simplicity, and drollery, became a source of amusement and relaxation for the adult’. Second, there was an educational dimension inspired by ‘churchmen or gentlemen of the robe moralists and pedagogues.

This secured control over children’s innate ‘depravity’ and was developed through the influence of the Reformation, with its emphasis on discipline and knowledge of theology, humanities, and sciences. It was consolidated during the period of European Enlightenment with the ascendancy of ‘rationality’. Initially restricted to the domain of upper-class childhood, Aries contended that the effective and educational dimensions eventually diffused across society and childhood became institutionalized. The work of Aries, however, has not been without criticism. It has been argued that his thesis underestimated the nature of childhood within changing household structures and family forms. Further, his account negated the historical constancy of the parent-child relation characterized by love and affection and above all his evidence was over-simplistic. Our intention here is not to scrutinize and evaluate the details of Aries work but to acknowledge the profound significance of his contribution in presenting childhood as a social, cultural and historical construction that challenged populist and intellectual orthodoxy. Lloyd de Mause, another historian, in *The History of Childhood*, painted a very negative image of childhood and family life in the past. In fact, he went to the extent of saying that ‘the history of childhood is a nightmare from which we have only recently begun to awaken’. He further contended that ‘the further back in history one goes, the lower the level of child care and the more likely children are to be killed, abandoned, beaten, terrorized and sexually abused’. According to him, childhood was not discovered in the way that Aries suggested. On the contrary, it was a human universal that gradually evolved itself from one stage to the other. These stages were:

- (i) Infanticide (Antiquity to 4 th century A.D.);
- (ii) Abandonment (4th –13th centuries);
- (iii) Ambivalent (14th–17th centuries);
- (iv) Intrusive (18th century);
- (v) Socialization (19th mid 20th century); and



(vi) Helping (mid-20th century onwards).

Today, of course, we view abandonment of children in fairy tales and in legends, as if it were all fantasy. Early Western historians writing about children and their children were of the view that till the Middle Ages, abandonment, harsh punishment and the use of fear and other life-inhibiting measures were all part of the era's social history, economics, and pattern of families. No doubt, the era of the middle ages was rightly referred to as the Dark Ages. Perhaps, an important step in the definition of rights came in 1215, in England. After a period of the Civil War, the English nobility forced King John to limit his power, which had been absolute and virtually unchecked, through the Magna Carta. Among other things, the Magna Carta guaranteed that no free man should be deprived of life, liberty, or property without the due process of law. This in a way provided for the system of *parens patriae* meaning thereby that the sovereign was authorized to act as the 'supreme parent of the child'.

The superior 'protective' authority and the role of the sovereign provided a basis for interfering with the idea of family privacy and the control of the male head of the household over other members of the family. In other words, the need to protect children's interests gradually began to surface. In a similar development, courts in Roman-Dutch law jurisdiction began to exercise the State's responsibilities as *parens patriae* and came to be considered as the 'upper' or superior guardian of minor children. While tracing the position of children and childhood in Western society, it would be crucial to go through the writings of Michael Freeman too. Freeman's contention is that with the passage of time childhood may have changed and perhaps would continue to do so. But those who toll the knell of its passing, often interpreting, what they consider to be, its demise to moral decadence, oversimplify, exaggerate and, in making the link with children's rights movement, dangerously distort the true facts. According to Freeman, then, the supposed 'disappearance of childhood', as propounded by Neil Postman (1982), at a time when there was a growing institutional recognition that children have rights, was 'facile'. His contention is that Childhood has not disappeared and it will not do so. A childhood in which children are granted a moral status, in which their rights are taken seriously, will be a better childhood, not a worse one'.

At this juncture, it would be worthwhile to pause and look at the overall status of children in India, especially with regard to the overall treatment meted out to them by their parents and the society at large. Historically, we all know that the major caretaker of a child was the mother, the immediate family or, at best, the joint family and secondarily Jati (caste) relationships. Sudhir Kakar, who has made a detailed analysis of Indian childhood and society in his book *The Inner World: A Psycho-Analytic Study of Childhood and Society in India*, has dwelled at length on mother-child relationship and how this profoundly influences the 'quality' and 'dynamics' of social relations throughout one's life. Consistent with the belief that life begins with conception rather than at birth, five stages of children were identified in the Indian tradition. These were:

- (i) Garbha or the fetal period;
- (ii) Ksheerda (0-6 months), when the infant lives entirely on milk;



- (iii) Ksheerannada (6 months-2 years), the period of early childhood in which weaning takes place;
- (iv) Bala (2-5 years); and
- (v) Kumara (5-16 years). Each of these divisions of childhood was associated with major rites and rituals, which marked its transition from one period to another. Many of these childhood Samskaras like Namakarana (naming ceremony), Mundane (tonsure ceremony) and Upanayana (initiation into religion and wider community) are being performed even today with fanfare by the people of India.

These Samskaras, in a way, emphasized the critical period both in biological as well as social development thus paving the way for the gradual integration of the child into society. Ironically, girls and children belonging to the lower castes were largely excluded from these Samskaras. For instance, the Sohras joyous songs of celebration sung at the birth of a child in the Hindi speaking belt are almost never sung for newborn daughters. In fact, many Sohras express the relief of mother's over the fact that she has been blessed with a son and not a daughter. The preference for a son when a child is born, thus, seems to be as old as the Indian society itself. Our two great epics, the Ramayana and the Mahabharata also eulogize the Indian view of childhood whereby there is an intense parental longing for children, and their upbringing is characterized by affectionate indulgence. This 'child-centeredness', however, was found to be limited to boys only. The Indian tradition all along has been indifferent, if not overtly hostile, to the developmental fate of girls. Secondly, the Indian tradition subscribed to an ideology that downgraded the role of the environment and nurtures in the development of a child, and instead emphasized upon a deterministic conception of mystical heredity. This mystical heredity in the Mahabharata was reduced to the karmas of the previous life and the attributes of the father (especially his caste) transmitted through his 'seed'.

These epics also displayed as to how young children, especially boys, were placed under the tutorship and guidance of respected gurus wherein moral precepts enjoined in the Shastras were taught on a one-to-one basis. But, this too, was confined to the boys of the ruling upper-castes. Likewise, in ancient Indian law, especially in the Laws of Manu, the child though located very near the bottom of a social pyramid was bestowed society's protection. And, this protective indulgence was best reflected in matters which concerned the children most namely, their chastisement.

Children were only to be beaten with a rope or bamboo stick split at the end. The split bamboo, as we may remember from circus clowns' mock fights, makes a loud noise but does not inflict much pain. Moreover, even this punishment was to be carried out only on the back and never on the head or the chest. All those who hold progressive views on child discipline, the beating of children may hardly seem like 'protective indulgence'.

Nonetheless, the extent of this indulgence becomes strikingly clear when we compare Manu's Laws with legal texts of other ancient societies where brutal forms of child abuse and maltreatment existed. As already mentioned in the beginning, there is evidence in the law codes and



digests of ancient Rome to suggest that brutal forms of child abuse were common mistreatment, which the more enlightened emperors attempted to mitigate. And, that it was only as late as 374 A.D. that infanticide was declared a capital offense in the Roman world. In short, though Manu's Laws by modern standards have been severely condemned as a repository of inequity, their attitude towards children one of protective nurturance is unexceptionable, at least within the premises of the patriarchal society which gave the Laws their birth.

Surprisingly, Manu also expressed that kindness is shown to the daughter as she is 'physically more tender and her emotions are more delicate'. Interestingly, though historical and sociological documentation of early Indian civilization points out towards the pervasive biases of that time in the upbringing of children, on account of factors like caste, kinship, age, gender and the like, rulers like Ashoka (268-31 B.C.), Chandragupta Vikramaditya (A.D. 375-415) tried to propound moral edicts as a counter-balance in which obedience towards parents and respect for elders was extolled.

In nutshell, the point driven home was that loyalty and obedience to one's elders, was not only moral but also socially approved and valued behaviour. For an account of children and childhood in the Indian literary tradition, let us also take a look at the classical Sanskrit literature. Here, the child curiously seems to have appeared as a wish that is, in the context of a couple's, or more often a father's, longing for offspring- or as the fulfillment of the wish-in descriptions of parental happiness when a child was born and in lyrical accounts of parental love, usually of a father for his son. On the whole, children rarely figured as individuals in their own right, with activities, reactions, and feelings separate from those of their all-powerful parents. Bhavabhuti's description of Rama's love for Lava and Kusha, and Banbhata's Rhapsodization over Prabhakarvardhan's love for his son, Harsha, are two well-known examples that could be cited here. Kalidasa, the greatest of all Sanskrit poets, too was lyrical in his descriptions about the father's feeling for his son, but at the same time, he sensitively portrayed, with much empathy, the sage Kanva's love for his daughter Shakuntala.

## Conclusion

Children's rights are the HRs of children with particular attention to the rights of special protection and care afforded to minors, including their right to association with both parents, human identity as well as the basic needs for food, universal state-paid education, health care and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights, and freedom from discrimination on the basis of the child's race, gender, sexual orientation, gender identity, national origin, religion, disability, color, ethnicity, or other characteristics. Interpretations of children's rights range from allowing children the capacity for autonomous action to the enforcement of children being physically, mentally and emotionally free from abuse, though what constitutes "abuse" is a matter of debate. A child is a person, not a subperson, according to Cornell University. Law, politics, religion, and morality all intersect in the issue of children's rights. So, the child has to be the object of particular interest and specific protection. The Recognition of the Rights of the Children Children's rights were recognized after the 1st World War, with the adoption of the Declaration of Geneva, in 1924.





• Children's rights are civil and political rights, such as the right to identity, the right to a nationality, etc. • Children's rights are economic, social and cultural rights, such as the right to education, the right to a decent standard of living, the right to health, etc. • Children's rights include the individual right: the right to live with his parents, the right to education, the right to benefit from protection, etc. • Children's rights include collective rights: rights of refugee and disabled children's, of minority children or from autochthonous groups. Children's rights take into account the necessity of development of the child. They imply the necessity to protect them. Throughout the 20th-century children's rights activists organized for homeless children's rights and public education. This being so, the adult-child relation, parents, in particular, is said to provide 'care and protection' serving thereby the 'best interests of the child' and meeting their day-to-day 'needs of survival and development'. The adult is presumed to be the guardian and, in that respect, expected to take the responsibility of child's welfare and development. It is indeed a period in a person's life during which she/he is neither expected nor allowed to fully participate in various domains of social life. In this sense, childhood is not a static, objective and universal fact of human nature, but a social construction which is both culturally and historically determined. The history of Hebrews, Greeks, and Romans, whose cultures had a great impact upon the Western society, bears testimony to the fact that children, by and large, were taken for granted by their parents and the patriarchal society at large. The resultant effect of all this was that they were treated as objects of intervention rather than as legal subjects in their own right. The Roman law, for instance, provided for the patria potestas whereby the father was endowed with absolute power and authority over his family. It was consolidated during the period of European Enlightenment with the ascendancy of 'rationality'. Further, his account negated the historical constancy of the parent-child relation characterized by love and affection and above all his evidence was over-simplistic. Today, of course, we view abandonment of children in fairy tales and in legends, as if it were all fantasy. No doubt, the era of the middle ages was rightly referred to as the Dark Ages. In a similar development, courts in Roman-Dutch law jurisdiction began to exercise the State's responsibilities as *parens patriae* and came to be considered as the 'upper' or superior guardian of minor children. Freeman's contention is that with the passage of time childhood may have changed and perhaps would continue to do so. Consistent with the belief that life begins with conception rather than at birth, five stages of children were identified in the Indian tradition. These were: . Each of these divisions of childhood was associated with major rites and rituals, which marked its transition from one period to another. In fact, many Sohras express the relief of mother's over the fact that she has been blessed with a son and not a daughter. This mystical heredity in the Mahabharata was reduced to the karmas of the previous life and the attributes of the father (especially his caste) transmitted through his 'seed'. But, this too, was confined to the boys of the ruling upper-castes. Likewise, in ancient Indian law, especially in the Laws of Manu, the child though located very near the bottom of a social pyramid was bestowed society's protection. Children were only to be beaten with a rope or bamboo stick split at the end. Moreover, even this punishment was to be carried out only on the back and never on the head or the chest. Nonetheless, the extent of this indulgence becomes strikingly clear when we compare Manu's Laws with legal texts of other ancient societies where brutal forms of child abuse and maltreatment existed. Surprisingly, Manu also expressed that kindness is shown to the daughter as she is 'physically more tender and her emotions are more delicate'. In nutshell, the point driven home was that loyalty and obedience to one's elders, was not only moral but also socially approved and valued behaviour.

**Indian Rural Society and Sanitization –A Study****Rangaswamy. H.**

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**Abstract**

The concept of **sanitation** broadly includes liquid and solid waste disposal, personal and food related hygiene and domestic as well as environmental hygiene. Rural sanitation is a state subject. The state governments implement the rural sanitation programme under state sector Minimum Need Programme. Total Sanitation Campaign (TSC) was initiated on 1st April 1999 under sector reform process. The campaign is community led and people centred. It was launched after restructuring Central Rural Sanitation Programme and is operational in 451 districts with an out IAY of Rs. 4,416 crores in which community contribution is Rs. 812 crore. It is an incentive scheme instituted in October 2003 under the TSC in recognition of the role played by Panchayati Raj Institutions, organisations and individuals in promotion of rural sanitation. As per this scheme, awards are given to Panchayati Raj Institutions at various levels which attain full sanitation coverage in households, schools, Anganwadis with general cleanliness and become open defecation free.

**Keywords:-** Sanitation, hygiene, Nirmal yojana, Purskar, Minimum needs,

**INTRODUCTION****Concept of Rural Sanitation:**

The concept of **sanitation** broadly includes liquid and solid waste disposal, personal and food related hygiene and domestic as well as environmental hygiene.

It would not be wrong to say that it hardly describes the sanitary conditions as they obtain in the villages of India.

Most of the people still defecate in the open space, most of the villages lack waste disposal and drainage systems and many in the villages are ignorant about the consequences of poor sanitation and unhygienic conditions. As a result, many people suffer and even die of diseases caused by unhealthy practices of personal and environmental hygiene.

Rural sanitation figures prominently in the National Agenda for governance. At present the extent of sanitation coverage in India is around 16 percent of all rural households. This figure is one of the lowest in the world, at par with countries like Niger and Afghanistan and possibly lower than Bangladesh.



The absence of safe sanitation contributes significantly to the poor quality of life as reflected by well accepted indicators like Infant mortality and morbidity rates. According to the Union Ministry of Health, around 7,00,000 children die each year due to diarrhoea and other water sanitation-related diseases.

Rural sanitation is a state subject. The state governments implement the rural sanitation programme under state sector Minimum Need Programme (MNP). The central government supplements their efforts providing financial and technical assistance through the centrally sponsored Rural Sanitation Programme (CRSP).

Sanitation is used to define a package of health related measures. It is also defined as the means of collecting and disposing of excreta and community liquid wastes in a hygienic way so as not to endanger the health of individual and the community as a whole (WHO, 1986). The concept of sanitation was earlier limited to disposal of human excreta by cesspools, open ditches, pit latrines, bucket system etc. To-day, it denotes a comprehensive concept of not only the methods of disposal of human waste but also of liquid and solid wastes including matter originating from food and hygiene. It is viewed as a package.

### **Planning for Rural Sanitation:**

The Environmental Hygiene Committee set up by the Government of India in 1948 recommended that 90 percent of the country's population should be covered with water supply and sanitation facilities within a period of forty years for which the national programme was to be initiated. In the year 1954, sanitation programme was introduced in the health sector.

The Government launched the national water supply and sanitation programme as part of the First Five Year Plan. The first five-year plan had a provision of Rs. 6 crores for rural water supply and sanitation programmes. It was realised at the end of Second Plan that sanitation was not receiving due importance and it was the lack of health education and community participation which was responsible for this failure.

A comprehensive strategy for promoting sanitation in rural areas of Indian states was first developed during the International Water Supply and Sanitation Decade (1980-90) with a view to provide the population with protected water supply and basic sanitation facilities over a period of ten years.

It was envisaged that 25 percent of rural population would be provided with sanitation facilities by the end of the seventh five year plan period (1985-90). At the beginning of the decade, the position of coverage of rural population was 2.8 million i.e. 0.5 percent.



The year 1985 witnessed the transfer of Rural Sanitation Programme to the Department of Rural Development from the ministry of urban development. Rural sanitation was made a component of 20 point programme and was also included under the Minimum Needs Programme (MNP) in 1987.

In 1986, a programme was launched to construct one million sanitary latrines to be provided in houses of SC/ST population under Indira Awaas Yojana and to provide 2,50,000 additional latrines to health centres, schools, Panchayat Ghars and Anganwadis under NREP and RLEGP. Rural Sanitation Programme was also added to the sector MNP from 1987-88.

The data reveals that 0.1 percent of rural population in the country had access to sanitation facilities in 1970. This was increased to 0.5 percent in 1980 and 2.45 percent in 1990s with a population coverage of about 15 million. This rural sanitation programme could not make much head-way even during the decade 1981-91, in spite of its importance.

A clearer picture emerged after 1991 census. Only 9.5 percent of rural families and 63.9 percent of urban families of the country (excluding Jammu and Kashmir state) had toilet facilities. Among the major states, the highest achievement in rural sanitation was in Kerala where 44.1 percent of the rural families had toilet facilities.

### **Central Rural Sanitation Programme:**

Central Rural Sanitation Programme (CRSP), a centrally sponsored Rural Sanitation Programme was launched in 1986. Its objective is to improve the quality of life of the rural people and provide privacy and dignity to women. It was designated to provide sanitary latrines to the SCs/STs, landless labourers and people living below poverty line and the resources were shared by the central and state governments on 50: 50 basis.

The programme was planned with the objective of providing clean, healthy and environmentally acceptable disposal of excreta with a view to create good sanitation and consequent improved health standards. The CRSP is implemented in different states and union territories for improving sanitation facilities through construction of sanitary latrines for individual households.

The programme provided for cent percent subsidy for construction of latrines for SCs/STs and landless labourers and subsidy as per the rates prevailing in the states for the general public. It also provided for construction of village complex with bathing facilities, hand pumps, latrines, drainage facilities, washing platform etc.

The criteria and norms under CRSP were modified in February 1991 and the guidelines were revised again in June 1993. The purpose of such revision was to make the programme more holistic to give emphasis on Information, Education and Communication activities, to





involve voluntary organisations in a bigger way and the concept of “Sanitary Mart” was also introduced.

The revised programme aims of generation felt need and people’s participation. The subsidy pattern has been changed limiting to 80% for persons below the poverty line for individual household latrines. The unit cost of construction is to be limited to Rs. 2,500 of which 80% could be paid as subsidy to the selected beneficiaries below the poverty line.

Another salient feature of the revised programme is to develop at least one model village covering facilities like sanitary latrines, conversion of dry latrines garbage pits, soakage pits, drainage, pavement of lanes, sanitary latrines in village institutions, cleanliness in ponds, tanks, clean surrounding around hand pumps and other drinking water- sources.

But, experiences of CRSP implemented through state governments and CAPART were not encouraging. There was always a wide gap between the number of units sanctioned under CRSP, number of units taken up for construction and the number actually used by the users.

#### **Total Sanitation Campaign (TSC):**

Total Sanitation Campaign (TSC) was initiated on 1st April 1999 under sector reform process. The campaign is community led and people centred. It was launched after restructuring Central Rural Sanitation Programme and is operational in 451 districts with an out IAY of Rs. 4,416 crores in which community contribution is Rs. 812 crore.

Rural sanitation in India has doubled from low of 22% to a high of 44% in recent past. It is held that toilet or lack of it is the indicator of a country’s health. The total sanitation campaign launched by government of India has stretched to the last of the 597 districts to turn the rural landscape free from squatting.

Government has also launched a prize for the clean villages. Till this year 4,959 villages had bagged Nirmal Gram Puraskar a clean village prize for having flush toilets in every household and school. Ranging from Rs 2, 00,000 for the smallest village to Rs 50, 00,000 for the biggest district the award has given a fillip to the subsidy driven toilet construction programme as villages compete to gain recognition.

Catchment Area Approach (CAA) has been adopted for monitoring and surveillance by involving various grass roots level educational and technical institutions by utilizing existing resources and strengthening them by providing additional financial resources.

#### **The components of the TSC are:**

- Construction of household latrines.
- Construction of sanitary complex for women.
- Toilets for schools.



- Toilets for Balwadi/Anganwadi etc.

Besides these, funds are being provided for Start-Up Activities, Information, Education and Communication and Administrative Charges.

#### **The main features of the TSC are as under:**

- Shift from high subsidy to low subsidy regime.
- Greater household involvement and PRI participation.
- Technology options as per choice of beneficiary households.
- Stress on Information, Education and Communication (IEC) as part of the campaign.
- Emphasis on school sanitation, women sanitary complexes.
- Integrating with various rural development programmes.
- Involvement of NGOs and local groups.
- Promoting access to institutional finance and social marketing concept.

The mission has decided to sanction TSC projects in all districts of the country by 2005-2006 so as to achieve full basic sanitation coverage by 2012. It has been planned to provide all rural schools and Anganwadis with safe drinking water and sanitation by the year 2005-2006. Also, to add vigour to sanitation drive. Government initiated an incentive scheme for fully sanitized and open defecation free Gram Panchayats, Blocks and Districts called the “Nirmal Gram Puraskar” in 2003.

#### **“Nirmal Gram Puraskar” (NGP):**

It is an incentive scheme instituted in October 2003 under the TSC in recognition of the role played by Panchayati Raj Institutions, organisations and individuals in promotion of rural sanitation. As per this scheme, awards are given to Panchayati Raj Institutions at various levels which attain full sanitation coverage in households, schools, Anganwadis with general cleanliness and become open defecation free.

#### **Tenth Plan Strategy:**

The unprecedented sanitation challenge requires new strategies and methods to improve and promote sanitation, which should be accessible to everyone in rural areas. Through the creation of demand and behaviour change Instead of awareness generation to improve physical quality of life in rural areas: sanitation coverage among rural population will be accelerated.

Toilet facilities especially in all the primary and upper primary schools and integrated sanitary complexes, exclusively for women, would certainly create a kind of ownership among the needy segment of the community. Suitable, cost effective local based affordable multiple designs of individual household toilets should be encouraged. New partners like co-operative milk societies, sugarcane farmers associations and big industries can adopt communities/blocks and promote rural sanitation in their own geographical areas.

**Rural Sanitary Marts:**

Sanitary marts in India have been supported by UNICEF for nearly a decade with the objective of establishing one-stop shops to meet all sanitary requirements for communities, selling and in some cases producing materials required for the construction of home toilets and sanitary facilities as well as sanitary products.

**The sanitary marts were conceived as:**

“..... retail outlets dealing with not only the materials required for construction of sanitary latrines and other facilities but also those items which are required as a part of the sanitation package”.

The inventory of the typical mart in this latter model included low cost ceramic pans and traps, RCC pit covers, pipes and such other material required for construction of a leach pit latrine as well as readymade cattle trough, food safe, cheap footwear, toilet soap, nail cutter and other items relating to personal hygiene and home sanitation.

The exact composition of the inventory was to be decided locally at the mart level. The rural sanitary mart was also expected to serve as counseling centre for those interested in building a toilet on their own. The mart would have information on the entire range of technical options including possible variations in super structure and corresponding cost implications.

A list of masons trained or possessing the skills required to construct such toilets were also available in these marts. Thus, with the aim of promoting ‘zero’ subsidy and in response to the need to cater for motivated households unable to construct latrines due to the non-availability of information and materials rural sanitary marts were established.

**The following points are necessary for the success of achieving total sanitation campaign goals of the ministry of Rural Development:**

1. We must have a mission to provide sanitary facilities to all dwelling units in rural areas by the year 2010. Since the facility is still to be provided for over hundred million dwelling units, we should target provisioning of sanitary facilities to at least twenty million dwelling units per year. While providing this facility we should ensure provision of adequate water supply.

2. The mission must be executed through village panchayats in conjunction with societal establishments mobilised for this purpose in each of the villages. It will be useful to empower women in all the villages to execute this programme.

3. The ministry of Rural Development can organise state-wise training programme to train the members of sanitation mission in construction and maintenance of modern sanitary



facilities. The Environmental Sanitation Institute, Ahmedabad and similar institutions can become the nodal agency for imparting such training can become a public-private partnership programme. Programmes aimed at employment can be tuned to give such workers good income as well.

4. The Sanitation Mission has to make the entire village community dynamic and provide employment opportunity for certain number of people. Educate the children right from the age of three to make use of sanitary facilities. This should become part of the total sanitation campaign.

**The state council for sanitation proposed under urban sanitation sector should also have the mandate for rural sanitation:**

1. Subsidy for low cost household toilets should be given to rural Below Poverty Line (BPL) families, and it should be at par with subsidy for the urban households. For the success of the scheme, a subsidy of 50 percent of the cost of the unit inclusive of sub and super structures for the basic twin-pit pour flush system appears to be necessary during the 10th plan.

2. The recommendations made with regard to urban low cost sanitation also apply to the rural segment. Creation and maintenance of a record of locally relevant information regarding various technological options, hydro-geological information, availability of building materials, choices in design and implementation etc. at the block level should be organised through the panchayats, sanitary marts and building centres.

3. For the success of the schemes, and to overcome the huge problem of insanitary practices in the country, a programme of education. Propagation, training designing and development, production and installation, needs to be undertaken. NGOs should be mobilised to support the programme, especially for supervision, monitoring, training and development work. A suitable provision for the participation of non-governmental organisations in the sanitation programme should be made under the head project costs.

Thus Rural Sanitation Programme envisages promoting "Environmental Sanitation" as a package aiming at addressing the issues to reduce the probability of people's exposure to diseases and providing hygienic environment and taking measures to break the cycle of diseases by improved management of human, animal and domestic wastes.

Sanitation should become a massive people's programme. This is possible through motivation and awareness education programmes with the concerted efforts of panchayats, voluntary clubs, Mahila Mandals and the government machinery. The existing sanitation conditions call for a new strategy of making rural sanitation a people's programme with government participation.





The rural sanitation is one of the part of human life. It is our basis importance of goal. That is not only a program but it is one of the campaign. We must participate and adopt the planings of the sanitation. Live and let Live. 'Do clean and Be clean' So we are binding our hands to create general awareness about sanitation among the public.

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## Violations of the Human Rights of People who use Drugs- A Study

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### ABSTRACT

The Universality of Human Rights “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” (**Article 1 of the Universal Declaration of Human Rights, 1948**). The United Nations’ Universal Declaration of Human Rights is just that: the declaration is universal. Nobody is exempt. These rights apply to everybody. Yet there are some groups for whom human rights do not appear to be even considered when formulating and applying law and policy. People who use illicit drugs<sup>1</sup> are one such group. INPUD stresses that these human rights abuses are systemic, and occur also in high-income countries:. Those who are stopped have their bodily integrity violated through forced blood and/or urine testing in police stations. People who use drugs are therefore routinely subject to detention simply for existing in society. Moving Forward “many of these violations also have a negative effect on the health of people who use drugs and the communities in which they live. They displace people who use drugs from communities, thus preventing them from seeking and using health and social services. They foster prejudicial attitudes towards people who use drugs, rather than providing understanding and assistance, and deprive them of essential HIV prevention and treatment. For women, they reinforce complex and intertwined subordination on the basis of both gender and status as a person who uses illicit drugs” .

**KEYWORDS:** Universality Of Human Rights, Inpud, Hiv, “The ‘War On Drugs.

### INTRODUCTION

The Universality of Human Rights “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” (**Article 1 of the Universal Declaration of Human Rights, 1948**)

The United Nations’ Universal Declaration of Human Rights is just that: the declaration is universal. Nobody is exempt. These rights apply to everybody. Yet there are some groups for whom human rights do not appear to be even considered when formulating and applying law and policy. People who use illicit drugs<sup>1</sup> are one such group.

People who use drugs have their human rights violated systematically and endemically, and these human rights violations have grave impacts on wellbeing and health.



In addition to the direct impacts of these human rights violations, they increase vulnerability to blood-borne infections such as HIV and hepatitis B and C. “Published work documents widespread abuses of human rights, which increase vulnerability to HIV infection and negatively affect delivery of HIV programmes.

These abuses include denial of harm-reduction services, discriminatory access to antiretroviral therapy, abusive law enforcement practices, and coercion in the guise of treatment for drug dependence.”

People who use drugs make up a considerably hidden population due to stigma, discrimination, social exclusion, and criminalizing laws: often, people who use drugs need to remain hidden in order to survive.

It is therefore impossible to categorically document all of the human rights violations experienced by people who use drugs. It is clear, however, that abuses of the human rights of people who use drugs are extensive and multiple. In this document, INPUD highlights some of the most prevalent and serious violations.

A Crime to Exist Violations of Bodily Integrity and Arbitrary Arrest “Everyone has the right to life, liberty and security of person”, states the **Universal Declaration of Human Rights**.

People who use drugs frequently have their security of person and bodily integrity violated. In most countries, possessing drugs is criminalized.

This effectively criminalizes people who use drugs themselves, and in some countries it is illegal to even have drugs in one’s bloodstream: it is illegal to be a drug user. People who use drugs are therefore inherently vulnerable to police interference and harassment, being publicly searched, being subjected to invasive strip and cavity searches, being arrested, and being imprisoned.

The world over, police stop, detain, and arrest people simply for appearing as if they use drugs; needless to say, this process is entirely arbitrary and discriminatory (the racist dynamics of this are discussed below). People are arrested for possessing needles, and/or their injection paraphernalia is destroyed by police when it is discovered. People who inject drugs are singled out due to visual signs of having injected, and people who use drugs are stopped simply for looking as if they may be ‘under the influence’ of a psychoactive drug.

**INPUD** stresses that these human rights abuses are systemic, and occur also in high-income countries. Those who are stopped have their bodily integrity violated through forced blood and/or urine testing in police stations. People who use drugs are therefore routinely subject to detention simply for existing in society.



Though **Article 9** of the UN's **International Covenant on Civil and Political Rights** states that “No one shall be subjected to arbitrary arrest or detention”, police are able to arrest and detain people who use drugs without following the same processes that many other citizens enjoy.

States/UT	Legal Drinking Ages	States/UT	Legal Drinking Ages
Andhra Pradesh	21	Madhya Pradesh	18
Arunachal Pradesh	21	Meghalaya	25
Assam	25	Mizoram	Illegal
Bihar	21	Orissa	21
Chandigarh	25	Puducherry	18
Delhi	25	Punjab	25
Goa	18	Rajasthan	18
Gujarat	Illegal	Sikkim	18
Haryana	18	Tamil Nadu	21
Himachal Pradesh	18	Uttar Pradesh	18
Jammu and Kashmir	21	Uttrakhand	21
Jharkhand	21	West Bengal	21
Karnataka	21	Manipur	Illegal
Kerala	21	Lakshadweep	Illegal
Maharashtra	25		

A constant concern about police harassment, violence, and arrest results in rushed drug use and injections, as well as decreased use of harm reduction services such as needle and syringe programmes (discussed below).

A War on Drugs; a War on People of Color and the Poor The Universal Declaration of Human Rights emphasizes that: “**Everyone is entitled to all the rights and freedoms set**





forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

However, violations of the rights of people who use drugs are not perpetrated symmetrically. Enforcement of drug control legislation and prohibition has notably come to disproportionately impact some groups.

Since police are permitted to use their discretion in harassing people on the suspicion that they use drugs, institutional racism informs who is harassed. The London-based organisation, Release, notes in its recent publication,

The **Numbers in Black and White** (2013), that black and Asian people are considerably more likely to be stopped and searched by the police than white people in the UK. Black people, the report notes, are searched for drugs at a rate six times higher than that of white people, and the areas with the highest levels of deprivation experience the highest extent of police stopping and searching people.

What is so striking is that not only is the stop-and-search rate racist, but that black people are six times more likely than white people to be arrested for drug offences, and white people are more likely to be let off with a ‘caution’ notice. Far more black people enter the criminal justice system than white people.

The same is the case in other countries, such as the US, where racial profiling of black and Latin American people has led to the disproportionate incarceration of these respective groups for drugs offences. “**The ‘War on Drugs’** has distinctly racial impacts and results in the disproportionate incarceration of African Americans not in proportion to their drug use.”

“It is evident from these figures that the policing of drugs is an important driver of ethnic disparities in stop and search across England and Wales” Police harassment of those who are suspected of drug-related offences is not only racially motivated, but discriminates against young people and those who are economically marginalized and disenfranchised: “poorer communities, especially young people in these communities, are subject to more intensive policing than areas that are considered more affluent”

The so-called ‘war on drugs’ is therefore a lens through which wars on people of color, on young people, and on the poor are fought. It is clear that in the context of prohibition and endemic prejudice on the part of those who enforce the law – the police – everyone has not equally enjoyed all the rights and freedoms set forth in the **Universal Declaration of Human Rights** “without distinction of any kind”.



**Imprisonment and Forced Labour** - Drug Detention Centers People who use drugs and people with drug dependencies are frequently viewed as pathological and unable to exercise agency or self-determination in their decision to use or not use drugs. These discriminatory, disempowering, and widely-held perspectives have resulted in the incarceration of thousands of people who use drugs in forced ‘treatment’ centers.

Again, this is a violation of the human right of people who use drugs not to be subject to arbitrary detention. Far from actually offering helpful services to people who use drugs, these centres operate to imprison people in little more than labour camps without due legal process or trial.

Tens of thousands of men, women, and children are incarcerated in these camps in Vietnam, and their ‘treatment’ appears to consist entirely of forced labour for below-market wage. Similarly, in China people arrested for drug offences can be incarcerated in similar centres without due process, and are forced to work unpaid.

Despite the human right that nobody “shall be held in slavery or servitude”, people who use drugs are subject to conditions that essentially amount to slavery or bonded labour in the guise of treatment. People who are interned in these camps are subject to violence and torture, including electric shocks and beatings.

In Vietnam, HIV prevalence is thought to be between 15 and 60%, and inmates do not receive antiretroviral therapies (or, for that matter, opiate substitution, blood borne infection prevention interventions such as needle and syringe programmes, or STI. prevention such as condom provision), thus they are denied their human right to health. The fact that these centres in Vietnam have their roots in the 1970s ‘re-education through labour’ camps for sex workers and people who use drugs<sup>6</sup> is reminiscent of the Nazi slogan ‘Arbeit macht frei’ (work makes [you] free), placed at the entrance of several concentration camps.

Large-scale escapes serve to highlight the extent to which these camps are non-consensual and the dire conditions from which people attempt to flee. One such escape took place recently, in September 2014: hundreds of people escaped from Gia Minh Centre, Vietnam, with one individual noting that escapees wanted to demand better policy.

Torture and Execution In violation of **Article 5** of the Universal Declaration of Human Rights, it is clear that people who use drugs are subject to torture, and cruel and degrading treatment in these camps. Torture of people who use drugs is not limited to these forced ‘treatment’ centers.

Police have been noted to interrogate individuals experiencing drug withdrawal; this has been recognized as a form of torture and yet this violation of the rights of people who use drugs continues. Beatings and sexual abuse are also noted as being perpetrated by guards against people who use drugs in custody.



In China, people who use drugs are subject to brutal aversion therapies, including being given electric shocks whilst viewing images of drug use. People who use drugs are not only tortured, but are also executed for drug offences: 32 states retain the death penalty for drug offences.

This is not only the case for offences such as drug trafficking or dealing: while in some countries crimes such as drug possession may not result in criminal proceedings, in other states they can be punishable by death. “Of the estimated 64 countries that retain the death penalty, half apply it to drug offences, including many that are non-lethal eg, simple possession of drugs. Hundreds of people have been executed for drug-related offences in several countries”

Many executions are extrajudicial. 2,200 people were killed by the police in Thailand in 2003, in an attempt by the Thai government to make Thailand a drug-free state. Many of those killed did not use drugs, let alone have any association with drug trafficking

The so-called ‘war on drugs’ has had a catastrophically high death toll. In Mexico alone, tens of thousands of people have been killed in drug-related violence since military assaults on drug cartels began.

**Lack of Healthcare and Service Provision** Lack of Harm Reduction The human right to the highest attainable level of health applies to people who use drugs, who require services that reduce the harms that can be associated with drug use

Needle and syringe programmes and opiate substitution programmes are examples of essential services. In spite of the universality of human rights, global prohibition has led to staunch opposition to targeted service provision and harm reduction. Globally, less than 10% of people who require harm reduction services have access to them.

People who inject drugs receive an estimated two needles and syringes per month and only around 8% receive opiate substitution therapy.

Arguments used in opposition to harm reduction include the claim that harm reduction will encourage drug use, increase the number of people who use drugs and the amount of drugs that people use, and will discourage people from ceasing their drug use.

Examples include arguments against needle and syringe programmes, and against drug consumption rooms. These arguments are totally unfounded, and the lack of harm reduction that they frequently result in violates the human rights of people who use drugs. Requirements to register at harm reduction services can act as a disincentive to seeking service provision.

Concerns about judgmental and/or discriminatory interactions with staff or the police act as further disincentives. The vast majority of states which do provide harm reduction services in the community fail to provide them in closed settings such as prisons or in pre-trial



detention, resulting in needle sharing and high levels of incidence of blood-borne infections such as HIV and hepatitis C.

Furthermore, young people who use drugs are frequently excluded from harm reduction services and education initiatives. Many states, including high- and middle-income countries, continue to refuse to implement harm reduction interventions.

As the Global Commission on Drug Policy reported “a number of specific countries, including the US, Russia and Thailand, ignore scientific evidence and World Health Organization recommendations and resist the implementation of evidence-based HIV prevention programs – with devastating consequences”

Lack of Pain Management Medication Prohibition has not only resulted in an opposition to harm reduction. Huge numbers of people suffer moderate to severe pain that could easily be mitigated.

This is due to generalized opposition to psychoactive drugs per se. This has resulted in a lack of provision of pain-relieving drugs such as opiates and examine. The World Health Organization estimates that five billion people live in such contexts.

Lack of Antiretroviral Coverage Huge numbers of people who use drugs and are living with HIV do not have access to the antiretroviral therapies (ART) they require. We have already seen that access to these life-saving treatments is denied in drug detention centers.

ART coverage for people who use drugs living with HIV is around 4% globally, and in some countries is less than 1%.

In the countries that collectively account for around half of people who inject drugs who are living with HIV, people who inject drugs are less likely to receive antiretroviral than their non-drug using counterparts.

Interference with Families of People who Use Drugs Everybody has the right not to suffer arbitrary interference with their family. People who use drugs suffer such interference frequently.

The state, police, and social services becoming aware of an individual’s drug use can result in domestic intrusions, confrontations with social services, and losing child custody. Since people who use drugs are so heavily and universally demonized and stigmatized, they are often assumed to be unfit and/or incapable parents.

Not only do people who use drugs risk losing custody of their children when their status as a drug user becomes known to the authorities, but we are seeing increasing prioritization of the rights of fetuses over those of pregnant women who use drugs.





These women are accused of endangering their fetuses due to their drug use. Far from improving the health of either fetus or mother, these interventions serve to increase stress, social exclusion, and marginalization, and can act as a strong disincentive for women to access healthcare or service provision.

“The threat of punitive responses to pregnancy creates a climate of mistrust, drives pregnant women away from prenatal care, drug treatment, and even harm reduction services for fear of reporting, arrest, or loss of child custody.

It also foments uncertainty among medical professionals as to their duty to protect patient confidentiality. The presence of police and prosecutors disrupts important medical care that is already often difficult to access.”

## CONCLUSION

Moving Forward “many of these violations also have a negative effect on the health of people who use drugs and the communities in which they live. They displace people who use drugs from communities, thus preventing them from seeking and using health and social services.

They foster prejudicial attitudes towards people who use drugs, rather than providing understanding and assistance, and deprive them of essential HIV prevention and treatment. For women, they reinforce complex and intertwined subordination on the basis of both gender and status as a person who uses illicit drugs”

People who use drugs can rarely rely on access to the service and healthcare provision which is their human right. People who use drugs cannot rely on not being arbitrarily detained, harassed, abused, arrested, or incarcerated. People who use drugs are subject to violations of their bodily integrity, to torture, to compulsory labour camps masquerading as ‘treatment’, and to execution. People who use drugs have their family lives interfered with and disrupted, lose custody of their children, and are vilified as being incapable of looking after themselves and their loved ones. Women, people of colour, poor people, and young people who use drugs (or are suspected of using drugs) experience even more human rights violations and state-sponsored intrusions into their lives.

**INPUDE [The International Network of People who Use Drugs]** stresses that people who use drugs have the same rights as everyone else. Human rights of people who use drugs must be upheld, and governments are legally obliged to act. Human rights are universal, and are not to be enjoyed by only some members of society.

If the human rights of people who use drugs are not respected, then improving the well-being, health, and social inclusion of people who use drugs will be impossible. It is prohibition – as well as the stigma and discrimination that prohibition drives – which results in the human



rights violations that have been discussed in this document. INPUD stresses that respecting the human rights of people who use drugs must go hand in hand with an end to prohibition of drugs and an end to the criminalization and social exclusion of people who use them.

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**Human Rights and Corporate Social Responsibility- A Study****B. M. Swamy**

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**ABSTRACT**

Human right system to start building the nexus between two of them. It used to be a rock solid competition for the companies those were working only with the objective of money making and were not interested in creating good relations with the society or human beings. International Trade Organizations and leaders were engaged in planning an atmosphere which would create a healthy bond between business and society and came up with the conclusion that the world needs the companies to take responsibility of the welfare and upliftment of the human society. The numerous definitions came up defining the concept but none of them agreed to be the exhaustive one. Defining in general terms, Corporate Social Responsibility is a concept where companies and organizations works for the well-being of the society and it's relating components along with the profit making objectives. The Concept of Corporate Social Responsibility was not new before its enactment under Section 135 of the Company Act, 2013. In the debates of the Lok Sabha that passed the New Company Act 2013 after amending the previous Act of 1956, the intentions of the framers of the draft of new Company Bill were clear as they wanted to provide a new direction to the entire law on companies. Before 2013, there were no specific provisions of Corporate Social Responsibility under the Companies Act and the emergence of the new concept, but now Corporate Social Responsibilities has become the fundamental practice of Indian corporate and businesses and has attracted much focus from the management of large international companies.

**Keywords-**Corporate, Social Responsibility, Compan Bill, Companies Act, International Trade.

**Introduction:**

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life. They can never be taken away, although they can sometimes be restricted – for example if a person breaks the law, or in the interests of national security.

These basic rights are based on shared values like dignity, fairness, equality, respect and independence.

These values are defined and protected by law.



It would not be wrong to give a metaphorical representation to the previous ‘laws’ regulating companies as water and the ‘concept’ of human rights as oil since it was difficult to find the correlation between two of them.

Back then, the only objective of the companies, businesses and organizations used to be to gain as much profit as they can which was completely opposite with the one of **Human Rights** system.

But after 20<sup>th</sup> century, the wave of change took place which made the protectors and promoters of human right system to start building the nexus between two of them. It used to be a rock solid competition for the companies those were working only with the objective of money making and were not interested in creating good relations with the society or human beings.

International Trade Organizations and leaders were engaged in planning an atmosphere which would create a healthy bond between business and society and came up with the conclusion that the world needs the companies to take responsibility of the welfare and upliftment of the human society.

As a matter of fact, Companies and business gets their pocket filled by the society that acts like a consumer and which is why the companies and businesses holds the liability and responsibility to serve the society a better living environment, healthy atmosphere, improved living standards and security to their lives and rights.

Today the traditional concept that only State would be held liable for the violation of the human rights is clearly becoming outdated, because of the fact that Company is also an Integral part of the society and being a part of the society they all are also responsible for society welfare.

Society has always been an ultimate consumer of any corporate or business process and hence both of them are interdependent on each other or we can say the one is of no good than the other. Corporate have obligations to back the society and the contents of the society for the better and safe world for their living. The study here in after is going to deal with the matters corresponding to the concept of Corporate Social Responsibilities and its nexus with the human rights standards.

### **What is Corporate Social Responsibility?**

The numerous definitions came up defining the concept but none of them agreed to be the exhaustive one.

Defining in general terms, **Corporate Social Responsibility** is a concept where companies and organizations works for the well-being of the society and it’s relating components along with the profit making objectives.



**Corporate social responsibility (CSR)** occurs when a business firm consciously and deliberately acts to enhance the social well-being of those whose lives are affected by the firm's economic operations.

More precisely, CSR by the Journal of Management studies is "situations where the firm goes beyond the compliance and engages in actions that appear to further some social good, beyond the interests of the firm and that which is required by law. It would not be wrong to say that Corporate Social Responsibilities are basically **Public Relation (PR)** tools that are used by the corporations and businesses to maintain connections with the outer world and human society.

The **Equality and Human rights Commission** has produced a report which talked about five steps that provide a path way to the corporate or company board to establish the relations between the two concepts.

The first one is to embed the responsibility of the promotion and protection of human rights to every member of the company by respecting human rights.

The second is to identify and understand the salient features that would risk the human rights.

Third is to provide the effective remedies after foreseeing such risks to the human rights.

Fourth is to approach the people whose human rights are at risk or have been infringed due to unawareness or negligence of the business.

And the last one is to create a report on the ongoing situations and the future precautionary measures that company is going to take to ensure the protection of human rights that may be infringed by the business activities.

**UN Guiding Principles on Business and Human Rights** provided in year **2011** are the standards principles that provide the set of guidelines for the corporate entities as well as for the Government.

Such guidelines works at both the domestic and international level to ensure the smooth running of the practices of Corporate Social Responsibilities by the corporate and business organizations existing in the world.

### **Situation in India**

The Concept of Corporate Social Responsibility was not new before its enactment **under Section 135 of the Company Act, 2013**. In the debates of the Lok Sabha that passed the New Company Act 2013 after amending the previous **Act of 1956**, the intentions of the framers of the draft of new **Company Bill** were clear as they wanted to provide a new direction to the entire law on companies.





Before 2013, there were no specific provisions of Corporate Social Responsibility under the Companies Act and the emergence of the new concept, but now Corporate Social Responsibilities has become the fundamental practice of Indian corporate and businesses and has attracted much focus from the management of large international companies.

The corporate and business have figured that their impact on social, environmental and economical welfare would directly affect their ties with their customers, employees and investors.

Big tier companies like **Tata, Birla, and Reliance** etc of India are investing heavy amounts for performing CRS activities and programs at national as well as international level.

The Company Act 2013 consisting the provision of Corporate Social Responsibility read as “Every company having net worth of rupees **five hundred crore or more**, or **turnover of rupees one thousand crore or more** or a **net profit of rupees five crore or more** during any financial year shall constitute a Corporate Social Responsibility Committee of the Board consisting of three or more directors.

Further it provides that the Board mentioned hereinbefore shall ensure that the company spends at least 2% of the average net profit earned during past three years of the current financial year solely for the CSR activity determined by the committee formed.

This committee shall monitor and recommend the CSR policies and expenditures to the company. In year 2014, the **Company Rule** (Corporate Social Responsibility) 2014 came into force that provided guiding rules regarding the committee formation, CSR activities, Policies, Expenditures, Reporting and Disclosure of CSR policies by the company.

However, the provisions of CSR would not be applicable on a company where neither of the three criteria –the net worth nor turnover nor the profit is being met by the company to revise its report if any incorrect detail or record of CSR expenditure is caught. The determination of the quantum of the CSR responsibility can only be ascertained after the finalization of accounts at the close of the Books of Accounts of particular financial year.

In India, although smaller numbers of companies are involved into CSR activities however they brought numerous positive changes and developments in the society. These companies with the help of social media and advertisements inform the people to take advantage of such benefits and CSR activities.

### **Recent Amendments in CSR provisions in India**

The Government of India on 22 Jan 2021 has by official notification brought necessary amendments to the CSR rules 2014 and also under the Companies Act 2013 in the specific provision of Section 135.



Activities that are going to be included as Corporate Social Responsibilities which also have impacts on human rights are:

1. Activities relating to the contribution in reducing the impact of COVID-19 and safeguarding the lives of patients by providing monetary support or assisting in research and development of medical equipments, vaccination, etc,
2. Creation or Acquisition of the capital asset owned by public authority etc. to spend it for supporting self-help groups and public projects.

**The excess or unspent CSR amount**, if not used within 30 days of the end of FY, then it should be transferred to the 'Unspent CSR Account' which every company having the turnover of INR 1,000 Crores or more has to open. And further if the amount transferred in UCSR Account is not spent for any CSR activity prescribed within the next **3 financial years** then such amount should be transferred to any fund enshrined under Sch. **VII of the Companies Act 2013** for instance, **Disaster Management Fund, PM Care Fund, PM National Relief Fund** etc.

The Annual assessment has to be done on the mandatory basis by every company that spends INR 10 Crores or more in past 3 financial years over CSR policies.

On non-compliance of the mandatory CSR guidelines and provision would cost a huge monetary penalty of not less than 1 Crores or twice the amount required to be transferred to the Unspent CSR A/c.

The amendments have also been made for implication of CSR policies on Banking and Insurance sectors which are not covered in this study. The new CSR policies and guidelines consists a pragmatic approach and it is desired to see the positive changes in the Human Rights domain too.

1. The Ministry of Corporate Affairs is steering the process of formulating a National Action Plan on Business and Human Rights (NAP).
2. The obligation to draft a NAP stems from India's endorsement of the United Nations Guiding Principles (UNGPs) on Business and Human Rights adopted in the UN Human Rights Council (UNHRC). The Principles are articulated as three pillars:
3. State Duty to Protect
4. Corporate Responsibility to Respect
5. Access to Remedy.

A country's NAP is expected to demonstrate how these principles are already being implemented, what the gaps are, and how they shall be addressed.



The first UN Working Group on Business and Human Rights (UNWG) has prepared 'Guidance on National Action Plans on Business and Human Rights' which has prescribed four criteria for developing a NAP. First, it needs to be founded on the UNGPs.

Second, it needs to be context-specific and address the country's actual and potential business related human rights abuse.

Third, a NAP needs to be developed in an inclusive and transparent manner. Fourth, the NAP processes needs to be regularly re-viewed and updated. Currently, about 45 countries, including India, are either drafting or have finalized their NAP.

The following have been recommended as key contents for an NAP: Section 1: Statements of commitments to implement the UNGPs

Section 2: Background and context to the NAP. How the NAP relates to other existing Government policy strategies such as national development plans, CSR strategies, national plans implementing International Labor Organization convention and recommendations.

Section 3: Government's expectations from businesses, including expectations that businesses respect human rights throughout their operations based on UNGPs and other guidance documents.

Section 4: Government response clarifying how it Government currently addresses adverse business-related human rights impacts and outline commitments for further activities.

The Ministry has been taking various initiatives for ensuring responsible business conduct by companies. **The National Voluntary Guidelines on Social, Environmental and Economic Responsibilities of Business, 2011 (NVGs)** have been revised and released as National Guidelines for Responsible Business Conduct to align with **United Nations Guiding Principles on Business & Human Rights (UNGPs)**.

**Sustainable Development Goals (SDGs)**. The Committee on Business Responsibility Reporting (BRR) constituted by this Ministry to formulate BRR formats for listed and unlisted companies is finalizing its report.

Further, a Zero Draft of the NAP has already been published to showcase the considerable progress made by the country in the field of Business & Human Rights which has been formulated after placing it in the public domain for inputs, sharing it with relevant Ministries for comments, and consultations with relevant stakeholders.

All these measures shall culminate in the NAP document. 6. The Ministry is currently undertaking rigorous consultations with all stakeholders to finalize the document at the earliest. In this regard, comments/ inputs are invited from all to inform the NAP development process and contribute towards preparation of a document reflecting the vision and aspirations of Indian Businesses that strive to be responsible, sustainable, uphold and respect human rights.



## Conclusion

After studying the concept of Corporate Social Responsibility and its contemporary issue, it would not be wrong to say that the concept is spreading its wings in the world and the world is positively accepting the process. What needs improvement is ‘the proper implementation of the concept’.

The mere initiation of the process is not enough, its resistance and existence in the corporate norms is the important task. The private corporative bodies needs a supporting infrastructure of statues and provisions and to be more specific, the consent of authorities to operate the continuous activities of CSRs.

Companies objecting profits and gains only usually deceives the world by creating a fake image of operating CSR activities rather they engages in some unethical and immoral activities behind the veil of the company. The legislative and executive body needs to be stricter regarding transparency and openness about the business activities.

As companies faces themselves in the context of globalization, they are increasingly aware that CSR can be direct economic value, although the prime goal of a company is to generate profits, companies can at the same time contribute to social and environmental objectives by integrating corporate social responsibility as a strategic investment into their business strategy.

Corporations ideally work on the principle to please its internal and external factors which has major influence on the augmentation and depletion of the company. The internal component or factors are investors, employees, support staffs, operational teams etc. and they could be easily pleased by providing incentives, bonuses, promotions, profits etc. However the bigger task is to please the external component which is society.

As above discussed that the society is an ultimate buyer of any corporate activity, it needs to be taken care of by the companies. In order to make the society satisfy, the corporate bodies requires working foot to toe for the welfare and development of the members of the society. These activities include protecting and promoting their basic human rights. Corporate entities are now a day’s focusing more on the human rights aspects of the societal need and the results are positive.

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## Impact of Covid-19 on Human Rights-A Study

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### ABSTRACT

Human Rights are those minimal rights which every individual must have against the State or other public authority by virtue of his being a 'member of the human family', irrespective of any other consideration. Magna Carta or the great agreement during 1215 C.E. was the first agreement signed by King John of England on the Human Rights. In 1689, "Bill of Rights" was implemented and first legislative significance was given to Human Rights. In 1789 and 1791, Human Rights were declared in France and America respectively. After the Second World War, United Nations Organization (UNO) was established to protect human rights worldwide and it declared universal human rights on **10th December 1948**. The development of human rights was universal and was not restricted to any specific country. The ILO's Governing Body has identified eight conventions as "fundamental" which address freedom of association, collective bargaining, equal remuneration, non-discrimination, and eliminating forced and child labour. Other non-fundamental ILO Conventions cover issues from wages, working hours, occupational health to safety, maternity protection, and social security. The ILO has likewise developed several gender equality standards, including: The principle of equal remuneration for men and women workers for work of equal value (Equal Remuneration Convention); The prohibition of discrimination on the basis of, among others, sex (Discrimination (Employment and Occupation) Convention); The provision of equal opportunities and equal treatment for workers with family responsibilities to engage in employment (Workers with Family Responsibilities Convention); The provision on supporting women's reproductive rights (Maternity Protection Convention).

**KEYWORDS:** Human Rights, Covid-19, International Labour Organization, Worker, Labour, Remuneration.

### INTRODUCTION

Human Rights are those minimal rights which every individual must have against the State or other public authority by virtue of his being a 'member of the human family', irrespective of any other consideration.





Magna Carta or the great agreement during 1215 C.E. was the first agreement signed by King John of England on the Human Rights. In 1689, “Bill of Rights” was implemented and first legislative significance was given to Human Rights. In 1789 and 1791,

Human Rights were declared in France and America respectively. After the Second World War, United Nations Organization (UNO) was established to protect human rights worldwide and it declared universal human rights on **10th December 1948**. The development of human rights was universal and was not restricted to any specific country.

Human Rights are essential for every human being to lead a life with dignity. Human Rights are legal or natural rights. They are considered as fundamental rights which are inherited to a person simply due to the fact that he/she is a human being.

UNO has declared the Human Rights and has said it is the duty of the state to protect human rights. Human Rights are important for human development.

During the unprecedented global crisis resulting from the corona virus pandemic, the Indian government has failed to safeguard the rights of laborers and workers who receive daily wages. They became one of the most vulnerable groups in India during this crisis. State-level governments, including in Gujarat, Uttar Pradesh, Madhya Pradesh, Himachal Pradesh, and Punjab, increased the maximum labour working hours from eight to 12 hours.

In Uttar Pradesh and Madhya Pradesh, ordinances were passed through which the majority of the labour laws concerning workers working for a daily or weekly wage were suspended. The Uttar Pradesh government, through an ordinance, suspended a total of 38 labour laws.

Following a High Court decision on these circumstances, the Uttar Pradesh government withdrew this controversial order, but others remain in force. These changes were made to increase economic growth post-lockdown by ensuring flexible labour laws, attracting more investment.

These changes disregard the safety of laborers also in relation to the COVID-19 pandemic. Even with the relatively low death rate of the COVID-19 virus, if applied to the massive Indian migrant labour force of 2.6 million persons, this still places thousands of people at risk.

## **IMPACT ON MIGRANT WORKERS**

The migrant workers were the worst hit by this pandemic. With no means of transportation and accommodation, they, along with children and pregnant women, had to travel hundreds of miles on foot. This not only exposes them to the risk of contracting the virus but also to the wrath of the police enforcing COVID-19 regulations.



Many migrant workers lost their employment on short notice because of the nationwide lockdown. As most laborers earn daily wages, in lockdown they found themselves facing adversities without sufficient resources and knowledge.

The government should have intervened to safeguard them, but, instead, it suspended many of the laws that safeguard their labour rights.

An ordinance passed by the Uttar Pradesh government exempts the employers from complying with the Industrial Disputes Act 1947, which exposes labourers to mistreatment by their employers and allows them to be dismissed at will. There is a real danger that the relaxation of labour standards in some states will also spread to other parts of the country.

Labour falls under the concurrent list in the Constitution of India, implying that both the central and the state governments can make changes to certain provisions. Changes must be lawful and approved by the central government. However, the laws that are being adopted during the pandemic are exploitative, and laws should instead be crafted to protect workers.

## **THE NEED TO ENSURE THE RIGHTS OF LABOURERS**

Human rights are inherent to all human beings, without discrimination. The ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, states that economic growth alone is not enough to ensure equity and social progress.

Yet the Indian government is focused on increasing investment opportunities to improve foreign investment to bring the economy back on track while laborers across the country are struggling to secure basic goods to ensure their survival. In this unprecedented global crisis due to COVID-19, the precarious conditions of laborers are being grossly neglected, and the government is wrongly treating them as commodities that are to be risked for economic growth.

Workers' rights encompass a large array of human rights from the right to decent work and freedom of association to equal opportunity and protection against discrimination. Specific rights related to the workplace include health and safety in the workplace and the right to privacy at work, amongst many others.

Given the relationship between workers, employers, and the state, worker's rights are where 'business' and 'human rights' most often intersect.

Workers' rights at the international level are laid out in number of human rights conventions and treaties including the **Universal Declaration on Human Rights (Articles 23 and 24, 1948)** and the **International Covenant on Economic, Social and Cultural Rights (1966)** which provide for:

- The right of everyone to the opportunity to gain his living by work which he freely chooses or accepts;



- The right to the enjoyment of just and favorable conditions of work, in particular remuneration which provides all workers, as a minimum, with fair wages and equal remuneration for work of equal value, and a decent living for themselves and their families;
- Safe and healthy working conditions;
- Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- And rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays;
- The right of everyone to form and join the trade union of his choice and the right to strike, provided that it is exercised in conformity with the laws of the particular country.

Since 1919, the International Labour Organization (ILO) has developed a system of **international labour standards**. These are legal instruments drawn up by the ILO's constituents (governments, employers and workers) setting out basic principles and rights at work.

The ILO's Governing Body has identified eight conventions as "fundamental" which address freedom of association, collective bargaining, equal remuneration, non-discrimination, and eliminating forced and child labour. Other non-fundamental ILO Conventions cover issues from wages, working hours, occupational health to safety, maternity protection, and social security.

The ILO has likewise developed several gender equality standards, including: The principle of equal remuneration for men and women workers for work of equal value (Equal Remuneration Convention); The prohibition of discrimination on the basis of, among others, sex (Discrimination (Employment and Occupation) Convention); The provision of equal opportunities and equal treatment for workers with family responsibilities to engage in employment (Workers with Family Responsibilities Convention); The provision on supporting women's reproductive rights (Maternity Protection Convention).

The UN Guiding Principles on Business and Human Rights (UNGPs) highlight the state's responsibility to have adequate laws in place to protect workers' rights, give guidance to businesses on what is expected of them, and to ensure adequate enforcement of these laws (UNGPs 1-3). UNGP 12 states that "The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work."



The Gender Guidance to the UNGPs furthers that “[i]n order to respect the internationally recognized rights of women, business enterprises should consider, among other instruments, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child relevant in all circumstances and throughout their operations.

The Sustainable Development Goals is entitled ‘Decent Work and Economic Growth’, with the aim to “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

### **Values inherent to Human Rights:**

Human rights are based on certain universal and inalienable values across the world. These values enrich the ideals of Human rights. Some of the important values that govern human rights are:

**Justice:** Right to Free and Fair trial. Proportional punishment for the crime committed and there should not be “Double Jeopardy” (Being punished for the same crime more than once)

**Equality:** Every individual has to be treated equally before the law, and there should not be any discrimination on the grounds of Race, Religion, Sex, Ethnicity, and Place of Birth etc.

**Dignity:** An individual should not be forced to perform any labour or be treated as a slave. Every single entity is entitled to the right to life and liberty with integrity as its cornerstone.

#### **1. Universal:**

Every human in this universe is entitled to inherent rights and is born with them irrespective of race, religion, or ethnicity.

Article 1 of the UDHR states that “All human beings are born free and equal in dignity and rights, ” making them Universal.

#### **2. Inherent:**

Human rights are neither granted nor acquired by any means as they are inherently embedded with a human being right from his birth.

#### **3. Fundamental:**

These rights are fundamental as they allow humans to have a fair share of life with dignity, right to food, and shelter. Stripping these rights would make the life of a human miserable and leave them meaningless.

#### **4. Indivisible:**



Human rights cannot be divided and denied as the other rights are guaranteed. Regardless of their relationship with political, cultural, and social issues, every human should be treated equally.

All human rights have equal weight age and cannot be prioritized according to the whims and fancies.

#### **5. Interdependent:**

Every human right is interconnected with one another as to exercise or to fulfil one right another right is inherently attached with it. The fulfillment of one right highly depends wholly or partially upon the fulfillment of others.

#### **6. Irrevocable:**

Inherent human rights cannot be abridged or taken away from an individual at any cost. This irrevocability is that these rights are not bestowed upon an individual by any authority. Even governments are not entitled to strip the rights of human beings.

#### **7. Not Absolute:**

Governments of the countries had placed certain restrictions on individuals' rights, which make the rights qualified and not absolute.





## **Human Rights and Values in Education**

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### **Abstract**

Human rights education lies at the heart of all efforts to develop a culture of human rights and a society that embraces dignity, inclusion, and equality. Human rights education contributes to social cohesion, democracy, conflict prevention and resolution, and understanding of diversity it is means to develop societies where the human rights of all are respected, protected and fulfilled. The provision of human rights education is a legal obligation on States under International human rights law, and one which is essential for the enjoyment of all other rights in a pluralistic democracy.

### **Introduction**

This paper provides context and background for the Education International Baltic Symposium on Human Rights and Values in Education. The first part explores what we mean by human rights education. It presents the normative basis for human rights education, including laws, standards and policies on education for human rights and democratic citizenship at International and regional levels.

The second part examines the implications and application of human rights education, or a rights based approach to education, in principle and practice, focusing on the following specific areas:

- a) Teacher training, professional development and support,
- b) Teaching and learning practices and processes,
- c) Inclusive curriculums, and
- d) A whole school approach to human rights.

The appendices include a list of key international and regional institutions and organizations that have developed and implemented policies and programmes for human rights education, and the Education International resolution on the promotion and protection of standards and values in the world.

The term “human rights education” is often used in a broad sense to also include “education for democratic citizenship” “peace education”, “global citizenship education”, and “education for mutual respect and understanding”, which are all based on internationally agreed human rights standards. These concepts are seen as closely interconnected and mutually supportive, differing in focus and scope, rather than in goals and practices.

There is consensus that human rights education encompasses three aspects.



- a) Learning about human rights which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection;
- b) Learning through human rights, which includes learning and teaching in a way that respects the rights of both educators and learners; ensuring that the context and the way learning is organized and impacted is consistent with human rights values (e.g. participation, inclusion, freedom of thought and expression, etc), recognizing that the process of learning is as important as the content of the learning;
- c) Learning for human rights which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.

Human rights education has to be learned through experience, through being exposed to human rights in practice. This means that the how and the where human rights education is taking place must also reflect human rights values; the context and the methodology must be organized such that dignity, respect and equality are an inherent part of practice.

By its very definition the process of human rights education is context specific, based on needs and realities of the target group, Human rights education is participative and adaptable approach. While the underlying human rights principles will be the same, the actual practice or process of human rights education will likely vary in different contexts.

The role of teachers, both individually and collectively, in the design, delivery and impact of human rights education cannot be underestimated. Teachers are critical facilitators of learning and crucial to transmitting and fostering social values, such as democracy, equality, cultural fundamental rights and freedoms.

Human rights protect the dignity and freedom of every human being. States are required under international law to respect, protect and fulfill human rights, and therefore must ensure that education is aimed at strengthening the enjoyment of human rights and the full development of the human personality. There is a growing agreement amongst members of the international community that human rights education plays a fundamental role in the realization of all human rights. Human rights education is a lifelong learning process aimed at fostering:

- Knowledge and skill – learning about human rights standards and mechanisms, as well as acquiring the skill to put them into practice in daily life;
- Values and attitudes – developing values and reinforcing attitudes which uphold human rights;
- Behaviour and action – encouraging action to defend and promote human rights.

Human rights education is described as education, training and information aimed at building a universal culture of human rights. Human rights education is not just about equipping learners with knowledge of human rights and the mechanisms that protect them it is also empowering them to take action to defend and promote human rights, democracy and the rule of law. Human rights education is therefore all forms of education, training awareness raising



information, practices and activities which aim to empower learners to contribute to the building and defense of a universal culture of human rights in society.

At the individual and community level, human rights education facilitates the development of knowledge, personal and social skills; increases appreciation and understanding of differences and diversity; builds mutual respect for human dignity and shared values; encourages dialogue and promotes non-violence in the resolution of promotes non-violence in the resolution of problems and disputes, with respect for each other's rights; and combats all forms of discrimination and violence, including bullying and harassment.

### **CONCLUSION:**

At the societal level, human rights education contributes to and fosters the establishment of sustainable and participative forms of democracy based on respect for human rights and good governance. Human rights education is therefore an ongoing investment for societies that value human rights principles such as respect, non-discrimination.



## Human Rights in Business-A Study

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### Abstract

Human rights are basic rights and freedoms that protect us all. They are based on dignity, fairness, equality and respect. Business has a significant impact on the way we live our lives and enjoy these human rights, whether it's as an employee, a customer or simply living alongside companies that shape our cities and towns.

### Introduction

Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

Business enterprises can have an impact on virtually the entire spectrum of internationally recognized human rights, their responsibility to respect applies to all such rights. In practice, some human rights may be at greater risk than others in particular industries or contexts and therefore will be the focus of heightened attention. However, situations may change, so all human rights should be the subject of periodic review.

Business enterprise meets its responsibility to respect human rights will be proportional to, among other factors, its size. Small and medium-sized enterprises may have less capacity as well as more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms. But some small and medium-sized enterprises can have severe human rights impacts, which will require corresponding measures regardless of their size. Severity of impacts will be judged by their scale, scope and irreparable character. The means through which a business enterprise meets its responsibility to respect human rights may also vary depending on whether and the extent to which, it conducts business through a corporate group or individually. However, the responsibility to respect human rights applies fully and equally to all business enterprises.

### How can Business Impact Human Rights?

The actions of business enterprises can affect people's enjoyment of their human rights either positively or negatively. Indeed, experience shows that enterprises can and do infringe human rights where they are not paying sufficient attention to this risk.

Enterprises can affect the human rights of their employees and contract workers, their customers, workers in their supply chains, communities around their operations and end users



of their products or services. They can have an impact directly or indirectly on virtually the entire spectrum of internationally recognized human rights.

**Guiding Principles** call “Internationally recognized human rights”, that is at a minimum, the human rights contained in:

- 1) The international Bill of Human rights, meaning the rights in the Universal Declaration of Human Rights, as codified in the international covenant on civil and Political Rights and internal Covenant on Economic, Social and Cultural Rights.
- 2) The principles concerning the fundamental rights in the ILO’s declaration on Fundamental Principles and Rights at work namely:
  - i) Freedom of association and effective recognition of the right to collective bargaining;
  - ii) Elimination of all forms of forced or compulsory labour;
  - iii) Effective abolition of child labour.
  - iv) Elimination of discrimination in respect of employment and Occupation.

The Guiding Principles make clear that companies should also pay attention to additional standards covering the human rights of individuals from groups of Populations that may be particularly vulnerable to negative impacts.

## Conclusion

We concluded that, when business respect human rights, they demonstrate their commitment to building sustainable and mutually beneficial relationships with those who influence or are impacted by their operations, including Customers, Communities, Workers and investors.



**Role of Education in Promotaion and Protection of Human Rights****Dr. BYRASIDDAPPA. G.E**

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**ABSTRACT**

India is a Second Largest democratic nation, with multi diversity multi culture, multi languages so Indian adopted the concept of Unity, in diversity to find unity constitutions laws, articles human rights etc., plays a vital role on human beings are born free and equal in dignity and rights. Human rights are standards that recognized and protect the dignity of all human beings. These human rights are inherent to us all regardless of nationality, Sex, national, ethnic, origin, colour, region, language or any other status. The general assembly proclaims this universal declaration of human rights as a common standard of achievement for all people and all nation.

Every organization society specially educational organization should stride hard by teaching and human rights and education should promote repeat for these rights and freedom by progressive measures.

This paper highlights importance of human rights, education and the role of education in protection and promotion of human rights. This paper concludes with some suggestive measures that should be taken as a part of education programmes.

**Key words:** *articles, HRE, NCERT*

**INTRODUCTION:**

Human rights are rights inherent to all human beings, whatever our nationality place of residence, sex, national or ethnic origin, color, religion, language or any other status. We are all equally entitled to our human rights without discrimination. These rights are all inter related, guaranteed by law, in the forms of international law, general principles and other sources of international law, international human rights law lays down obligations of Govt. To act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals of groups.

Human rights are commonly understood as basic fundamental rights that a person cannot be denied by any individual or any government simply because he or she is a human being. They are universal and same for everyone. Human rights entail both right and obligation

**Plays a vital role in developing the concept of Human rights:**

Most of the basic ideas and norms of human rights existing now adopted as Universal Declaration of human rights by United Nations General Assembly in 1948 has its root from Second World War and the atrocities of 'The Holocaust'. Every year 10 December is celebrated as Human rights Day.

**Role of Education in promotion and protection of Human Rights.**

Education is a tool for creating the real idea of human rights and making people know its importance in their day to day life. It is also a tool for eliminating the violations of human rights. An educated civilization can only know its rights and hence have the knowledge to protect it. According to Kofi Annan, the former Secretary General of United Nations "without education, we can see beyond ourselves and our narrow surroundings to the reality of global interdependence. Without education, realize how people of other races and religions share the same dreams the same hopes without education we cannot recognize the universality of human aims and aspirations UN mandates that education shall be directed to the strengthening of respect for human rights and fundamental freedom. These entities have been chosen because one is an expert body responsible for monitoring states. Implementation of the HRE obligation In Article 13(1) of the International convention on Economic, social and cultural rights and the other is an inter-governmental body with an explicit mandate regarding HRE.

It is important to make each and every people literate just not in order to make them educated and capable of earning, but also recognize their rights towards themselves and each other. An educated person only can stand for it is right. HRE is about "empowering the individual to both recognize human rights abuses and to commit to their prevention". Thus a core part of HRE is the strengthening of respect for human rights. It is now a global responsibility of every person and the government to promote education and hence promote human rights.

Article 51A (1) of Indian Constitution 1950, imposes a duty on all citizens to develop scientific temper, humanism and the spirit of inquiry and reform. The effective discharge of this duty will require HRE to give people enhanced awareness and greater openness right to education has also been incorporated. The constitution mandates the state to direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material atonement HRE of the children as well as the other people is indispensable to the full realization of the responsibility under this constitutional directive. Indian State has an obligation to foster respect for international law and treaty obligations as laid down in article 51 of the constitution. In India is a signatory to UDHR and has ratified Civil and Political rights convention, economic, Social and cultural rights. Convention, CEDAWCRC etc., HRE is inescapable and legal obligations.



'Human Rights' is not treated as a separate subject in the Curricula NCERT has felt that all contemporary concerns and issues cannot be included in the curriculum of separate subjects of study. It has Culled upon incorporation of certain emerging concerns including human rights in the course content. University grants commission appointed Sikri Committee in 1980 to consider and report on the different ways and means for promoting HRE in India. The committee suggested inculcating values without marks, waightage in schools. At college level it was felt that all disciplines should be including human rights topics at least which are directly relevant to their disciplines, but it is disappointing to observe that the NCF 2005 has failed identifying the content of the HRE in schools.

### **SUGGESTIVE MEASURES TO IMPORTANT HUMAN RIGHTS IN EDUCATION:**

- Education should be imported to each and every one, so that they understand the importance of human rights.
- Equality shall be the primary consideration in actions concerning children respect for the views of the child or the general principals of the convention on the rights of a child. Education in their own mother language about human rights will make the learners more prompt about their values and ways to use them in their day to day life.
- The values of cultural diversity and social diversity should be inculcated as a basic teaching.
- Integration human rights, the relavant subjects at the primary stage or languages and environmental studies. Stories, poems and songs concerning human rights values will have to be selected. Education should impart gender equality, respect for human dignity and rights.
- Human rights concept of religious freedom and religious tolerance can be inculcatred while teaching history topics.
- Rule of law and social justice gives immense opportunities to discuss and understand human rights and human duties.
- Languages offer many gateways of HRE stories, poems, paragraphs can be carefully selected.
- Themes on French revolution, nazism can be used to discuss the evolution of human rights. A discussion on the Omni Bus violations of human rights during the world war can sensitize the students.
- Dramatic clubs and literary activities can be utilized effectively.
- Poster making competition elocution or contests debates etc., can also be held on similar themes.



- The school can celebrate the world human rights day which can go a long way to create wariness among students. Parents and the neighbourhood community.
- Initiatives should be taken to enrich the school library and personal collection with books and materials on human rights.

## CONCLUSION

There is a no doubt that education has a major role to play for protection and promotion of human rights. HRE is considered as one of the major tools to stop the violations against human rights. From the above discussion, we saw the importance and how education can play a vital role in this regard.

All of this suggests that the time is ripe for HRE to come to the forefront of international consequences, and to fulfil it is intended role as a preventive tool. Education should be granted to one and all across the country and world. Human rights are the basis of human values, disciplines and dignity. It should be enhanced, protected and promoted to every nook and corner with the help of education.

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## Gender Discrimination and Human Rights

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### Abstract

A person's sex, as determined by his or her biology, does not always correspond with their gender; therefore, the terms "sex" and "gender" are not interchangeable. "Gender" is a term that refers to social or cultural distinctions associated with being male, female, or intersex. Typically, babies born with male sex characteristics (*sex*) are assigned as boys (*gender*); babies born with female sex characteristics (*sex*) are assigned as girls (*gender*). Because our society operates in a binary system when it comes to gender (in other words, seeing gender as only having two options), many children who are born intersex are forcibly assigned as either a boy or a girl and even surgically "corrected" to fit a particular gender. Scholars generally regard gender as a *social construct*—meaning that it does not exist naturally, but is instead a concept that is created by cultural and societal norms.

### Introduction

Gender identity is a person's sense of self as a member of a particular gender. Individuals who identify with a role that corresponds to the sex assigned to them at birth (for example, they were born with male sex characteristics, were assigned as a boy, and identify today as a boy or man) are gender. Those who identify with a role that is *different* from their biological sex (for example, they were born with male sex characteristics, were assigned as a boy, but identify today as a girl, woman, or some other gender altogether) are often referred to as transgender. The term "transgender" encompasses a wide range of possible identities, including a gender, gender fluid, gender queer, two-spirit (for many indigenous people), androgynous, and many others.

### Causes of Gender Inequality

Over the years, the world has gotten closer to achieving gender equality. There is better representation of women in politics, more economic opportunities, and better healthcare in many places of the world. However, the World Economic Forum estimates it will take another century before true gender equality becomes a reality. What drives the gap between genders? Here are 10 causes of gender inequality:

#### 1. Uneven access to education

Around the world, women still have less access to education than men.  $\frac{1}{4}$  of young women between 15-24 will not finish primary school. That group makes up 58% of the people not





completing that basic education. Of all the illiterate people in the world,  $\frac{2}{3}$  are women. When girls are not educated on the same level as boys, it has a huge effect on their future and the kinds of opportunities they'll get.

## 2. Lack of employment equality

Only 6 countries in the world give women the same legal work rights as men. In fact, most economies give women only  $\frac{3}{4}$  the rights of men. Studies show that if employment became a more even playing field, it has a positive domino effect on other areas prone to gender inequality.

## 3. Job segregation

One of the causes for gender inequality within employment is the division of jobs. In most societies, there's an inherent belief that men are simply better equipped to handle certain jobs. Most of the time, those are the jobs that pay the best. This discrimination results in lower income for women. Women also take on the primary responsibility for unpaid labor, so even as they participate in the paid workforce, they have extra work that never gets recognized financially.

## 4. Lack of legal protections

According to research from the World Bank, over one billion women don't have legal protection against domestic sexual violence or domestic economic violence. Both have a significant impact on women's ability to thrive and live in freedom. In many countries, there's also a lack of legal protections against harassment in the workplace, at school, and in public. These places become unsafe and without protection, women frequently have to make decisions that compromise and limit their goals.

## 5. Lack of bodily autonomy

Many women around the world do not have authority over their own bodies or when they become parents. Accessing birth control is frequently very difficult. According to the World Health Organization, over 200 million women who don't want to get pregnant are not using contraception. There are various reasons for this such as a lack of options, limited access, and cultural/religious opposition. On a global scale, about 40% of pregnancies are not planned and while 50% of them do end in abortion, 38% result in births. These mothers often become financially dependent on another person or the state, losing their freedom.

## 6. Poor medical care

In addition to limited access to contraception, women overall receive lower-quality medical care than men. This is linked to other gender inequality reasons such as a lack of education and job opportunities, which results in more women being in poverty. They are less likely to be able to afford good healthcare. There's also been less research into diseases that affect women



more than men, such as autoimmune disorders and chronic pain conditions. Many women also experience discrimination and dismissal from their doctors, broadening the gender gap in healthcare quality.

### **7. Lack of religious freedom**

When religious freedom is attacked, women suffer the most. According to the World Economic Forum, when extremist ideologies (such as ISIS) come into a community and restrict religious freedom, gender inequality gets worse. In a study performed by Georgetown University and Brigham Young University, researchers were also able to connect religious intolerance with women's ability to participate in the economy. When there's more religious freedom, an economy becomes more stable thanks to women's participation.

### **8. Lack of political representation**

Of all national parliaments at the beginning of 2019, only 24.3% of seats were filled by women. As of June of 2019, 11 Heads of State were women. Despite progress in this area over the years, women are still grossly underrepresented in government and the political process. This means that certain issues that female politicians tend to bring up – such as parental leave and childcare, pensions, gender equality laws and gender-based violence – are often neglected.

### **9. Racism**

It would be impossible to talk about gender inequality without talking about racism. It affects what jobs women of color are able to get and how much they're paid, as well as how they are viewed by legal and healthcare systems. Gender inequality and racism have been closely-linked for a long time. According to Sally Kitch, a professor and author, European settlers in Virginia decided what work could be taxed based on the race of the woman performing the work. African women's work was "labor," so it was taxable, while work performed by English women was "domestic" and not taxable. The pay gaps between white women and women of color continues that legacy of discrimination and contributes to gender inequality.

### **10. Societal mindsets**

It's less tangible than some of the other causes on this list, but the overall mindset of a society has a significant impact on gender inequality. How society determines the differences and value of men vs. women plays a starring role in every arena, whether it's employment or the legal system or healthcare. Beliefs about gender run deep and even though progress can be made through laws and structural changes, there's often a pushback following times of major change. It's also common for everyone (men and women) to ignore other areas of gender inequality when there's progress, such as better representation for women in leadership. These types of mindsets prop up gender inequality and delay significant change.

### **Human Rights and Gender Role**



“Gender equality is more than a goal in itself. It is a precondition for meeting the challenge of reducing poverty, promoting sustainable development and building good governance” – Kofi Annan (former Secretary-General of the United Nations)

Gender is not the same as sexuality. Sexuality refers to the biological characteristics of men and women. In contrast, gender refers to socially defined roles and behaviours for men and women. When we expect men and women to act in a certain way, just because they are male and female, then we follow gender norms. Different cultures can have different gender norms or different ways they expect men and women to behave. For example, some cultures expect women to stay at home and do household chores, while men should go out to work. These norms are also called gender roles, which are specific roles men and women are expected to perform within society or even within the family.

Gender roles are not natural to men or women, rather, they are learned and imposed by social values! But everything that a man can do, a woman can do too, and vice versa!

### **Gender identity**

People can also identify with different genders. Some people might be biologically born a man (sex, biological), but feel more like a woman (gender). People from all religions, countries, communities, families can identify themselves in a lot of different ways:

**Cisgender:** People who identify themselves as the sex they were born with

**Transgender:** People who identify themselves with a gender other than the sex they were born with

**Transsexual:** People identify themselves with a gender other than the sex they were born with and have undergone a sex change (transsexual should not be mistaken with transvestite, a person who sometimes wears clothes traditionally worn by and associated with the other sex).

### **Gender equality**

Gender equality is a basic human right and described as; “all human beings are born equal”. It means that everyone, whether born as male, female or intersex, should be able to develop their full potential and live in freedom and dignity. Examples of gender equality are;

**Equal access to education**

**Equal access to mobility**

**Equal job opportunities and salaries**

**Freedom of marrying who you want**

**Equal divorce rights**



The rights of women are an inalienable, integral, and indivisible part of universal human rights. At the beginning of the twenty-first century, women perform an estimated 60 percent of the world's total work but receive only 10 percent of the world's income and own a mere 1 percent of the world's land. They constitute nearly 60 percent of world's poor. Recent attempts at structural adjustments and economic liberalization have led to further marginalization of women and an increasing feminization of poverty, particularly in the developing countries. India is no exception to these trends.

The traditional Indian social structure is heavily tilted in favor of men, giving them authority and prestige while confining women primarily to domestic roles. Even if women work outside the home, most of them have no control over their own earnings. Even in the case of highly educated and professionally qualified women, a dowry is still provided at the time of marriage. That is why in many communities, the birth of a female child is still treated as a curse and a financial liability. In some regions sex detection tests and female infanticide are widely practiced, disturbing India's male-female ratio adversely over the last few decades.

India still does not have a uniform civil code. Personal and family laws discriminate not only between men and women but also between one woman and another. A Hindu woman is not entitled to a share in joint family property. Under Muslim law, a male child is entitled to double the share of a female child. A Parsi girl is discriminated against in matters of inheritance in case she decides to marry out of the community. Most Indian girls are treated as *paraya dhana* (somebody else's property) in their parental homes and as outsiders by their new families after marriage. Very few women have the courage to raise their voice against such discrimination, and most women remain unequal, dispossessed, and disadvantaged throughout their lives.

Under ancient Indian concepts, culture, and ethos, women were honored with the status of *devīs* or goddesses, yet in practice were denied human rights and basic freedoms. After independence in 1947 some steps were taken to bridge gender-based disparity legally. For instance, the Constitution of India gave Indian women civic and political freedoms equal to those of men. Whereas Article 14 guarantees "equality before law" and "equal protection before law," Article 15 prohibits discrimination on grounds of religion, race, caste, or gender.

The Indian government has also passed various legislation—including the Hindu Marriage Act, the Hindu Succession Act, the Dowry Prohibition Act, the Immoral Traffic Prevention Act, Medical Termination of Pregnancy Act, Indecent Representation of Women Prevention Act, and the Sati Prevention Act—to safeguard the dignity, control of sexuality, and reproductive rights of women. Many judicial verdicts have also favored the rights of women in order to raise their status. However, the constitutional and legal provisions appear to be too radical in view of prevailing socio cultural realities, which frequently create a resistance to the special protection and acceleratory measures that were designed to enable women in India to achieve their just and equal position in society. The majorities of women in India acts as custodians of family well-being and in general are neither aware of their legal rights nor anxious to assert themselves against established norms and practices. Traditional values and behavioral norms, which have



evolved over thousands of years, inhibit women from asserting themselves as individuals, except in a very limited context.

The success of several thousand Indian women who, after independence, used courage, financial means, and family support to break socio cultural barriers does not imply the emancipation of Indian women or the enjoyment of human rights by Indian women in general. Most Indian women are still waiting for equality, and many are forced to live what may be considered sub-human lives. Working women have to face additional problems, owing to conflicts in their educational values and age-old socialization practice. Inequality affects not only the mental health and physical well-being of India's women, but also the well-being of their families and society at large.

As such, it is in the interest of humankind to protect women's rights as human rights. Addressing the World Congress of Women at Moscow in June 1987, Mikhail Gorbachev observed "The status of women is a barometer of the democratism of any state and an indicator of how human rights are respected in it." Fortunately, India has a rich tradition of vociferous women's movements and nongovernmental organizations sensitive to women's issues. The National Human Rights Commission and the National Commission for Women have been striving to promote and preserve women's rights as human rights in India. Both are statutory bodies. The National Human Rights Commission was established in 1993, with the power to investigate and recommend policy changes, punishment, and compensation in cases of human rights abuse (though it is prohibited by statute from directly investigating allegations of human rights abuses by the army and paramilitary forces). The National Commission for Women was constituted in 1992 to facilitate the redress of grievances and accelerate the socioeconomic development of women.

Both the government and nongovernmental organizations rely on active and positive support from the media to portray images consistent with the acknowledgment of girls and women as individuals capable of relating to other persons on the basis of mutual respect. Education is also playing an increasingly vital role in the mainstreaming and sensitization of a gender perspective of human rights in India, transforming notions of "men" and "women" into a broader view of humankind.

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**Workers rights and Empowerment: A Study of Puffed Rice Units****Harish Tigari**

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**Abstract**

Industrialization is a progressive measure that creates social and economic change by transforming human society from pre-industrialization to industrial era; Industrialization plays a predominant role in the development of the economy, acts as a basic fundamental factor that is influenced by the growth prospects of the economy of a country. In unorganized enterprises the right to work affects the workers efficiency and many other rights such as the right to education, health and culture. Its realization is not only important for the provision of income to the workers, but also for the individual's personal development and dignity, as well as for peaceful progress of society. So the present study attempts to analyze the workers' rights and empowerment in puffed rice units in the Davangere region.

**Key words:** Puffed Rice, Mandakki, Socio-Economic, Workers rights, Empowerment**Introduction**

Labor rights or workers' rights are both legal rights and human rights relating to labor relations between workers and employers. These rights are codified in national and international labor and employment law. In general, these rights influence working conditions in relations of employment. The present study attempts to analyze the working of puffed rice units in the Davangere region.

The puffed rice units come under the small scale industries. Small scale industries are generally comprised of those industries which manufacture, production and rendering the services with the help of small machines and less manpower.

The small scale industries are the lifeline of a developing countries economy, like India. These are labor-intensive and providing employment opportunities for people. Puffed rice making is a labour skill based activity in Davangere and therefore, does not involve any machinery.

The process of puffed rice making involves two phases: the first phase consists of conversion of paddy into rice and the second phase comprises conversion of rice, after mixing with salt water, into puffed rice.



The present study intends to analyze the puffed rice workers and their working conditions and environment in Davangere city. In the study area there are more than 810 puffed rice industries are working. In the study area, people are depending on the making of puffed rice for their livelihood.

The present study intends to analyze the working environment and problems of workers in puffed rice sector.

### Objectives of the study

- 1) To study the working environments in puffed rice units.
- 2) To study the awareness about workers rights in puffed rice units

### Methodology of the study

The present study is conducted by using both methods of data primary as well as secondary data.

**Primary data;** the primary data is collected from direct interaction and a structured questionnaire and answers to the questions from the respondents. Respondents are selected randomly.

**Secondary data;** secondary data is collected from the various articles, which are already published, magazines, newspapers, journals, and internet sources, etc.

### Workers' Rights

There is no single definition or definitive list of workers' rights. The International Labor Organization (ILO) identifies what it calls "fundamental principles and rights at work" that all ILO Members have an obligation to respect and promote, which are:

- Freedom of association and the effective recognition of the right to collective bargaining;
- Elimination of all forms of forced or compulsory labor;
- Effective abolition of child labor; and
- Elimination of discrimination in respect of employment and occupation.

### Data Analysis and Interpretation

Table-1 Working conditions of workers' in puffed rice units(%)					
Working conditions	A	SA	N	D	SD
Excess work	19.5	48.8	19.5	0	12.2
Hazardous work	14.6	61.0	2.4	17.1	4.9
Lack of clean environment	14.6	65.9	2.4	14.6	2.4
Too much Dust	19.5	65.9	0	0	14.6
Excessive heat	9.8	85.3	0	0	4.9



Job insecurity	9.8	82.9	2.4	0	4.9
Economic insecurity	9.8	80.4	2.4	0	7.3
Social insecurity	12.2	78.0	2.4	0	7.3
No fixed wages	14.6	78.0	4.9	0	2.4
No fixed working hours	4.9	56.1	9.8	14.6	14.6
No leave facility	14.6	75.6	4.9	2.4	2.4
Job satisfaction	9.8	9.8	4.9	43.9	31.7
Clean working environment	2.4	2.4	4.9	14.6	75.6
Enough income	2.4	2.4	0	39	56.1
Bonded labor	19.4	75.6	4.9	0	0
Written employment contract	0	0	0	19.4	80.5
No work No pay	14.6	85.4	0	0	0
Lack of awareness about social security	12.2	78.0	0	0	9.7
Awareness about Minimum wage Act	2.4	2.4	0	14.6	80.4

**Source:** Field survey **A.**Agree, **SA.**Strongly Agree, **N.**Neutral, **D.**Disagree, **SD.**Strongly disagree

Considering the above table, it can be seen that the working conditions of Bhatti workers are high. The percentage of workers in Bhatti is said to be very high-risk work.

Nearly 90 percent of workers suffer from work, economic and social insecurity in the workplace. It is the policy that on average 90 % of workers have restricted labor, an unwritten contract of employment and no work and no pay. The lack of it has so much exploited him.

Excess work Hazardous work, lack of clean environment, too much Dust, excessive heat, job insecurity, economic insecurity, social insecurity, no fixed wages, no fixed working hours, No leave facility, job dissatisfaction, Clean working environment, not enough income, bonded labor, no written employment contract, no work no pay, lack of awareness about social security, lack of awareness about Minimum wage Act are the major issues in puffed rice sector.

## Conclusion

Workers' rights encompass a large array of human rights from the right to decent work and freedom of association to equal opportunity and protection against discrimination. Specific rights related to the workplace include health and safety in the workplace and the right to privacy at work, amongst many others.

Given the relationship between workers, employers, and the state, worker's rights are where 'business' and 'human rights' most often intersect. The present study finally concludes that the Micro Small Medium Enterprises plays significant role in the growth and development of economy of every country.

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## Protecting and Restoring Biodiversity are Key to Achieving the Sustainable Development Goals, Preventing Future Pandemics, and Building Better in Response to and Recovery from Covid-19: A Study

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### Abstract

The planet is currently undergoing what scientists are calling the sixth mass extinction. This tragic loss of biodiversity is largely caused by human activity through, amongst others, land use change, climate change, pollution, overexploitation and invasive alien species. These rights include not only the right to a safe, clean and healthy environment, but also the rights to food, clean air and water, health, culture, and even the right to life. Conversely, biodiversity and habitat loss can result in violations of these and other human rights. Biodiversity loss may disproportionately harm the human rights of indigenous peoples, local communities, women and girls, children and youth, the poor, and persons, groups and peoples in vulnerable situations. The human rights harms associated with biodiversity loss disproportionately fall on those who depend directly on nature, and those who are already in vulnerable situations due to poverty, marginalization, disability or other circumstances and characteristics, and thus biodiversity loss can contribute to widening inequality.

**Keywords:** Restoring Biodiversity, Pandemics, Recovery, Convention on Biological Diversity, International Covenant on Civil and Political Rights.

### Introduction

The planet is currently undergoing what scientists are calling the sixth mass extinction. This tragic loss of biodiversity is largely caused by human activity through, amongst others, land use change, climate change, pollution, overexploitation and invasive alien species.

States have sought to take action on this issue through implementing the **Convention on Biological Diversity (CBD)**, its protocols and targets, as well as other multilateral environmental agreements. Many have also undertaken a number of conservation efforts, including the establishment of parks, reserves, and protected areas and the mandating of environmental impact assessments.

However, biodiversity loss continues, and it has become clear that the objectives of the **CBD** can only be met by instituting transformative economic, social, environmental, legislative, political and technological changes in a whole-of-society approach, one that protects and serves those who are most affected.



The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment has found that the fulfilment of a broad range of human rights depends on thriving biodiversity and healthy habitats and ecosystems.

These rights include not only the right to a safe, clean and healthy environment, but also the rights to food, clean air and water, health, culture, and even the right to life. Conversely, biodiversity and habitat loss can result in violations of these and other human rights. Biodiversity loss may disproportionately harm the human rights of indigenous peoples, local communities, women and girls, children and youth, the poor, and persons, groups and peoples in vulnerable situations.

States, businesses, international organizations, and other actors have procedural and substantive obligations and responsibilities under both international environmental law and international human rights law to address biodiversity and habitat loss, to prevent its negative impacts on human rights, and to ensure that actions to address biodiversity loss are equitable, non-retrogressive, non-discriminatory and sustainable.

This document highlights the key human rights obligations and responsibilities with respect to biodiversity-related agreements, policies, strategies and actions.

### **Address biodiversity and habitat loss and prevent their negative impacts on human rights**

The human right to a safe, clean, healthy and sustainable environment is elaborated in the national laws and policies of more than 100 States and a number of regional agreements. Beyond this, a broad array of human rights directly depend on thriving biodiversity and healthy habitats, including the right to life, as enshrined in the **International Covenant on Civil and Political Rights (ICCPR)**, and the rights to food, water and sanitation, health, and culture, as contained in the International Covenant on Economic, Social and Cultural Rights (ICESCR).

States have the obligation to respect, protect and fulfil human rights for all without discrimination, and failure to take action to prevent biodiversity and habitat loss breaches this obligation. As more habitats are degraded or lost and species become extinct, human rights impacts increase significantly.

States therefore have the duty to take meaningful, effective and urgent action to transform humanity's relationship with nature and address the direct drivers of biodiversity loss.

Such actions include ending deforestation, protection and conservation of lands and oceans, moving to sustainable patterns of production and consumption, combatting climate change and all kinds of pollution, preventing the introduction of invasive alien species and recognizing and protecting land tenure and resource use of indigenous peoples, local communities and women and girls, including through clear and non-discriminatory land titling and recognition of diverse types of tenure.



### **Guarantee equality and non-discrimination**

The human rights harms associated with biodiversity loss disproportionately fall on those who depend directly on nature, and those who are already in vulnerable situations due to poverty, marginalization, disability or other circumstances and characteristics, and thus biodiversity loss can contribute to widening inequality.

Biodiversity loss affects women, men, girls, boys, and non-binary persons differently, and has severe intergenerational repercussions for children and for future generations, who will inherit the irreversible results of environmental degradation. Actions to address biodiversity and habitat loss, including establishment of protected areas, must respect and protect human rights, should not exacerbate existing inequalities, and should take into account possible gender- and age-related impacts and intergenerational equity.

### **Protect the rights of indigenous peoples**

Many indigenous peoples are among the most affected by biodiversity loss and other environmental harm because of their close relationship with and reliance on nature. At the same time, they are often best situated to protect against biodiversity loss through traditional knowledge, customary laws, sustainable use of natural resources, and collective land ownership and management practices.

Traditional indigenous territories encompass around 22 % of the world's land surface and they coincide with areas that hold over 80 % of the planet's biodiversity. Studies have demonstrated that the territories of indigenous peoples who have been given land rights have been significantly better conserved than adjacent lands. Nevertheless, only a small percentage of protected areas worldwide are governed by indigenous peoples.

**The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)** makes specific reference to conservation in **article 29**, affirming that indigenous peoples have the right to the conservation and protection of the environment and their lands, territories and resources. The loss of biodiversity not only poses a grave threat to indigenous peoples' natural resources and livelihoods, but also to their cultural identity and survival.

States should ensure that all action on biodiversity is in line with **UNDRIP**, including by ensuring that no action with potential impact on indigenous peoples' rights is taken without consultation and obtaining the free, prior and informed consent of legitimate representatives of indigenous peoples, and should support indigenous peoples' and other affected communities' participation in the management and ownership of efforts to combat biodiversity loss.

### **Protect environmental human rights defenders**

Around the world, many individuals and communities have taken action to protect biodiversity, wildlife, habitats, and the human rights and livelihoods that are dependent on a connection to



nature. These individuals and communities play an essential role in seeking to safeguard the environment and human rights.

However, they face unprecedented risks and are far too often the targets of killings, violence, threats, criminalization and retaliation as a result of their legitimate activities. While the exact number of killings of human rights defenders, journalists and trade unionists is unknown, **357** such killings were recorded by the UN in **2019**. Of those, one in two victims had been working with communities around issues of land, environment, impacts of business activities, poverty and rights of indigenous peoples, afro-descendants and other minorities.

Environmental human rights defenders who face multiple and intersecting forms of discrimination, including indigenous peoples, racial and ethnic minorities, **LGBTI** individuals and women and girls, may face particular risks and threats of vulnerability. For example, indigenous defenders are often charged with criminal offences and prosecuted without fair trial guarantees for seeking to defend their lands and environment against business projects, initiated without their free, prior and informed consent.

As required by the ICCPR, the UN Declaration on Human Rights Defenders, and other international instruments, States must respect, protect and fulfill the rights of environmental **human rights** defenders to participation, access to information, freedom of expression, assembly, and association, take action against threats to their lives or wellbeing, and provide access to justice and effective remedy when their rights are violated. States must also conduct timely investigations and prosecute those responsible for violence and intimidation.

### **Ensure equity in actions to address biodiversity loss and in the use of the benefits of biodiversity**

Often those most affected by biodiversity loss are those who have contributed the least to it. In particular, children, youth and future generations, who have played little or no part in the human action that drives biodiversity and habitat loss, will have no choice but to live with its consequences. Equitable action to address this issue must take into account the needs of future generations.

It should also uphold the right to self-determination of peoples, while recognizing the economic and social needs of developing countries and the principle of “common but differentiated responsibilities.” Conversely, as emphasized by the **Nagoya Protocol** to the CBD, the benefits of biodiversity, including genetic resources and derivatives, as well as associated traditional knowledge, should be shared in a manner that is equitable, transparent, and accountable, taking into account the equal rights and differing needs of indigenous peoples and local communities, **women, men, girls, boys** and non-binary persons.

States should ensure that the use of wild species is ecologically, economically and socially/culturally sustainable and contributes to human well-being and fulfilment of rights, including enhanced nutrition, food security and livelihoods, especially for the most marginalized.

**Ensure meaningful and informed participation including in land & resource governance**

The right to free, active, meaningful and informed participation in public affairs is guaranteed by the ICCPR as well as other international conventions and instruments, notably the UN **Declaration on the Right to Development**, multilateral environmental agreements, and national laws and policies. States should provide public information about biodiversity, including environmental, social, cultural, or human rights impact assessments, where applicable, in an accessible language and format, and should carry out all policy-making in relation to biodiversity and habitat loss in a manner that is transparent and accountable.

States should also provide for and facilitate public participation in all biodiversity-related decisions, bearing in mind the barriers to public participation faced by indigenous peoples, local communities, children, persons with disabilities and others who may be in more marginalized situations. The Conference of Parties to the CBD has made it clear that protected areas and management regimes must be consensual and participatory if indigenous peoples' rights are to be respected, and participation by indigenous peoples and other affected communities can make important contributions to effectively protecting biodiversity.

**Ensure accountability and effective remedy for human rights harms caused by biodiversity and habitat loss**

As recognized in the **UDHR**, the **ICCPR**, and other human rights instruments, including the **UN Guiding Principles on Business and Human Rights (UNGPs)**, States must guarantee access to justice and effective remedies when human rights violations or abuses occur, including by business enterprises.

Meanwhile, regional agreements including the Aarhus Convention and the Escazú Agreement specifically address access to justice in environmental matters. Although many States have in place legislation and policies to address biodiversity harms and hold violators accountable, they have often not been well implemented.

Effective, accessible and gender-responsive accountability mechanisms should be established and implemented at the national level to ensure access to justice and remedy for biodiversity loss and associated human rights harms. Such mechanisms should be complemented at the global level through inclusion of environment-related human rights harms in UN Treaty Body reviews, the **Universal Periodic Review process**, the Special Procedures, and rights-based review of State compliance with the CBD and related agreements.

**Protect against business-related human rights harms from biodiversity loss**

As reflected in the **UNGPs**, all business enterprises have the responsibility to respect human rights, meaning they should avoid infringing on the human rights of others, including by causing biodiversity loss, and should address adverse human rights impacts with which they are involved. To meet their responsibility to respect human rights, businesses are expected



to adopt a policy commitment to respect human rights;

to conduct human rights due diligence in order to identify, prevent, mitigate and account for how they address human rights harms resulting from biodiversity loss, including by engaging with affected communities; and

to have processes in place to enable the remediation of those harms they cause or to which they contribute. These efforts should be gender-responsive, as reflected in the **Working Group on Business and Human Rights'** Gender Guidance on the UNGPs. States are obligated under international law to protect against human rights abuses by businesses. They should require assessment of all social, environmental and human rights impacts of proposed projects that may affect biodiversity.

When business-related human rights abuses occur (including abuses resulting from biodiversity and habitat loss), States must hold businesses accountable and ensure that those affected have access to effective remedy.

### **Ensure regional and international cooperation**

Many ecosystems where biodiversity is declining, on land and in water, transcend national borders. The threats to biodiversity, including pollution, habitat destruction and overexploitation, and the benefits nature provides, like food and medicinal resources, also have transboundary, regional or global dimensions.

The effective protection of biodiversity, therefore, requires international cooperation and solidarity in all forms. The **CBD** recognizes that the extent to which developing countries can effectively implement their biodiversity commitments depends on international cooperation for sharing of resources and technology transfers from developed countries.

The **UN Charter**, the **ICESCR**, the **ICCPR**, the **UNDRIP** and other human rights instruments also impose on States the duty to cooperate to ensure the full realization of all human rights, close human rights protection gaps and meaningfully address transborder and extraterritorial harms. States should cooperate and strengthen or put in place mechanisms and resources to adequately address transboundary causes and impacts of biodiversity and habitat loss, including bilateral, regional and global programmes and policies to combat such losses as well as human rights-based project finance in this area.

### **Effectively mobilize adequate resources to prevent human rights harms caused by biodiversity loss**

The **ICESCR** requires States, acting individually and collectively, to mobilize and allocate the maximum available resources for the progressive realization of economic, social and cultural rights. This includes preventing biodiversity loss.





Protecting biodiversity is key to ensuring healthy ecosystems, which in turn is essential to ensuring the rights to life, health, food, adequate water and sanitation, a healthy environment, housing, livelihoods and culture, among others, for billions of people around the world.

As most of the biologically megadiverse countries of the world are developing countries that do not have adequate resources for preventing biodiversity loss, ensuring effective international cooperation and financial assistance to this end is imperative. In allocating resources for domestic action and foreign assistance to protect biodiversity, States must employ environmental and social safeguards, conduct impact assessments, and engage in participatory planning and policy-making, in order to ensure that such resources are allocated to those seeking to promote and protect biodiversity with a human rights-based approach and not distributed to people, States or enterprises that engage in or cause human rights or environmental harms.

For example, the **UNDRIP** calls for States to establish and implement assistance programmes for indigenous peoples for the conservation and protection of the environment.

### **Guarantee that everyone enjoys the benefits of science and its applications**

Under the **ICESCR** everyone has the right to enjoy the benefits of science and its applications. **Article 8 (j)** of the **CBD** commits States parties to respect and maintain the knowledge, innovations and practices of indigenous and local communities which are relevant for conservation and sustainable use of biological diversity.

The Intergovernmental Panel on Climate Change has affirmed that indigenous peoples' traditional knowledge systems and holistic view of the community and environment are a major resource and emphasized the role played by indigenous peoples and local communities in preserving ecosystems and preventing deforestation, which are key to combating climate change.

States should recognize the value of traditional knowledge, possessed by women and men, and support its use with the free, prior and informed consent of indigenous peoples concerned and ensuring that any economic benefit from traditional knowledge is equitably shared with the communities where it originates. States should also actively support the development and dissemination of all scientific and technological methods to address biodiversity and habitat loss as well as technology transfers as needed and appropriate for a just, comprehensive and effective international response to biodiversity loss.

### **Ensure education with respect for nature**

The **ICCPR** guarantees the right of everyone to information and the Convention on the Rights of the Child calls for the education of the child to be directed to, inter alia, the development of respect for human rights and fundamental freedoms and the development of respect for the natural environment.



Children, including girls, boys and **LGBTI** children and youth, are dynamic and active actors calling for environmental protection. Understanding of human rights and the environment is essential to ensuring human dignity, wellbeing and survival.

Effective and meaningful action to rethink our relationship with nature and address the human rights harms caused by degraded ecosystems and diminished biodiversity will require the informed participation of all people. States thus have a duty to ensure the right of all people to an education with respect for nature at its core, and to the information necessary to protect it.

### Conclusion

Humanity's vision of living in harmony with nature by 2050 will require a transformation of modern society's relationship with nature. The aesthetic, spiritual, cultural, religious and recreational value of nature is key to our understandings of humanity, of human culture and human life around the world. The diverse values of nature and the relationship between biological and human cultural and linguistic diversity needs to be better understood and reflected in policy, recognizing that a thriving natural environment along with human diversity is the best long-term recipe for resilience and human survival.

However, all of these values are threatened by unsustainable patterns of production and consumption and an exploitative approach to natural resources. Interrelated environmental harms including biodiversity and habitat loss, climate change, air and water pollution and the rise of zoonotic diseases demonstrate the need for a reimagining of the human relationship to nature as a symbiotic one in which realization of the human right to a safe, clean, healthy and sustainable environment, support for sustainable development, and protection of the environment go hand-in-hand.

Preservation of nature, including halting biodiversity loss, is essential to enabling all human beings and communities to live with dignity and human rights. Conservation measures that fail to take into account the rights, needs, and perspectives of those most affected are not enough. The situation calls for a new way forward for people and for nature, one grounded in human rights.

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**Human Rights and Status in Different Society-A Study****Dr. Sharanappa. K.C.**

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**Abstract**

In May 2017, debates were held at the Palais des Nations, in Geneva, regarding the rights of peasants and other rural workers. It was the fourth session of the open-ended inter-governmental working group on a United Nations Declaration on the rights of peasants and other people working in rural areas (the Working Group), and many delegations representing States, non-governmental organizations (NGOs), and intergovernmental organizations participated in the discussion to further refine the draft declaration. While some State delegations were generally opposed to the idea of a declaration, such as those from the European Union (EU), Guatemala, and New Zealand; others were fully in support of the declaration, such as Venezuela, Bolivia, and the Dominican Republic. Many other States, while declaring their support for this declaration generally, expressed their serious concern about some specific articles, mostly the articles that seek to expand rights or acknowledge the development of new rights. It goes on to include, as other people who work in rural areas, 'any person engaged in artisanal or small-scale agriculture, the raising of livestock, pastoralist, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area', 'indigenous peoples working on the land, transhumant and nomadic communities and the landless', and 'hired workers, and migrant and seasonal workers, regardless of their legal status on plantations and farms in aquaculture and in agro-industrial enterprises.'

**Keywords:** Venezuela, Bolivia, United Nations Declaration, globalization.**Introduction**

In May 2017, debates were held at the Palais des Nations, in Geneva, regarding the rights of peasants and other rural workers. It was the fourth session of the open-ended inter-governmental working group on a United Nations Declaration on the rights of peasants and other people working in rural areas (the Working Group), and many delegations representing States, non-governmental organizations (NGOs), and intergovernmental organizations participated in the discussion to further refine the draft declaration.

While some State delegations were generally opposed to the idea of a declaration, such as those from the European Union (EU), Guatemala, and New Zealand; others were fully in support of the declaration, such as Venezuela, Bolivia, and the Dominican Republic. Many other States, while declaring their support for this declaration generally, expressed their serious concern about some specific articles, mostly the articles that seek to expand rights or acknowledge the development of new rights.



In order to understand the importance of these debates it is necessary to understand who those covered by this declaration are, why they are particularly vulnerable to human rights violations, and why they need a declaration on their rights specifically.

The draft declaration currently defines a peasant as ‘any person who engages or who seeks to engage alone, or in association with others or as a community, in small-scale agricultural production for subsistence and/or for the market, and who relies significantly, though not necessarily exclusively, on family or household labor and other non-monetized ways of organizing labor, and who has a special dependency on and attachment to the lands’.

It goes on to include, as other people who work in rural areas, ‘any person engaged in artisanal or small-scale agriculture, the raising of livestock, pastoralist, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area’, ‘indigenous peoples working on the land, transhumant and nomadic communities and the landless’, and ‘hired workers, and migrant and seasonal workers, regardless of their legal status on plantations and farms in aquaculture and in agro-industrial enterprises.’

### **1. Developments Leading to the Creation of the Working Group**

These groups have been providing the world population with the majority of their food crops since the beginning of time. Their traditions, rights and ability to continue working in food production, however, has been threatened by policies that tend to favor large agricultural corporations and do not take into account the effects on peasants and other people working in rural areas.

In response to the globalization of agricultural policies and agribusiness, various peasant movements around the world formed in order to protect their rights and interests. In 1993 these various movements and organizations united to form La Via Campesina, an organization whose mission is to “defend small-scale sustainable agriculture as a way to promote social justice and dignity”, while opposing “corporate driven agriculture and transnational companies.”

La Via Campesina first promoted its concept of food sovereignty, an issue that is now central to its cause, at the World Food Summit in 1996.

This new concept continued to develop and gather support over the years, and in 2001, about 200 civil society organizations came together at the World Forum on Food Sovereignty in Havana, Cuba to define the term.

To further its cause, beginning in 2001, La Via Campesina began working on a Declaration of Rights of Peasants – Women and Men. After seven years of consultations, the Declaration was finalized in Seoul in 2009. Some key points included in this declaration were the right to land and territory. The right to seeds and traditional agricultural knowledge and practice, the freedom to determine price and market for agricultural production, and the right to biological diversity.



Alongside this important civil society movement, at the United Nations level the Human Rights Council's Advisory Committee began to study discrimination in the context of the right to food, and highlighted in its reports the notable discrimination and vulnerability of peasants and other rural workers in regards to this right.

The Advisory Committee worked closely with La Via Campesina, and concluded by supporting both La Via Campesina's concept of food sovereignty and its Declaration of Rights of Peasants. Additionally, the Advisory Committee recommended further study on the possibility of a new international instrument to advance the rights of people working in rural areas.

Consequently, the Human Rights Council mandated further study on ways of advancing the rights of people working in rural areas, and in February 2011 the Advisory Committee submitted a report confirming the vulnerability of the peasant and rural population, identifying specifically who these people were, and determining some of the main causes of discrimination and vulnerability of these groups.

Although people working in rural areas have protections under already established international human rights law, the Committee found that better implementation of existing norms was needed, that there was a need to address the gaps under the current international human rights framework, and importantly, that a new legal instrument on the rights of people working in rural areas was crucial to overcome their current situation and advance their rights.

As a result of the recommendations made in the study, the Human Rights Council decided to establish in October 2012 the Working Group with the objective of drafting a declaration on the rights of people working in rural areas.

This Working Group, as stated above, has since had four sessions, the most recent held in May 2017. At each session, a draft declaration on the rights of peasants and other people working in rural areas has been put forth, which is then debated by State delegations, civil society organizations and international organizations. After each session, the experts in the working group make changes to the draft to try to address the comments received. The goal of this working group is to create a Declaration that garners consensus to be adopted by the General Assembly of the United Nations.

## **2. Why a Declaration is Necessary**

The question has been raised during the debates as to why a declaration for peasants and other people working in rural areas is needed when the rights of these people are already protected by the international human rights framework. Looking at the current situation of these groups, however, it becomes clear that there are serious gaps in the current framework when it comes to the protection of these specific groups' rights.



People working in rural areas are particularly vulnerable and suffer from hunger and poverty at higher rates than those in urban areas. As noted by the Advisory Committee, hunger is principally a problem for the rural population, with 80% of the world's hungry living in rural areas. Furthermore, these hungry rural populations are the same populations that provide food to the rest of the world. 50% of the hungry are smallholder farmers, 20% are landless families working as tenant farmers or agricultural laborers, and 10% live from traditional fishing, hunting and herding activities.

Women peasants and rural workers are even more vulnerable, making up 70% of the world's hungry. Despite the world's commitment to eradicate hunger at the World Food Conference held in 1974, and the recommitment made at the 1996 World Food Summit in its Rome Declaration on Food Security, there has been little improvement in the poorest regions of the world, while climate change and a new focus on biofuel development will affect these regions worst and increase the vulnerability of the already vulnerable rural populations there.

The Advisory Committee noted that the extreme vulnerability of rural populations is largely a result of government policies and an international trade regime that, particularly in agriculture, benefits large corporations and developed countries at the expense of developing countries and smallholder farmers or other rural workers.

Highly subsidized farming in developed countries results in dumping and cheap imports into developing countries, which means reduced income for smallholder farmers which affects their production capabilities and therefore livelihoods negatively.

Furthermore, governments in developing states are investing less in agriculture as cheap imports coming from developed states have created a disincentive to do so. Inequitable distribution of land; new large-scale development projects, such as the building of dams; land-acquisitions by foreign governments which result in the displacement of rural workers; and difficulty in access to production inputs, such as seeds, credit, access to markets and restrictions on unionization have all also led to the increased vulnerability of these groups.

The Advisory Committee named five principal causes for the vulnerability of rural workers: the expropriation of land, forced evictions and displacement; gender discrimination; absence of agrarian reform and rural development policies, including irrigation and seeds; lack of a minimum wage and social protection; and repression and criminalization of movements protecting the rights of people working in rural areas.

The articles found within the draft declaration all attempt to address these causes of vulnerability through guarantees for rural rights holders and obligations for States.

### **3. The Working Group, Draft Declarations and Debates**

The first draft declaration presented by the Working Group had only 13 articles and was criticized for focusing too much on peasants and not enough on other people working in rural areas.





Over the sessions, the definition of those covered by the declaration has been refined and also expanded to include hired and migrant workers.

The second and third versions of the draft declaration, consisting of 30 articles, were expanded to include articles acknowledging the right to social security, clarifying State obligations, noting the need for gender equality and clarifying the responsibility of the UN and other international organizations. The latest draft declaration contains only 27 articles, having addressed the comments made in the last sessions.

The following section will look at the debates surrounding some of the more controversial points found in the declaration and will provide a brief analysis of the importance of these articles for the realization of the rights of peasants and other people working in rural areas.

### **3.1. Article 15 – the Right to Food and Food Sovereignty**

A controversial article in the most recent draft is Article 15 – The Right to Food and Food Sovereignty. Those delegations opposed to this article have an issue with the inclusion of the right to “food sovereignty” which they claim, most importantly, is not a right, and secondly is a vague concept requiring further academic study. Many delegations agreed that this term should be replaced with the more acceptable concept of “food security”.

Other delegations, however, responded to these claims by pointing out that all rights have at some point been new and that some originality was necessary to fill the gaps that exist within the international human rights system.

These delegations also supported the idea that food sovereignty is necessary to guarantee the livelihood of rural workers. Comments made by NGOs all stressed the importance of this provision as a prerequisite for the realization of other rights. Markedly, the Special Rapporteur on the right to food has previously noted that ‘...food sovereignty is a condition for the full realization of the right to food’.

Furthermore, despite some delegations stating confusion about the definition and consequences of implementing food sovereignty policies, the term is clearly defined within this treaty, having been copied from the most widely-accepted definition adopted at the 2007 Food Sovereignty Forum in Nyéléni, Mali.

Its definition is ‘...the right of peoples to healthy and culturally appropriate food produced by means of socially just and ecologically sensitive methods. It entails the right to participate in decision-making and to determine one’s own food and agriculture systems.’

The right has already been recognized in the constitutions or legislations of some States as well as at the regional level and it has been positively promoted during the debates by some States that have implemented food sovereignty policies.



Those in support of food sovereignty, including the various NGOs present and the panel of experts, strongly noted the fact that the ‘food security’ framework has been unsuccessful in combating hunger for the most vulnerable, and that the concept of food sovereignty offers a means to achieve not only the goals of food security, but also takes into account health, ecological sensitivity, and culture.

### **3.2. Article 16 – Right to a decent income and livelihood and the means of production**

Another article that led to some substantial debate is Article 16 – the right to a decent income and livelihood and the means of production.

The main issue with this article is found in subparagraph 3 which states that, should be set through a fair and transparent process that involves peasants and other people working in rural areas and their organizations.’ Many state delegations, such as those from the EU,

New Zealand, Guatemala and Japan interpreted this provision as being in conflict with their commitments to a free-market economy, and thus requested the removal of this provision. Those that support the necessity of this provision noted that peasants and other rural workers need to have some role in setting market prices in order to ensure some protection from instability and failures caused by speculation and other manipulation of prices. States generally supporting this provision included Bolivia, Venezuela, and the Dominican Republic.

As noted in a written statement submitted by FIAN to the Working Group, the Committee on World Food Security itself has marked the importance of promoting ‘a more enabling market environment for smallholders, that provides fair and transparent prices that adequately remunerate smallholders’ work and investments’.

This provision within the declaration is crucial because the established right to an adequate standard of living, for peasants and other rural workers, is inseparable from their ‘access to the market and to selling prices that cover their production costs’.

In response to the argument of incompatibility with commitments to a free-market economy, one of the panelists noted some provisions within the constitutions of Guatemala, India, Brazil and Switzerland that could be interpreted in allowing safeguards in price regulation and setting to ensure adequate income for peasants and other small-scale producers in rural areas. She recommend further study into such provisions and perhaps an amendment in the language of the article in order to find a compromise where peasants and other people working in rural areas can benefit from safeguards that ensure adequate income for their work.

### **3.3. Article 17 – Right to Land and Other Natural Resources**

One of the most controversial articles in this declaration is Article 17 – the right to land and other natural resources. During the debates, there was strong support for the view that the right



to land is only applicable to indigenous peoples and therefore does not exist for non-indigenous rural workers.

The delegate from Guatemala further noted that transposing this right onto peasants and other people working in rural areas could actually undermine this right for the indigenous peoples it was originally intended for. The delegations from the EU, the Republic of Korea,

New Zealand, Russia and Jordan all agreed with changing this provision to “access to land”. The expert panel clarified that expanding rights currently granted for indigenous peoples to peasants and other rural workers will not impede the realization of these rights for indigenous groups. Some other State delegations, such as those from Bolivia, Venezuela, Ecuador and El Salvador, noted the importance of this right to ensure that peasants and other rural workers whose livelihoods depend on their access to land have due guarantees.

This article is particularly important to achieve the objectives of the Declaration because, as noted by the Advisory Committee, one of the main causes of discrimination and vulnerability of peasants and other rural workers is the ‘expropriation of land, forced evictions and displacements’.

Displacements are often a consequence of development projects that require, or affect, the land belonging to rural populations. Projects are undertaken without acquiring the free, prior and informed consent of those affected, which then leads to a loss of livelihood for peasants and other rural workers.

Furthermore, resettlement or compensation offered in these cases is often inadequate. In the Advisory Committee’s background paper on discrimination of peasants in the right to food, it was noted that development projects should not be undertaken without the consent of the communities and without the condition of proper resettlement and rehabilitation following a land for land principle.

This point was stressed during the debates by some of the NGO delegations that mentioned that financial compensation alone leaves displaced peasants and rural workers without means to achieve an adequate livelihood.

Furthermore, the new phenomenon of land-grabbing in developing countries by foreign governments has increased the vulnerability of rural populations to displacement and forced evictions.

Governments in developing countries have begun entering agreements with foreign governments to sell or lease massive portions of arable land for foreign farming or biofuel development. The land they are selling, despite government claims that it is public and unused land, is often necessary for the survival of pastoralists, hunters and gatherers, or is de facto owned by peasants who have been farming it for generations and have a customary right to the land, despite not having formal legal ownership of the land.



Even smallholder farmers that do not have formal ownership of their lands are vulnerable to these land grabs, as they can be pressured to sell their land for inadequate compensation, and are afterwards left without a means to an adequate livelihood.

It is clear from looking at this main cause of vulnerability for peasants and rural workers that they have a reliance and special connection to land that other groups do not; and thus require an acknowledged right to that land to protect them from losing their access and consequently, losing their livelihoods and becoming vulnerable to abuses of their other human rights.

Another point causing concern to some delegations in this article was the wording of Article 17.6 which says that states shall carry out redistributive agrarian reforms and promote inclusive rural development.

The delegations from the EU, the Republic of Korea and Guatemala all suggested the removal of an obligation to do so and suggested rewording the article so that it would merely suggest such reforms and development policies as an option for States to consider. The delegates from Bolivia and Cuba, in contrast, noted the importance of redistributive agrarian reform and the other points within this article in fighting concentration of land in the hands of a few. Notably, a 'lack of agrarian reform and rural development policies' is one of the Advisory Committee's five listed causes of vulnerability for those working in rural areas.

Partly as a result of recent land acquisitions and forced displacements, and partly as a result of a history of discrimination and inequality the world is plagued with mass inequality in land ownership. An example of this is in Guatemala, where land expropriation from indigenous peoples and military or landowners' forcible control over more land during a protracted civil war, means that today, Guatemala is one of the most inequitable countries in the world, with 2 percent of the population owning about 75 percent of the land.

As noted in the background paper prepared for the Advisory Committee, "...land reform has demonstrably reduced poverty where it has been conducted successfully, and greater equality in landholding is associated with faster overall growth".

Japan, the Republic of Korea, Taiwan, Cuba and some Indian states provide examples to support the claim that redistribution of land can have a great impact on reducing poverty and hunger.

Despite the importance of investment in agriculture and rural development policies, pressure from the IMF and World Bank on many developing countries, has forced these States to decrease their support for the agriculture sector.

As has been demonstrated in Ethiopia, for example, a lack of rural development has meant that 'a strong private sector of traders capable of transporting food from surplus to deficit regions has not yet emerged'.



In 2002, this meant that surplus crops in one area were unable to be effectively transported to deficit areas; which caused an extreme reduction of prices in the surplus areas, and price hikes in the deficit areas.

The debt, essentially caused by inability to transport goods effectively, meant that the following year, Ethiopian farmers had less capital to access agricultural inputs. This, combined with a drought, created a nation-wide food shortage in 2003.

Land redistribution and rural development policies are necessary to ensure the realization of peasant and other rural workers' economic, social and cultural rights, however, rural workers are not the only benefactor of such policies. Agricultural productivity is greater on small farms than on larger ones, meaning that investing in smallholder farming and other rural-focused policies may lead to better realization of the right to adequate food for everyone; something which the food security framework has so far failed to achieve.

It is important to note that alongside agrarian reforms, there is also a need to guarantee sufficient access to other inputs, such as water, credit, transport, extension services, and other infrastructure

Agrarian reforms have been most successful when they are accompanied by access to these other inputs, which is why the right to a means of production in Article 16 is another important element found in this declaration.

### **3.4. Article 19 – Right to Seeds**

Article 19, the right to seeds, has been another heavily debated article. It is strongly linked to the right to the means of production for peasants and other rural workers.

Many delegations, however, have made clear that this is first and foremost, not a right, and secondly, including such a right in the declaration would put States in conflict with their obligations regarding.

Intellectual Property Rights (IPRs). States wishing to remove the “right” to seeds and replace it with “access” to seeds include the EU, Guatemala, the Republic of Korea and Japan, while many other delegations, including those from Chile, Uruguay and Brazil, expressed their concerns and referred to the possibility of incompatibility with existing obligations concerning IPRs.

To clarify the meaning of this article and explain how it is not incompatible with international obligations, one of the panelists, Professor José Esquinas, explained the differences between the formal and informal seed systems. The formal seed system, only established within the past 40-50 years, must have three traits: distinctiveness, uniformity and stability. The seeds in this system are protected through IPR agreements.



The informal seed system, also known as the peasant, farmer or traditional seed system, on the other hand, has existed since the beginning of agricultural production and its seeds do not meet any of the three traits found in the formal system. These seeds are not of the protected variety, and thus, ensuring peasant's rights to these seeds will not lead to any violations of IPR agreements.

La Via Campesina Europe suggested amending the article to make clear that the right to seeds is referring only to the informal or peasant-seed systems and is not implying a right to the protected seed varieties.

Furthermore, the right to their own seeds has not only been respected through custom for thousands of years, it has also already been codified in international law, for example through the International Treaty on Plant Genetic Resources.

This treaty has been ratified by over 140 countries, including all of the countries who vocalized their disagreement with the right to seeds during the Working Group debates.

There is a need now to formally recognize this right within the international human rights system to combat practices that violate this right, such as biopiracy. As the expert panelist Ms. Shivani Chaudhry noted, biopiracy is a practice where corporations steal and patent traditional knowledge and plants for research purposes. They patent traditional plants without the knowledge or consent of the communities that have been using these plants for hundreds of years and who have shared this knowledge.

Once there is a patent, it becomes illegal for these communities to continue using their own traditional plants and knowledge. Establishing the right to seeds within the international human rights framework will help to combat biopiracy, and will make a great difference in protecting the rights of rural populations to their own traditional knowledge, practices and plants.

Beyond the importance of a right to their own seeds in ensuring peasants' livelihoods, there is also a need to ensure this right for biological diversity purposes. As Professor Esquinas noted, the commercial or formal-seed system contains stable seeds, which means that they will not adapt to changing environments or human needs.

The peasant seed system on the other hand is characterized by its resilience. Peasant seeds can adapt to changes in the environment and to new plant viruses or illness. Especially with the increasing effects of climate change, maintaining this biodiversity is crucial for the future of food production, and thus, for the future of human survival.

#### **4. Other Causes of Vulnerability**

While the above contentious articles highlight and seek to address some of the main causes of the special vulnerability faced by people who work in rural areas, the Advisory Committee cited three other main causes to this vulnerability. These other causes, gender discrimination,





lack of minimum wage and social protection, and the repression of peasant movements, are addressed throughout the declaration.

#### **4.1. Gender Discrimination:**

Woman peasants and rural workers must deal with an additional layer of discrimination which leads to increased rights violations for rural women. Women heads of rural households are increasing, however, 'less than 2 percent of all land is owned by women'

The lack of secure tenure for women, sometimes a result of discrimination in formal legislation, and other times as a result of customary or traditional discrimination of women, makes them significantly more vulnerable to loss of land or resources and reduces their access to other inputs, and consequently, to loss of their livelihoods.

To combat this, the declaration contains an article that addresses equality and non-discrimination in access to the rights listed within it, and also has an article dedicated to the particular circumstances and needs of rural women. It also contains various provisions within other articles re-stating the fact that those articles should be applied without discrimination of any kind, including gender discrimination.

#### **4.2. Lack of minimum wage and social protection:**

Landless people who work in rural areas are extremely vulnerable to a lack of social protection, including minimum wage policies. Many are paid extremely low wages in insecure positions which require them to move from job to job and others even end up in situations of modern day slavery or semi-slavery.

In Bolivia's Chaco region, for example, the Guarani people are paid such low wages for their work for private landowners that they must rely on credit from their employers to afford their basic living costs, and as a result, they are stuck in situations of slavery, being unable to pay off their debts to their employers.

Articles on the right to life, liberty and security of person; the right to work; and the right to social security within the draft declaration seek to reinforce the illegality of all forms of slave labor and create an obligation for the social protection of these workers. Notably, the International Labor Organization also suggested adding a provision under Article 16 (the Right to a decent income and livelihood and the means of production) requiring governments to adopt minimum wage policies and ensure adequate wages.

#### **4.3. Repression and Criminalization of Peasant Movements:**

In order to protect their rights and interests, peasants and other rural workers often organize themselves into unions, movements or organizations, and stage protests. Unfortunately, these actions are often met with repression and criminalization from the State.



There have been various cases around the world of arbitrary arrests or detention, torture and summary executions used against peasant organizers by State or private police forces.

As noted by the Special Representative of the Secretary-General on Human Rights Defenders in 2007, ‘the second most vulnerable group when it comes to the danger of being killed because of their activities in the defense of human rights, are defenders working on land rights and natural resources’. The Special Representative provided the example of a member of the Landless Workers’ Movement in Brazil who was arrested and accused of forming a criminal gang and inciting crime. Many believe that the worker was actually arrested for his involvement in the Landless Workers’ Movement.

## 5. Conclusion

There is no doubt about the extreme vulnerability of peasants and other people working in rural areas to abuses of their civil, political, economic, social, and cultural rights. Despite the existing protections in international human rights law, the particular needs of this group of people are not always protected by the existing system, while other established norms are too often ignored in relation to them.

While a declaration, which is not legally binding, will not completely overcome the barriers to the realization of the rights of rural populations, it will be a large step forward in formally acknowledging the particularities of these groups and the difficulties that they face.

As noted in the forward written by Kanayo F. Nwanze, the President of the International Fund for Agricultural Development, in its 2016 Rural Development Report,

IFAD’s experience over nearly four decades has shown that when rural people can organize themselves and have reliable access to land and other natural resources, technologies, finance and markets, both their livelihoods and their communities can flourish. Inclusive rural transformation can be promoted through people-centered development in which “beneficiaries” become agents of their own development, participating in decision-making, implementation and the process of rural transformation itself.

The articles found in the current form of the draft declaration are all in accordance with a “people-centered” vision of development, and if implemented could improve both rural workers’ livelihoods and their communities. In one year, the Working Group will hold its fifth, and presumably final session on the Declaration. Then, it will be up to the United Nations Member States to accept the need for change and to acknowledge the particular rights of these people that have for too long been ignored. It is time to prioritize the human rights of the world’s most vulnerable people.

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**Importance of Media in Human Society-A Study****Kariyanna .D**

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**ABSTRACT**

Media can be an important actor in the promotion of gender equality, both within the working environment (in terms of employment and promotion of female staff at all levels) and in the representation of women and men (in terms of fair gender portrayal and the use of neutral and non-gender specific language). White, A. (2009). 'Getting the Balance Right: Gender Equality in Journalism', International Federation of Journalists, Brussels. Studies have found that although the number of women working in the media has been increasing globally, the top positions (producers, executives, chief editors and publishers) are still very male dominated (White, 2009). This disparity is particularly evident in Africa, where cultural impediments to women fulfilling the role of journalist remain (e.g. travelling away from home, evening work and covering issues such as politics and sports which are considered to fall within the masculine domain) (Myers, 2009). How do gender issues play out in the media? Media professionals are subject to prevailing social, economic and cultural norms. Their views, outlook and output often reflect these norms. This paper highlights the cross-cutting nature of gender issues in media practice, production and consumption. When looking at media producers, the most striking gender issue is that the industry is dominated by men. Gender issues are also prevalent in media content, portrayals of men and women and stereotypes. The paper argues for the consideration of gender issues in all research on radio, convergence and development in Africa.

**KEYWORDS:** Media Practice, Production and Consumption, International Federation of Journalists

**Introduction**

Media play important roles in society. They report on current events, provide frameworks for interpretation, mobilise citizens with regard to various issues, reproduce predominant culture and society, and entertain (Llanos and Nina, 2011). As such, the media can be an important actor in the promotion of gender equality, both within the working environment (in terms of employment and promotion of female staff at all levels) and in the representation of women and men (in terms of fair gender portrayal and the use of neutral and non-gender specific language). White, A. (2009). 'Getting the Balance Right: Gender Equality in Journalism', International Federation of Journalists, Brussels. How can journalists and other actors working in the media contribute to gender equality? This handbook aims to assist people working in the media to assess progress on gender equality, identify challenges, and contribute to debates and



policy formulation. It urges those working in the media to do more to confront gender distortions in newsrooms and in unions.

### **Participation and influence of women in the media**

Studies have found that although the number of women working in the media has been increasing globally, the top positions (producers, executives, chief editors and publishers) are still very male dominated (White, 2009). This disparity is particularly evident in Africa, where cultural impediments to women fulfilling the role of journalist remain (e.g. travelling away from home, evening work and covering issues such as politics and sports which are considered to fall within the masculine domain) (Myers, 2009). The Global Media Monitoring Project (GMMP) reports that throughout the world, female journalists are more likely to be assigned 'soft' subjects such as family, lifestyle, fashion and arts. The 'hard' news, politics and the economy, is much less likely to be written or covered by women.

The level of participation and influence of women in the media also has implications for media content: female media professionals are more likely to reflect other women's needs and perspectives than their male colleagues. It is important to acknowledge, however, that not all women working in the media will be gender aware and prone to cover women's needs and perspectives; and it is not impossible for men to effectively cover gender issues. Recent research from 18 disparate countries shows that male and female journalists' attitudes do not differ significantly (Hanitzsch & Hanusch, 2012). Nonetheless, the presence of women on the radio, television and in print is more likely to provide positive role models for women and girls, to gain the confidence of women as sources and interviewees, and to attract a female audience.

Byerly, C. M. (2011). 'Global Report on the Status of Women in the News Media', International Women's Media Foundation, Washington DC. What is the condition of gender equality in the global news media? This study presents findings from its analysis of news company behaviour in relation to gender equality in staffing, salaries and policies. It finds that men occupy the vast majority of governance and top management jobs and news-gathering positions in most nations included in the study. Myers, M. (2009). 'Radio, Convergence and Development in Africa: Gender as a Cross-Cutting Issue' Paper submitted to International Development Research Centre (IDRC) and Carleton University, Roundtable Discussion on a Research Agenda, 10-13 September, Butare, Rwanda. How do gender issues play out in the media? Media professionals are subject to prevailing social, economic and cultural norms. Their views, outlook and output often reflect these norms. This paper highlights the cross-cutting nature of gender issues in media practice, production and consumption. When looking at media producers, the most striking gender issue is that the industry is dominated by men. Gender issues are also prevalent in media content, portrayals of men and women and stereotypes. The paper argues for the consideration of gender issues in all research on radio, convergence and development in Africa.

**Media content and portrayal of men and women in the media**

Fair gender portrayal in the media should be a professional and ethical aspiration, similar to respect for accuracy, fairness and honesty (White, 2009). Yet, unbalanced gender portrayal is widespread. The Global Media Monitoring Project finds that women are more likely than men to be featured as victims in news stories and to be identified according to family status. Women are also far less likely than men to be featured in the world's news headlines, and to be relied upon as 'spokespeople' or as 'experts'. Certain categories of women, such as the poor, older women, or those belonging to ethnic minorities, are even less visible.

Stereotypes are also prevalent in every day media. Women are often portrayed solely as homemakers and carers of the family, dependent on men, or as objects of male attention. Stories by female reporters are more likely to challenge stereotypes than those filed by male reporters (Gallagher et al., 2010). As such, there is a link between the participation of women in the media and improvements in the representation of women.

Men are also subjected to stereotyping in the media. They are typically characterised as powerful and dominant. There is little room for alternative visions of masculinity. The media tends to demean men in caring or domestic roles, or those who oppose violence. Such portrayals can influence perceptions in terms of what society may expect from men and women, but also what they may expect from themselves. They promote an unbalanced vision of the roles of women and men in society.

Attention needs to be paid to identifying and addressing these various gender imbalances and gaps in the media. The European Commission (2010) recommends, for example, that there should be a set expectation of gender parity on expert panels on television or radio and the creation of a thematic database of women to be interviewed and used as experts by media professionals. In addition, conscious efforts should be made to portray women and men in non-stereotypical situations.

**Participatory community media**

Participatory community media initiatives aimed at increasing the involvement of women in the media perceive women as producers and contributors of media content and not solely as 'consumers' (Pavarala, Malik, and Cheeli, 2006). Such initiatives encourage the involvement of women in technical, decision-making, and agenda-setting activities. They have the potential to develop the capacities of women as sociopolitical actors. They also have the potential to promote a balanced and non-stereotyped portrayal of women in the media and to challenge the status quo. In Fiji, women who took part in a participatory video project presented themselves as active citizens who made significant contributions to their families and communities. These recorded images improved the status of women in the minds of government bureaucrats.



There are limitations to participatory community initiatives, however. If unaccompanied by changes in structural conditions, participation may not be sufficient to foster substantive social change. Baú (2009) explains that the establishment of a women's radio station (run and managed by women) in Afghanistan faced constraints in that women engaged in self-censorship in order to avoid criticism from local male political and religious leaders.

### **Changing attitudes and behavior**

The approach to Communication for Development (C4D) has evolved over the years. Initially developed after World War II as a tool for diffusion of ideas, communication initiatives primarily involved a one-way transmission of information from the sender to the receiver. This includes largescale media campaigns, social marketing, dissemination of printed materials, and 'educationentertainment'. Since then, C4D has broadened to incorporate interpersonal communication: face-to-face communication that can either be one-on-one or in small groups. This came alongside the general push for more participatory approaches to development and greater representation of voices from the South. The belief is that while mass media allows for the learning of new ideas, interpersonal networks encourage the shift from knowledge to continued practice.

Communication for development has thus come to be seen as a way to amplify voice, facilitate meaningful participation, and foster social change. The 2006 World Congress on Communication for Development defined C4D as 'a social process based on dialogue using a broad range of tools and methods. It is also about seeking change at different levels including listening, building trust, sharing knowledge and skills, building policies, debating and learning for sustained and meaningful change'. Such two-way, horizontal approaches to communication include public hearings, debates, deliberations and stakeholder consultations, participatory radio and video, community-based theatre and story-telling, and web forums.

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**WOMENS HUMAN RIGHTS PROBLEMS AND PERSPECTIVES****Dr. LATHA. S.**

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**ABSTRACT**

No country in the world treats its women as well as its Men. Systematic and widespread in equality and discrimination often embedded in the national lass of country creats double geopardy and double standards for women from all social classes, cultures and races in all societies. In the largest democratic nation like India ensuring the women human rights is a biggest challenge. To overcome this challenge, constitution, lass, articles, human rights and women human rights plays a vital role this paper highlights the problem of women human rights of Indian contacts, messures to overcome and strategies devices by government and civil society to empower and ensure women human rights in India.

**Keywords:** articles, HRE, Women Human Rights.**INTRODUCTION**

Women emerges as a distinct interest group in the 19<sup>th</sup> century primarily because the bourgeoisie democratic revolutions of 17<sup>th</sup> and 18<sup>th</sup> century that excluded women from their concept of equality. This distinction was based on gender. Since then women as a commune had waged struggle for recognition of their rights as a human being. Women as a core group of concern emerged as a major theme in the Millennium Development Goal. The Millennium Development Goal are the eight goals set by the United Nations in 2000 which will act as yardstick to determine the advancement in the direction of the obliteration of ‘Gender Equality and Women Empowerment’ as one of the Millennium Development Goals to be attained by the year 2015. The term Women’s empowerment implies the ability of the women take all the important decisions independently related to her throughout her life span that will ensure her success in all aspects of life. The present paper explores the questions central to women’s right in India that is fundamentally patriarchal in nature.

**Mapping of Women’s Rights Violations in India**

- Missing of girl child
- Dowry deaths
- Domestic Violence
- Sati System
- Child Marriage



- Preference for a son
- Female foeticide
- Education Deprivation
- Forced evictions and exclusion
- Sexual harassment at the workplace
- Rape
- Societal violence against women

### **Strategies of Women Empowerment in India**

The women in India are positioned at a receiving end primarily because they have remained ignorant of their fundamental civil and constitutional rights. Patriarchal system impinges on every sphere of a woman's life. In such a situation often a majority of them are forced to accept the traditional practices that are detrimental for both their and their children's development. Although women have acquired a level of financial and political autonomy and consciousness about their rights, yet they experience helplessness in bringing about basic changes for eliminating gender inequalities from the society.

The women's organizations must try to empower women by changing the attitudes of the society towards the harmful traditional practices. One of the most vital tasks of the various women organizations and NGOs is to help women in rebuilding their lives and confidence. These goals can be achieved only if the women are adequately educated about their legal rights and are economically independent enough to take independent decisions of their own life. Such programmes if done within shelter homes can provide both counseling and a connection among the women's who were victimized.

Violence against women can be curtailed only when cultural norms and attitudes towards the women can be changed for which change should be made in the school curriculum. Curriculum that educates the students at the school, college and university level on issues like human rights and gender issues should be included in their study material. "Curriculum reform that works towards eliminating the gender stereotyping in schools (teaching about women's contributions in history class, eliminating sex stereotypes in textbooks, promoting girls participation in sports) are important steps in achieving gender equality.

The violence against the women human rights in India is often supported and perpetuated by the indigenous cultures and the religious leaders. Therefore the indigenous communities must try to put up mechanisms and strategies that eliminate such age old ruthless practices against the women. The religious leaders and researchers must review the sacred manuscripts and doctrines with an idea of to encourage egalitarianism and self-respect for women.

### **Protection of Women's Human Rights by the Constitution of India**

- Right to maintenance



- Right to equal pay
- Right to dignity and decency
- Right against domestic violence
- Right at workplace
- Right against dowry
- Right to Free legal aid
- Right of private defense
- Women have right not to be arrested at Night
- Women have the right to register virtual complaints
- Women have the right against indecent representation
- Women have the right against being stalked
- Women have the right to zero FIR
- Right to privacy
- Right to equality
- Personal liberty and right to life
- Right to property

## **CONCLUSION**

There is a no doubt that education has a major role to play for protection and promotion of human rights. HRE is considered as one of the major tools to stop the violations against human rights. From the above discussion, we saw the importance and how education can play a vital role in this regard.

Thus in short the millennium development goal on gender equality play an important and crucial role to ensure the women the human rights.

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## Impact of Covid-19 on Mahatma Gandhi National Rural Employment Guarantee Program-A Study

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### Abstract

**Mahatma Gandhi National Rural Employment Guarantee**, The scheme provides a legal guarantee for at least 100 days of paid employment in every financial year to adult members of any household willing to do unskilled manual work related to public work at the statutory minimum wage of **120 per day in 2009 prices**. All adult members of a rural household willing to do unskilled manual work have the right to demand employment. Such a household will have to apply registration to the Gram Panchayat. After verification, the Gram Panchayat will issue a Job Card with photograph of all adult members of the household willing to work under the programme. On 15 April, 2020, the Ministry of Home Affairs issued an order allowing select activities to be restarted from 20 April onwards. This included activities related to the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) or NREGA. Since the partial lifting of the lockdown in some parts of the country, various state governments have started NREGA activities in some measure. As migrant workers across the country return to their villages, rural India's dependence on NREGA wages for survival is expected to increase manifold. **Low wage rate:** The low wage rates have resulted in lack of interest among workers in working for MGNREGA schemes, making way for contractors and middle men to take control, locally. **Insufficient budget allocation:** MGNREGA's success at the ground level is subject to proper and uninterrupted fund flow to the states. But the fund allocation is insufficient to ensure proper implementation on the ground. **Regular payment delays:** Despite the order of the Supreme Court and initiatives and GO (Government Order) by the Union Ministry of Finance, no provision has yet been worked out in the MIS for calculation of full wage delays and payment of compensation for the same. Now, the focus has to be on getting people, including the migrant labourers, back to normal work.

Also, it may be inferred that above suggestions, if taken care of, will definitely make MGNREGA a real instrument for overall rural upliftment, in general & improve the lot of the rural poor s, in particular.

**Keywords:** Mnrnga, Mahathma Gandhi, Individual Benefits Scheme, Civil Society Organisations, PM Garib Kalyan Yojana.



## Introduction

**Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)** is a job guarantee scheme for rural Indians. It was enacted by legislation on **25 August 2005**.

The scheme provides a legal guarantee for at least 100 days of paid employment in every financial year to adult members of any household willing to do unskilled manual work related to public work at the statutory minimum wage of **120 per day in 2009 prices**.

If they fail to do so the government has to pay the salary at their homes. The central government outlay for the scheme was 4000 billion in the financial year **2010–11**.

This act was introduced with the aim of improving the purchasing power of semi- or un-skilled rural people of India, irrespective of whether or not they fell below the poverty line.

Around one-third of the stipulated work force is women. The law was initially called the National Rural Employment Guarantee Act (NREGA) and was renamed with the prefix **“Mahatma Gandhi” on 2 October 2009, Gandhi’s birth anniversary**.

In the year of 2011, the program was commonly criticized as no more effective than other hardship decrease programs in the country of India. Regardless of its finest objectives, popular MGNREGA is beset with debate about damaged authorities, lack funding as the source of resources, low quality of facilities designed under this program, and random dangerous impact on hardship.

## SALIENT FEATURES OF THE ACT

The salient features of the Act are as follow:

- All adult members of a rural household willing to do unskilled manual work have the right to demand employment.
- Such a household will have to apply registration to the Gram Panchayat.
- After verification, the Gram Panchayat will issue a Job Card with photograph of all adult members of the household willing to work under the programme.
- The Job Card must remain in the custody of the household.
- Job Cardholder can apply for work to the Gram Panchayat which will issue him/her a dated receipt of the work application.
- Employment will be provided by the Gram Panchayat (local self-governing body) within 15 days of work application, failing which unemployment allowance will be paid.
- Disbursement of wages has to be done weekly basis and not beyond a fortnight.



- Wages will be paid at the wage rate to the wage earners through their Bank/Post office accounts.
- An annual shelf of works to be prepared in advance for each year.
- A ratio of 60:40 for wage and material costs should be maintained at the GP level.
- No contractors/and no labor-displacing machinery shall be used in the execution of works.
- Panchayath Raj Institutions will have a principal role in planning, monitoring, and implementation.
- At least one-third of the workers should be women.
- Inbuilt incentive-disincentive structure to the State Government for guaranteeing employment.

## ANALYSIS

On 15 April, 2020, the Ministry of Home Affairs issued an order allowing select activities to be restarted from 20 April onwards.

This included activities related to the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) or NREGA.

Since the partial lifting of the lockdown in some parts of the country, various state governments have started NREGA activities in some measure.

As migrant workers across the country return to their villages, rural India's dependence on NREGA wages for survival is expected to increase manifold.

If we expect NREGA to effectively reduce rural distress, some changes will have to be made in its design and implementation for as long as rural communities grapple with the economic aftershocks induced by the pandemic.

Drawing on our experience at PRADAN, we recommend the following reforms to effectively strengthen the role that NREGA can play in responding to the COVID-19-induced crisis.

### Individual Benefitting Schemes (IBS)

Work schemes that can be taken up by individuals and small groups of 4-6 workers must be prioritized.

Across many parts of the country, preparation for the kharif season will be underway soon, and individual schemes such as repairing and strengthening bunds on land used for paddy cultivation and fencing of croplands can be introduced.





Additionally, schemes for building individual assets such as goat and poultry sheds, dug wells, and farm ponds should also be given priority.

For as long as the lockdown continues, work schemes that are relatively less material-intensive should be taken up, as it is difficult to ensure material procurement at worksites.

### **The Number of Work Schemes**

Currently, there are only 2-3 work schemes running per panchayath, which is leading to the crowding of workers at worksites.

To prevent this and to ensure that all willing households are able to access employment through NREGA, the number of schemes needs to be increased and 6-8 schemes must be introduced in each village.

### **Pay Workers**

Rural households urgently need cash-in-hand, and so the emerging demand is for immediate payment to workers. NREGA payments are frequently delayed by weeks or months. Given the circumstances, such delays will be entirely counterproductive.

It is recommended that in remote areas, wage payments should be made in cash, and paid on the same day. In other areas, they must be ensured within a week of submission of muster rolls.

To facilitate this, panchayath—who are the implementing agencies for NREGA can be advanced a revolving fund of Rs 20 lakh which can be used to pay workers.

### **Workloads**

In compliance with COVID-19 guidelines, workers are wearing masks and other forms of face protection. NREGA works typically involve hard physical labour and workers are finding it challenging to breathe comfortably while working.

Consequently, for as long as workers are required to wear masks, the daily volume of work assigned to them must be reduced.

A time and motion study needs to be conducted immediately to determine the number of hours of work that can be safely carried out while wearing a mask.

All NREGA work sites must be adequately stocked with the necessary supplies, including water, soap, and sanitizer, to ensure workers' safety in compliance with COVID-19 safety and hygiene guidelines.

### **Wages**



When the **PM Garib Kalyan Yojana** was announced, it included a relief measure for NREGA workers: The daily-wage rate would be increased from Rs 182 per day to Rs 202 per day, effective 1 April 2020. However, Jean Drèze points out that the central government has not actually allocated any additional resources to NREGA.

If NREGA wages are to effectively support rural households as they cope with this crisis, they must, at a minimum, be at par with states' agricultural wages. For example, the Government of Odisha has increased the daily-wage rate for unskilled manual work under NREGA to INR 298 per day in 20 migration-prone blocks of four districts.

This amounts to an additional amount of Rs 91 over and above the notified minimum NREGA wages in the state, which is Rs 207 per day. Other states must follow Odisha's lead, especially in vulnerable districts.

### **Guaranteed Days of Work**

In light of the limited income-generating activities available in rural India, the number of days of work per job card should be increased from 100 person days per year to 200 person days per year.

This move will be especially valuable in blocks that have a high percentage of marginal and landless farmers, Adivasi households, and where migration is high particularly in the tribal belt of central India.

Here too, the Government of Odisha has set an example, by announcing that it will provide an additional 100 days of work, over and above the stipulated 100 days work mandated under NREGA in 20 vulnerable blocks.

### **Job Cards**

Job cards should be issued to all those who demand NREGA work, within 24-48 hours of receiving an application for the same. In cases where job cards are in the custody of middlemen, these should be reissued immediately.

### **Single Women**

Often, at NREGA worksites two people from a household will work on a scheme together the men dig the soil and their female counterparts take on the role of head loaders transporting the excavated soil.

In compliance with COVID-19 guidelines, the muster rolls that are currently being issued are limited to 5-6 workers.

While this ensures physical distancing at work sites, it is also resulting in a tendency to avoid enrolling single women workers who are seeking employment through NREGA.



Officers who receive demands for work and issue muster rolls must remain cognizant of this and special care must be taken to enroll single women in NREGA works.

### **Strengthen Delivery Mechanisms**

For NREGA to function effectively, government departments must be adequately staffed to support the demand for work, oversee work sites, and make timely payments.

This means that people who are staffed to NREGA departments—engineers, supervisors, and others—need to be available for NREGA-related work. Since the announcement of the lockdown, the focus of the government machinery has shifted to providing relief.

While this is critical, it should not be at the cost of implementing NREGA.

### **Engage Civil Society**

**Civil society organizations** (CSOs) have played a significant role in creating awareness within communities and building the capacity of frontline functionaries on **natural resource management** (NRM) under NREGA.

Therefore, experienced and capable CSOs should be engaged to create mass awareness and build the capabilities of frontline functionaries.

In 2019, the **Ministry of Rural Development** (MoRD) launched the Cluster Facilitation Project (CFP) in inspirational districts and other backward areas, with a view to leveraging NREGA and other livelihoods schemes to reduce poverty. However, the CFP's focus on the use of GIS and remote sensing technologies for NRM planning greatly reduces the scope to generate demand for employment.

NREGA is a demand-driven programme and the government must not turn a blind eye to creating awareness about entitlements and participatory NRM planning processes.

It can draw on the learning's from the Cluster Facilitation Team project in Jharkhand in which CSOs partnered with the MoRD to streamline NREGA to redesign the newly-launched CFP.

### **Budgetary allocations**

The central government's budgetary allocation of INR 61,500 crore to NREGA for FY 2020-21 is inadequate. It is even lower than the previous year's revised estimates of Rs 71,000 crore. The thousands of migrant workers who are returning to their villages will soon begin searching for employment in their local areas.

This will undoubtedly result in an increase in the demand for NREGA work and the current budget allocations to the scheme will not be sufficient to meet this increased demand.



Echoing the recommendation from eminent activists and economists, an additional Rs 1 lakh crore needs to be allocated so that NREGA can act as a safety net and help rural households cope with the devastating impact of the lockdown.

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) has been one of the main avenues for the Centre to provide employment to returning migrants and others in rural areas who have been rendered jobless due to the lockdown.

### What is the current situation?

- MGNREGA continues to attract rural labourers pushed into distress due to the Covid-19 crisis triggering calls for increasing the mandatory workdays to 200 and raising the minimum wages under the scheme to Rs 600 per day.
- Data sourced from the MGNREGA website shows that in June 2020 around 43.7 million households sought work under the scheme that was the highest in last seven years, maintaining a trend seen in May as well.
- The surge in work demanded under the scheme comes after more than 20 million migrants returned to villages from the cities to avoid COVID-19 lockdown announced in March.
- To provide more work to the migrant laborers, the Central government in May raised the budget under the scheme by Rs 40,000 crore for 2020-21, taking the full year allocation for the scheme to over Rs 100,000 crore for the first time ever.
- The additional funds is meant to generate additional 0.2 billion person-days of work in 2020-21 over and above the budgeted 2.8 billion person-days.

### Mandate of Mahatma Gandhi Employment Guarantee Act 2005 (MGNREGA)

- The mandate of the MGNREGA is to enhance livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work.

### Problems facing MGNREGA

- **Low wage rate:** The low wage rates have resulted in lack of interest among workers in working for MGNREGA schemes, making way for contractors and middle men to take control, locally.
- **Insufficient budget allocation:** MGNREGA's success at the ground level is subject to proper and uninterrupted fund flow to the states. But the fund allocation is insufficient to ensure proper implementation on the ground.



- **Regular payment delays:** Despite the order of the Supreme Court and initiatives and GO (Government Order) by the Union Ministry of Finance, no provision has yet been worked out in the MIS for calculation of full wage delays and payment of compensation for the same.
- **Workers penalized for administrative lapses:** The ministry withholds wage payments for workers of states that do not meet administrative requirements within the stipulated time period. It is beyond any logic as to why workers would be penalized for administrative lapses.
- **The banking puzzle:** Due to great rush and poor infrastructure, the bank passbooks are not updated in many cases. Often, the workers do not get their wages during times of need due to the hassle and the cost involved in getting wages from the bank.
- **Faulty MIS data:** There is a growing pile of evidence on how real-time MIS has made MGNREGA less transparent for workers, reduced accountability of frontline functionaries and aided in centralization of the programme.
- **Non-payment of unemployment allowance:** There are a huge number of unemployment allowances being shown in the MIS currently.
- **Genuine job cards being deleted to meet 100% DBT targets:** While the government has been boasting about Aadhar-based savings, the reality is that a huge number of genuine job cards and ration cards are getting deleted and genuine people have been deprived of their due entitlements.

#### Suggestions:

- **Creation of awareness:** The awareness programmes should be organized at war footing in the rural areas for educating people about these special provisions, which can go a long way in bringing further improvements in the implementation of the programme.
- **Training of Gram Sabha & Panchayat members:** The specialized training programmes be organised in the rural areas preferably in the village panchayath so that these functionaries get proper training for the better execution of the works.
- **Exposure visits:** It is recommended that Gram Sabha and panchayat members should be sent for exposure visits to other states like Andhra Pradesh, Kerala where NREGA has done wonderful work.
- **Effective supervision:** To curb corruption & malpractices, it is a requirement that MGNREGA works are properly monitored and supervised.



- **Increase in wages:** The wage rates to be paid under NREGA should be revised on one hand and subsequently every year there should be enhancement in the existing wage rates by a reasonable percentage say around 10-15% or so.
- **Availability of worksite facilities:** Women workers, particularly those with children, face major inconvenience due to lack of Crèche facility and toilets. So the steps should be taken to provide adequate worksite facilities.
- **Increase in employment (man working days):** The programme has the provision for 100 days employment per household. As such if a household who has more than one adult member, the man days should be increased suitably however with some ceiling.
- **Skill generating work** -The MGNREGS should develop a relevant instrument to provide skill generating work and activities for literate beneficiaries instead of engaging them completely in manual work.
- **Participation of Women:** Women participation can be enhanced by appointing female supervisors on MGNREGS works. Women should be involved in the selection of works, which can create further mainstream employment in the village.
- **Action against Corruption:** Strict actions should be taken against the officers and other employees who are found involved in misguiding the persons who make their approaches to them to know about the Government Schemes for employment opportunities.

## Conclusion

The government has done the right thing by stepping up allocations both for MGNREGA and PDS grains. But in the end, MGNREGA cannot be any more than a scheme that provides employment during the agricultural lean season for landless labourers and marginal cultivators.

Now, the focus has to be on getting people, including the migrant labourers, back to normal work. Also, it may be inferred that above suggestions, if taken care of, will definitely make MGNREGA a real instrument for overall rural upliftment, in general & improve the lot of the rural poor s, in particular.

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## Industrial Disaster, Environment and Human Rights- A Study

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### Abstract

Human beings are born equal in dignity and rights. These are moral claims which are inalienable and inherent in all individuals by virtue of their humanity alone, irrespective of caste, colour, creed, and place of birth, sex, cultural difference or any other consideration. These claims are articulated and formulated in what is today known as human rights. Human rights are sometimes referred to as fundamental rights, basic rights, inherent rights, natural rights and birth rights. The Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The **Strategic Approach to International Chemicals Management** (SAICM). etc. As all of these regulations are not binding on the companies, various chemical manufacturers and Chemical MNCs in India do not address human rights issues with due diligence, which stringently affect links between chemicals and their health and environmental impacts. Even today, the Bhopal tragedy stands out on two accounts: a massive and large-scale violation of human rights and a pervasive failure of the victims to obtain effective redress. While Bhopal depicts the potential of the pitfall of values embodied in human rights such as the right to health, physical integrity, and justice, it is less obvious what human rights law has to contribute to Bhopal. The tragedy illustrated limitations in the conception of international human rights law, which later translated into paramount tort litigation, leaving victims with little hope of effective redressed.

**Keywords:** Equal in Dignity and Rights, Bhopal, Chemicals Management, Universal Declaration of Human Rights

### Introduction

**Mahatma Gandhi** once said: " recall the face of the poorest and most helpless person whom you may have seen and ask yourself if the step you contemplate is of going to be of any use to him. Will he be able to gain anything by it? Will it restore him to control over his own life and destiny?"

Globalization has influenced trade all over the world; companies have looked for new opportunities In this era of open global market economy, hazardous industries are playing a decisive role in the economic development and in the advancement of the economy, but simultaneously they are causing the problem of risk to human life and environment. The developing countries like India suffer from the acute problem of environmental pollution. Industrial



disaster means threats to people and life support system caused by mass production of goods and services exceed human coping capabilities and the environments absorptive capacities

## MEANING

Human beings are born equal in dignity and rights. These are moral claims which are inalienable and inherent in all individuals by virtue of their humanity alone, irrespective of caste, colour, creed, and place of birth, sex, cultural difference or any other consideration. These claims are articulated and formulated in what is today known as human rights. Human rights are sometimes referred to as fundamental rights, basic rights, inherent rights, natural rights and birth rights.

## DEFINITIONS

Dr. Justice Durga Das Basu defines “Human rights are those minimal rights, which every individual must have against the State, or other public authority, by virtue of his being a ‘member of human family’ irrespective of any consideration. Durga Das Basu’s definition brings out the essence of human rights.

The **Universal Declaration of Human Rights** (UDHR), 1948, defines human rights as “rights derived from the inherent dignity of the human person.” Human rights when they are guaranteed by a written constitution are known as “Fundamental Rights” because a written constitution is the fundamental law of the state.

Human rights are the basic rights that we claim and which protects us all. Chemical Industries, which happens to be the fastest-growing business in India, directly relates to these basic rights and the way we enjoy these rights. In the wake of recent incidents, society has increasingly experienced that chemical manufacturers infringe Human rights by not paying due attention to existing risks. Although several norms were formulated after this incident, tragedies are still unfolding due to chemical industries not respecting Human Rights.

These Human rights broadly include worker’s rights and indigenous and community rights living in the nearby area. Worker’s rights include protection from hazardous substances, accidents at work, including the right to information regarding the exposure to hazardous substances. Indigenous and community rights include protecting from toxic contamination and pollution, the right to clean the environment, health, food, and access to water and the right to information regarding contamination level and adverse impacts on human health.

## Legislations endorsing relationship between Human Rights and Chemical Industries

The increasing incidents of infringement of Human rights by chemical industries, the **United Nations Human Rights Council in 2011** came up with the Guiding Principles on Business and Human rights.<sup>[21]</sup> This guideline seeks to provide clarity on the human rights responsibilities of companies.



Through the framework of Protect, Respect, and Remedy, the guideline provided the notion of 'differentiated but complementary responsibilities. This briefing provides snapshot overview allegations of human rights abuses brought against companies in the chemical industry and creates a responsibility for these industries to respect human rights.

Although these guiding principles cover all the aspects related to adherence to Human rights, yet the stumbling block faced by chemical manufacturers in the management and disposal of hazardous substances and their waste throughout the life cycle.

This issue can directly affect the Right to health, both workers and indigenous communities. Internationally there have been several regulations and conventions to address this issue, such as REACH (Registration, Evaluation, Authorization, and Restriction of Chemicals).

The Globally Harmonized System of Classification and Labeling of Chemicals (GHS), The Strategic Approach to International Chemicals Management (SAICM). etc. As all of these regulations are not binding on the companies, various chemical manufacturers and Chemical MNCs in India do not address human rights issues with due diligence, which stringently affect links between chemicals and their health and environmental impacts.

Apart from international conventions, there are numerous laws in India to protect the workers' rights and the peoples living in the vicinity. Factories (amendment) act, 1987(Act 20 of 1987) deals with all the preliminary process, the inspection staff, health, safety, provisions relating to the hazardous process, the welfare of the employees, penalties, and procedure for any misconduct the industry.

Another provision, i.e. Chemical accidents (emergency planning, preparedness, and response) rules, 1996.

Defines chemical accidents, lists about different hazardous chemicals, and works of the crisis group at central, state, and local levels. These provisions not only talk about the safety and health of the workers but also about how the industries will be prepared in advance for the safety of the workers.

## EXAMPLE OF BHOPAL GAS DISASTER

This incident might have taken a blanket of time over it, but that night's remains are still prominent enough to recall. The black night of 1984, reminds us of the most horrific industrial disaster in India.

The hazardous gas Methyl isocyanine started leaking from the plant of **Union Carbide India Ltd.** (UCIL) and left thousands dead and thousands of others maimed for life. Though the case grabbed much of the hike regarding the company's liability, yet the most disregarded issue related to this case was worriment about Human rights.



Even after introducing several laws and regulations after the tragedy, the victim's long wait for justice was a major breach of human rights. The report by UN Human rights concluded that "The tragic story of Bhopal's chemical disaster is far from over. Contaminated water and soil from the pesticide factory has denied generation after generation in Bhopal a life of dignity and maximum development, among many other rights"

### EXAMPLE OF VISAKHAPATNAM GAS LEAK

There is a famous saying that history repeats itself, and the gas leak in the LG Polymers plant in Visakhapatnam is a clear example of the statement above. On 7 May, when the country was in the dark clouds of the COVID Pandemic, some people woke up smelling different in the air, there was a leakage of styrene gas in the air. In the village in a radius of 5 kilometers killing around 11 peoples and affecting thousands.

It spread living in the vicinity. Styrene gas is an organic compound used in the manufacture of plastic/polymers/resins. According to **Manufacture, Storage, and Import of Hazardous Chemical Rules 1989**, it is one of the hazardous gases which can even lead a person into a coma.

In the light of justice, NGT took suo motu cognizance and released a report stating that styrene gas should be contained at an ideal temperature of 18°Celsius, and at no point it should be allowed to cross the 25°Celsius.

Further, the committee stated that the plant does not have enough inhibitors to stop self-polymerization and cool the temperature inside the plant, increasing the temperature of styrene, and the gas started leaking. The company had been operating without the requisite environment clearances, and the company has itself admitted it.

The cause was for a day, but the effects were on a large scale since styrene gas is a heavy gas, and it settles down fast. The crops standing in the nearby area were ordered by the authorities to be destroyed. It is also not sure whether they will be able to grow it again in the monsoon.

Money cannot buy lives, and due to the company's negligence, people lost their lives, and many others were affected.

### EVALUATION

Even today, the Bhopal tragedy stands out on two accounts: a massive and large-scale violation of human rights and a pervasive failure of the victims to obtain effective redress. While Bhopal depicts the potential of the pitfall of values embodied in human rights such as the right to health, physical integrity, and justice, it is less obvious what human rights law has to contribute to Bhopal. The tragedy illustrated limitations in the conception of international



human rights law, which later translated into paramount tort litigation, leaving victims with little hope of effective redressed.

Ignorance of the issue in the past took us to another intimidating incident of Visakhapatnam. In this incident, gross indifference on central and state governments to the health needs of the gas-victims continues to be as grim as ever. A host of human rights issues stood out, in this case, they included- Lack of information even disinformation regarding the nature of the gas stored, the health administration was not prepared to deal with this massive gas leak, death and devastation were acute mostly around the industry, the incident threatened their ability to breathe a new life.

## CONCLUSION

Legislations and initiatives in the wake of the Bhopal gas disaster failed to address human rights.

Moreover, an increase in such incidents of chemical disasters reflects a collective failure of non-state actors, governments, and international communities.

Among the number of general measures that could be taken to prevent abuses of chemical rights, urgent steps to **redress the survivors' injustice** look like a need of the hour.

To tackle this issue, industry associations must make human rights due diligence mandatory for all the companies dealing with toxic chemicals and pollution risks.

This includes human rights due diligence for their manufacturing facilities and the hazards of their chemical products and the impacts on workers, children, and others exposed to their toxic chemical products and by-products.

Further, negligence in mishandling the hazardous material should result in civil and criminal liability. The mere grant of compensation in such horrific cases would not establish justice.

Concerning the **right to livelihood**, frequent checks on the maintenance and storage of toxic gases should be mandatory. The state can make a repository of industries in the state dealing with toxic gases and can make stringent guidelines regarding maintenance.

One of the basic human rights, i.e. **Right to Information** is a fundamental right for every worker employed in the factories or any other work and is also provided in section 41 B of the Factories (amendment) act, 1987.

The government should intervene at the ground level to ensure that important information is provided to the workers.



Chemical disasters can have a severe impact on people's lives, particularly vulnerable ones. Critical gaps such as the implementation of human rights due diligence can affect both their workplace and their homes that include the resources these communities depend upon.

In India, chemical industries should address adverse human rights impact which they are involved in. Although the adoption of policies and recognition that companies have a responsibility to respect human rights reflects the progress, greater scrutiny and transparency for victims are still needed

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## Role of Judiciary in Protecting the Human Rights of the Tribal Peoples in Indian Perspective

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### Abstract

Human Rights are those rights which every person has as being a human being. They are inherent rights to all human beings. The Constitution of India gives its sanction to the Indian Judiciary which is responsible for delivering justice. It's another important task is to safeguard the Human Rights of the Indian citizens. If there are any violations of the Human Rights, then one can move the justice machinery by going to the court. It has been observed that Indian Courts have been protecting Human Rights of Indian citizens with little success. Often the marginalized sections of Indian society become victim to the Human Rights abuse. Especially Tribal people are often forced to migrate in order to develop particular area. Thus, they are deprived of their right to live in the environment of their choice. While the legislation for the protection of the rights of Tribal people are in place, they are regularly flouted. Instead of ensuring that Tribal are ousted from the land to which they are historically and culturally connected, the state becomes more concerned about fulfilling contractual obligations towards the private investor. It is imperative, therefore, that there is continued struggle to form broader alliances against policies and especially so given the judicial reluctance to intervene in matters of policy. The Judiciary with no doubt has played a vital role in protection of Human Rights over the decades. There is also a great need for amending old laws which are ill equipped to handle modern day situations. The main theme of this paper is to make judiciary more sensitive and responsible in the protection of Human Rights of Tribal People.

**Keywords:** Human Rights, Constitutional Rights, Judiciary, Rights of Tribes, Marginalised People.

### Introduction

Tribe denotes a group of people living in primitive and ruthless conditions. These tribes are a social group living in a fixed territory having no such specialization of functions and the people living in these social groups are known as Tribes or Tribal People. Tribes also have several sub groups and collectively they are known as Tribal Society. Tribes are the inhabitants of forests, since prehistory and even in this modern world this trend is followed by many people. Tribes constitute around 8.6 percent of the total Indian population and of the total Tribal population around 80 percent are found in Central India. Today there are two sets of laws in practice almost all across the world. One the colonial legal system and its existing structures incorporating substantive and procedural laws which have been in existence ever since the colonial rulers



took over the major part of the world through the Doctrine of Discovery. The other is Humanitarian Law or the law most commonly known as Human Rights. Laws meant for the people by the people and accepted by the people world over without any prejudice. These two set of laws are practically poles apart in a number of aspects including the upliftment of the condition of living of the vulnerable section of the society. But it must be admitted that both these two sets of laws are indispensable in the modern legal system even when neither of their applicability is possible strict sense in the absence of the other<sup>1</sup>. The Indian Judiciary in the 20th century has tried to come out of the shackles of the colonial prowess through Judicial Activism. Upliftment of Human Rights in the modern world structure has been one of the promising roles played by the judiciary today. The judiciary has felt this need to provide justice and equality to those who have not got justice throughout. These vulnerable classes have to a considerable extent been recognized by the judiciary as being a part of the bigger society and also their right to get justice like any other person of the society<sup>2</sup>. India has the second largest Tribal population in the world. Tribals are mainly spread across the forests and hilly regions of India. Tribals in India are mainly characterised by their geographical location and distinct culture. In India, Tribes are treated very low, are execrated and are even treated as untouchables by the prevailing adherence to social norms and caste system. The Tribal People were compelled to perform duties which were considered inferior because of their economic backwardness and illiteracy. Since, these people were ill treated and were not enjoying equal status with other people which are guaranteed to all the citizens of India by Article 14 of the Constitution of India.

### Historical Background

The Tribal people in India have a long history even before the arrival of the colonial government. The Tribal societies that existed prior to the colonial intervention had their own rights and duties within their autonomous sovereign framework. Apart from the encounter of the Tribals with the various civilizations, there was also the influence of the foreign missionaries in the past and of the dominant society through the fundamentalist forces in the recent past. There is a little doubt that Tribal communities continue to be the most marginalized group in India. The Tribal People were considered unclean by most of the people of Indian society and they were socially distanced and often used to face violence from the society. Apart from the encounter of the Tribes with the various civilizations, there was also the influence of the foreign missionaries in the past and of the dominant society through the fundamentalist forces in the recent past. In the past, there were several Human Rights violations and brutality, particularly on Tribal women. Tribal communities also used to face isolation and social discrimination from the mainstream society which always used to oppress them<sup>3</sup>. Today, Tribal People are not even able to demand their rights due to poor response of the authorities. Moreover when they approach the authorities to claim their rights they are asked to produce certain documents which

<sup>1</sup>Damon Gerard Corrie, "The India you Do Not Know People Land Truth" Intercontinental Cry, (2012), P.31

<sup>2</sup>Dr.S.Subramanian, Human Rights International Challenges, Vol.13, P.23

<sup>3</sup>Debal K. Singha Roy, Social Development and the Empowerment of Marginalised Groups: Perspectives and Strategies (2001), P. 203.



they generally do not have and thus they fall a prey to corruption. Despite so many efforts made by the Government, the Tribal people are still deprived of a life which they are entitled to. Tribal people are mainly dependent upon the forest products for their livelihood and many Tribes including their women are involved in agriculture, hunting and food gathering. But when outsiders or non-tribes start interfering and exploiting the natural resources, the life cycle of tribal life is greatly disturbed. The Tribes have gradually lost control over community resources such as forests. In some forests the Tribal People are not given access to forest produce and grazing of cattle is rendered illegal by the Government. These people live under the continuous threat of being ousted from their homes. They do not have any legal right and the only legal protection they have is the due process of law. Their demands for their rights are often subdued by the forest authorities and whenever they try to protest for their demands they are trampled to the extent that their right to life is taken away.

### **Constitutional Rights to Tribal People**

The Constitution of India has provided special provisions to the Tribal People to safeguard their interests.

- Article 15 of the Indian Constitution states that the state shall not discriminate any citizen on grounds of religion, race, caste, sex, place of birth or any of them. This explains that every citizen of India is provided equal rights and opportunities without any discrimination.
- Government of India has made reservation for the Tribes in employment under Article 16(4) of the Constitution of India.
- Article 19(5) of the Constitution of India guarantees the Tribal people right to own property and enjoy it in any part of the country.
- Article 338 of the Constitution of India grants the right to appoint a Commissioner to look after welfare activities of Tribes.
- Under Article 275(1) of the Constitution of India the Central Government is required to give grant-in-aid to the State Government for approved Tribal Welfare Schemes.
- Art. 350 - Right to conserve Distinct Language, Script or Culture.

Schedule 5 of the Constitution of India and other state laws prohibits any transfer of property belonging to Tribal communities or the land which is being cultivated by these people for a long time. A right of Tribes over Forest is an inalienable and irrefutable historical fact. But in the colonial rule the Tribal People were deprived of their land rights and many people started encroaching lands of the Tribal People but encroachments on forestlands was made an offence under the Indian Forest Act, 1927. After Independence, the Forest Department ingenerated the right of Tribal People to the Forest land and passed the Forest Conservation Act, 1980 which regularised the encroachments of Forest lands. With regard to the protection of the Tribal rights over Community Forests and other lands, the central legislation introduced in 1996, the Gram Sabha (Village Assemblies) in the Tribal areas has been entrusted to protect the community



rights over community land and Forest. PESA (Panchayats Extension to Scheduled Areas) Act, 1996 is a law enacted by the Government of India to enable the Gram Sabhas of the Tribal regions to self govern and protect their natural resources. PESA imposed restriction on the State Legislature and Decentralized more power in the hands of the Gram Sabha or Panchayat. It may be observed that the powers that can be exercised by the Gram Sabha under this Act relate to the Tribes customs, traditions, religion, land and mineral resources. The act made the Gram Sabhas independent and competent to preserve and safeguard the customs and the traditions of the people and community resources. The act gave the power to the Gram Sabhas to commend the programmes, plans and projects made for the development of the Tribal People and they should be consulted before making any acquisition of land in Scheduled Tribe areas for the Development programmes. Overall this act provided the people, the right to preserve their land and natural resources and recommendation of the Gram Sabha at appropriate levels for any Developmental programme in the Tribal area<sup>4</sup>.

The Environment Ministry of India has also tried various measures to curb the problem of encroachments. The Scheduled Tribe and other Traditional Forest Dwellers Act in 2006 recognize the ownership rights of Tribes and other Forest Dwellers who are living or cultivating a specific land for a very long period of time. UNDP (United Nations Development Programme) in partnership with the Ministry of Law and Justice, Government of India, is helping the poor and marginalized to access justice and demand and access entitlements.

### **Role of Judiciary in Protecting the Rights of the Tribal People**

Only provision for the fundamental rights does not fulfill the objective of 'protection of Dignity of an individual', but free enjoyment of the rights has to be ensured. Therefore, Article 32 guarantees right to Constitutional remedies, i.e. right to move to Supreme Court to enforce fundamental rights.

It is constitutional mandate of judiciary to protect Human Rights of the citizens. Supreme Court and High Courts are empowered to take action to enforce these rights. Machinery for redress is provided under Articles 32 and 226 of the constitution. An aggrieved person can directly approach the Supreme Court or High Court of the concerned state for the protection of his or her fundamental rights, redress of grievances and enjoyment of fundamental rights. In such cases Court are empowered to issue appropriate Order, Directions and Writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo Warranto and Certiorari. Judiciary is ultimate guardian of the Human Rights of the people. It not only protects the rights enumerated in Constitution but also has recognized certain unenumerated rights by interpreting the fundamental rights and widened their scope. As a result people not only enjoy enumerated rights but also unenumerated rights as well<sup>5</sup>.

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<sup>4</sup>GauravRedhal and UpasanaDahiy, "International Journal of Socio-Legal Analysis and Rural Development (ISSN: 2455 4049), P. 119.

<sup>5</sup>Meena Kumar Alok, "Human Rights in India Concepts and Concerns",P.9



Supreme Court in *Menaka Gandhi vs. Union of India*<sup>6</sup> interpreted the right to life and to widen its scope and deduced unenumerated right such as “right to live with Human Dignity”. Supreme Court propounded the theory of “emanation” to make the existence of the fundamental right meaningful and active. Thereafter, in many cases court such as *People's Union for Civil Liberties and another vs. State of Maharashtra and others*<sup>7</sup>, *Francis Coralie Mullin vs. The Administrator, Union Territory of Delhi*<sup>8</sup> held that right to life includes right to live with Human Dignity. Therefore, through the judicial interpretations various rights have been recognized though they are not specifically provided in Part III of the Constitution.

The Human Rights jurisprudence relating to the protection of Tribal rights flourished in India with the aid and influence of the judgments of the Supreme Court and the High Court of different states. Some of the remarkable decisions relating to the protection of rights and recognition of certain rights within the ambit of Constitutional Rights have helped the Tribals to a great extent to retaliate in the Courts through a series of legal battles leading to further declaration of rights for the Tribals<sup>9</sup>. The most influencing aspect of these judgments is the right to use Article 32 and Article 226 to retaliate against the state administration. The case of *Olga Telis*<sup>10</sup> needs special reference in this regard as the apex court declared that right to livelihood is an integral part of the right to life as has been enshrined in Article-21 of the Indian Constitution. The Apex Court declared that ‘It would be great injustice to exclude the right to livelihood from the context of the right to life<sup>11</sup>’

Another landmark judgment came in the case of *NCERT vs. State of Arunachal Pradesh*<sup>12</sup> where the Supreme Court ordered the rehabilitation of displaced Tribals. Again the Supreme Court in *N.D.Jayal vs. Union of India* stated that rehabilitation of the Tribals displaced is within the right of life under Article 21 of the Indian Constitution<sup>13</sup>. At the Domestic level, the Constitution provides autonomy to Tribal areas in matters of governance under the Fifth and Sixth Schedules, which is further, fortified by the *Samatha vs. State of Andhra Pradesh & Ors (1997)*<sup>14</sup> judgment where the Supreme Court declared that the transfer of Tribal land to private parties for mining was null and void under the Fifth Schedule. The framework for protection of the rights of Tribal and indigenous people is further strengthened by the Recognition of Forest Rights Act, 2006 which protects the individual and community rights of Tribal people in forest areas and their right to free and prior informed consent in event of their displacement and resettlement.

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<sup>6</sup>AIR 1998 SC 597)

<sup>7</sup>2014(10) SCC 635

<sup>8</sup>(1981) 2 SCR 516

<sup>9</sup>Alok K N Mishra, ‘Tribal Court Prevail over Cops’ ( Mar 2,2013)

<sup>10</sup>*Olga Telis vs. Bombay Municipal Corporation* AIR 1996 SC 180

<sup>11</sup> Ibid

<sup>12</sup>*NCERT vs. State of Arunachal Pradesh* 1996 (1) SCC 742

<sup>13</sup>*N.D.Jayal vs. Union of India* (2004) 9 SCC 362,P.394

<sup>14</sup>*The Hindu*, Feb 27, 2017





Mr. Justice A. K. Mishra, Chairperson, NHRC, said that no Tribal should be evicted without the settlement of his or her claim related to land rights. He said that there is already a Supreme Court judgment in this regard. Justice Mishra further assured that the Commission will look into what best it can do with regards to the policy on the adjudication of the claim of Tribal People on their lands and distribution thereof.

The Supreme Court decision also highlights the consequences of lack of fair and effective implementation of the 2006 Forest Rights Act. The Act created a process for recognition of Community Forest Resources rights over collective lands within protected areas and other forest lands that include rights and responsibilities to use, manage, and conserve forests. Such recognition of community governance and management of forests both within and outside protected areas is a means for remedy and redress for lack of recognition of indigenous peoples and local communities collective tenure, sustainable forest uses, and the conservation outcomes of their collective forest governance and management.

There is an urgent need for the Government of India to respect and implement its own commitments under the International Conservation and Human Rights Conventions and to ensure that these are effectively communicated to and used by all concerned to safeguard the rights of Tribal and other traditional forest dwellers, including their rights to conserve, sustainably use, and protect forests. This would advance full and effective implementation of the 2006 Forest Rights Act and ensure that all efforts to scuttle or dilute the Act are sufficiently deflected.

The application of the concept of transformative Constitutionalism has been anchored in the decision in *Orissa Mining Corpn. Ltd. v. Ministry of Environment and Forests*<sup>15</sup>, wherein the Court for the first time invokes International Conventions and emphasises on the need to preserve social, political and cultural rights of the indigenous people. It harmonises local legislation with Constitutional and International obligations in order to secure rights implicit within the right to land and forest. The harmonious reading of Article 21 with Articles 25 and 26 establish various rights that are implicit in the right to land for Tribal People is unique in Indian jurisprudence. In contrast to the earlier decisions wherein displacement of the Tribals from their land in accordance with the National Laws and regulations and in the interest of national economic development which reiterated the Indian Government's stand against the terminology of indigenous people. This decision invoked the cultural and religious rights as against rights in minerals which are vested in the State. The pronouncement in this particular case promotes the participation of indigenous people and the recognition of customary or traditional land of indigenous people. It also aimed to ensure that indigenous people should not suffer from the adverse consequences of the development process. The court also takes the recourse of the Fifth Schedule of the Indian Constitution, the Bhuria Committee Report, and the deliberations around the PESA Act and concluded that the Gram Sabha shall have the authority to initiate the process for determining the extent of individual and community claims. Further, the

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<sup>15</sup> (2013) 6 SCC 476





judgment moves into a novel paradigm of invoking the cultural rights component within the International Labour Organisation (ILO) Convention No. 107 along with the CBD. The Biodiversity Convention involves the local communities in the conservation of biodiversity<sup>16</sup>. The conceptual basis for the judgment is the need to analyse the indigenous rights vis-à-vis Human Rights that are likely to provide a more understanding of indigenous rights in the future<sup>17</sup>. It is also pertinent to note that there is a need to look at other rights including accommodating Tribal autonomy and sovereignty by taking a fresh look at the constitutional framework with regard to the V and VI Schedule areas. The decision of the present case is a small step towards the same.

### **Violation of PESA Act in India**

It is the silver jubilee year of the Panchayat (Extension to the Scheduled Areas) Act, 1996 that was passed by the Parliament to empower people living in the fifth schedule areas, which are mostly dominated by Adivasi communities. However, the law popularly known as PESA remains disempowered as 40% of the states under its purview have not been able to frame their rules for its implementation even after 25 years of its existence. The sad reality of the law, once considered as one of the most powerful legislation supporting the Adivasi community which constitutes around 9% of India's population, is that it has been given a cold shoulder by those who were supposed to implement and execute it. A total of four states Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha have not even framed the rules yet, while Gujarat used the rules of the Panchayati Raj Act to manage the fifth scheduled areas. But even in the states where the rules were formulated, the situation is not different. States were supposed to amend their law incorporating the provisions of PESA but even though some states managed to formulate the rules they performed quite poor on ensuring their implementation.

Dayamani Barla, a known journalist and activist based in Jharkhand said that, People living in fifth scheduled areas were excited as they thought that the new legislation will ensure their control over their resources, land, mines and minerals, minor forest produce etc. But their reality did not change even after 25 years of this law. Powerful people still have control over natural resources and the local community suffers at the hand of these people with clout, if they try to claim their ownership. The Government is acquiring land without the consent of Gram sabhas. Despite having a 26% Adivasi population Jharkhand has failed to formulate rules for the implementation of PESA, a law meant for the welfare of the Adivasi community.

In fact, in 2013, referring to the PESA, the Supreme Court of India, in a landmark case, had asked the Odisha government to go to the Gram sabha to get permission for bauxite mining in Kalahandi and Rayagada District of Odisha. Local forest dwellers were asked whether bauxite mining will affect their religious and cultural rights and they decided against the mining on

<sup>16</sup>Samatha vs. State of A.P., (1997) 8 SCC 191, P. 46

<sup>17</sup>Dr. N. Vasanthi, Case Comment on the Niyamgiri Hills Case, (2014) 3 ELPR 129



Niyamgiri hills which led to the cancellation of a huge project. The case is considered a milestone that shows the power of the Gram sabhas but this one of the rare achievements of PESA even as underlines the possibilities the Act carries. But experts argue that, Law however has failed to achieve its potential and has not created any significant impact on the ground<sup>18</sup>.

In my opinion about PESA and its journey in 25 years, the Law has failed and the reason is that, the government enacted the law but never pushed to formulate necessary rules. There is another reason which made the act irrelevant is after enacting PESA, the Union Government brought several other legislations and included many provisions of PESA into these laws. For instance, the Land Acquisition Act, 2013 empowered Gram sabhas immensely. Similarly, the Forest Right Act, 2006 has provisions of PESA and now when people need to protect their rights and resources, they look up to these laws.

The Indian Institute of Public Administration has noted that PESA failed to achieve its desired target because it does not specify rule making powers or provide a time period by which the States have to frame rules. Even states have not framed appropriate rules under PESA, and therefore the official system has not operationalised PESA.

A violation of the Act and its dilution highlights a pattern of developments which show the Centre and states' lack of commitment towards strengthening of gram sabhas. Instead there has been a push for corporate entry and control of resources, making it easier to surpass Gram sabha consent. In one of the major moves of the Modi Government, the draft Environment Impact Assessment policy issued last year seeks to significantly water down the 2006 rules, making it easier for the Government and private sector to implement projects without environmental scrutiny. The dilution of the Forest Rights Act and the Government's interest in the eviction of forest dwellers, coupled with the latest dilution of powers of the state in forest matters under the Forest Conservation Act expose the focus on watering down provisions protecting Tribal Communities and Natural Resources. Moreover, as India privatises coal and brings in mining reforms, one of the biggest concerns of environmentalists lie in its conflict with the violations and undermining of the PESA provisions.

## Conclusion

Role of judiciary is very important in providing protection to the Tribal People against the Human Rights violations. Supreme Court being the apex court in the country can through its judgments and decisions can set up a framework for adjudicating matters of Human Rights Violations. There is also a great need for amending old laws which are ill equipped to handle modern day situations. There is a great need to cut down the delay in getting the justice to the victims of the Human Rights violations. When the citizens of the Nation feel free and secure about their rights only then a country can prosper. Development happens in a society where people live in a state of harmony and free from any threat and get to enjoy their Constitutional rights to the fullest. Another role of judiciary is the activist role which is popularly known as "Judicial Activism." When there is no specific law for a specific offence in that case judiciary applies its activist power for the protection of our rights.

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<sup>18</sup><http://Scroll//in>India>Panchayati Raj>



## Human Rights and Vulnerable Sections Vulnerable Groups – Health and Human Rights

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### Abstract

The vulnerable groups that face discrimination include Women, Scheduled Castes (SC), Scheduled Tribes (ST), Children, Aged, Disabled, Poor migrants, People living with HIV/AIDS and Sexual Minorities. Sometimes each group faces multiple barriers. Human rights attach to all persons equally, by virtue of their humanity, irrespective of race, nationality, or membership of any particular social group. They specify the minimum conditions for human dignity and a tolerable life. Human rights are those which are inherent to all human beings whatever be the nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or status in the society. Human rights encompass a wide variety of rights like right to life, right to freedom of religion, right to equality before law, economic, social and cultural rights, such as right to work, security and education, etc. Human rights are universal and moral. All individuals are entitled to these rights without any discrimination on any ground. All these rights are interdependent, inter-related and indivisible.

### Introduction

The initial documents outlining human rights principles do not single out any particular group for special treatment. The Universal Declaration of Human Rights and international covenants on political and economic rights generally do not contain provisions that favour a particular group. Certainly those documents prohibit discrimination on the basis of gender, age, national origin, property, and other classifications. The documents also promote families, motherhood, and children. However, nothing within those documents details special human rights treatment for any particular group. After all, considering the universal nature of human rights, why should a particular group be given additional attention? Would not this defeat the purpose of viewing human rights as something for everyone, and not restricted to a special group?

Within the United States, laws exist to protect women, children, and the elderly; persons with disabilities; cultural, ethnic, and religious minorities and others against discrimination. In some states, agencies in charge of investigating discrimination have titles that include the term “human rights” (e.g., in Illinois there is a Department of Human Rights). Human rights cover a



vast range of human needs essential for a meaningful existence. Why focus on human rights as something that resembles a crutch for those more susceptible to negative treatment? Unfortunately, this use of human rights in a purely discriminatory context does little to explain the true meaning of human rights. Instead, human rights may even take on an unintended derogatory meaning when viewed only in the context of discrimination. Yet, despite the importance of viewing human rights within a universal context and not simply as something for the disadvantaged, instances arise when particular groups often require more attention to ensure human rights of those groups.

This does not mean that these groups are being elevated above others. The term vulnerable refers to the harsh reality that these groups are more likely to encounter discrimination or other human rights violations than others. Vulnerable groups are disadvantaged as compared to others mainly on account of their reduced access to medical services and the underlying determinants of health such as safe and potable drinking water,

nutrition, housing, sanitation etc. For example, persons with disabilities often don't get employment or adequate treatment or people living with HIV/AIDS, face various forms of discrimination that affects their health and reduces their access to health services.

### **What is a vulnerable group**

In a human rights sense, certain population groups often encounter discriminatory treatment or need special attention to avoid potential exploitation. These populations make up what can be referred to as vulnerable groups. Vulnerable groups are the groups which would be vulnerable under any circumstances (e.g. where the adults are unable to provide an adequate livelihood for the household for reasons of disability, illness, age or some other characteristic), and groups whose resource endowment is inadequate to provide sufficient income from any available source.

The vulnerable groups that face discrimination include- Women, Scheduled Castes (SC), Scheduled Tribes (ST), Children, Aged, Disabled, Poor migrants, People living with HIV/AIDS and Sexual Minorities. Sometimes each group faces multiple barriers due to their multiple identities. For example, in a patriarchal society, disabled women face double discrimination of being a women and being disabled.

### **Vulnerable Groups: Their Health and Human Rights**

Human right applies universally to all. The process of identifying vulnerable groups within the health and human right generated from the pressing reality on the ground that stemmed from the fact that there are certain groups who are vulnerable and marginalized lacking full enjoyment of a wide range of human rights, including rights to political participation, health and education. Vulnerability within the right to health framework means deprivation of certain individuals and



groups whose rights have been violated from the exercising agency. Certain groups in the society often encounter discriminatory treatment and need special attention to avoid potential exploitation. This population constitutes what is referred to as vulnerable groups.

The issue of participation and prevention of violation is important for understanding the vulnerable groups; their health and human rights. The United Nations Economic, Social and Cultural Rights Committee (ESCR Committee) mentions that an important aspect of implementing the right to health “is the improvement and furtherance of participation of the population in the provisions of preventive and curative health services, such as the organization of the health sector, the insurance system and, in particular in political decisions relating to the right to health taken at both the community and national levels”.

There are many and complex linkages between health and human rights of the vulnerable groups. Violations or lack of attention to human rights can have serious health consequences for certain groups (abuse, stigma and discrimination, harmful traditional practices, violence, torture, etc). The manner in which health policies and programmes are designed can either protect or violate human rights of certain groups (accessibility to service, provision of information, respect for integrity and privacy, cultural sensitivity, gender and age sensitivity). The chances of enjoying good health must not be unfairly disadvantaged because of sex, class, religion, age, sexual orientation, ethnic identity, disability, health status (HIV/AIDS), and civil, political, social or other statuses. All governments are obliged to protect and promote the conditions conducive for the enjoyment of the right to Health.

In India, members of gender, caste, class, and ethnic identity experience structural discrimination that impact their health and access to healthcare. **Women** face double discrimination being members of specific caste, class or ethnic group apart from experiencing gendered vulnerabilities. Women have low status as compared to men in Indian society. They have little control on the resources and on important decisions related to their lives. Women face violence and it has an impact on their health. During infancy and growing years a girl child faces different forms of violence like infanticide, neglect of nutrition needs, education and healthcare.

As adults they face violence due to unwanted pregnancies, domestic violence, sexual abuse at the workplace and sexual violence including marital rape and honor killings. The experience of violence and its impact on health varies according to the women’s caste, class and ethnic identity. **Caste** also perpetrates inequality. Caste in Indian society is a particular form of social inequality that involves a hierarchy of groups ranked in terms of ritual purity where members who belong to a particular group or stratum share some awareness of common interest and a common identity. Traditionally, caste relations were based on the hierarchy of occupations where work related to leather, cleaning dead cattle from village grounds, work related to funeral ceremonies, etc were placed at the bottom. People or castes that were performing the task of eliminating the polluted elements from society were considered ‘untouchables’ vis-à-vis the Brahmins who were highest in the order based on the purity-impurity principle. Structurally





the lower castes were economically dependent on the higher castes for existence. The **Scheduled Caste** (lower castes) remained economically dependent, politically powerless and culturally subjugated to the upper caste. This impacted their overall lifestyle and access to food, education and health. A major proportion of the lower castes and Dalits are still dependent on others for their livelihood. Dalits does not refer to a caste but suggests a group who are in a state of oppression, social disability and who are helpless and poor. They were earlier referred as 'untouchables' mainly due to their low occupations i.e., cobbler, scavenger, sweeper.

The **Scheduled Tribes** like the Scheduled Castes face structural discrimination within the Indian society. Unlike the Scheduled Castes, the Scheduled Tribes are a product of marginalization based on ethnicity. In India, the Scheduled Tribes population is around 84.3 million and is considered to be socially and economically disadvantaged. Their percentages in the population and numbers however vary from State to State. They are mainly landless with little control over resources such as land, forest and water. They constitute a large proportion of agricultural labourers, casual labourers, plantation labourers, industrial labourers etc. This has resulted in poverty among them, low levels of education, poor health and reduced access to healthcare services.

Children and the elderly population face different kind of vulnerability. Mortality and morbidity among **children** are caused and compounded by poverty, their sex and caste position in society. All these have consequences on their nutrition intake, access to healthcare, environment and education. These factors directly impacts food security, education of parents and their access to correct health information and access to health care facilities. Malnutrition and chronic hunger are the important causes of death among children from poor families. Diarrhoea, acute respiratory diseases, malaria and measles are some of the main causes of death among children, most of which are either preventable or treatable with low-cost interventions.

Poverty has a direct impact on the mortality and morbidity among children. High mortality and morbidity is reported among children from Scheduled Castes, Scheduled Tribes and Other Backward Classes as compared to the general population. The vaccination coverage is very poor among children who live in rural India. Vaccination coverage among children between 12-23 months who have received the recommended vaccines is only 39 per cent in rural India as compared to 58 per cent in urban India. In India, children's vulnerabilities and exposure to violations of their protection rights remain spread and multiple in nature. The manifestations of these violations are various, ranging from child labour, child trafficking, to commercial sexual exploitation and many other forms of violence and abuse. There are a large proportion of children in India who are living with HIV/AIDS. The most common sources of infection among children is the Mother-to-Child Transmission (MCTC), sexual abuse, blood transfusion, unsterilized syringes, including injectable drug use. Among children, there are some groups like street children and children of sex workers who face additional forms of discrimination. A large number of children are reportedly trafficked to the neighboring countries. Trafficking of children also continues to be a serious problem in India. The nature and scope of trafficking range





from industrial and domestic labour, to forced early marriages and commercial sexual exploitation. Moreover, for children who have been trafficked and rescued, opportunities for rehabilitation remains scarce and reintegration process arduous. Healthcare of the elderly is a major concern for the society as ageing is often accompanied by multiple illnesses and physical ailments. Pain in the joints, followed by cough and blood pressure, piles, heart diseases, urinary problems, diabetics and cancer are the common ailments reported among elderly. Among the elderly, the widows, poor and disabled constitute those who are more disadvantaged. Widows face structural disadvantages associated with gender and marital status. There is striking gender differential that exists in the ownership of property and assets and in the participation of their management. At all India level, aged women like those in other age groups suffer from lack of ownership of property and financial assets and participation in their management compared to aged men in both urban and rural India.

### Conclusion

Participation of the vulnerable groups is essential for securing the public health goals. Human rights approach to health lays emphasis on the inclusion of the needs and concerns of diverse groups and communities. There are several interfaces between public health and human rights. While both the approaches have their separate spaces and adopt contrasting lenses of approaching health, there are innumerable instances where they complement each other. An important step towards increasingly coming closer to each other is perhaps their recognition of the vital role of societal environment to both health and realization of human rights. Both the approaches recognize the fact that there is a complex relation between the individual and the society that impacts their health.

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## Legal Regulation of Property Rights of Women

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### Abstract

The transfer of immovable property and also movable property between two living persons. The general clauses act 1879 defines immovable property shall include land, benefits arising out of land and things attached to the earth, or permanently fastened to anything attached to the earth. **Women's Property Rights & Vedic Period** : Vedic literature prescribed inheritance to the unmarried daughter and to a brother-less married daughter. The widow was not given any right of inheritance in her husband's property but childless widow was entitled to succeed to her husband estate.

### Introduction

**Women's Property Rights & Smriti Period**: In the smriti period, the widow, the daughter and the mother were expressly named as heirs. But they could succeed to the property of a man only in the absence of male heirs. Property of women under Hindu Law : i) Stridhan ii) Non-stridhan. Under Hindu, there were two school of thoughts/laws. 1. Mitakshara 2. Dayabhaga. Under this law, on birth, the son acquires a right and interest in Mitakshara Law : the family property. According to this school, a son, grandson and a great grandson constitute a class of coparceners, based on birth in the family. No female is a member of the coparcenary in Mitakshara law. Under the Mitakshara system, joint family property devolves by survivorship within the coparcenary. This means that with every birth or death of a male in the family, the share of every other surviving male either gets diminished or enlarged. If a coparcenary consists of a father and his two sons, each would own one third of the property. If another son is born in the family, automatically the share of each male is reduced to one fourth.

Before the Hindu Law of Inheritance (Amendment) Act 1929, the Bengal, Benares and Mithila sub schools of Mitakshara recognized only five female relations as being entitled to inherit namely - 1. widow, 2. daughter, 3. mother 4. paternal grandmother, and 5. paternal great-grand mother. Neither sons nor daughters become coparceners at birth nor do Dayabhaga Law : they have rights in the family property during their father's life time. However, on his death, they inherit as tenants-in-common. It is a notable feature of the Dayabhaga School that the daughters also get equal shares along with their brothers and they can't compel the father to partition the property in his lifetime and the latter is free to give or sell the property without their consent. If one of the male heirs dies, his heirs, including females such as his wife would become members of the joint property, not in their own right, but representing him.



**Women's Rights to property** :In theory, in the ancient times, the woman could hold property but in practice, in comparison to men's holding, her right to dispose of the property was qualified, the latter considered by the patriarchal set up as necessary, lest she became too-independent and neglect her marital duties and the management of household affairs. This was the situation prior to 1937 when there was no codified law.

1. The Hindu Women's Right to Property Act, 1937 was the outcome of discontent expressed by a sizeable section of society against the unsatisfactory affairs of the women's rights to property. Under the said Act a widow was entitled to a limited interest over the property of her husband -what was to be termed as Hindu widow's estate. The Act was amended in 1938 to exclude the widow from any interest in agricultural land.
2. Hindu Succession Act, 1956 :The Hindu Succession Act, 1956, was the first law to provide a comprehensive system of inheritance among Hindus<sup>2</sup> and Jains, Sikhs and Buddhists address gender inequalities in the area of inheritance. It applies only in the case of intestate succession and to anyone who converts to Hinduism

and their children. The intestate's children (married or unmarried daughter or son), mother and widow get equal share. It has no application in case of testamentary succession (where there is a will).

The Act confers absolute rights, including unfettered rights of disposal of property, on the female in any property—movable and immovable—acquired by inheritance, demise, partition, in lieu of maintenance, arrears of maintenance, gift, property acquired by her own skill, purchase, prescription or in any other manner, and also stridhana, which includes ornaments, apparel, gift received at the time of wedding, property acquired out of her savings.

3. Amendments :After the **Hindu Succession (Amendment) Act, September, 2005**: Section 6, Hindu Succession (Amendment) Act, the Supreme Court (SC) in a landmark judgment declared that Indian women would have an equal right to a share in property as men, granting daughters the right to inherit ancestral property along with male relatives. So under this Act, the difference between the female and male inheritor has been abolished. Now even female inheritor [daughter] can claim partition of the ancestral property.

Section 6 of this Amendment Act( 2005 ): It provides for parity of rights in the coparcenary property among male and female members of a joint Hindu family. The daughter is entitled to a share in the ancestral property and is a coparcener as if she had been a son. The excepted categories to which new Section-6 is not Property Rights of Women in India, Samapika Mohapatra, Gender & Development applicable are two, namely: i .where the disposition or alienation including any partition which took place before 20-12-2004. ii. where testamentary disposition of the property was made before 20-12-2004.

Vineeta Sharma V/S Rakesh Sharma & Ors<sup>3</sup>:The Hindu Succession (Amendment) Act, 2005



(39 of 2005) was enacted to remove gender discriminatory provisions in the Hindu Succession Act, 1956. Under the amendment, the daughter of a coparcener shall by birth become a coparcener in her own right in the same manner as the son. The daughter shall now have the same rights in the coparcenary property (ancestral property of the Hindu undivided family) as a son. This amendment also repeals Section 23 of the Hindu Succession Act which disentitled a female heir to ask for partition in respect of a dwelling house, wholly occupied by a joint family, until the male heirs choose to divide their respective shares. Section 24 of the Act which denied rights of a widow to inherit her husband's property upon her re-marriage has been repealed. This Act has brought about a central amendment which is applicable to all the state governments<sup>4</sup>.

The Supreme Court held that daughters, like sons, have an equal birthright to inherit joint Hindu family property. The court decided that the amended Hindu Succession Act, which gives daughters equal rights to ancestral property, will have a retrospective effect.

“A daughter always remains a loving daughter. A son is a son until he gets a wife. A daughter is a daughter throughout her life,” Justice Arun Mishra, heading a three-judge Bench, authored the judgment. The judgment agreed with lead arguments made by senior advocate Bishwajit Bhattacharya that the substituted Section 6 of the Hindu Succession Act, 1956 confers the status of ‘coparcener’ to a daughter born before or after the amendment in the same manner as a son. Coparcener is a person who has a birthright to parental property.

Since the right to coparcenary of a daughter is by birth, it is not necessary that the father should be alive as on September 9, 2005. The court has thus overruled an earlier 2015 decision.

The judgment on a batch of appeals against the 2015 verdict came on the issue whether the amendment to the Hindu Succession Act, 1956, granting equal rights to daughters to inherit ancestral property would have retrospective effect.

The court, in its 121-page judgment, said the statutory fiction of partition created by proviso to Section 6 of the Hindu Succession Act, 1956 as originally enacted did not bring about the actual partition or disruption of coparcenary.

It also clarified that an unregistered oral partition, without any contemporaneous public document, cannot be accepted as the statutory recognized mode of partition.

“However, in exceptional cases where plea of oral partition is supported by public documents and partition is finally evinced in the same manner as if it had been affected by a decree of a court, it may be accepted,” the Bench held.

The court said disputes pending on this question in various courts should be decided within the next six months.

The Hindu succession act 1956 did not allow females to be coparceners of the property.

**Case laws related with equal property rights to women:**

Champa bai Pardeshi Vs Shamabai Pardeshi<sup>5</sup> it came to be ruled that the Amendment Act, 2005 will be retrospectively applicable in case of agricultural properties left by the deceased and further it has been observed by making reference to the Division Bench Ruling in Smt. Kaushalyabai Vs. Hiralal<sup>6</sup> that the provisions of the Amendment Act, 2005 are required to be taken note of while deciding the appeal even though the suit had been filed far earlier to the Act of 2005.

The Hon'ble Apex Court in the case of Prema Vs. Nanje Gowda<sup>7</sup> has held that as per the amendment in Sec. 6 of Hindu Succession Act Sec. 6 (a) was inserted by Karnataka amendment Act 1990 and as per this provision, in suit for partition unmarried daughter can seek equal share in final decree proceedings in terms of amendments.

Thus, as per this observation it is clear that the amendments in Sec. 6 of Hindu Succession Act can held to be retrospective in effect.<sup>12</sup> The provision of Amendment Act, 2005 has been held to be of prospective operation in relation to S.6 (1) (a) in Sadashiv vs. Chandrakant<sup>8</sup>. The Hon'ble Supreme Court in Ganduri Vs. Chakiri Yanadi<sup>9</sup>, held that the amended sect 6 will apply will apply to a partition suit where in the final decree was not passed before the date of commencement of the Amended Act of 2005.<sup>14</sup> In Leelabai Vs. Bhikabai<sup>10</sup>, it is held that Badri Nayaran Vs. Om Prakash<sup>11</sup> the Full Bench of Hon'ble High Court held that the decision of the Division Bench in Vaishali Ganorkar's case is per incurium. The Hon'ble High Court further held that new section 6 (1) (a) is prospective in operation whereas section 6 (1) (b) and (c) as well as section 6(2) are retroactive in operation.

Retroactive means the rights under section 6 (1)(b) and (c) and section 6(2) are available to all daughters living on the date of coming into force of Amendment Act of 2005 i.e. on 09.09.2005 though born prior to 09.09.2005. The daughters born on or after 09.09.2005 held to be entitled to get the benefits of amended Section 6(1)(a). In other words, the heirs of daughters who died before 09.09.2005 do not get the benefits of new section 6. It also held that new section 6 applies to daughters born prior to 17.06.1956 and thereafter in between 17.06.1956 to 08.09.2005 provided they are alive on 09.09.2005. Furthermore, the case of coparcener who died before 09.09.2005 would be governed by pre-amended section 6(1) of the Act. It is only in case of death of a coparcener on or after 09.09.2005 that the amended section 6(3) of the Act would apply.<sup>17</sup> Now, the issue of retrospective or prospective effect of the new amendment Act is finally set at rest by the recent decision of Hon'ble Apex Court in the case of Prakash Vs. Phulvati<sup>12</sup> wherein it is held that the amendment has prospective effect. The rights under the amendment are applicable to living daughters of living coparceners as on 9th September 2005 irrespective of when such daughters are born.

**Conclusion**

“A daughter always remains a loving daughter. A son is a son until he gets a wife. A daughter is a daughter throughout her life,” Justice Arun Mishra, heading a three-judge Bench, authored the judgment.

The Supreme Court held that daughters, like sons, have an equal birthright to inherit joint Hindu family property. The court decided that the amended Hindu Succession Act, which gives daughters equal rights to ancestral property, will have a retrospective effect.

Section 6 of the Hindu Succession Act, 1956 confers the status of ‘coparcener’ to a daughter born before or after the amendment in the same manner as a son. Coparcener is a person who has a birthright to parental property

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## Human Rights of Minority Communities in India

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### Abstract

Education is the most important instrument for social and economic changes in any community. India has a spectrum of religions, castes, classes and communities. The educational outcomes of each religion and communities are not the same, and thus, it raises the issues of the challenges of the education for such minority communities. This paper is concerned with the status of the Islam minority in education. Islam constitutes the second largest religious group in India and the largest minority community. Despite having several schemes and initiatives for their educational development, Muslims in India are deprived, marginalized and educationally backward. Based on the secondary sources, the paper tries to the status, issues and challenges of Muslim education in India. It identifies the causes and factors affecting the low higher education of Islam's in India.

**Keywords:** Minority communities, Islamic education, Higher education, Educational backwardness.

### Introduction

Almost all States have one or more minority groups within their national territories, characterized by their own ethnic, cultural, linguistic or religious identity which differs from that of the majority population. It is very important that each citizen has respect for an individual group's identity. Education is one of the challenges for the minority communities in India. They have low access; participation and retention at school-level education system. In India, there are many minority communities such as Islam's, Sikhs, Christians, Jain, Buddhists, and so on.. The literate population of India is 77, 84,54,120 (2011 Census). The Census 2011 shows an increase in literate population by 38.82 in comparison to Census 2001. According to Census 2011, five states in India have highest literacy rate are, Kerala (93.91 %), Mizoram (91.58 %), Tripura (87.75 %), Goa (87.40%), Himachal Pradesh (83.78 %).

The National Commission for Minorities in India has identified Muslims, Christians, Sikhs, Buddhists and Parsees which constitute 18.8% of the total population of the country as religious minorities, while Hindus are the majority group. Among these various minorities, Muslims occupy an important position in Indian society. India has one of the largest Muslim populations in the world about 156 million constituting about 12 per cent of total population. It is observable phenomenon that the educational status of Indian Muslims is very low. The



status of Indian Muslims has a poor human development status because of widespread illiteracy, low income, irregular employment, high incidence of poverty. In this country the communities like Parsees, Christians and Hindus, had an earlier start in the educational field, while the Muslims entered into this field at a much later stage. Education is an indispensable means for helping the Muslims out of their economic misery because economic dependency is the major factor contributing to the low status of Muslims. Indian Muslims are far behind in achieving the literacy status because of their economic conditions, no availability of schools, more drop-outs, less likely to survive educationally, lack of resources in the available schools and low level of interest in education, lack of honest leadership in the community.

### **VISION OF MUSLIMS TOWARDS EDUCATION**

Muslims are the largest minority in India, majority of this community is far lag behind with respect to all material benefits, particularly in education and employment. There are many reasons which are responsible for lower literacy among Muslims but the main cause is the vision of Muslims towards modern education. It is observed that the Muslims do not enthusiastically provide education to their children especially their daughters. The educational backwardness of Muslim community is generally attributed to their religious orthodoxy coupled with their emphasis on the theological education with little effort to change the traditional education system and acquire the knowledge relevant to the needs of changing world (Fahimuddin, 2004). Indian Muslims are not having positive attitude towards modern commercial education. It is universally accepted fact that education is the most potent and effective tool to achieve any section of society. Although it is right that socio-economic condition also makes a significant contribution in this regard, but the positive attitude towards education ensures the development of confidence and self-worth. Economic well-being can also be elevated naturally by development of level of education. Muslims are not only the victims of poverty; rather have accepted inequality and discrimination as their inevitable fate. They also suffer from recurring insecurity, because of devastating episode of mass communal violence. Thus they should take education as a matter of highest priority in order to improve their pathetic state of life. Majority of Muslims are leading life at periphery of well being.

### **EDUCATION AND THE MUSLIM WOMEN IN INDIA**

The educational status of Muslim women in India is worse as compared to Muslim men, and women of other communities. They have the lowest work participation rate and most of them engage in the self-employment activities, In the Indian society which is patriarchal; girls have fewer privileges and lower status than boys. Traditionally very few girls are admitted to school and among them many are drop outs. Many girls cannot attend school due to conservative cultural attitude. Muslim women should create willpower or determination towards education so that they can reach to a peak of elevation. Due to the influence of ancient traditions and practices in Muslim societies especially in remote areas women loose courage from the childhood and become dependable on man, Parents also discourage their female children for higher studies. Muslim women suffer more because they are not given enough freedom and hardly



have access to higher education, though even the primary level education is not easily accessible to them. There is also lack of schools and colleges in the areas where there is a higher concentration of the Muslim population. Girls are enrolled in nearby schools and are not sent far off to study due to safety reasons. Therefore, the Muslim women of the day need to develop their capabilities and making them more confident.

### **PROBLEMS OF MUSLIM'S EDUCATION IN INDIA**

Indian culture is distinct in nature where each ethnic group has the liberty to maintain their Religious identity. Muslim society of India is very heterogeneous in nature mainly because of the influence of caste system; Muslims are among most backwards in India. They are not taking care of their educational advancement by the advantage of constitutional provision. The problem of backwardness is a long term process. Muslims are far lagging behind than the other communities in terms of economically, socially, educationally as well as politically.

- ✓ Muslim attitude taken by British before independence to curtail the educational and employment opportunities of the community has laid a drastic impact on their socio-economic condition. The Muslims are facing the same problem even today. This attitude towards Muslims has pushed them in more backwardness.
- ✓ Muslims are facing socio-economic poverty from past. Their vision is blurring towards education because majority of Muslim parents are illiterate, they are unaware about the importance of modern education. They live in large family size and give greater importance to early marriages. There is absent of vocation education to improve their image to develop through education.
- ✓ There is negative attitude towards girl's education among Muslims. Due to hurdles from family they lose the zeal to achieve something through education and thus they themselves do not have academic interest. If at all they are fortunate enough to go to a good school, they are often discouraged to go for higher education, especially overseas. There is often misconception regarding the "purity" of girls if they have studied in Universities, or have traveled abroad. The most important reason is that there is difficulty in finding educated groom if the girl becomes highly educated.
- ✓ Schools are not available within walking distance and closer to the place of dwelling, parents are a bit reluctant due to the feeling of insecurity. Parents also do not see the value of educating daughter who would get married and remain a housewife.

### **REMEDIAL MEASURES**

Increase in awareness among Muslims about the importance of education, various employment opportunities, self employment schemes as well as resultant economic well being through it. The Government should give more emphasis towards the concept of small family size for the



improvement of socio-economic condition of Muslims. There were some concessions for Muslims to enter in Government jobs, but after 1857 these concessions were withdrawn. Government of India should again develop some concession policy and programs to increase the share of Muslim work participation in Government jobs. There is need to develop more girls' school to minimize the problem of accessibility of schools. Parents should develop positive attitude towards girl's higher education. Religious scholars should create proper awareness among men and women about the social, economic and educational rights given to women in Islam. Once these issues are addressed properly, Muslim will march in the direction of progress and development and in turn Muslim women will realize the dream of equality of status and empowerment

### Conclusion

“Education is the great engine of personal development. It is through education that the daughter of a peasant can become a doctor, that the son of a mineworker can become the head of the mine that a child of farm workers can become the president of a great nation. It is what we make out of what we have, not what we are given, that separates one person from another.” Nelson Mandela.

India is in dire need of policy innovations to include the lower castes, tribal and Muslim people into the development mainstream. Social inclusion has been attempted through a policy of reservation, which has failed to uplift the minorities. The empowerment of women has become one of the most important and modern phenomenon of 21st century not only at National level but also International level. There is need to change the vision of Muslims from traditional to modern education. There is also meager study on Muslim's educational condition; it is the duty of social Anthropologists and Sociologists to find out the educational status and to analyze the state of education among the Muslims of various parts of the country to explore the constraints of educational upliftment among them. It is the need of the hour that Government should move on and do something for development of Muslims.

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## **A Survey of Information Seeking Behavior of Faculty Members, Research Scholars and Postgraduate Students in the Field of Environmental Science with Special Reference to Selected Universities and Institutions in Karnataka State**

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### **Abstract**

The phenomenon of information flood has created a number of problems to information workers in respect of the retrieval of information exhaustively, expeditiously, pin pointedly and with precision. The factors like quantitative growth of users, diversified nature of user's needs, multidisciplinary nature of research, development of nascent subjects etc., have aggravated the gravity of the problem further. A number of techniques both quantitative and qualitative are being used by the information managers to tide over the problem. The phenomenon of information overflow has created a number of problems to information users in terms of accessing of exhaustive information with precision, and the information need and information seeking pattern is much diversified among various professions. Therefore this is a need for understanding information needs and information seeking behavior of various professional groups for planning, implementation and operation of information system and services in the given work settings. The scope of research study is limited for the information seeking behaviour of the research scholars in the field of environmental science in the 7 universities and 2 Institutions in Karnataka State. The Universities are University of Mysore, Bangalore University, Karnataka University, Gulbarga University,

**Keywords:** Faculty Members, Research Scholars, Postgraduate Students, Environmental Science. University of Mysore, Bangalore University, Karnataka University, Gulbarga University.

### **1. Introduction:**

The phenomenon of information flood has created a number of problems to information workers in respect of the retrieval of information exhaustively, expeditiously, pin pointedly and with precision. The factors like quantitative growth of users, diversified nature of user's needs, multidisciplinary nature of research, development of nascent subjects etc., have aggravated the gravity of the problem further. A number of techniques both quantitative and qualitative are being used by the information managers to tide over the problem.

The present study focuses on faculty members, research scholars and postgraduate students to understand their information seeking behaviour. User's survey is one of the important





techniques available for fruitful user-based information service. User satisfaction is an obvious measure to evaluate the efficiency and effectiveness of a library and information system. User studies are the vital means to trace out user satisfaction.

The basic assumption behind user studies is that they will unravel the existing situation and envisage future information needs and demands. Hence, the present study uses survey research method and focuses on faculty members, research scholars and postgraduate students in the selected universities in Karnataka to understand their information seeking behaviour in the field of Environmental Science.

## 2. Review of Literature

The literature review is not a mere reading of reading sake and it is focused and directed towards specific purposes (Krishnaswamy and Ranganatham, 2011).

The many studies have been done on information seeking behavior of various kinds of users such as Students (Fidzani, 1998; Swain and Panda, 2005; Boumarafi, 2010),

Faculties (Patitungkho and Deshpande, 2005; Thanuskodi, 2009), Scientists (Jamali and Nicholas, 2008; Kumar and Singh, 2011).

The scientists have been following many methods to up-to-date current development in their field. The method like scanning of the latest issues of journal articles by Astronomers, Chemists, Mathematicians, and Physicists (Brown, 1999) and Agriculture Scientist (Majid and Anwar, 2000). Schauble (1977) discussed information services are now considered to operate under the same economic conditions as production of goods.

Therefore before a new service is launched, 'market analysis' should be carried out: existing services should be examined, actual and potential needs of users analysed. Potential users' professional backgrounds and communication behaviour should be studied. Market analysis demands subject knowledge and an understanding of the application and effectiveness of marketing strategy; continual cooperation between planning and research departments is therefore essential, even after the new service is in operation.

Users' reactions to the service should be checked regularly, negative and positive development tendencies observed and future needs anticipated. Robbin, and Buente, Wayne (2008) explored the Internet as a resource for political information and communication in March 2003, when American troops were first sent to Iraq, offering us a unique setting of political context, information use, and technology.

Employing a national survey conducted by the Pew Internet & American Life project, we examine the political information behavior of the Internet respondents through an exploratory factor analysis; analyze the effects of personal demographic attributes and political attitudes, traditional and new media use, and technology on online behavior through



multiple regression analysis; and assess the online political information and communication behavior of supporters and dissenters of the Iraq War.

The factor analysis suggests four factors: activism, support, information seeking, and communication. The regression analysis indicates that gender, political attitudes and beliefs, motivation, traditional media consumption, perceptions of bias in the media, and computer experience and use predict online political information behavior, although the effects of these variables differ for the four factors.

The information and communication behavior of supporters and dissenters of the Iraq War differed significantly. We concluded with a brief discussion of the value of "interdisciplinary poaching" for advancing the study of Internet information practices.

### 3. Need for the Study

The phenomenon of information overflow has created a number of problems to information users in terms of accessing of exhaustive information with precision, and the information need and information seeking pattern is much diversified among various professions. Therefore this is a need for understanding information needs and information seeking behavior of various professional groups for planning, implementation and operation of information system and services in the given work settings.

Thus, the present study "A Survey of Information Seeking Behavior of faculty members, research scholars and postgraduate students in the Field of Environmental Science with Special Reference to Selected Universities and Institutions in Karnataka State" focuses on faculty members, research scholars and postgraduate students to understand their information seeking behaviour in the field of Environmental Science.

### 4. Statement of the Problem

The present study is conceived under the title "A Survey of Information Seeking Behavior of Faculty Members, Research Scholars and Postgraduate Students in the Field of Environmental Science with Special Reference to Selected Universities and Institutions in Karnataka State"

### 5. Objectives

Following are the specific objectives envisages for this study

1. To study the purposes of information seeking of faculty members, research scholars and postgraduate students in the Field of Environmental Science.
2. To find out various important sources of information consulted by faculty members, research scholars and postgraduate students for academic work.
3. To discover the research productivity of the faculty members, research scholars and PG students.



4. To investigate how the faculty members, research scholars and PG students keep abreast of current developments in the field of Environmental Science.
5. To examine information seeking habits of the faculty members, research scholars and PG students.

## 6. Methodology

The survey research method will be employed in the present study. Qualitative data will be collected through the structured questionnaire. The data will be collected from the faculty members, research scholars and postgraduate students in the field of environmental sciences. SPSS software will be used for data analysis. Statistical techniques will be used for test and analysis of collected data by using techniques like Chi-square, ANOVA etc. The collected will be presented in the form of research report using standard tables, graphs, diagrams etc.

## 7. Scope and Limitation of the Study

The scope of research study is limited for the information seeking behaviour of the research scholars in the field of environmental science in the 7 universities and 2 Institutions in Karnataka State.

The Universities are University of Mysore, Bangalore University, Karnataka University, Gulbarga University, Kuvempu University, Davanagere University, Tumkur University, University of Agricultural Sciences, Bangalore, and Institutions are PTE'S BCA College Belgaum and JSS Academy of Higher Education & Research.

## 8. Chapterization

Chapter 1: Introduction

Chapter 2: Literature Review

Chapter 3: Universities and Insitutions: An Overview

Chapter 4: Analysis and Interpretation of the Data

Chapter 5: Summaryof Findings, Recommendations and Conclusion

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## Women Rights in India

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### Abstract

They have several times urged for equality so that they can lead a life exactly on par with men. If talking about the women's status in Independent India, then it has been surely improved. The structural and cultural changes in India have brought into many opportunities for women in the fields of education, employment and politics. Separate schools and colleges have been established for women alone. Separate universities have been also established which are among the prestigious universities today and admits the girls obtaining merit ranks. There are many engineering and medical universities in India especially for girls which provides them with a great quality of education and help in enhancing their careers. The 73rd amendment has made an effort to provide women with some special powers in all the 3 tiers of Panchayati Raj. As per the act,  $\frac{1}{3}$  of seats are reserved for women in addition to the seats reserved for SCs and STs. It was indeed a bold step. The rural women will also be now able to exercise some political power and play a role in decision making for village affairs. Health problem of women – Poor health conditions of women is also a hindrance in their progress. The main reason for such health conditions is the traditional importance given to a male child neglecting the presence of a female child which leads to less care given to her. Another reason is that women are always taught to be shy and submissive. This often makes women tolerating thus, they prefer to avoid complaining about something and rather suffer silently.

**Keywords:** Women. Empowerment. Amendment. Panchayath, Health, Conditions.

### Introduction

If we trace the pages of history nowhere men and women were treated alike and assigned the same status. Women have been always fighting for their rights and position in society.

They have several times urged for equality so that they can lead a life exactly on par with men. If talking about the women's status in Independent India, then it has been surely improved. The structural and cultural changes in India have brought into many opportunities for women in the fields of education, employment and politics.

Such changes ultimately lead to a reduction in the exploitation of women as they have been granted equal status as men. The improvement in the status of women can be analysed in the light of major changes that have been taken place since Independence in the areas of legislation, economic sectors, social and cultural life and so on.



## Constitution and legislation for women's upliftment

**Constitution of India** guarantees equal status to all citizens of India including women under **article 14** and does not distinguish or discriminate between a man or a woman. Moreover, article 15 empowers the government to make special provisions for women. Women are free to participate in all the religious, cultural, economic and political activities.

Furthermore, they have been entitled to vote and are provided with other special benefits. The constitution protects women against exploitation and ensures that they are given equal rights and opportunities being it any field.

### Legislation safeguarding women's interests

- **The Hindu Marriage Act 1955** – The act provides women with equal rights to divorce and remarry. Also, the act prohibits polygamy, polyandry and child marriage.
- **The Hindu Succession Act, 1956** – The act provides women with the right and claim over parents property.
- **The Hindu Adoption and Maintenance Act, 1956** – It provides a childless woman with the right to adopt a child and a divorced woman with the right to claim maintenance from her husband.
- **Special Marriage Act, 1954** – It provides women with the rights to inter-caste marriage, love marriage and is only permitted for the girls above 18 years.
- **Dowry Prohibition Act, 1961** – It protects women from exploitation by declaring taking of dowry an unlawful activity.

### Women in the field of Education

After Independence, the educational rights of women were promoted and they were made aware of the value of education. The ratio of women pursuing higher studies and taking education improved gradually since then. The government provided several benefits to women such as scholarship, loan facilities, hostel facilities etc. who wished to go out to pursue higher education. By getting such benefits a large number of women are able to pursue higher education today.

Separate schools and colleges have been established for women alone. Separate universities have been also established which are among the prestigious universities today and admits the girls obtaining merit ranks. There are many engineering and medical universities in India specially for girls which provides them with a great quality of education and help in enhancing their careers.

### Women in the Economic and Employment fields





The number of working women has also steadily increased. Women have been recruited in all posts such as teachers, doctors, nurses, advocates, police officers, bank employees in all major cities of India. Since 1991 women have been recruited into 3 wings of armed forces that are military, air force and naval force.

### Awareness of Women regarding their rights

Women in Independent India have maximum rights but many of them are not conscious about their rights. Uneducated women have a lack of awareness of their rights. According to a study conducted by Prof. Ram Ahuja, it can be concluded that the level of awareness of rights depends upon these 4 aspects –

- Individual background of women
- The social environment of women
- The economic base of women
- Subjective perception of women

It can be also concluded that the majority of women are happy in their family life and leave important decisions to their men folk discretion. They are not completely free from the hold of the traditional customs practiced in society. Still many are being exploited, they are completely dependent on their spouses.

Hence bringing about more and more legislation in order to ensure better opportunities to women is of no use unless there will be a big change in the Indian society and people's attitude towards women and women's role in society.

### Strategies for Women development

The national document which was prepared by the Government of India with an objective of enhancing and widening opportunities for women highlights the importance of 3 strategies-

- **Obtaining greater political participation of women** – The document mentions that **33% of seats** must be reserved for women in order to obtain effective participation in the field of politics.
- Income generating schemes for women – As per the document, income generating schemes must be introduced. Some of the schemes are – *IRDP, Jawahar Rozgar Yojana and TRYSEM*.
- Increasing Female literacy level – The government believed that proper coordination between governmental and non-governmental organisations will help in improving the literacy rate of women which will further help in making them self-reliable.



## Empowerment of women and the 73rd Constitution Amendment Act, 1993

The 73rd Constitutional Amendment Act, 1993 was undertaken especially to give constitutional status to Panchayati Raj system and introduce it on a uniform basis. But apart from this it also plays a specific role in women empowerment. The framers of the 73rd constitutional amendment believed that the social and economic conditions of women could not be improved without granting them political power. The new Panchayati Raj was an effort to empower women at least at the village level.

### One-third reservation of seats for women

The 73rd amendment has made an effort to provide women with some special powers in all the 3 tiers of Panchayati Raj. As per the act,  $\frac{1}{3}$  of seats are reserved for women in addition to the seats reserved for SCs and STs. It was indeed a bold step. The rural women will also be now able to exercise some political power and play a role in decision making for village affairs.

### A brief assessment of the 73rd Constitution Amendment Act

- The act has not brought about miraculous changes as expected. Though it has brought awareness on the part of women but to an extent only. Following drawbacks have been found after analyzing the impact of the Act's implementation-
- **Illiteracy** – Due to illiteracy in rural areas women are unable to assert themselves at different tiers of Panchayati Raj. On the contrary, they are forced to work according to the wishes of male members.
- **Corrupt bureaucracy** – As our bureaucracy is highly corrupt, it becomes very difficult for women to progress and achieve something in such circumstances.
- **Non-availability of women** – It is very difficult to find out an adequate number of women who are qualified and are aware of the rights as most of the women are illiterate and ignorant about their rights in the rural areas.

### Factors facilitating the empowerment of women

According to **Doshi and Jain**, women are empowered by women emancipation, education, communication, media, political parties and general awakening. Some social, economic and political factors facilitate the empowerment of women are listed below –

- **Acknowledging women's rights** – Society should recognise that women are equally entitled to the rights and opportunities as men.
- **Freedom to take decisions and make choices** – Women must have the freedom to take important decisions of life such as when to marry, the number of children they should have and so on.



- **Access to education and employment** – Women can become stronger only with educational and economic power, mere expectations cannot help. Conditions must be created in such a way that women can easily get access to education and later on get employed. It will ultimately make women independent and self-reliable.
- **Opportunities for political participation** – Women must be granted political power and must be free to take part in the administrative process.

### Reasons behind the need for empowerment

In a developing country like India where women are treated as a second-grade citizen and inferior to men, women empowerment is justified. Following are the main causes on account of which government decided to take such an initiative for women.

- **Education or literacy** – Among the other countries in the world, India is counted as one of the countries having a maximum number of illiterate people. Women are more illiterate as compared to men. Earlier they were denied going to schools and have education but now conditions are much more stable. Still, illiteracy is the biggest weakness of women. Providing them with educational facilities means empowering them so that they can enjoy their rights and contribute to the progress of the nation.
- **Health problem of women** – Poor health conditions of women is also a hindrance in their progress. The main reason for such health conditions is the traditional importance given to a male child neglecting the presence of a female child which leads to less care given to her. Another reason is that women are always taught to be shy and submissive. This often makes women tolerating thus, they prefer to avoid complaining about something and rather suffer silently.
- **Economic Exigencies of women** – Indian women are economically weak since education was not given to them for years and property laws were also not in favour of them. They were dependent on men financially as all economic power used to be in the hands of men. Thus women require economic power to stand on their own legs on par with men.
- **Atrocities against women** – Women on all walks of life have been discriminated against men. They become victims of atrocities in a number of ways as there are cases of sexual harassment, molestation, kidnapping, dowry harassment and so on.

Thus women require empowerment of all kinds in order to protect themselves from all such atrocities and to preserve their purity and dignity.

### Rights and protection to women given under the Constitution of India

The **Indian Constitution** attempts to provide equal opportunities to women, protect their rights and ensure justice to them through the following provisions-



- **Right to Equality**– Constitution ensures equality to all its citizens including women (**Article 14**).
- The Constitution ensures that **no discrimination** shall be made against any person on the basis of caste, class, creed, sex, race and place of birth [ **Article 15(1)**].
- **No discrimination** shall be made on any grounds of discrimination including sex for **providing employment opportunities**. [Article 16].
- The State shall take the responsibility of providing **maternity benefits to women** employees [Article 42].
- **Providing harmony and fraternity** to people doing away with all customs in respect of women.
- **One-third reservation of women in the panchayats** – There must be separate seats reserved for women in the panchayats with separate seats for women SCs and STs [Article 243 D (3)].
- One-third reservation for women in the presidential posts of the Panchayats – Reserving women seats for all posts at all the levels of panchayats (**Gram Panchayat, Taluk Panchayat and Zilla Panchayat**) [Article 243 D(4)].
- **One-third reservation in Municipalities** – Separate seats for women in all the town municipalities.[Article 243(T) 3].
- **One-third reservation for women in the presidential posts of Town Municipalities**

## Conclusion

It can be concluded from the above discussion that women's status in Indian society has radically changed since Independence. Government after realising the situations of women and their worse position in the society took huge initiatives to bring about a change and improve the social, economic and political conditions of women. It cannot be said that the measures taken have been completely implemented in the society as still customs and traditions are given much more importance in a country like India, still, a gradual change has been experienced by the women over these years and they have become much more independent and aware in today's time.

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**Abstract**

The term agricultural marketing is composed of two words- agriculture and marketing. Agriculture, generally means growing and/or raising of crops and livestock while, marketing encompasses a series of activities involved in moving the goods from the point of production to point of consumption. Many scholars have defined agricultural marketing and incorporated essential elements of time, place, form and passion utility. Human activity directed at satisfying the needs and wants through exchange process (Phillip Kotler). Performance of business activities that directs the flow of goods and services from producers to users. The import of seeds, tubers, bulbs, cuttings, saplings of vegetables, flowers and fruit is allowed without a license, but requires an import permit under the PQ Order. The import of seeds, planting materials and living plants by the ICAR is allowed without a license in accordance with conditions specified by the Ministry of Agriculture and Farmers' Welfare. The import of seeds/tubers of potato, garlic, fennel, coriander, cumin, and so on requires an import permit granted under the PQ Order.

**Keywords:** Agricultural Marketing, **Seeds (Control) Order 1983**, Plant Protection Adviser**Introduction****What are human rights?**

In order to live with dignity certain basic rights and freedoms are necessary, which all Human beings are entitled to, these basic rights are called Human Rights.

Human rights demand recognition and respect for the inherent dignity to ensure that everyone is protected against abuses which undermine their dignity, and give the opportunities they need to realize their full potential, free from discrimination.

**Human rights include civil and political rights, such as:**

- The right to freedom of expression
- The right to freedom of religion or conscience
- The right to property
- The right to freedom of assembly
- The right to privacy
- The right to vote.

**Human rights also cover economic and social rights, such as:**

- The right to an adequate standard of living
- The right to adequate food, housing, water and sanitation
- The rights you have at work
- The right to education.

**Agricultural Marketing: Concept and Definitions** Agriculture fulfils the basic need of human kind by producing food. About a century ago, farmer used to produce food commodities mostly for self-consumption or for exchange with others (cash or kind) mostly in the same village or nearby places. They were primarily self reliant. But, now production environment has changed considerably from self- reliance to commercialization.

Technological advancement in the form of high yielding varieties, use of fertilizers, insecticides, pesticides, farm mechanization has led to a substantial increase in farm production and consequently the larger marketable and marketed surplus. The improved production is accompanied by the increasing urbanization, income, changing life style & food habits of the consumers and increasing linkages with the overseas market.

Today consumers are not limited to rural areas where food is produced. Further, increasing demand for processed or semi-processed food products requires value addition in the raw agricultural produce. These developments require movement of food commodities from producer to consumers in the form of value added products. Agricultural marketing brings producers and consumers together through a series of activities and thus becomes an essential element of the economy.

The scope of agricultural marketing is not only limited with the final agricultural produce. It also focuses supply of agricultural inputs (factors) to the farmers.

**Definitions of Agricultural Marketing**

The term agricultural marketing is composed of two words- agriculture and marketing. Agriculture, generally means growing and/or raising of crops and livestock while, marketing encompasses a series of activities involved in moving the goods from the point of production to point of consumption. Many scholars have defined agricultural marketing and incorporated essential elements of time, place, form and passion utility. Some of the definitions of agricultural marketing are given below;

Agricultural marketing is a process which starts with a decision to produce a saleable farm commodity, involves all the aspects of market structure or system, both financial and institutional, based on technical and economic considerations, and includes pre- and post-harvest operations, assembling, grading, storage, transportation and distribution (National Commission on Agriculture, 1976).





## Agriculture markets and farmers Rights in India

India is among the first countries in the world to have passed legislation granting Farmers' Rights in the form of the **Protection of Plant Varieties and Farmers' Rights Act, 2001**. India's experience is important due to its international contribution to negotiations on Farmers' Rights, its position as a centre of biodiversity, and the complexities of agriculture in India within which the country is attempting to implement these rights. India's law is unique not only because of its far-reaching rights for farmers, but also in that it simultaneously aims to protect both breeders and farmers.

This attempt to evolve a multiple rights system could, however, pose several obstacles to the utilization and exchange of plant genetic resources among farmers. India has framed a unique legislation, but still faces the task of implementation. This should serve as a signal internationally that establishing legislation is insufficient to effectively promote Farmers' Rights. Failing to implement Farmers' Rights in India would be a heavy loss for all the farmers who need Farmers' Rights to protect their livelihoods, secure their access to resources, protect their rights to seeds, and, above all, lift them out of poverty.

The International Treaty on Plant Genetic Resources for Food and Agriculture recognizes Farmers' Rights and obliges the countries being Parties to the Treaty to protect and promote these rights. Countries, however, have not yet been able to evolve any consensus on how to define or implement Farmers' Rights. International coordination in this regard is also lacking. These are serious drawbacks that could prevent Farmers' Rights from becoming a realistic and workable mechanism.

India is among the first countries in the world to have passed legislation granting Farmers' Rights in the form of the Protection of Plant Varieties and Farmers' Rights Act, 2001 (PPVFR). India's law is unique in that it simultaneously aims to protect both breeders and farmers.

The Indian case assumes immense importance due to the country's lead in establishing a legal framework on Farmers' Rights, its international contribution to negotiations on Farmers' Rights, and the complexities of agriculture in India within which the country is attempting to implement these rights. India's case is also significant as the Indian gene centre is recognized for its native wealth of plant genetic resources. both from the point of view of employment generation as well as its share in GDP.

A recent economic survey expressed concern with the decline in the share of the agricultural sector's capital formation in GDP. The dismal situation in which many farmers find themselves in India today was reflected in a study sponsored by the Government of India, known as the '**Situation Assessment Survey of Farmers**' (SAS), which for the first time assessed the situation of farmers in 2003.



An alarming trend has been witnessed in India in recent years with rising rates of farmers committing suicide. Newspapers echoing the 'crisis in Indian agriculture' continue to report daily incidents of suicides in various parts of the country. Several different reasons have been put forward as the cause of suicides including: mounting debt of farmers, crop failures due to overuse of pesticides, imbalances of international trade, or social and psychological factors.

Agriculture was generally excluded from intellectual property protection in India and there was no legal system of Plant Breeders' Rights or Farmers' Rights for decades.

The Seed Association of India, formed in 1985, has actively promoted the need for plant breeders' rights in the country. With the adoption of the WTO Agreement on **Trade Related Aspects of Intellectual Property Rights (TRIPs)**, bilateral and multilateral pressure was also exerted on India to establish intellectual property rights in agriculture. There was enormous protest against implementing TRIPs by non-governmental organizations and farmers' lobbies in the country. **The Protection of Plant Varieties and Farmers Rights Act (PPVFR)**, 2001 arose amidst this controversy. The PPVFR Act initially emerged as a result of the demands of the seed industry for breeder's rights. A farmers' Rights was added to the Act due to pressure by NGOs.

India's PPVFR Act not only upholds farmers' rights to save, use and exchange seeds and propagating material but also attempts to enable farmers to claim special forms of intellectual property rights over their varieties.

The Act grants plant variety protection on new varieties (largely modeled on UPOV), extant varieties and essentially derived varieties. Extant varieties include farmers' varieties, varieties in the public domain and varieties about which there is common knowledge.

Rights can be said to have been given to farmers under the Act including: the

- Rights To Save,
- Exchange And (To A Limited Extent) Sell Seeds
- Propagating Material,
- To Register Varieties,
- To Recognition And Reward For Conservation Of Varieties,
- To Benefit Sharing,
- To Information About Expected Performance Of A Variety,
- Compensation For Failure Of Variety To Perform,
- Availability Of Seeds Of Registered Variety,
- Free Services For Registration,
- Conducting Tests On Varieties,
- Legal Claims Under The Act,
- Protection From Infringement.



**The National Biodiversity Act, 2002**, based on the Convention on Biological Diversity, regulates access to and use of genetic resources in India. This Act also focuses on benefit sharing, protection of traditional knowledge and prior informed consent.

The Geographical Indications Act, the Patents Amendments Act and the Seed Bill also have implications for Farmers' Rights in India. The Seed Bill could restrict farmers' right to sell their seeds, and the Patent Amendment Acts could pave the way for further extensions of patentability in agriculture that may restrict farmers' rights to save, use or exchange seeds. The Geographical Indications Act may enable farmers to claim rights for agricultural goods originating in a specific region, or it could restrict access of farmers to the protected goods depending on the way it is implemented.

Stakeholders across various categories acknowledge the importance of Farmers' Rights nationally and globally. A majority of the respondents expressed that Farmers' Rights must incorporate rights beyond the farmer's right to save, use and exchange seeds. Various issues were addressed as important rights for farmers, such as support for inputs, access to technology and farmer's participation in decision-making.

While some favored the government as the main agency to facilitate benefit sharing, others pointed to the need for NGOs or for an independent agency to promote benefit sharing. The stakeholders place a great deal of responsibility on the Authority established to implement Farmers' Rights in India to overcome the barriers. In addition, stakeholders are looking to the Governing Body of the International Treaty to provide guidance and direction for the implementation of Farmers' Rights.

India's case holds some lessons for developing countries. Two broad approaches to defining Farmers' Rights in India reflect the options facing developing countries:

- 1) Farmers' Rights as a form of intellectual property rights
- 2) Farmers' Rights as a development right.

The first approach poses Farmers' Rights as a counter to Plant Breeder's Rights and argues that if commercial breeders can acquire intellectual property over their inventions, then farmers' innovations must also be recognized and rewarded.

The second encompasses a range of concerns including food security, livelihood rights, social justice and access to resources. India's policy largely adopts the first approach, but also acknowledges the second view.

The approach of defining Farmers' Rights as intellectual property rights may provide political rather than economic benefits for developing countries, whereas defining Farmers' Rights as development rights may ensure greater economic/social advantages.



While defining Farmers' Rights as a kind of intellectual property rights could provide a tool for negotiating at the global level, it may not be of great utility in ensuring rights for farmers in developing countries.

Legal and economic costs of establishing the system, the difficulties of legally claiming rights for farmers, and the limited returns from plant variety protection itself are some of the reasons why IPR-based Farmers' Rights approaches are unlikely to provide significant economic returns to farmers.

In addition, developing countries may not gain much from seeking royalty payments for ownership of germplasm and may gain more from effectively utilizing genetic resources. Domestically, there is a need to gradually incorporate more development-oriented rights within the Farmers' Rights framework.

Developing countries could attempt to forge a strategy that takes advantage of both approaches by utilizing the IPR type approach as a strategic tool to argue for Farmers' Rights globally, while domestically incorporating greater development oriented rights.

In a sense, the Treaty attempts to redefine the principle of common heritage. India could not only support this initiative by making more crops available on the terms and conditions of the Multilateral System, but could also explore the option of developing a parallel national system which includes crops significant for India's food security. Such systems could provide the means for promoting farmers' and breeders' access to resources.

India's ability to be one of the first countries in the world to forge a national legislation on Farmers' Rights is a significant landmark. India has evolved a unique legislation, but still faces the task of implementation.

This process is likely to be fraught with difficulties not only in balancing intellectual property rights with Farmers' Rights, but also in ensuring coordination between various legislations such as the PPVFR and the National Biodiversity Act.

It is also evident from the study that no clear agreement exists among the various stakeholders in terms of how to implement the Act. This should serve as a signal internationally that establishing legislations is insufficient to effectively promote Farmers' Rights.

The Governing Body of the International Treaty must now take up the task of establishing clear guidelines for defining and implementing Farmers' Rights. An international movement for Farmers' Rights would have to tread carefully to respect the sovereignty of nations while promoting global cooperation.

However, Farmers' Rights must be promoted at the international level and cannot be left only to national governments to design. If each country, under Farmers' Rights, sets up



barriers to access of genetic resources, limits exchange of resources, and competes to stake claims over innovations, the implications would be severe for farmers.

The Farmers' Rights movement has witnessed a long and chequered history. An international mechanism is urgently required to promote some level of consensus on defining and implementing these vital rights.

If the global community does not face up to the challenge of unambiguously articulating Farmers' Rights, what has been achieved so far in the battle to establish these rights may be lost. Such a loss would be heavy for farmers in India and other developing countries who need Farmers' Rights to protect their livelihoods, secure their access to resources, protect their rights to seed, and, above all, lift them out of poverty

### Taking security Rights

#### 1. How is security over agricultural land typically created and perfected to raise finance?

Agriculture is governed by state laws. Each state has its own laws on mortgages of agricultural land.

For example, in the state of Punjab, one of the leading agricultural states in India, mortgages of agricultural land are governed by the Punjab Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act 1978. To mortgage agricultural land in the state of Punjab, the mortgagor must make a declaration to the bank that they have created a charge on the land in favor of the bank in return for financial assistance. In Maharashtra, it is only possible to create a mortgage over agricultural land for specific purposes, such as agriculture/cultivation and/or educational and charitable purposes.

### Import requirements

The domestic laws and regulations that regulate the seed industry in India are the:

- **Seeds Act 1966 (Seeds Act) and Seeds Rules 1968 (Seeds Rules).** The Seeds Act is the primary legislation that regulates the crop seed industry in India. The Seed Rules were enacted to supplement the Seeds Act 1966. The authorities set up under the Seeds Act are the:
  - Central Seed Committee;
  - Central and State Seed Laboratory; and
  - Seed Certification Agency.
- **Seeds (Control) Order 1983 (Order 1983).** This provides that no person can carry on the business of selling, exporting or importing seeds at any place except in accordance with a licence granted under the Order.



- **Plant Quarantine (Regulation of Import Into India) Order 2003 (PQ Order).** This provides that no consignment of plants or plant products can be imported into India without a valid permit. Under the PQ Order, plant species mentioned in Schedule IV cannot be imported, and the plant species and plant varieties mentioned in Schedules V, VI and VII can only be imported with an import permit or special authorization. All other plant species and plant varieties, including new plant species or varieties, can only be imported in India after a pest risk analysis (PRA) is carried out in accordance with the guidelines issued by the Plant Protection Adviser (PPA). All consignments must also be accompanied by a phytosanitary certificate issued by the authorized officer of the country of origin..

### **Crop seed production Rigjhts**

Crop seed production remains unregulated if the seeds are not intended for certification. If the seeds are intended to be certified, their growing and harvesting must comply with the procedure set out by the Seed Certification Agency. The object of seed certification is to maintain and make available to the public high-quality propagating material, by ensuring genetic identity and genetic purity.

### **Distribution of seeds or crops Rigjhts**

Under Order 1983, no person can carry on the business of selling seeds at any place without obtaining a licence. Any person who intends to sell or distribute seeds must make an application to the licensing authority appointed by the state under Order 1983. A sale license will not be issued if:

- The person's earlier license is under suspension and an application for a license was made during the period of suspension.
- The person's earlier license has been cancelled, and the application for a license was made within one year of such cancellation.
- The person has been previously convicted under the Essential Commodities Act 1955, and the application for a license was made within three years of such conviction or order.

### **Plant variety rights**

#### **What are the legal conditions to obtain a plant variety right (PVR) and which legislation applies?**

Under the Protection of Plant Varieties and Farmers' Rights Act 2001 (PVR Act), a plant variety can be registered if it complies with the requirements of novelty, distinctiveness, uniformity and stability.

A variety is considered novel if it has not been sold or otherwise disposed of with the consent of the breeder or their successor for the purposes of exploitation:





- In India: earlier than one year before the application filing date.
- Outside India:
  - earlier than six years before the application filing date, for trees and vines; or
  - earlier than four years before the application filing date, in all other cases.

Distinctiveness means that the variety must be different in at least one essential characteristic from other varieties that are known to the public. Under the requirement of uniformity, the variety must be sufficiently uniform in its essential characteristics. Stability means that the essential characteristics of the variety must remain unchanged after repeated propagation or at the end of each cycle of propagation. These requirements are assessed under the DUS test.

India is not a signatory to the International Convention for the Protection of New Varieties of Plants 1961 (UPOV Convention).

A certificate of registration issued under the PVR Act is valid for:

- Nine years, for trees and vines.
- Six years, for other crops.

A certificate is reviewed and renewed for the remaining period of protection on payment of the prescribed fees. The period of PVR protection is:

- For trees and vines: 18 years from the date of registration.
- For extant varieties: 15 years from the date of notification of that variety by the central government under section 5 of the Seeds Act 1966.
- For other varieties: 15 years from the date of registration.

### **Restrictions on the rights of the holder**

A certificate of registration granted under the PVR Act confers an exclusive right on the breeder or their successor, agent or licensee to produce, sell, market, distribute, import or export the registered variety.

However, the central government or the state government is deemed to be the owner of the rights relating to an extant variety, unless a breeder or their successor established their rights over that variety.

A breeder can authorize another person to deal with the registered variety subject to certain restrictions or conditions. The agent or licensee is entitled to call on the breeder to bring infringement proceedings. If the breeder refuses or neglects to do so within three months, the agent or licensee can bring proceedings in their own name making the breeder the defendant.

**The Food Safety and Standards (Licensing and Registration of Food Business) Regulations 2011** (FSSAI Licensing Regulations) require every food business operator (FBO)



to obtain a license /registration from the Central Licensing Authority for operating a food business in India. The FSSAI also regulates e-commerce FBOs (both inventory and marketplace models), through the imposition of licensing requirements and other e-commerce-related compliance requirements (see Guidelines for operations of e-commerce FBOs dated 2 February 2017 and FSSAI Direction regarding re-operationalisation of the Food Safety and Standards (Licensing and Registration of Food Businesses)

**Amendment Regulations 2020** dated 19 August 2020). All e-commerce FBOs must comply with FSS Amendment Regulations, but these will only take effect after final regulations are notified in the Official Gazette.

### Conclusions

Technological advancement in the form of high yielding varieties, use of fertilizers, insecticides, pesticides, farm mechanization has led to a substantial increase in farm production and consequently the larger marketable and marketed surplus. The improved production is accompanied by the increasing urbanization, income, changing life style & food habits of the consumers and increasing linkages with the overseas market.

Today consumers are not limited to rural areas where food is produced. Further, increasing demand for processed or semi-processed food products requires value addition in the raw agricultural produce. These developments require movement of food commodities from producer to consumers in the form of value added products. Agricultural marketing brings producers and consumers together through a series of activities and thus becomes an essential element of the economy.

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## Protection of Child Rights in India: An Overview

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### Abstract

India has a wide range of laws to protect children and child protection is increasingly accepted as a core component of social development. The challenge is in implementing the laws due to inadequate human resource capacity on the ground and quality prevention and rehabilitation services. As a result millions of children are prone to violence, abuse and exploitation. **The study mainly focussed on the protection of child rights in India.**<sup>1</sup>

### Introduction

An Indian child has the right to be protected from neglect, exploitation, and abuse both at home and at school. Children have the right to be protected from the incidence of abuse, exploitation, violence, neglect, commercial sexual exploitation, trafficking, child labour, and harm traditional practices to name a few.<sup>2</sup>

### CHILD-SENSITIVE SOCIAL PROTECTION

For children and their families, social protection is essential for preventing and reducing poverty, addressing inequalities, and realizing children's rights. Furthermore, social protection programmes should respond to children's vulnerabilities by optimizing positions for them.<sup>3</sup>

### RIGHT TO HEALTH

Nearly one million Indian children die before they reach the age of five, an estimated 39 deaths per 1,000 live births. One in three Indian women receive regular monitoring of their pregnancy. In rural areas, only 37% of births are assisted by qualified personnel. India has more than 204 million undernourished people, and children remain the most vulnerable.

In response, the government initiated a large awareness campaign to educate the population about the importance of eating a diverse and balanced diet.

### RIGHT TO EDUCATION

As a result of caste-based discrimination as well as discrimination against women, millions of young Indians are marginalized in the educational system. However, the Indian gov-



ernment is trying to find solutions that will allow all Indians to participate in the educational system. Although its educational system continues to face challenges, India can be very proud of its progress.<sup>5</sup>

### **RIGHT TO LIFE**

Thousands of Indian children die each day, not only because of poverty but also because women's infanticide is practiced with impunity. This practice threatens the right to life of Indian children.

There are thousands of Indian girls who die before they are born each day or lose their lives because they are not wanted or accepted by their families. There are several factors that contribute to the practice of female infanticide, including the dowry system, which drives families to kill their daughters.<sup>6</sup>

### **RIGHT TO PROTECTION, AND FREEDOM OF EXPRESSION**

Most of the abuses committed against children are committed by a group of people with a relationship of confidence and authority with the child. In Indian families, parents have ultimate authority over their children.<sup>7</sup>

### **RIGHT TO IDENTITY**

India suffers from one of the highest non-registration rates for children in the world. Only 41% of births are registered. There is a big urban-rural difference in registration with 59% of urban children under five being registered versus only 35% in rural areas. This leads to serious difficulties for these people because they cannot benefit from child-sensitive social protection services and programmes, as such are invisible in the eyes of society.<sup>8</sup>

### **CHILD LABOUR**

A recent analysis of census data in the country shows an overall decrease in child labour of only 2.2 percent yearly, over the last 10 years. Also, it has revealed that child labour has grown by more than 50 percent in urban areas.

Children under 14 often work full days in hacking cobbles stones, stitching shoes and footballs, rolling cigarettes and incense sticks, embroidery work on clothing, crafts, packing, and sticking labels to name a few. Child labour is often the result of adult unemployment or low parental wages forcing children to contribute to home production.

### **CHILD ABUSE**

Individual factors such as poor socio-economic status, the death of a parent or husband, and being born to a commercial sex worker are pathways to initiation into commercial sex work. Early childhood experience because of sexual abuse was also documented as a risk factor for re-victimization as well as initiation into commercial sex work. The lack of proper family



support, family and personal history of mental health pathologies, and family exposures to sexual images were some of the other potential risk factors.

## CHILD MARRIAGE

There is some evidence from that child labour may in itself increase the risk of child marriage. Furthermore, girls who married as children were less likely to have been enrolled in secondary school. By the age of 15 years, only 40 percent of the girls who were child brides continued to be enrolled in school, compared to 86 percent of the girls who were unmarried when they turned 18.

## NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)

The **National Commission for Protection of Child Rights** (NCPCR) is an Indian statutory body established by an Act of Parliament, the Commission for Protection of Child Rights (CPCR) Act, 2005. The Commission works under the aegis of Ministry of Women and Child Development, GoI. The Commission began operational on 5 March 2007.

The Commission is mandated under section 13 of CPCR Act, 2005 "to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and the UN Convention on the Rights of the Child."<sup>[2]</sup> As defined by the commission, child includes person up to the age of 18 years.<sup>9</sup>

## FUNCTIONS AND POWERS OF NCPCR

1. Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;
2. Present to be central government, annually and at such other intervals, as the commission may deem fit, reports upon working of those safeguards;
3. Inquire into violation of child rights and recommend initiation of proceedings in such cases;
4. Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
5. Look into the matters relating to the children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles children without family and children of prisoners and recommend appropriate remedial measures;



6. Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
7. Undertake and promote research in the field of child rights;
8. Spread child rights literacy among various section of society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminar and other available means;
9. Inspect or cause to be inspected any juveniles custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organization; Where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
10. Such other functions as it may consider necessary for the promotion of Child Rights and any other matter incidental to the above function. a state commission or any other commission duly constituted under any law for the time being in force.
11. The Commission shall not enquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.
12. Analyse existing law, policy and practice to assess compliance with Convention on the rights of the Child, undertake inquiries and produce reports on any aspects of policy or practice affecting children and comment on proposed new legislation related to child rights.
13. Present to the Central Government annually and at such other intervals as the Commission may deem fit, reports upon the working of those safeguards.
14. Undertake formal investigation where concern has been expressed either by children themselves or by concerned person on their behalf.
15. Promote, respect and serious consideration of the views of children in its work and in that of all Government Departments and Organisations dealing with Child.
16. Produce and disseminate information about child rights.
17. Compile and analyse data on children.
18. Promote the incorporation of child rights into the school curriculum, training of teachers or personnel dealing with children.



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## The Role of Vachana Philosophy and Human Rights

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### Abstract

Vachana philosophy is the unique contribution made by the Sharanas to the Universal humanity. This philosophy has its significance not only in the past but in the present era of Globalization. These vachanas preaches nature of simplicity, unsophisticated and elegant. But at the same time they possess noble ideas and highest truths of religion. The movement of Sharanas through vachana philosophy was a revolution against prevailing caste, class, general discrimination in their society. Vachana Sahitya is a collective creation, it is an experience came out of the mutual discussion and exchange of views among the sharanas. The Sharanas have putforth their idea in the form of Vachanas for the benefit of humanity. The some vachanas speaks and upholds human rights. The other Vachanas speaks and upholds social rights

The reasons for the growth of vachana philosophy can be described as follows :

- a) The social causes,
- b) Economic causes,
- c) the political causes
- d) religious causes and
- e) religious literature

#### **a) Social Causes:**

In the 12th Century there was no healthy social life. The classification of the Varanashrama system took its importance during this century. This has divided the society in an artificial and arbitrary manner. There were other religions such as Buddhism and Jainism. These religions were rigorous asceticism and they were silence about God. This could not attract the masses. The political instability has created as confusion in the religious field and social system. This has given rise to the degradation of moral life in the society.

These circumstances has led to the Sharana movement under the leadership of Sri. Basaveshwar. In those days, Varna was the deciding factor in determining superior and inferior classes of society, thus those who belonged to the superior Varna always remained a superior



class and those who belonged to inferior varna always remained inferior class. Even if some of the superior varna class were inferior class they here accepted as belonging Thus the society was classified into three segments. There was a need to question this and create a class structure based on human quality and established a fourth system where even the people of inferior varna could elevate themselves to the upper class. Social mobility was inevitable people aspired for social classification not based upon birth as Brahmin, Kshatriya, Vaishya and Shudra, but a classification based on quality.

There was social discrimination when occupation becomes hereditary. There discrimination were ugly and cruel distortions. Those who did not do physical labour belonged to the Brahmin and Kshatriya classes and those who were engaged in physical labour were categorized as Vaishya and Shudra. Obviously there was a difference in the economic status of these classes, the situation was so grim that the Sharanas declared that Kayaka or culture of physical labour is above any kind of discrimination. A Brahmin is not born to read the Veda and Shastra; A Kshatriya is not meant to kill and be merry, Trading is not the monopoly of a Vaishya ; our good Kama Bhima does not consent without Examining the merits and demerit of a famer Sharana.

One of the many reform movements aimed against the supremacy of the Brahmins whose selfish exploitation of the lower classes led to the rise led to the rise of new sects essentially anti Brahminic in origin, is the Sharana Movement. The insistence upon the socio religious cult of Varnashramadharma by Hinduism led to the domination of Brahmins in society which resulted in the exploitation of lower castes and clases. The age long slavery of the Indian people can be traced to that source. Brahmanism as a socio-economic force exploited not only the untouchables but touchable like the Kshatriyas as well. In fact they were not only administrators but law makers also.

The spiritual verdict of a family Brahmin priest on any political or social matter was willy-nilly taken as a divine decree by Kshatriya Kings. The summary of social causes has expressed in the following Vachana by Sharana those who are well versed in the Veda, Shastra, purana, Agama etc are not great.

A rope-dancer is a master of sixty four lores. Is he then inferior? This is not the right criterion. It is quite different. All there are bead earning lores; therefore he is great who had realized virtue, Knowledge, religion, conduct and purity, my dear Lord Urilinga Peddi Vishveshwara. Uralingapeddi In this vachana the Sharana says that if a person is knowledgeable and experienced in Shastra, purana, Vedas can't be considered as a great person.

The rope dancer is well versed in sixty four subject then why he considering as inferior, this criteria can't be considered as a good ground for classification. These are the modes of earnings. The great person is he who has an experience of virtues, knowledgeable, good conduct and pure in heart. This Vachana says that discrimination should not be based on caste and the person should be differentiated on the basis of good qualities and bad qualities.

**b) The Economic causes :**

The ancient arrangement founded the division of castes on the nature of their work as Brahmins, Kshatriya, Vaishya and Shudra ended in division of working class and resulted in differentiation between man and man. Thus the graded society resulted into inequality. The concept of upper and lower castes on the basis of occupation emerged. There was lot of complexities in the human society. Human relationship stepped to the level of inhumanity. On the one hand the innocent people who will work hard from dawn to dusk and on the other hand, the upper strata of people who were leading luxurious life without sweat on their brow. The poor people who were deprived of all the amenities of life and the neglected were in large numbers and few people, who proclaimed the reserves as the upper class people they thought that all the amenities were meant for them and it was their right to enjoy them.

The primary task of the second caste category of Kshatriyas is to protect the people; and therefore they carry arms. The Vaisyas, who constitute the third layer, are expected to subsist by trading, lending money, tending cattle, and cultivating land. Finally, the Sudras have only duty; to serve meekly these other three castes. The hierarchy of the prescribed duties is even more highlighted if we take into consideration the rules for those bad times in which the traditional caste professions are not sufficient for subsistence. In most castes, there has been always some diversity of professions, because not all members could make a living by following the traditional occupation. However, the principles remains that castes are characterized by certain occupational activities; and this is especially conspicuous in the case of castes with religious functions, either high or low, and serving castes. The high religious function of Brahmanas. But castes with low religious functions such as manufacturing flower garlands or making mystic are like wise very specialized.

The untouchable castes are often also completely specialized in one profession, such as washing cloths or hair cutting. In the traditional caste society, as it is now a days still found in the villages, all castes are interdependent through their professions. It is an economic system which is based upon the exchange of services and gifts in kind. On the other hand, the system is not likely to give an impetus to social mobility, taking up another profession is not forbidden to the individuals; but the possibilities are very much restricted by the system. Especially higher ranked occupations are generally reserved for higher castes. Likewise, many trades and crafts are the monopoly of a certain caste, and cannot be undertaken by others.

It dictates that each man's occupation is pre-determined by birth. It says that man has no freedom to choose any vocation he likes and no freedom to think and act as he likes. The protagonist of the Karma theory advocate that one has to follow the hereditary profession; that a farmer's son should become a farmer, a barber's son on barber as preacher's son a preacher and so on. The history of India reveals that the karma theory has hampered the progress of society and has caused economic stagnation. The individuals who form a society must be industrious ; otherwise the society will have to face an economic crisis. Basaveshwara said that refusal to work and resorting to beggary was a heinous sin. Again a noted author pointed out



that 'Sharanas were the first medieval prophet to preach that poverty as not a spiritual sin but it is a social evil. It is not a legacy bequeathed to us through sin committed either by us or by our fore fathers. It is rather an outcome of social conditions. Being urged by this motive they strove hard to set-right the economic conditions of then defund society.

They welcomed all people belonging to different vocation and laid the foundation of a brotherhood of labour. Uplifting the downtrodden who were subjected to the exploitation of the upper class, was the aim of the Sharanas. They took the responsibility of enlightening them. Their basic necessity was food and mental peace. A man can think about knowledge, science, religion – Spirituality only when his stomach is full.

The Sharanas were well aware that the economy plays a vital role in the overall development of the human beings. Accordingly the thought and deliberation in this regard lead to the concept of Kayaka and Dasoha. According to Sharana's the fruits of work should not be for individual alone. They stated and followed that one should keep the income required for him and the remaining portion should be dedicated to the society at large. That was called Dasoha. As the work done with dedication is called Kayaka, dedicating the income earned from it without ego and with Dasohabhavana is called Dasoha, it is not easy to win body, mind and wealth. We have to give those three to another set of holy three – Guru, Linga and Jangama. Kayaka and Dasoha are not different. They are two faces of the same coin. One is the way of earning and another is the way of utilization. These are the principles of production and distribution of wealth.

The earnings of a person who earns for society, for country are more valuable than the one who earns for himself and his family. In the words of Aydakki Lakkamma a woman saint of 12th Century has presented the importance of Kayaka in a very special manner. One who is engaged in work Must even forget the Guru's sight ; The Linga worship he must forget Even if the Jangama stands in front, The obligation must be snapped Since such work is as good as heaven Amareshwaralinga himself must do it. Most eminent themes of Sharana philosophy are Guru, Linga and Jangama. But one who, engaged in his Kayaka is excused to forget there trinitities. And God is also included in Kayaka, so one can assume the status of Kayaka, so the Kayaka is very high obligation according to the Sharana's.

### c) The Political Causes :

The Basavana had an opportunity to serve as a clerk or junior accountant the royal treasury of Mangalavad province headed by Bijjala of Kalchuri Dynasty. The social evils like corruption, bribery and mismanagement in the administration made Basava to think and eradicate these evils. So he suggested and adopted certain principles like Kayaka and Dasoha which was accepted by superior offices and established Anubhava Mantapa which worked for the development of individuals alongwith society.



The political head were Kshetriya kings but the administrative power was retained in the hands of upper class people. These upper class peoples not only exploited the lower class people in respect to socio-economic aspect, but they had controlled the administrative power in them. And also exploited the Kshetriya Kings by making laws arbitrarily. Since the law making power retained in the hands of these upper class people. The lower class who are illiterate lost their power of legal enforcement. This how the gross valuation of human rights were cause to the poor class people. This was opposed by the Sharanas. They expressed their views in the form of Vachana which can be easily understandable by the common people. This how the political causes has led to the vachana philosophy. The following vachana of Akkamma speaks about political evils practiced in those days and how the law and order has to be maintained in the society.

“The body is the end for  
Both right conduct and for disgrace  
How can create another body  
Through guru, linga and jangama  
And unite with it as the pure one ?  
If you see and speak to one  
Who is without linga,  
Corrupt in practice,  
And a slayer of Jangama  
You will burn in hell.  
No doubt here,  
As this is the command of  
Aacharve Pranavada Raameshwaralinga”

In this vachana Akkamma mounts a fierce attack on evil mongers like tale bearers, guilty guile-fulleshchers and double dealers who generate ill-will among people and breed such diseases as would corrupt both individuals and society. In this Vachana the Sharanas give more importance to good conduct and consciousness of an individual. If he fails in having these qualities and leads to inequality and corruption he should be punished. The law and punishment are part of the society.

d) **Religious conditions :**

The most ancient religious system that prevailed in 12th Century was saivism. It was sup-  
planted from its rightful place by the advent of Aryans and was eclipsed altogether for a time  
in north India. However, it flourished without any set back in the south. We know the vedic  
religion is seen to have strongly influenced Indian life as a whole. Having subsumed the ele-  
ments of other religious, it emerged as an eclectic, composite religion.

The vedic religion, based on animal sacrifices and other rites, giving rise as it did to a hierar-  
chical social structure, was composed of four castes. It helped to shape art and religious





thoughts representing the four fold social division of course vedic religion, at and social structures down the centuries, faced challenges of more than one kind and passed through cataclysmic changes and it has been reborn times and again. Though a natural religion vedic faith has been subjected to revision from time to time.

#### e) Religious Literature :

The Sharana movement was also characterized by a specific kind of literacy suited for its ideals of propagating devotion among the masses. Sanskrit scriptures were, of course not useful for this purpose; for only the small upper caste of Brahmans was familiar with that sacred language. For the reason, the Sharana leaders expressed their thoughts from the vernacular language expressed their thoughts on the vernacular language of the region; Kannada, one of the Dravidian languages. Also the form was adopted to the missionary purpose. The foremost literature of twelfth century consists of vachanas; small poems in a free verse form, which could easily be memorized. The production of those poems grew to huge proportions.

The Religious literatures like Vedas, Shastras, Upnishads, etc were in Sanskrit language. The Sanskrit language literature was meant for upper class people. This literature knowledge was not known to the common people. The lower class people were kept away from education and they were even allow to hear the words of Sanskrit literature. So there right to knowledge and right to education was deprived. The Sharana philosophy was reply to these violations of human rights. Hence through the vachana, which was in the form of simple and common language of the people, they brought the awareness of human rights and duties. These are the reasons for the growth of vachana philosophy in 12th Century.

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## Human Rights for the Wellbeing of Older Persons

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### **Abstract:**

Human rights are the most fundamental rights of human beings. In recent years rumors have been aired concerning the impending recognition of old age rights which would appear alongside the human rights of minorities, women, child and persons with disabilities. The human right of older persons is a topic that has been long time neglected and at present human rights is increasingly taken into consideration by the government and policy makers in some countries, but often in a haphazard way. As far as India is concern, the older generations are not aware of their human rights due to high prevalence of illiteracy and lack of awareness. This article provides an overview of older person's basic human rights principles and international human rights for older persons.

**Keywords:** Human Rights, Older Persons and Old Age Rights

### **Introduction**

The right to life is the most fundamental human right and cannot be subject to derogation even in war or in states of emergency. Unlike the prohibition of torture or slavery, however, the right to life is not an absolute right (Manfred Nowak, 2005). Human rights are the most fundamental rights of human beings. They define relationships between individuals and power structures, especially the State. Human rights delimit State power and, at the same time, require States to take positive measures ensuring an environment that enables all people to enjoy their human rights (Megret, 2005). The elderly population is the fastest growing portion of society. By 2025, more than 1.2 billion people will be aged sixty or above and more than seventy percent of them will be residing in what are currently considered developing countries. Developed and developing countries address the issues of the aging population in different ways. In developing countries, the lack of a social security apparatus and the weakening of the family unit present obstacles to the provision of care for elderly family members (Pinzon and Martin, 2003). Further, the rights of the older persons were also neglected. The human right of older persons is a topic that has for a long time been neglected. Domestically, it is a dimension that is increasingly taken into account, in at least some countries, but often in a haphazard way (Megret, 2011). During the year 2009 the Human Rights Council Advisory Committee recommended a study on the 'need to protect the human rights of the older person in the context of a human rights framework'. This article discusses the main idea of human rights for older persons. The article first introduces the concept of human rights. Second, human rights and older persons, third United Nations initiative for human rights and finally social work practice in human rights.



## **What is Human Right?**

Everyone has the right to life, liberty and security of person. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (United Nations, 1949). Human rights are the most fundamental rights of human beings. They define relationships between individuals and power structures, especially the State. Human rights delimit State power and, at the same time, require States to take positive measures ensuring an environment that enables all people to enjoy their human rights (Megret, 2005). Human rights are fundamental to the stability and development of countries all around the world. According to Australian Human Rights Commission (2009) Human rights are defined as ‘Human rights’ are defined by section 3 of the AHRC Act as the rights and freedoms contained in specific international instruments that are scheduled to, or declared under, the AHRC Act. Human right is a universal moral right, something which all men, everywhere, at all times ought to have, something of which no one may be deprived without a grave affront to justice, something which is owing to every human simply because he is human (Augender, 2002).

### **Basic Human Rights Principals (Nowak, 2005).**

#### **1. Human Rights are Universal**

Human rights are universal because they are based on every human being’s dignity, irrespective of race, colour, sex, ethnic or social origin, religion, language, nationality, age, sexual orientation, disability or any other distinguishing characteristic. Since they are accepted by all States and peoples, they apply equally and indiscriminately to every person and are the same for everyone everywhere.

#### **2. Human Rights are Inalienable**

Human rights are inalienable insofar as no person may be divested of his or her human rights save under clearly defined legal circumstances. For instance, a person’s right to liberty may be restricted if he or she is found guilty of a crime by a court of law.

#### **3. Human Rights are Indivisible and Interdependent**

Human rights are indivisible and interdependent. Because each human right entails and depends on other human rights, violating one such right affects the exercise of other human rights. For example, the right to life presupposes respect for the right to food and to an adequate standard of living. The right to be elected to public office implies access to basic education. The defense of economic and social rights presupposes freedom of expression of assembly and of association

#### **4. The Principle of Non-Discrimination**



Some of the worst human rights violations have resulted from discrimination against specific groups. The right to equality and the principle of non-discrimination, explicitly set out in international and regional human rights treaties, are therefore central to human rights. The right to equality obliges States to ensure observance of human rights without discrimination on any grounds, including sex, race, colour, language, religion, political or other opinion, national, ethnic or social origin, membership of a national minority, property, birth, age, disability, sexual orientation and social or other status.

### **Older People and Human Rights – Conceptual Issues**

Older people are beginning to represent a large proportion of the general population and have become a major area for social programming in many parts of the world. However, neglect or violation of older people's rights is common (Tang & Lee, 2006). The 2001 census has shown that the elderly population (60+) of India accounted for 77 million and census 2011 projections indicate that elderly population has crossed the 100 million mark. It took more than 100 years for the aged population to double in most of the countries in the world, but in India it has doubled in just 20 years. The life expectancy has also gone up to over 70 years today (Agewell Foundation, 2011). According to the United Nations Department of Economic and Social Affairs, one out of every ten people on the planet is now 60 years of age or older. If the current trend of lowering birth rates and lowering death rates continues, by the year 2050 one out of five people will be aged 60 years or older and by 2150, one out of every three people will be aged 60 years or older. Additionally, the oldest old are the most rapidly expanding segment of the elderly population. Currently, the oldest old make up 11 percent of the 60+ age group and will grow to 19 percent by 2050. The global phenomenon of population ageing brings with it a host of challenges for many older people: economic insecurity, poor health, social isolation and prolonged dependency (Tang & Lee, 2006). The Human Rights Act influences the way public services are delivered to older people. The Human Rights Act says that providers of public services, such as staff at residential homes and hospitals or carers in your own home, must make sure that they do not breach your human rights (British Institute of Human Rights, 2010).

### **International Human Rights and Old Age Rights**

In recent years rumors have been aired concerning the impending recognition of old age rights which would appear alongside the human rights of minorities, women, child and persons with disabilities (Bobbio, 1996). The movement for old rights seemingly achieved momentum at the beginning of 2010 when the Advisory Committee of the UN Human Rights Council delivered a working document defending “the necessity of human rights approach and effective United Nations mechanism for the human rights of the older person” (Human Rights Council, 2010). In January 2010, the Advisory Committee to the Human Rights Council released a report on the human rights of older persons. The “Chung report”, namely after the rapporteur Ms. Chisung Chung, is a research document that illustrates, in sections



I and II, the global impact of demographic ageing and the increasing number of human rights violations suffered worldwide by older persons in area such as physical and moral integrity, susceptibility to poverty, employment, social security and health care. After discussing the need (“necessity”) for a human rights treaty, the reports presents in section V a non-exhaustive list of human rights of the older person, prepared by the Yale law school ( Loweinstein, 2010). One of the basic claims of the Chung report is that a treaty on the human rights of the older person enhanced the visibility of older persons in human rights law.

## **UN Principles for Older Persons**

### **Independence**

- Older persons should have access to adequate food, water, shelter, clothing and healthcare through the provision of income, family and community support and self-help.
- Older persons should have the opportunity to work or to have access to other income-generating opportunities.
- Older persons should be able to participate in determining when and at what pace withdrawal from the labour force takes place.
- Older persons should be able to live in environments that are safe and adaptable to personal preferences and changing capacities.

### **Participation**

- Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their wellbeing and share their knowledge and skills with younger generations.
- Older persons should be able to seek and develop opportunities for service to the community and to serve as volunteers in positions appropriate to their interests and capabilities.
- Older persons should be able to form movements or associations of older persons.

### **Care**

- Older persons should benefit from family and community care and protection in accordance with each society’s system of cultural values.
- Older persons should have access to healthcare to help them to maintain or regain the optimum level of physical, mental and emotional wellbeing and to prevent or delay the onset of illness.
- Older persons should have access to social and legal services to enhance their autonomy, protection and care.



- Older persons should be able to utilize appropriate levels of institutional care, providing protection, rehabilitation and social and mental stimulation in a humane and secure environment.

### **Self-fulfilment**

- Older persons should be able to pursue opportunities for the full development of their potential.
- Older persons should have access to the educational, cultural, spiritual and recreational resources of society.
- Dignity Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse.
- Older persons should be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution.

### **Specific Human Rights for Older Persons (BIHR, 2009)**

Human rights which are widely used to protect older people are:

- The right not to be tortured or treated in an inhuman or degrading way;
- The right to respect for private and family life, home and correspondence; and
- The right to life.

#### **The right not to be tortured or treated in an inhuman or degrading way**

Article 3 of the European Convention on Human Rights says that no one shall be tortured or treated in an inhuman or degrading way. This right is an absolute right. This means that no one should not be tortured or treated in an inhuman or degrading way in any circumstances, as this right may never be breached, restricted or limited.

#### **The right to respect for private and family life, home and correspondence**

Article 8 of the European Convention protects the right to respect for private and family life, home and correspondence. This right guides the older persons in their private life (personal choice and dignity), personal and sexual life, cultural needs, physical and mental wellbeing, participation in community life, access to personal information.

#### **The right to life**

Article 2 of the European Convention on Human Rights protects the right to life. This right has two aspects to it. Public authorities must:





- **Not take away your life**, except in a few very limited circumstances. These circumstances are lawful action taken to defend someone from violence, to arrest someone, to prevent someone who is lawfully detained from escaping, or to suppress a riot. Any action taken must use no more force than is absolutely necessary.
- **Take reasonable steps to protect your life**. For example there should be adequate laws in place to protect our self from others who might want to take away our life.

### United Nations and major landmarks of older people's rights

1948	Universal Declaration of Human Rights General Assembly adopted resolution 213 (III) A draft declaration on the rights of the elderly
1966	The International Convention on Civil and Political Rights (ICCPR) International Convention on Economic Social and Cultural Rights (ICESCR)
1982	The First World Assembly on Ageing (Vienna) (The Vienna International Plan of Action on Ageing)
1991	United Nations Principal for Older Persons

	(Five principles: independence, participation, care, self-fulfillment and dignity)
1992	47 <sup>th</sup> Session of the General Assembly Resolution on Global Targets on Ageing for the Year 2001 and the Proclamation on Ageing
1995	Committee on Economics, Social and Cultural Rights, General comment No.6: The economic, social and cultural rights of older persons
1999	The International Year of Older Persons (Proclamation on Ageing) (Conceptual Framework) (Operational Framework)
2002	Second World Assembly on Ageing (Madrid) Adoption of the Political Declaration and Madrid International Plan of Action, 2002

**Source:** Tang and Lee (2006)

### Barriers in using Human Rights for Older Persons

The research identifies five key barriers to older people making use of human rights (BIHR, 2009):

1. The Human Rights Act is about political correctness, not the treatment of older people.
2. Human rights are an issue in dictatorships, not Britain.
3. People should not have to use legal rights to get action.



4. Lack of faith that using the Act will make any difference.
5. Lack of information and system navigation skills.

### Human Rights and Social Work

On an international level, the link between social work and human rights appears more developed than in the United States. Ethical principles issued by the International Federation of Social Workers (IFSW) highlight the importance of human rights declarations and conventions and underlying human rights principles (International Federation of Social Workers, 2009). Integration of human rights into social work policies and practices is essential, regardless of whether the perspective is individual or societal. The Council on Social Work Education (CSWE, 2008) now mandates the integration of human rights into curricula of US schools of social work. Basic concepts underlying human rights present little that is new to the social work profession. The profession has a history of advocating for education, equality, healthcare, housing, and fairness, all of which fit neatly under the umbrella of human rights (Healy, 2008).

### Conclusion

At present the older persons have lost their basic rights due to rapid industrialization and urbanization which shifted the joint family system into nuclear family and as the result the elders were not given due recognition in the family and society as well. Older people are often discriminated against within families and services, and this discrimination is often underpinned by the legal systems and government policies of individual countries. Older people's rights are set out in a range of international agreements, but are often ignored. In India older generations are not aware of their human rights due to high prevalence of illiteracy and lack of awareness. Further, older people face hardship because of society's negative attitudes towards them and they rarely report these abuses because of fear, and ignorance of their rights. Today creating awareness on human rights for older persons and protecting their basic human rights has become the prime responsibility for government and other organizations which work for the welfare of the older persons. Finally to decrease the incidences of age-discrimination, age-discriminatory policies like retirement policies in both government and public sector, various reservation policies need to be amended.

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**Sexual Harassment at Workplace- Role of Employer at Crucial Stage****Pradeep K N**

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**Abstract**

It is a known fact that the nation constitutes both men and women. Both are having equal rights as conferred on them by the Constitution of India. The days then allowed one person's earnings to be enough for a family but with the raising standard of living the things has called for another person's earnings. We see that women take active participation in all the activities related to household chores and works related to the managing of house. Women are considered to be the best managers with that of the work and are even considered to be the multi tasker. They are socially and economically contributing for the development of the family. Though women are more successful yet men are given more importance. Though there are many developments in the society the way women is treated has still not changed. There are many ways women get easily exploited one such way is sexual harassment. The discrimination has always violated the rights of women. The sexual harassment at workplace or any organization violates even the fundamental rights. It is better to ensure that the world of work is free from all such discrimination and violence is core for realizing decent work. Sexual harassment can be perpetuated against both women and men. This article is about reflecting the difficulties faced women at workplace and the measures to prevent the sexual harassment by the employers.

**Keywords:** Constitution of India, Development, Discrimination, Sexual Harassment.

**Introduction**

As mentioned in the constitution of India about "equality of status and opportunity" must be secured to all its citizens and that is mentioned under Article 14. Workplace has to provide a complete protection to the people working but now the Sexual harassment taking at workplace is just an extension of violence in everyday life and is also discriminatory in nature with exploitative as it affects women's "right to life and livelihood". It is even the violation of fundamental rights of a woman to equality as mentioned under Articles 14 and 15. It even affects her right to live with dignity as enshrined in Article 21 of the Constitution of



India. The origin of the sexual harassment as seen in the case *vishaka and ors, v Union of India*<sup>19</sup>. Indian Constitution has provides equality of status and even opportunity. Gender equality is a basic human right. Therefore, sexual harassment is considered as a violation of fundamental right including right to equality which is already guaranteed by the Constitution of India. Sexual harassment is always considered to be violating of a woman's fundamental right that includes right to equality, as guaranteed by constitution of India. Workplaces these days is creating an insecure and hostile as the work environment is getting too much male dominated. This is discouraging women's participation in all the work and even is adversely affecting their steps towards social and economical growth. Sexual harassment of women is a global phenomenon prevalent both in developed as well as in developing countries.

The constitution of India also provides its citizen the fundamental right that includes right to practice or carry out any such occupation, trade or business the citizen wishes to, that shall include the right to have a safe environment which shall be free from all the forms of harassment. At first place Women are considered to be weak physically that has added to the discrimination formed easily. Crimes against women can be seen every now and then. Secondly from the ancient times female are always been considered as an object of enjoyment and even beauty. She never is treated as equal human being to man. Her importance is always at a greater height than man because she did brought up him at the cost of her self control that is why whenever they address god and goddess it is as RadhaKishan, Siya Ram etc., the female counterpart is always put at first place and the male counterpart comes second. But it had ever been the status of woman in spiritual sphere only and not in real world. In physical world the woman had been treated with other way round.

### Meaning and Definition of Sexual Harassment

“In India, sexual harassment is termed as 'eve teasing' and is described as: unwelcome sexual gesture or behaviour whether directly or indirectly such as sexually colored remarks; physical contact and advances; showing pornography; a demand or request for sexual favors; any other unwelcome physical, verbal, non-verbal conduct being sexual in nature, passing sexually offensive comments or any other such behaviour”<sup>20</sup>.

“Sexual harassment is any form of unwelcome sexual behaviour that's offensive, humiliating or intimidating. Most importantly, it's against the law. Being sexually harassed affects people in different ways”.

### Sexual harassment can includes these wherein someone:

- Who touches, grabs or make other physical contact with you and without your consent

<sup>19</sup>AIR 1997 SC3011

<sup>20</sup><https://www.civilserviceindia.com/subject/Essay/sexual-harassment-in-workplace-causes-and-remedies2.html#:~:text=There%20are%20many%20causes%20of,their%20behavior%20in%20an%20organization.>



- Who makes comments on you that have a sexual meaning
- Asking you for sex favour or sexual favours
- Who leers upon and stares at you
- Who displays rude and offensive material so that you or others can see it
- Who makes sexual gestures or even suggestive body movements towards you
- Who cracks sexual jokes and even comments around or to you
- Who questions you about your sex life
- Who insults you with any sexual comments

### **PERSPECTIVE ON THE STATUS OF WOMEN FROM PAST, POST INDEPENDENCE AND PRE-INDEPENDENCE**

Women is considered to be in a form of a 'Shakti' from the past days and is always been worshipped as a Goddess. She is being respected as a Mata always, but today we can see numerous crimes against her from 'womb to tomb', many legislations are made for the sake of protection of women and children by the nation and even it has become an international concern.

It is being observed that during the "Vedic period that, women enjoyed equal status with men and independence in action. Not only they had the place of honor but even they were entitled to participate very freely in social activities. They were allowed to pursue the academic attainments and shared the family life with full vigor. They were free to select their conjugal partner and exercised free will in entering into matrimonial bondage as Svayamvar was in practice. Hence, the parent's influence was not unfairly exercised against the wishes of the wards in choosing their life partner".

Post-independence the position of women changed and turned very horrible as they were not allowed to go out and were under *purdah* system. They were treated as a thing and were kept within four walls. It was during the freedom fight when the great women like Rani Lakshmi Bai and Kittur Rani Chennamma came into existence to remove the differences. They tried making people understand that their presumption of keeping a women within the four wall has to get changed and they should be provided equal rights as like men. They even proved that they stand equal to men. When the British arrived in India, they found that lack of education, child marriages, *purdah*, widowhood, and sati were associated with the Hindu woman. Social reformers like Raja Ram Mohan Roy, Ishwara Chandra Vidyasagar, Pandit Ramabai, Mrs. Ranadet, Keshava Chandra Sen, Swamy Dayananda and Mrs. Annie Besant, tried during this period to improve woman's position in the society.





Post-independence special instances of the high position to which women have risen with, a woman as our Prime Minister and many others playing important roles as ministers, political administrators, doctors, educationists and even in the business world, the fact of their success cannot be denied. Daughters started getting independence and they were the part of the property and were totally respected.

There were many legislation came into existence. Women being the loveable person had a lot of problems to be faced and even always exploited. But post-independence made them to come out of the corners and started doing their work and even job to be supportive to their ongoing. There are many crimes going against women these days and needs many acts to come into existence.

The ILO policy convention defines Sexual harassment at the work place as “any unwanted conduct of a sexual nature, which in the reasonable perception of the recipient, creates an intimidating, hostile or offensive working environment. It is particularly serious when behaviour of this kind is engaged in by any official male or female, who is in a position to influence the career or employment conditions (including recruitment, assignment, contract renewal, performance appraisal or promotion) of the recipient of such behaviour”.

### **A LEGAL FRAMEWORK ON SEXUAL HARASSMENT**

In the beginning when women started going to job the sexual harassment was very less and to get strict law was difficult and hence there was no strict legislation with that there was no legal definition on sexual harassment. The courts always treated sexual harassment either as a criminal offence or even sometimes as civil wrong. Before Vishaka Case there was no legal provisions to identify, recognize and define this problem. Dr. A.S. Anand CJ. said, “there is no gainsaying that each incident of sexual harassment at the workplace results in violation of the fundamental rights to gender equality and the right to life and liberty, the two most precious fundamental rights, guaranteed by the Constitution of India”. “Social degradation, economic inequality and criminal wrongs are commonly heard of even these days”. There is thus a huge shadow that falls between the promises and the reality. Cases of eve teasing, molestation, rape, sexual harassment etc. are rampant in our society. There is no need for urgent action against these incidents. In India, provisions for the betterment of women are made in different legislative enactments like Criminal Procedure Code 1973, Indian Penal Code 1860, Indian Evidence Act 1872, Vishaka guidelines and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013<sup>11</sup> and other special law which are related to protection of women. India has been ratified various International Conventions, which has become a source of law.

### **LEGISLATIONS RELATED TO SEXUAL HARASSMENT IN INDIA**

#### **Constitutional Provisions**



It is a known fact that if a legislation comes into existence the legislature has to keep in its mind that the new legislation has to uphold Constitutional provisions. The constitutional provision clearly mentions that no person's right can be violated by any. It even guarantees both basic and the fundamental right "To protect the rights of every woman and to give them equal status in the society, the framers of the Constitution of India granted some special rights to the women in the constitution in the form of both the fundamental rights and directive principles of state policies, which were directed towards the state. The framers of the constitution realized the backwardness of woman and hence they have provided for certain provisions in the constitution. To fulfil these constitutional obligations the legislature enacted various special legislations apart from the various international obligations regarding the labour standards and the quality of life and quantum of work as well. Thus the Constitution of India not only grants protection to women but also empowers the state to adopt measures of positive discrimination of women for neutralizing cumulative socioeconomic, education and political discrimination faced by them"<sup>21</sup>

### **Right to equality**

"Words are magic things often enough, but even the magic of words sometimes cannot convey the magic of human spirit and of a Nation's passion....(the Resolution) seeks very feebly to tell the world of what we thought or dreamt of so long, and what we now hope to achieve in near future."

Right to equality always been a fundamental right as conferred by the Constitution of India, and that protects the right of women. And "Article 14 of the Constitution guarantees equality before the law and equal protection under the law, and has been interpreted as a prohibition against unreasonable classification. The Supreme Court has held that the equality guarantees do not require that the law treat all individuals same, but rather that any classification made between similarly situated person be reasonable. According to this doctrine of reasonable classification, only those individuals who are similarly situated must be treated the same in law."

"Equality is a dynamic concept with many aspects and dimensions and it cannot be cribbed contrived and confined within traditional and doctrinaire limits. From a positivistic point of view, equality is antithesis to arbitrariness. In fact equality and arbitrariness are sworn enemies; one belongs to the rule of law in a republic while the other, to the whims and caprices of an absolute monarchy. Where an act is arbitrary, it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore violative of Art.14"<sup>22</sup>

<sup>21</sup>[https://shodhganga.inflibnet.ac.in/bitstream/10603/207279/10/7\\_chapter%203.pdf](https://shodhganga.inflibnet.ac.in/bitstream/10603/207279/10/7_chapter%203.pdf)

<sup>22</sup>Article 14 of Constitution of India.



“Though complete identity of equality of opportunity is impossible in this world, measures compensatory in character and which are calculated to mitigate surmountable obstacles to ensure equality of opportunity can never incur the wrath of Article 16(1).”<sup>23</sup>

### **Sexual harassment even violates**

1. Right to Freedom
2. Right to freedom of speech and expression
3. Right to life and personal liberty

And directive principles and even fundamental duty supports the protection of women and children.

### **IPC AND CRIMINAL AMENDMENT ACT 2013**

“There are many provisions in Indian Penal Code relating to combating sexual conduct. These provisions show that this problem was even prevailing in 1860’s also. Various provisions in the Indian Penal Code cover such behaviour, but until recently no specific criminal offence of sexual harassment at workplace existed in the Indian Penal Code, and the provisions under which such offences could be prosecuted were Sections 354 and 509 Indian Penal Code. The Criminal Amendment Act 2013, added a specific provision creating the offence of —Sexual Harassment under the section 354A Indian Penal Code, which draws its definition almost entirely from the laid down in Vishaka judgment. Sections of Indian Penal Code 1860 cover such behaviours as mentioned in the definition of Sexual Harassment by the Supreme Court of India”.

“Do any annoyance of others,

a. Does any obscene act in public or,

b. Sings, recites or utters any obscene songs, ballad or words in or near any public place, shall be punished with imprisonment of either description for a term which may extend to three months or with fine or, with both.”<sup>24</sup>

“A man committing any of the following acts i. Physical contact and advances involving unwelcome and explicit sexual overtures; or ii. A demand or request for sexual favours; or iii. Showing pornography against the will of a women; or iv. Making sexually coloured remarks. shall be guilty of the offence of sexual harassment”<sup>25</sup>

### **INDIAN EVIDENCE ACT**

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<sup>23</sup>State of Kerala V N M Thomas

<sup>24</sup>Section 294

<sup>25</sup>Section 354A



“There are various provisions of Evidence Act which may be helpful in establishing the offence of sexual harassment at work place, for that matter just like the cases of sexual assault or rape. Section 114-A: Evidence of Prosecutrix

In the Indian setting, refusal to act only on the testimony of a victim of a sexual assault, in the absence of corroboration, as a rule, is nothing less than adding spice of insult to the injury. Like the evidence of any other injured witness, the evidence of a girl or woman raped or molested should bear enough weight since a female bound by traditional conservative and non-permissive society of India would be extremely reluctant even to admit that any incident which is likely to reflect her chastity had ever occurred.”

Even criminal procedure code gives the procedure of punishment for the criminals who cause such sexual harassment.

### **THE NATIONAL COMMISSION FOR WOMEN ACT, 1990**

The statement of objects and reasons of the act states: “Successive commissions on women had noted in their reports the unequal status of women obtaining in every sphere of life and had suggested the setting up of an agency to fulfil the surveillance functions as well as to facilitate redressal of their grievances. The country cannot progress as long as the inequality persists with reference to half of its population. The main task of the commission shall be to study and monitor all matters relating to the constitutional and legal safeguards provided for women, to review the existing legislations and suggest amendments wherever necessary. It will also look into the complaints and take suo motu notices of the cases involving deprivation of the rights of women in order to provide support, legal or otherwise, to helpless women. The commission shall monitor the proper implementation of all the legislations made to protect the rights of women so as to enable them to achieve equality in all spheres of life and equal participation in the development of the nation.”

### **OTHER REMEDIES**

In order to keep a check on sexual harassment, an organization should have very clear cut policy to register such complaints of such nature and even the procedure for taking all the disciplinary action. Such guidelines is already made available by the judgement of Supreme Court, its only the implementation that is much required.

Every organization should always have an effective employment policy that should always ensure well planned career paths as based on merit to reduce the vulnerability of every individuals and to stop harassment by those who did abuse their power and authority.

There should be the awareness created among the staff members about these sexual harassment and even the consequences that they may face if they would indulge in such an act. They should know their social responsibilities to prevent such incident in their organization.



The staff member subjected to sexual harassment must first complain to the committee members constituted for such purposes in the organization, before going to the police.

### **EMPLOYER'S RESPONSIBILITY**

The workplace has always created a series of problem. One among such is sexual harassment as the employer has to be very tough to handle the situation and even should follow the following:

- Should remove or reduce the risks of sexual harassment to make sure the workplace is safe
- Should offer support to anyone involved in a sexual harassment complaint
- Should make it clear to everyone who works for the employer, or uses the services, that will not tolerate sexual harassment
- train everyone who works for the employer on recognising sexual harassment and encourage them to report it immediately.
- make sure all the policies are consistent in having zero tolerance of sexual harassment

### **JUDICIARY AND SEXUAL HARASSMENT; OBJECTIVES OF JUDICIARY**

Prior to Vishaka's case, there has been quite a few remark also judgements that not only brought to fore the existence of this systematic and planned discrimination in our society but also exposed glaring loopholes in making safe work places available to increasing force of working women. There was this Bajaj Case<sup>26</sup> which did welcome "#Me Too".

In *Apparel Export Promotion Council v. A.K Chopra*<sup>27</sup>, the Supreme Court "reiterated the law laid down in the Vishaka Judgment and upheld the dismissal of a superior officer of the Delhi based Apparel Export Promotion Council who was found guilty of sexually harassing a subordinate female employee at the workplace. In this judgment, the Supreme Court enlarged the definition of sexual harassment by ruling that physical contact was not essential for it to amount to an act of sexual harassment."

Objectives of the judiciary: "the objectives and functions of the judiciary include the following: (1) To ensure that all persons are able to live securely under the rule of law; (2) To promote, within the proper limits of the judicial function, the observance and the attainment of human rights; and (3) To administer the law impartially among persons and between persons and the state."<sup>28</sup>

### **SPECIAL INITIATIVES FOR WOMEN**

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<sup>26</sup>1996 AIR 309, 1995 SCC (6) 194

<sup>27</sup> AIR 1999 SC 625

<sup>28</sup>Vishaka v State of Rajasthan



“(i) National Commission for Women : In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

(ii) Reservation for Women in Local Self -Government : The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

(iii) The National Plan of Action for the Girl Child (1991-2000) : The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

(iv) National Policy for the Empowerment of Women, 2001 : The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a ‘National Policy for the Empowerment of Women’ in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.”<sup>29</sup>

## **INTERNATIONAL FRAMEWORK,ASPECTS AND CONVENTIONS RELATED TO SEXUAL HARASSMENT**

Sexual Harassment against women is not just related to one state but that has become a universal problem as people from every corner have faced such harassment and still facing the worse. The UNO also has shown interest in putting an end to such crimes and has come with many laws and regulations. The Convention on the Elimination of all Forms of Discrimination against Women<sup>124</sup>(CEDAW) directs States Parties to take appropriate measures to eliminate discrimination against women in all fields, specifically including equality under law, in governance and politics, the workplace, education, healthcare, and in other areas of public and social life

### **International Labour Organization**

The ILO Committee of Experts on the “Application of Conventions and Recommendations has confirmed that sexual harassment is a form of sex discrimination covered by the Discrimination (Employment and Occupation) Convention (No. 111) of 1958. The ILO’s Indigenous and Tribal Peoples Convention (No. 169) also specifically prohibits sexual harassment in the workplace.”<sup>30</sup>

### **Treaty**

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<sup>29</sup>[http://mospi.nic.in/sites/default/files/reports\\_and\\_publication/cso\\_social\\_stactices\\_division/Constitutional&Legal\\_Rights.pdf](http://mospi.nic.in/sites/default/files/reports_and_publication/cso_social_stactices_division/Constitutional&Legal_Rights.pdf)

<sup>30</sup>Sources of International Law Related to Sexual Harassment, UN Women, <https://www.endvawnow.org/en/articles/492-sources-of-international-law-related-to-sexual-harassment.html>





As most of the nation depends upon another with a treaty there are nations which even get into a treaty for the solutions related to crimes likewise for CEDAW most of the nation has ratified it and India is one such nation. Treaty is given more importance as in *USA* “a treaty is the Supreme Law and it is only when the terms of a treaty require that a law must be passed that it has to be so passed.” Under the *French Constitution* “treaties that require ratification by law include treaties of cession, exchange or addition of territory.” In *England*, as no written constitution exists, the difference is made between treaties of peace when the Crown acts without obtaining the approval of Parliament.

Under the **Article 253** of the Constitution of India read with entries 10 and 14 of the List I of the Seventh Schedule mentions “Foreign Affairs- all matters, which bring the Union into relation with foreign countries-signing and implementation of international treaties within the domain of the Parliament.”<sup>31</sup>

The International Covenant on Economic, Social and Cultural Rights contains several provisions particularly important for women. “Article 7 recognises her right to fair conditions of work and reflects that women shall not be subjected to sexual harassment at the place of work which may vitiate working environment.”<sup>32</sup>

“It shall be the duty of the employer or other responsible persons in workplaces or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required.”<sup>33</sup>

## Conclusion

In India sexual harassment cases has increased causing a huge disturbance to the nation and has always created a fear among people to send their wife and children for work as it disturbs the whole society. Crime against a person is a crime against the society and that itself makes a huge difference for the protection of persons. Crime against women effects the working environment as the crimes related to Sexual harassment at work place is a sensitive issue. We cannot deal with the issue very easily. This brings a huge responsibility against the employer as he will be held responsible for the protection of his people. A study reveals that sexual harassment has emerged recently and is considered to be a social evil that is growing with an extreme speed and is a concerned topic for today as the authorities are unable to deal easily about the issue. This research has brought into the causes that leads to the sexual harassment and has given reasons for spontaneous increase in the sexual harassment cases in India. The society is always seen dominance from men at every phase of life either at home, at school or

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<sup>31</sup>Prevention of Sexual Harassment at Work Place, <https://indianlawwatch.com/prevention-of-sexual-harassment-at-work-place/>

<sup>32</sup>Sexual Harassment at Workplace, by Astha Poonia [https://amity.edu/UserFiles/aibs/30672019%20AIJJS\\_47-57.pdf](https://amity.edu/UserFiles/aibs/30672019%20AIJJS_47-57.pdf)

<sup>33</sup>5.1.1. of UN Convention on the Elimination of All Forms of Discrimination against Women CEDAW



it may even be at workplace, that should be put under stack by giving all the women an extra edge for the promotions and even other privileges and it has to surely bring down the number of cases as being reported each year.

Besides this, there are even many such major causes for sexual harassment wherein it is faced at higher educational profile of women who are being betrayed for their work, talent and skills. These things are ignored and are always offered for sexual advances giving them the assurance of high profile job with a handsome salary by the bosses of many such organizations which indeed need to be addressed very strictly and investigated. In a nut shell it is observed that the cases of sexual harassment of women at work place in India are increasing day by day. And the need is to provide such a mechanism that can bring a better halt to the situation and reduce down the number of cases. It cannot be so easily checked by providing staff members' information about the sexual harassment policy or relying on disciplinary action. The organization must also play a proactive role, so that it can provide the main stream i.e the behavioural support and shall discuss this aspect as a part of the work routine. The staff must nurture an inclusive, safe, secured, supportive, and respectful environment in the office in order to build a congenial working atmosphere and they can achieve their dreams by being in a good environment. It is again equally important that every organization must be supportive to the victim when they undergo sexual harassment rather than to blame the person and help them overcome the situation they went through and make them self-motivated. Now through the research it is to all the women to be self sufficient and must know its high time to stand for self and raise voice against all the injustice that has put them in bad situation and fight against such things then only the sexual harassment can be fought and can be ended it from the root.

**Enforcement of Human Rights in India-An Appraisal.****K.S.Jayakumar<sup>1</sup>**

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“To deny people their human rights is to challenge their very humanity” - Nelson Mandela.

**Abstract**

The role of National governments in the realization of Human Rights is particularly important. Human Rights involve relationships among individuals, and between individuals and the state. Human Rights are essentially a product of Democracy. Man’s struggle against tyranny and all forms of oppressions has been long and never-ending. Tyranny has, from time to time, emerged in different forms of methods. Man has been always trying to establish his right, time and again, sometimes there has been a depressing failure and the assault on human rights continues. So dies man’s struggle against tyranny. The enforcement of international human rights law is the responsibility of the Nation State, and it is the primary responsibility of the state to make human rights a reality. In practice, many human rights are very difficult to legally enforce due to the absence of consensus on the application of certain rights, the lack of relevant national legislation or of bodies empowered to take legal action to enforce them.

**Keywords:** Evolution of human rights, Definitions of human rights, Human rights protection and enforcement mechanism-global scenario, Human rights in India and Protection , Enforcement of human rights in India and the Role of judiciary.

**I. Introduction:**

It would be clear from the above statement that human rights have purposive existence, which is to enable all individual to live their lives with dignity.

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Human rights attribute moral value to human person and their Philosophical justification indeed reflects that value.<sup>1</sup>The protection and enforcement of human rights has been guaranteed by the establishment of the United Nations in 1945 and thereafter with the adoption of a



resolution on the Universal Declaration of Human rights (UDHR) in December 1948.<sup>2</sup> Although being a resolution it does not impose legal obligations upon the member states, rather it sets a common standard of achievement for all people and all nations so that they strive to promote respect for human rights and fundamental freedoms by teaching and educating and by adopting progressive measures in this regard. The expression “human rights” denotes all those rights which are inherent in our nature and without which we cannot live as human beings.<sup>3</sup> Human rights are the eternal part of the nature of human beings which are essential for the development of their personality qualities, intelligence, talent and conscience. They are inalienable rights which are enjoyed equally, by all members of the human society

## II. Evolution of Human Rights :

After the end of world war II, the nations of the world came together and realized that human rights are extremely important and that they must be enshrined in a particular document. Accordingly on 10 December 1948 the Universal Declaration of Human Rights was accepted and adopted by the United Nations. It is the basic universal document of human rights today. It consists of rights such as the civil and political rights and also social and economic rights.

## III. Definitions of Human Rights :

Several formal attempts have been made by different thinkers to define human rights. The greatest problem with such successful attempts or the existing definitions of human rights is that they are not contemporary and comprehensive.

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1. Alan S. Rosenbaum, Introduction : the Editor’s perspective on the philosophy of Human Rights : International perspectives Alan’s Rosenbaum (ed) (west port, Conn Greenwood press, 1980) pg. 6-7
  2. Alan S. Rosenbaum, Introduction : the Editor’s perspective on the philosophy of Human Rights : International perspectives Alan.S Rosenbaum (ed) (west port, Conn Greenwood press, 1980) pg. 6-7
  3. Dr. Chandra U.2007. Human Rights, seventh Edition Allahabad Law Agency publication at pg.25  
Teaching Human Rights, United Nation, New York 1989 pg.5

This is because human rights are ever evolving and no definition at any time can capture the dynamism of human rights. In addition the rights that are recognized as human rights by themselves are capable of being defined in many ways, Such as right to privacy right to life, rights to self-determination, right against torture and right to livelihood. Practically thus, there cannot be any definition for human rights including a comprehensive coverage as to its contents.



The United Nations renders a description of human rights. The United Nations, in its publication, described human rights as “those rights which are inherent in our nature and without which we cannot live as human beings ...Human rights and fundamental freedoms allow us to fully develop and use our human quality’s our intelligence, our talents and our conscience and to satisfy our spiritual and other needs. They are based on mankind’s increasing demand for a life in which the inherent dignity and worth of each human being will receive respect and protection.”<sup>4</sup>

The Universal Declaration of Human Rights (UDHR), 1948, defines human rights as “rights derived from the inherent dignity of human person”<sup>5</sup>.

Dr. Durga Das Basu defines human rights as those ‘minimal rights which every individual must have against the state, or other public authority by virtue of his being ‘ a member of human family, irrespective of any consideration’<sup>6</sup>. This definition brings out the essence of human rights and against whom it is enforceable,

Section 2 (d) of the Protection of Human Rights Act, 1993 defines human rights as “rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution, or embodied in the international covenants and enforceable by courts in India.”

Justice V. R.Krishna Iyer defines human rights as “irreducible minima which belong to every member of the human race when pitted against the state or other public authorities or groups and gangs and other oppressive communities”<sup>7</sup>.

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4. U N. Publications on Human Rights of 1987, See. <http://www.un.org/en/databases/>

5. See Dr. Justices A.S.Anand, Protection of Human Rights –Judicial obligation or Judicial Activism (1997) SCC(Jour )11.

6. See <http://www.mu.ac.in/mywebtest/SYBA>

ba%20Study%20Material/fc.pdf

7. H Suresh. All Human Rights are Fundamental Rights (New Delhi: Universal Law Publishing. 2010) pg.1

#### **IV. Human Rights Protection and Enforcement Mechanism –Global Scenario:**

There is currently no international court to administer International human rights Law however, Quasi – judicial bodies exist under some UN treaties. The International Criminal Court (ICC) has Jurisdiction over the crime of genocide, war crimes and crimes against humanity. while the European Court of Human Rights, and the Inter-American Court of Human Rights enforce regional human rights Law. Although these same International bodies also hold jurisdiction over cases regarding international humanitarian Law it, is crucial



to recognize that the two frame work constitute distinctly different legal regimes<sup>8</sup>. The United Nations Human Rights Bodies do have some Quasi legal enforcement mechanisms. These include the treaty bodies attached to the Current seven active treaties.<sup>9</sup> The enforcement of international human rights law is the responsibility of the nation state and it is the primary responsibility of the state to make human rights a reality . In practice, many human rights are very difficult to legally enforce due to the absence of consensus on the application of certain rights the lake of relevant national legislation or of bodies empowered to take legal action to enforce them.

## V. Human Rights in India :

The Indian system of Protection of Human Rights rest largely on the Indian constitution where they are guaranteed as Fundamental Rights and Directive Principles of State Policy and other legislation, through, The judiciary and commissions, acting as ombudsman. The Human Rights enforcement machinery in India may be broadly into four categories, which are as follows:

### I. Human Rights Enforcement Machinery under the Constitution of India

- (i)The supreme court of India
- (ii) High court of India

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8. The program for Humanitarian Policy and Conflict Research “Brief Primer on IHL” “Available at [http://en-wikipedia.org/wiki/International humanitarian – law # Two – Historical – streams](http://en-wikipedia.org/wiki/International_humanitarian_law#Two-Historical_streams).

9. OHCHR “Human Rights Council Compliant Procedure “Available at <http://www.2.ohchr.org/english/bodies/chr/complaints.html>. Retrieved 2009-02-06

### II. Human Rights Enforcement Machinery under the Protection of Human Rights Act, 1993:

- a) The National Human Rights Commission (NHRC)
- b) The State Human Rights Commission.
- c) The Human Rights Courts in Districts

### III. other specific national commission for the promotion and protection of Human Rights in India :

- i) The National Commission for Women.
- ii) The National Commission for Children.
- iii) The National Commission for Minorities.
- iv) The National Commission for Scheduled Caste.
- v) The National Commission for Scheduled Tribes.





vi) The National Commission for Backward Classes.

#### IV. The Non- Governmental organization for the Promotion and Protection of Human Rights.

-Human Rights enforcement machinery under the constitution of India i.e the contribution of the Supreme Court and High Court relation to Promotion and Protection of Human Rights in India.

#### **Human Rights Enforcement Machinery Under the Protection of Human Rights Act,1993:**

The Protection of Human Rights Act, 1993 (PHRA) sets out the legal frame work of the 1. National Human Rights Commission<sup>10</sup>. 2. The State Human Rights Commission<sup>11</sup> 3. Human Rights Courts<sup>12</sup>. The PHRA,1993 also states that the Constitution of these institutions for the better Protection of Human Rights and for the matter incidental thereto<sup>13</sup>. However the PHRA 1993 has been amended in the year 2006 for the effective enforcement of human rights<sup>14</sup>.

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10. Sections 3 to 20 of the PHRA,1993.

11. Sections 21 to 29 of the PHRA,1993.

12. Sections 30 to 31 of the PHRA,1993.

13. The PHAR, 1993 Preamble.

14. Act No .43 of 2006 received the assent of the president on September 13, 2006 and published in the Gazette of India, Extra-part-II section-1 dated 14<sup>th</sup> September 2006 pg -1to 7.

#### **National Human Rights Commission (NHRC):**

This Commission has been Constituted by the Central Government to exercise the Powers Conferred upon and to perform the function assigned to it under the Protection of Human Rights Act,1993<sup>15</sup>. the main function of the Commission is to inquire into complaints of human rights violation or negligence in the prevention of such violation by a public servant, to intervene in proceeding involving any allegations of human rights violations pending before a court with approval of such court, to visit any jail etc... The NHRC, While making inquires, exercises all the powers of Civil court. After the inquires, if the inquires discloses the violation of human rights, the commission may take steps such as, recommendation to the government concern to initiate proceeding for prosecution against the concerned persons. Or it may approach the Supreme Court or High Courts concerned for such directions, orders or Writs as it may consider, it may also recommend the Government concerned to grant immediate interim relief to victims or members of his family.

**Distinctive Feature of NHRC:**

The credibility or acceptance of any institution created by the state such as a NHRC depends upon at least two factors namely :

**1. Independence :**

The greatest strength of NHRC is that the Act Provides the Commission with the independence, functional autonomy and broad mandate that are essential to the proper functioning of a National institution based on the Paris principles<sup>16</sup>.

**2. Transparency :**

In the functioning of the commission, transparency is another Crucial for its credibility and acceptance. It is ensured by the openness and fairness of the procedures adopted to pursue matters before it. The commission has framed detailed regulations, which govern its procedures to make an inquiry<sup>17</sup>.

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15. Section 3 of the Protection of Human Rights Act,1993.

16. Principles relating to the status of National Institution.

17. NHRC (Procedure) Regulation, 1993.

**State Human Rights Commission (SHRC):**

The Protection of Human Rights Act,1993 also provides for the establishment of the human rights commissions in states in India<sup>18</sup>. The main function of SHRC is to inquire into the violation of human rights only in respect of matters relating to any of the entries enumerated under List II and List III in the seventh schedule to the constitution of India. However, if the NHRC or any duly Constitution Commission. Under any law has already undertaken an inquiry into the said matters, then it shall not inquiry into same.

**Annual and Special Reports of the Commissions.**

The Protection of Human Rights Act, 1993 also requires both NHRC and SHRC to submit an annual report to the Central Government or State Government concerned respectively<sup>19</sup>. The central Government or State Government as the case may be shall lay down the said reports before each house of Parliament of the State Legislature, respectively along with a memorandum of action taken or proposal to be taken on the recommendation of the commission and reasons for non-accepted of the recommendations, if any.

**The Human Rights Courts at District Level:**



The Human Rights Courts at District level have been established under the Protection of Human Rights Act 1993 to provide speedy trial of offence arising out of violation of human rights<sup>20</sup>. The State Government may, with the concurrence of the chief Justice of the High Court by notification, specify for each district a court of session to be a Human Rights Courts to try such offences.

### **Other Specific National Commissions for the Promotion and Protection of Human Rights in India :**

To monitor the implementation of the constitutional objectives for the welfare of the weaker sections of the nation, the central government has appointed a national commission for minorities<sup>21</sup>,

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18. Section 21 to section 29.

19. Section 20 (1) and (2)

20. Section 30 to section 31.

21. It is a statutory body setup by the central government under the National Commission for Minorities Act, 1992

A National Commission for Women<sup>22</sup>, a National Commission for Backward classes<sup>23</sup>, a National Commission for Safai Karmcharis<sup>24</sup>, a National Commission for Protection of Child Rights<sup>25</sup>, a National Commission for scheduled Caste<sup>26</sup>, and a National Commission for Scheduled Tribes<sup>27</sup>, In addition to that number of NGO's has contributed signal service for better Protection and Promotion of Human Rights in Indian.

### **Suggestions :**

- As is clear from the various legislations and the judicial pronouncements of the Hon'ble Supreme Court quoted above, the judiciary has to play a major role for the protection of human rights of the citizens.
- It is the sub-ordinate judiciary that can respond first and rapidly to the rescue of a citizen whose human rights are in jeopardy at the hands of the police, jail or other agencies of the executive.
- In the coming times, the sub-ordinate judiciary has to play major role in protecting the human rights of the citizens. Apart from the State Human Rights Commissions and the National Human Rights Commission, the special courts constituted under the Protection of Human Rights Act, 1993 need to be given more teeth to deal with the cases of violation of human rights. It is hoped that in the days ahead, the scenario regarding the respect and protection of human rights in the country will improve.



22. It was constituted in pursuance of NCW Act,1990
23. It was constituted in under the NCBs Act,1993
24. It was constituted under pursuance of the National Commission for safai Karam-charis Act,1993
25. It was constituted in accordance with the mandate of the commission for Protection Child Rights Act,2005
26. Article 338 of the constitution of India, consequent upon implementation of the provision of the constitution (Eighty-ninth Amendment )Act ,2003 NCSC and NCST (Notification dated 19-02-2004)
27. Article 338-A of the constitution of India

## **VII. Conclusion:**

-Indeed, human rights are very essential for the overall development of the human being not only at national but also at international level-Independent National Human Rights Institution play a very active and valuable role in strengthening democratic institution and building good governance within and across nations. It includes a number of institutions namely Judiciary . such as supreme court of India and Various High Courts, Human Rights enforcement machinery constituted as per the mandate of the protection of the Human Rights Act. 1993, such as NHRC's and Human Rights courts at district level and other National Commission constituted for the protection of interest of deprived and weaker section of the society. In addition to that number of NGO's has contributed signal service for better protection and promotion of Human Rights. In addition to the above machinery, the central government has constituted various for the welfare of the weaker sections of the society. Supreme Court has shown that it can go up to any extent to protect and enforce by way of incorporating various unspecified fundamental rights (human rights) into of the most important article that is Article 21 of the constitution.



## Legal Aspects of Rights of women relating to live in relationship in India

Dr. M.N Adarsha\*

### Abstract

In Indian society relationship between a man and woman, other than that arising out of a valid marriage is condemned as ‘meretricious’, ‘illegitimate’ etc. It is known that ‘marriage’ is a ‘social institution’ and comes with a package of rights, obligations and legal remedies in cases where dispute arises between parties to the marriage. Women being the vulnerable section in the patriarchal society are shielded with the protection of rights of ‘wife’ under various laws such as right to residence, right to maintenance, rights against cruelty and harassment, protection against domestic violence and a legal duty is cast upon the husband to provide the basic necessities of food and shelter to maintain the family. .

With modernization and westernization, the concepts of Live-in Relationships have become popular especially among the youth who seek the joy and enjoyment of conjugal relationship but are unwilling to carry the baggage of duties and obligations cast upon them by law and society. Such relationship has no legal sanctity or status. The absence of a legal sanctity or obligations under such relationships may lead to infidelity or exploitation of women who enter into such relationships with love towards the man. The scope for exploitation is more because there is no binding obligations or duties upon the spouses in the relationship.

**Keywords:** Live in Relationship, Judiciary, Legislations, women’s right

### Introduction

Marriage according to the Hindu Law is a holy union for the performance of religious duties. It is not a contract but it is a Sanskar or sacrament. Hindu marriage protects a woman by guaranteeing her legal rights for restitution of conjugal rights in case of desertion, legitimacy of the children, relief in case of cruelty, adultery, impotency, claim of maintenance and alimony etc. Currently in India, marriage as a lifelong social bond is being questioned. There is a rising tendency to enter into live- in-relationship instead of marriage which leads to conjugal disloyalty and disquiet. The live in relationship is a living arrangement in which an unmarried couple lives together in a long-term relationship that resembles a marriage. In every day parlance, it is cohabitation.<sup>34</sup>

**Meaning:** Live-in relation i.e. cohabitation is an arrangement whereby two people decide to live together on a long-term or permanent basis in an emotionally and/or sexually intimate relationship. The term is most frequently applied to couples who are not married.

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<sup>34</sup> <https://tripakshalitigation.com/legalty-of-live-in-relationship-in-india>



Today, cohabitation is a common pattern among people in the Western world. People may live together for a number of reasons. These may include wanting to test the compatibility or to establish financial security before marrying. It may also be because they are unable to legally marry, for instance, if they are of the same sex, some interracial or inter-religious marriages are not legal or permitted.<sup>35</sup>

### **Positive and Negative shade of live in relationship**

Everyone has different perspective about live-in relationship for some it is good and for others it is bad.

#### **Positive side:**

1. It is perfect for those who don't want their life to invest in marriage.
2. It builds up sense of healthy compromise, partners start compromising happily for the benefit of other.
3. It does not come with responsibilities like marriage does.
4. Provide a better opportunity to understand one's partner at a much deeper level.
5. An opportunity to see the life after marriage and marriage experience.
6. An opportunity for those who think that they are incompetent to handle the commitments of marriage.
7. Provides an easier way of separation, it doesn't have lengthy process like divorce.<sup>36</sup>

#### **Negative Side:**

1. Relationship compromise does not work in every case.
2. There are more chances of breaking relationship as it is easier to break.
3. If someone is genuinely involved and the other just for some sexual pleasure and when relation breaks then it affects the mind of the one who is genuinely involved.
4. Any quarrel can lead to split, as there is no obligation to resolve.<sup>37</sup>

### **Laws in India Related to Live-In Relationship**

There is no particular law regarding the matter of live-in relationship in India. There is no enactment to lay down the rights and commitments for the parties in a live-in relationship, and for the status of children born to such couples. There is no legal definition of live-in relationship and in this way the lawful status of such sort of connections is likewise unverified. The Indian law does not give any rights or obligations to the parties of live-in relationships. However, court has clarified the concept of live-in relationship through various judgments. Though law

<sup>35</sup> <https://www.lawctopus.com/academike/live-in-relationships-in-india/>

<sup>36</sup> <https://www.latestlaws.com/articles/are-live-in-relationships-legal-in-india>

<sup>37</sup> Ibid





is still unclear about the status of such relationship yet few rights have been granted by interpreting and amending the existing legislations so that misuse of such relationships can be prevented by the partners.<sup>38</sup>

### **Domestic Violence Act, 2005**

For the very first time in Protection of Women from Domestic Violence Act, 2005, the legislature has acknowledged live-in relationships by giving rights and protection to those females who are not legally married, but rather are living with a male individual in a relationship, which is in the idea of marriage, additionally akin to wife, however not equivalent to wife. Section 2(f) of the Domestic Violence Act, 2005 defines:

“Domestic relationship means a relationship between two persons who live or have, at any point of time, lived together in a shared household, when they are related by consanguinity, marriage, or through a relationship in the nature of marriage, adoption or are family members living together as a joint family.”<sup>39</sup>

Though live-in relationship is not categorically defined in the Act but left to the courts for interpretation. By virtue of aforementioned provision, the court interpreted the expression “relationship in the nature of marriage”. The provisions of Domestic Violence Act are presently made applicable to the individuals who are in live-in relationships. Courts presume live-in relationships to be covered under the ambit of the expression as the words nature of marriage and live-in relationship stand on the same line and meaning. This gives women some basic rights to protect themselves from the abuse of fraudulent marriage, bigamous relationships.<sup>40</sup>

### **Criminal Procedure Code, 1973**

Section 125 Cr.P.C was incorporated in order to avoid vagrancy and destitution for a wife/minor children/old age parents, and the same has now been extended by judicial interpretation to partners of a live-in relationship. The Malimath Committee (on Reforms of Criminal Justice System, 2003) made several recommendations has observed; “that the definition of the word „wife“ in Section 125 should be amended so as to include a woman who was living with the man as his wife for a reasonably long period, during the subsistence of the first marriage.”

Owing to this alteration, a revision was made and now the expression “wife” incorporates the ladies who were previously in a live-in relationship and now her accomplice has abandoned her at his will so a lady in live-in relationship can now get the status of a wife. Basically, it expresses that if a female has been in a live-in relationship for a sensible period of time, she ought to have the legitimate privileges as that of a spouse and can claim maintenance under Section 125 CrPC.<sup>41</sup>

<sup>38</sup> <https://www.indiafilings.com/learn/live-in-relationships-in-india/>

<sup>39</sup> <https://www.sbhambriadvocates.com/post/right-of-maintenance-to-women-in-live-in-relationships>

<sup>40</sup> Ibid

<sup>41</sup> <https://www.lawctopus.com/academike/live-in-relationships-in-india/>



## Indian Evidence Act, 1872

Section 112 of the Indian Evidence Act, 1872 provides that legitimacy of a child is proved only if any person was born during the continuance of a valid marriage between his mother and any man. Muslim law also recognizes only those children as legitimate, who are the offspring of a man and his wife. Thus children born out of live-in relationship were illegitimate in the eye of the then existing law. However the Supreme Court in *Revanasiddappa & Anr. Vs Mallikarjun & Ors* observed that irrespective of the relationship between parents, birth of a child out of such relationship has to be viewed independently of the relationship of the parents. It is as plain and clear as sunshine that a child born out of such relationship is innocent and is entitled to all the rights and privileges available to children born out of valid marriages.<sup>42</sup>

### Indian Judiciary's interpretation on Live-in-relationships:

Indian judiciary has taken a lead to fill the gap that was created in the absence of any specific statute relating to live-in relationships. It may be considered immoral in the eyes of society but it is not at all illegal in the eye of the law. The main aim is to render justice and prevent a miscarriage of Justice. Therefore, while deciding various cases, the judiciary has kept in mind various factors including both societal norms and constitutional values.

The Allahabad High Court recognised the concept of live-in relationship in *Payal Sharma v. Nari Niketan*,<sup>43</sup> wherein the Bench observed that In our opinion, a man and a woman, even without getting married, can live together if they wish to. This may be regarded as immoral by society, but it is not illegal.

In *Ramdev Food Products (P) Ltd. v. Arvindbhai Rambhai Patel*<sup>44</sup>, the Court observed that two people who are in a live-in relationship without a formal marriage are not criminal offenders. This judgment then was made applicable to various other cases.

*Lata Singh v. State of U.P. and Anr.*<sup>45</sup> The Apex court held that live-in-relationships is permissible only in unmarried major persons of heterogeneous sex.

*Radhika v. State of M.P.*<sup>46</sup> The Apex Court observed that a man and woman are involved in live-in-relationship for a long period, they will be treated as a married couple. And their child would be called legitimate.

*Abhijit Bhikaseth v. State of Maharashtra and Anr.*<sup>47</sup> The Apex court also observed that it is not necessary for a woman to strictly establish the marriage to claim maintenance under section 125 of Criminal Procedure Code, 1973.

<sup>42</sup> <https://www.sbhambridadvocates.com/post/right-of-maintenance-to-women-in-live-in-relationships>  
10.2001 SCC on Line All 332.

<sup>44</sup> (2006) 8 SCC 726

<sup>45</sup> AIR 2006 SC 2522

<sup>46</sup> AIR 1972 MP 124

<sup>47</sup> 2009 CRL.J. 889.



*Chellamma v. Tillamma*<sup>48</sup>The Apex court gave the status of wife to the partner of live-in-relationship. It's stated that, in their opinion, a man and a woman, even without getting married, can live together if they wish to.

*Madan Mohan Singh and Anr. v. Rajni Kant*<sup>49</sup> The Apex Court held that entering into live-in-relationship cannot be an offence.

In the landmark case of *S. Khushboo v. Kanniammal*<sup>50</sup>, the Supreme Court held that a living relationship comes within the ambit of right to life under Article 21 of the Constitution of India. The Court further held that live-in relationships are permissible and the act of two major living together cannot be considered illegal or unlawful.

In the case *Indra Sarma v. V.K.V. Sara*<sup>51</sup> SC held that when the woman is aware of the fact that the man with whom she is in a live-in relationship and who already has a legally wedded wife and two children, is not entitled to various reliefs available to a legally wedded wife and also to those who enter into a relationship in the nature of marriage as per provisions of PWDVA, 2005.

But in this case, the Supreme Court felt that denial of any protection would amount to a great injustice to victims of illegal relationships. Therefore, the Supreme Court emphasised that there is a great need to extend Section 2(f) which defines domestic relationships in PWDVA, 2005 so as to include victims of illegal relationships who are poor, illiterate along with their children who are born out of such relationships and who do not have any source of income.

## Conclusion

Illegality is different from immorality. People may regard live-in-relationships as immoral, but that is their own perception which cannot be allowed to influence anyone else's personal decision. In such type of relationships, the individual should be free to live as they think best, subject only to the limitation that their actions and choices should not cause harm to others. In order to bring justice, women must be protected by the courts in a similar way as from the patriarchal power that defines marriage, which covers these relationships too.

As there is no proper legislation directly dealt with live-in-relationship. There must be separate legislation for such relationships which provide certain rights and liabilities to such couples. Moreover, it protects the legal status of living partners, their children born out of such a relationship and the other persons who may get affected. Not all live-in-relationships should be given legitimate status, it must be subject to proper guidelines and requirements.

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<sup>48</sup> AIR 2009 SC 112

<sup>49</sup> (2010) 9 SCC 209

<sup>50</sup> (2010) 5 SCC 600.

<sup>51</sup> (2013) 15 SCC 755.



## Eco Gender Gap: Visualising Women in Management and Conservation

Dr. A Anala

### Abstract

The term gender refers to the socially-constructed expectations about the characteristics, attitudes and behaviours associated with being a woman or a man. Gender defines what is feminine and masculine. Gender shapes the social roles that man and women play and the power relations between them, which can have a profound effect on the use and management of natural resources. Gender is not based on sex or the biological differences between women and men; rather, gender is shaped by culture and social norms. Thus, depending on values, norms, customs and laws, women and men in different parts of the world have adopted different gender roles and relations. Within the same society, gender roles also differ by race-ethnicity, class-caste, religion, age and economic circumstances. Gender and gender roles then affect the economic, political, social, and ecological opportunities and constraints faced by both women and men.

### Introduction

Considering gender issues in relation to biodiversity involves identifying the influence of gender roles and relations on the use, management and conservation of biodiversity. Gender roles of women and men include different labour responsibilities, priorities, decision-making power, and knowledge, which affect how women and men use and manage biodiversity resources. For instance, due to gender differences in roles and responsibilities, women in rural Asia and Africa are usually the main collectors of wild plant food, while men tend to focus on harvesting timber and wild meat. As a result, women and men develop different knowledge about different species, their uses as well as how to manage them.

The roles and responsibilities of men and women in the management of biodiversity, and the ability to participate in decision-making, vary between and within countries and cultures. However, in most circumstances there are gender-based differences and inequalities, which tend to favour males. Glaring gender differences are evident in economic opportunities and access to and control over land, biodiversity resources and other productive assets, in decision-making power, as well as in vulnerability to biodiversity loss, climate change and natural disasters. To inform efficient policies regarding biodiversity conservation, sustainable use and the sharing of its benefits, it is essential to understand and expose gender-differentiated biodiversity practices, gendered knowledge acquisition and usage, as well as gender inequalities in control over resources. Considering the influences of gender differences and inequalities on the conserva-



tion and sustainable use of biodiversity, and the ways in which these differences and inequalities influence how women and men are affected by biodiversity policies, planning and programming are to be brooded upon.<sup>52</sup>

While political views play a strong role in opinions on climate change, there are many other individual, social, and cultural factors that influence public understanding of the issue. A large body of research shows a small but consistent gender gap in environmental views and climate change opinions. On average, women are slightly more likely than men to be concerned about the environment and have stronger pro-climate opinions and beliefs. Scholars have proposed several explanations for this gender gap, including differences in gender socialization and resulting value systems<sup>53</sup>, perceptions of general risk and vulnerability, and feminist beliefs including commitment to egalitarian values of fairness and social justice. Some researchers also note that some of the strongest gender differences are found in concern about specific environmental problems, particularly local problems that pose health risks.

It is found that, although a similar proportion of men and women think global warming is happening and is human-caused; women consistently have higher risk perceptions that global warming will harm them personally, and will harm people in the world, plants and animals, and future generations of people. Also compared with men, a greater proportion of women worries about global warming and support certain climate change mitigation policies<sup>54</sup>.

Women play a critical role in sustaining communities and managing natural resources, but their contributions are often undervalued and neglected. Women are also more likely than men to live in poverty, and they are more vulnerable to the impacts of climate change and other environmental hazards, especially in developing countries. These differences are often magnified by other factors, such as age, socio-economic status, and geographical location.

### Theoretical perspectives

Eco feminism says that women are closer to nature than men are. This closeness, therefore, makes women more nurturing and caring towards their environment. Eco feminism encompasses a variety of views but has a focus of patriarchal oppression and the social constructions relating to women and the environment. Some indicate the biology of women as the reason behind the closeness, while others credit culture and historical factors. An eco feminist<sup>55</sup> believes in a direct connection between oppression of nature and the subordination of women.

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<sup>52</sup>How women and men are affected by biodiversity policies, planning and programming.

<https://www.cbd.int/gender/biodiversity/>

<sup>53</sup>Altruism and compassion.

<sup>54</sup> Gender Differences in Public Understanding of Climate Change, <https://climatecommunication.yale.edu/publications/gender-differences-in-public-understanding-of-climate-change>

<sup>55</sup>Vandana Shiva is credited with bringing ecofeminism into public consciousness by her reports of the Chipko movement. Chipko movement also led to the formation of anti-alcoholism.



Women are struggling against alarming global trends, but they are working together to effect change. By establishing domestic and international nongovernmental organizations, many women have recognized themselves and acknowledge to the world that they not only have the right to participate in environmental dilemmas, but they have a different relationship with the environment including different needs, responsibilities and knowledge about natural resources. This is why women are affected differently from men by environmental degradation, deforestation, pollution, and overpopulation. Women are often the most directly affected by environmental issues, so they become more concerned about environmental problems. Studies have shown the direct effects of chemicals and pesticides on human health. According to United Nations Chronicle Journal researchers have found an association between breast cancer and the pesticide DDT<sup>56</sup> and its derivative DDE<sup>57</sup>; and also one study by the World Health Organization has found that women who are exposed to pesticides face a higher risk of abortion. These kinds of health problems cause women to feel more responsible regarding environmental issues.

### **Women and Environment**

Women are considered among the most vulnerable groups to the climate change effects due to socio-economic disparities, but also as climate champions since climate action is strengthened by their presence and leadership. Therefore, ensuring the sustainability of the future requires eliminating constraints to participation and increasing opportunities for women to contribute. As debate on climate responses persists, water levels rise and climate change is causing destruction around the world. Among the most affected are women, as they gather water, fish, or farm land affected by flooding. During pregnancy and motherhood, their health is more at risk. Meanwhile, their voices are often the last to be heard in environmental planning and management. They also have less access to land and productive resources.

Women and environment is one of the 12 critical areas of concern identified in the Beijing Declaration and Platform for Action, adopted by global leaders at the Fourth World Conference on Women in 1995. The Platform pinpointed three strategic objectives for government action on the environment. These include involving women actively in environmental decision-making at all levels, integrating their concerns and perspectives in policies and programmes, and establishing ways to assess the impact of development and environmental policies on women. The Beijing Platform for Action notes the linkages among poverty, natural disasters, health problems, unsustainable development and gender inequalities. It notes the importance of a holistic and multidisciplinary approach in dealing with environmental issues. The Platform for Action sets out three strategic objectives.

### **Involve women actively in environmental decision-making at all levels.**

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<sup>56</sup>Dichlorodiphenyltrichloroethane

<sup>57</sup>Dichlorodiphenyldichloroethane





Integrate gender concerns and perspectives in policies and programmes for sustainable development.

Strengthen or establish mechanisms at the national, regional or international levels to assess the impact of development and environmental policies on women.

The strategic objectives examine the issue of women and the environment and emphasizes the essential role that women play in the development of sustainable and ecologically sound consumption and production patterns and approaches to natural resource management, and stresses the need for women to participate in environmental decision-making at all levels.

### **Beijing Platform for Action**

The Beijing Platform for Action is also built on earlier global commitments like, Agenda 21 including the Rio Declaration and the Statement of Principles for the sustainable management of forests, adopted at the United Nations Conference on the Environment and Development in 1992.<sup>58</sup> The United Nations Commission on the Status of Women adopted agreed conclusions on environmental management and the mitigation of natural disasters, which included a comprehensive set of policy recommendations to enhance women's empowerment and promote gender equality in situations of natural disasters<sup>59</sup>.

Nearly 20 years later, women are making inroads and governments are increasingly seeking out their expertise and leadership when making key environmental decisions. Still, much remains to be done to support women's roles in decision-making and secure a better future for all. To this end, the UN is working to place women at the forefront of sustainable development and efforts to confront the effects of climate change.

### **United Nations Programme and Environment**

The lead organisation to coordinate environmental matters within the United Nations System, United Nations Environment Programme (UNEP) has the responsibility to model good practice and drive the achievement of gender equality goals in all its activities, including assessments and analyses, norms, guidelines and methods. UNEP has identified gender inequality as one of the main challenges to advance the environmental dimension of sustainable development, as it has negative impacts on access, use and control of natural resources, as well as the right to a clean, safe and healthy environment for all. Gender-responsive approaches makes environmen-

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<sup>58</sup> Agenda 21 include a specific chapter on "Global Action for Women towards Sustainable Development" and contain many references to women throughout the text. The Rio Principle 20 notes "Women have a vital role in environmental management and development. Their full participation is therefore essential in achieving sustainable development." The World Summit on Sustainable Development held in Johannesburg in 2002, confirmed the need for gender analysis, gender specific data and gender mainstreaming in all sustainable development efforts, and the recognition of women's land rights.

<sup>59</sup><https://www.un.org/womenwatch/daw/beijing/beijingat10/K.%20Women%20and%20the%20environment.pdf>



tal interventions longer-lasting and more transformative, from policies and programming related to the impact of climate change to issues around access to energy, water, sanitation, land and other natural resources. Gender-responsive approaches must not only explicitly recognise girls' and women's diverse and gender-specific interests and needs, they must also ensure their participation and leadership in developing, implementing and monitoring mitigation and response actions.

“Women are vital for the management of and sustainable use of land and biodiversity resources, transforming the balance of power and working for gender equality is significant to meet the Sustainable Development Goals<sup>60</sup>.

Women and the environment results from a partnership between UNEP and the Women's Environment and Development Organization (WEDO)<sup>61</sup> based on 20 years of experience in this field.

“Women and the environment” makes the often hidden links between women and the environment visible, with an explicit focus on the gender-related aspects of land, water and biodiversity conservation and management. It aims to inspire the environmental and sustainable development community to better understand the importance of gender, and to integrate a gender perspective across all of its work. Many actors in International Geneva and beyond are actively working at the gender and environment nexus. International institutions and multilateral processes on the environment have started to engage with issues of gender.

The Global Gender and Environment Outlook (GGEO), undertaken by the UN Environment Programme, combines gender and environment perspective into a comprehensive assessment, and provides an overview of the links gender and the environment to inform policy decisions aimed at increasing gender equality<sup>62</sup>.

Mainstreaming gender and making the concerns of women as well as men experiences an integral dimension of the design, implementation, monitoring and evaluation of the policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated<sup>63</sup>. Recognizing the importance of the gender dimensions of their work, multilateral environmental agreements have taken steps to mainstream gender into their practice<sup>64</sup>.

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<sup>60</sup>Inger Andersen, UNEP Director, <https://www.unep.org/explore-topics/gender/why-does-gender-matter>

<sup>61</sup>An international advocacy organization, WEDO works to achieve a healthy and peaceful planet, seeking environmental, social, political and economic justice for all through women's empowerment and equal participation in decision-making, from the local to the global arenas.

<sup>62</sup>International Cooperation on Gender and the Environment

<https://www.genevaenvironmentnetwork.org/resources/updates/gender-and-the-environment/>

<sup>63</sup>Sustainable Development Goal 5 on Gender Equality

<sup>64</sup>These include the United Nations Framework Convention on Climate Change (UNFCCC), the Convention for Biological Diversity (CBD), the Basel, Stockholm, and Rotterdam Conventions (BRS), the Minamata Convention, the United Nations Convention to Combat Desertification (UNCCD) and the Ramsar Convention on Wetlands.



## Strategies to accelerate Implementation

Progress on environmental issues is crucial for the health of the planet. Although the linkages between poverty, environmental degradation and gender inequalities have been pointed out at the policy level, much remains to be done to develop integrated and effective solutions to these challenges. At a general level, various strategies have been identified as important. Improve and support women's capacity to participate in discussions and shape environmental policy and action at all levels i.e from grass roots to national governments to international organisations. Adjust government priorities so that awareness and promotion of gender equality are integrated into financial planning improves institutional capacities to incorporate gender-related environmental analysis. Support the explicit commitment to bring issues of gender equality into the environmental arena.

In particular the three important strategies in combating desertification could be:

To strengthen rural poor women's organisations: In addition to addressing the practical needs of women, it is also important to strengthen women's organisations so that women's role in decision-making and planning can be strengthened.

Capacity building to create enabling environments: Capacity gaps exist both within women's organisations and within local and national authorities working on environmental issues. Although there is an increase in the use of participatory methods, specific attention is required to ensure that these techniques facilitate women's participation as well.

Apply a gender approach, while promoting the role of women: One analysis of field experiences in dry lands found that there were a number of initiatives targeting women, but little integration of gender perspectives into such initiatives. This would require an analysis of the various roles and responsibilities of women and men in their use and management of natural resources, organisational issues, and distribution of power within households and communities.

## Gender Equality Perspectives

Ensuring gender equality perspectives in water supply and sanitation Experience has shown that women's empowerment and the improvement of water supply, sanitation facilities and hygiene practice are inextricably linked. Access to safe drinking water is a human right and essential for achieving gender equality. Numerous tools and resources exist which explore the gender dimensions of water supply and sanitation. International meetings and experts have developed a lengthy list of strategies and recommendations, including: strengthen legislation and mobilize resources for increasing access to safe water and adequate sanitation,<sup>65</sup> introducing affirmative action plans to ensure that a minimum percentage of women participate in decision making from cabinet down to village levels; facilitate access to land and water for productive

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<sup>65</sup> Enacting and reinforcing water legislation that promotes small-scale water development, gives priority to water allocation for basic domestic and productive water needs.



purposes<sup>66</sup> promote improved access to sanitation, develop capacity and encourage participation<sup>67</sup>; ensure public discussion and equitable tendering procedures in any move to privatize water services.<sup>68</sup>

A set of recommendations would also be directed at level of local governments: encourage gender mainstreaming at the local level<sup>69</sup> and developing capacity of women to participate and of men and women to understand differential needs and aspiration of all groups. There are several critical themes to be considered: understanding and supporting women's roles in resource conservation; supporting women's environmental activism; drawing on women's knowledge regarding vulnerabilities and coping strategies of specific groups within the community; ensuring women's participation – both as community members and as 'experts' in risk assessments and other emergency preparedness efforts; making women's work in disasters visible; supporting longer-term efforts towards greater equality including women's access to land, economic independence, reducing violence against women, increasing political participation.

### **Incorporating gender equality issues in climate change programmes**

Only recently has the spotlight been shown on the gender dimensions of climate change. As seen earlier, there are still many questions regarding both how women and men will be affected differently by changing environmental patterns and how gender differences, roles and inequalities will influence both advocacy and consumption patterns determining the future on this issue. Although the discussions are still in early stages, several possible interventions or strategies have already been identified.

Promote cleaner-burning fuel for household use which will help to reduce air pollution and harmful emissions.

Incorporate both women and men into the decision-making framework on climate change mitigation and adaptation initiatives.

Support vulnerability reduction measures which target women's needs.

Facilitate extension studies, particularly for women, to improve the accessibility and use of new, environmentally sustainable technologies and support the development and use of tools, including vulnerability assessments that build on local and indigenous knowledge, held by women and men, of measures to adapt to or mitigate the impacts of climate change.

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<sup>66</sup>Recognizing women's key roles in agriculture, as well as their responsibilities in livestock, fisheries and watersheds; according women equal rights to inherit land.

<sup>67</sup> Providing training and awareness rising on the linkages between gender, water and poverty; enlist role models to encourage girls to study science.

<sup>68</sup>Measuring the differential impact on women and men increased private sector involvement.

<sup>69</sup>Encouraging gender-sensitive budgets, removing gender biases within public sector organisations, and recognising the important roles played by women in provision and conservation of water.

**Global Initiative**

Addressing inequalities in areas like control over natural resources and participation in decision-making contribute to greater gender equality. Helping women play more substantial roles in environmental sustainability and ultimately strengthen environmental projects. This year, as the UN observes the International Year of Small Island Developing States, the theme of World Environment Day is “raise your voice, not the sea level”. While not always recognized, women play a crucial part in ensuring that fragile ecosystems are protected, families are able to survive natural disasters, and natural resources are managed in a fair, efficient and sustainable way.

Although women have proven their skills in managing natural resources and adapting to climate change, their contributions are often taken for granted or not valued. International Women’s Day, celebrated each year on 8th March, this year too reflects on progress made on gender equality, to call for change and to celebrate the contribution of women to numerous challenges around the globe. The theme for 2022 was “Gender Equality for a Sustainable Tomorrow”, highlighting the contribution of women as change-makers in adaptation, mitigation and response to the multiple challenges arising from climate change.

Gender inequality exists quite harshly in India, as it is evident from the fact that ownership of land and property is largely with men. Women are not just victims, but also key agents of change in environmental issues. The exclusion of women in policies is related to the gender politics that privilege men and make women invisible. This is now changing slowly with the mandatory representation of women in local government bodies that has seen a pitch in membership of grassroots women. Women now collectively manage common resources, whether it is forests, grasslands, energy, seeds, water, soil or sustainable agriculture. Women can be key players in the move towards a more sustainable future and policy makers need to realise this. There needs to be shift from a mere focus on women as an object of policy, to a more nuanced engagement with gender in the framing of any policy.



## Right to Environment as a Human Right

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### I. Introduction

The concern for environmental protection has not only been raised to the status of fundamental law of the land, but it is also wedded with human rights approach and it is now well established that, it is the basic human right of every individual to live in pollution free environment with full human dignity.

The then Prime Minister Mrs. Indira Gandhi, in the first International Conference on Human Environment at Stockholm in 1972, voiced deep concern about the degradation of the environment and eco-imbalances. She also emphasized that pollution, population and poverty are inter-related problems and there must be an integrated approach to deal with them. India being a signatory to the Stockholm Declaration, the Parliament passed the forty second amendment to the Constitution in the year 1976 specially incorporating Arts 48-A and 51-A(g) for protection and improvement of environment which obligate the "State" as well as "Citizens" to "Protect and Improve" the environment.

### II. Conceptual Analysis

#### a. Human rights

Laws often respond to perceived social problems by restraining the exercise of power and establishing agreed norms of public conduct. Viewed from this perspective, laws protecting human rights respond to threats to human dignity and existence by upholding the fundamental, immutable foundations of human rights as recognized in international instruments.<sup>70</sup>

Human rights are universal.<sup>71</sup> They are rights "held *vis-a-vis* the state by virtue of being human." As the U.N. General Assembly reiterated in 1998, "each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms."<sup>72</sup> The right to environment as a human right is a right to live in an environment of minimum quality as to allow for the realization of a life of dignity and well-being.

In India, human rights mean the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International covenants and

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<sup>70</sup>Dinah Shelton, "Human Rights, Environmental Rights, and the Right to Environment", 28 Stan. J. Int'l L. 103 (1991), p. 106.

<sup>71</sup>G.A. Res. 217 (III) A, Universal Declaration of Human Rights, pmb. (Dec. 10, 1948), Article 1.

<sup>72</sup>G.A. Res. 53/144, art. 2, para. 1 (Mar. 8, 1999).





enforceable by courts in India.<sup>73</sup> Right to wholesome environment is read to be part of right to life by the Supreme Court and High courts in India.<sup>74</sup>

### b. Environment

Nature and mankind are inseparable parts of environment.<sup>75</sup> Environment includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creature, plants, micro-organism and property.<sup>76</sup> Mankind's indiscriminate use of natural resources in the course of development has led to serious problems.<sup>77</sup> Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.<sup>78</sup> In principle, the protection of human rights and the protection of the environment are thus not conceptually incompatible.<sup>79</sup>

Only in the late 1960's did governments begin to demonstrate concern over the general state of the environment, largely in response to growing public pressure, and they have slowly addressed environmental issues. The international community soon recognized that remedies for environmental problems required global response.<sup>80</sup>

### III. Human Rights Dimension of Right to Environment

Environmental protection and human rights are two of the main concerns of modern international law. After the establishment of the UN the main focus of the international community was on the protection and promotion of human rights. It was only in 1972 when the voice about environmental protection that rose at the domestic level became the global political agenda.<sup>81</sup>

Environmental laws made by the government set out the rights and responsibilities of people relating to three overarching areas, namely land use management, pollution control and waste management control and natural resources.<sup>82</sup>

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<sup>73</sup> Sec. 2(1)(d), *The Protection of Human Rights Act*, 1993.

<sup>74</sup> Gurdip Singh and Amrita Bahri, *Environmental Law*, 2<sup>nd</sup> ed., (Lucknow: Eastern Book co., 2016), p.79.

<sup>75</sup> P. Ishwara Bhat, *Law and Social Transformation*, (Lucknow: Eastern Book co., 2016), p.804

<sup>76</sup> Sec. 2(a), *The Environment Protection Act*, 1986.

<sup>77</sup> *Supranote* 6.

<sup>78</sup> Rio Declaration on Environment and Development, Principle 1.

<sup>79</sup> Allen Boyle, "Relationship between International Environmental Law and Other Branches of International Law," in Daniel Bodansky et.al. ed., *The Oxford Handbook of International Environmental Law*, (Oxford: Oxford University Press, 2010 re.pt.) p. 141.

<sup>80</sup> Dinah Shelton, "Human Rights, Environmental Rights, and the Right to Environment", 28 *Stan. J. Int'l L.* 103 (1991), p. 107.

<sup>81</sup> Puneet Pathak, 'Human Rights Approach To Environmental Protection', *OIDA International Journal of Sustainable Development* 07:01(2014), p. 17.

<sup>82</sup> Rajeev Kumar, 'Environmental Law and Human Rights (Indian Perspective)', *International Journal of Engineering and Management Research*, Vol.-2, Issue-3, June 2012, p. 58.



The protection and promotion of the basic human rights is the duty of state. Also to protect the environment is essential because with the growth of commercialization and man's greed, over exploitation of environment has become a common feature. This can be checked only through proper legislation. Laws should protect global and national environments so that man lives in harmony with nature and attains his goals of a creative and happy life. The conservation and protection of environment in general as well as of its specific variables like air, water, forests, sea, wildlife, etc. is controlled through several international and national laws.

The articulation of a human right to environment encompasses a compendium of rights constructed in an effort to protect the environment, as well as human life and dignity.<sup>83</sup>

### a. International Perspective

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.<sup>84</sup>

The human interest in environmental protection has also found, more recently, direct expression through human rights law. While a specific right to a clean environment has not emerged in international law, there is ample evidence that established human rights such as the right to life, health, property, or privacy, can be interpreted to encompass environmental concerns. In addition, procedural rights, such as rights of participation in environmental decision-making and of access to justice, have become enriched through treaty law.<sup>85</sup>

The Stockholm Declaration of 1972 was the first international instrument to incorporate a human rights approach to environmental protection; it stated: "man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations."<sup>86</sup> The link between human rights and environmental protection was established clearly in the preamble to the Stockholm Declaration, which states: "Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights-even the right to life itself."<sup>87</sup>

The Universal Declaration of Human Rights, International Covenant on Civil and Political Rights ("ICCPR") and the International Covenant on Economic, Social and Cultural Rights ("ICESCR") do not specifically mention environmental rights. Even then, it is possible to cobble together something resembling a right to healthy environment. Something akin to a right to a healthy environment emerges at the intersection of some or all of the rights to life,

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<sup>83</sup>Luis E. Rodriguez-Rivera, "Is the Human Right to Environment Recognized under International Law - It Depends on the Source", 12 *Colo. J. Int'l Envtl. L. & Pol'y* 1 (2001), p. 9.

<sup>84</sup> Principle 1, *Rio Declaration on Environment and Development*, cited in Daniel Bodansky, *Supranote* 10, p.141.

<sup>85</sup> Daniel Bodansky, *Ibid*, p.15.

<sup>86</sup> Principle 1 of *Declaration of the U.N. Conference on the Human Environment*, June 16, 1972, U.N. Doc. A/Conf.48/14/Rev.1, reprinted in 11 *I.L.M.* 1416 (1972) [hereinafter Stockholm Declaration].

<sup>87</sup> Principle 3, *Ibid*.



property, food, water, culture, and health. Thus in his *Gabcikovo-Nagymaros* separate opinion, Judge Weeramantry characterized protection of the environment as the "sine qua non for numerous human rights such as the right to health and the right to life itself."<sup>88</sup>

Just as a healthy environment can contribute to the enjoyment of human rights, there is a growing sense that environmental degradation and climate change have "generally negative effects on the realization of human rights."<sup>89</sup> Thus, there is a growing sense that the goal of realizing human rights necessarily entails protecting the environment.<sup>90</sup>

The movement started from Stockholm conference and is still continuing by international conferences in which governments recognized the ecological interdependence of the world and acknowledged an urgent need to take action for the protection of the environment. The Stockholm Declaration of 1972, Nairobi Declaration of 1982, World Charter for Nature, 1980, Earth Summit of 1992, Johannesburg Conference on Sustainable Development, 2002 and UN Conference on Sustainable Development, 2012 are some of the outcomes of the worrying state of the world community.<sup>91</sup>

Principle 23 of the World Charter for Nature states that "all persons, in accordance with their national legislation, shall have the opportunity to participate, individually or with others, in the formulation of decisions of direct concern to their environment, and shall have access to means of redress when their environment has suffered damage or degradation."<sup>92</sup> In 1991, the United Nations adopted the Convention on Environmental Impact Assessment in a Transboundary Context, which requires public participation in environmental impact assessment.<sup>93</sup>

*The Stockholm Conference, 1972*, in its first principle laid down that: "Man had the fundamental right to adequate condition of life, in an environment of a quality that permitted a life of dignity and wellbeing." The *Rio Declaration on Environment and Development, 1992* provided that "human beings are entitled to a healthy and productive life in harmony with nature." From the provisions myriad international documents, it is clear that the community of nations have established right to environment as a human right through interpretation and express provisions.

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<sup>88</sup>*Gabcikovo-Nagymai's Project (Hung v. Slovak)*, 1997 I.C.J 88, at 91 (Sept. 25) (separate opinion by Weeramantry, J.).

<sup>89</sup> Para 9 of Report of the Office of the U.N. High Comm'r for Hum. Rts. on the Relationship between Climate Change and Hum. Rts., 16 U.N. Doc. A/HRC/10/61 (Jan. 15, 2009), U.N. Hum. Rts. Office of the High Comm'r for Hum. Rts.

<sup>90</sup>Rebecca Bratspies, "Do We Need a Human Right to a Healthy Environment", 13 Santa Clara J. Int'l L. 31 (2015), p. 35

<sup>91</sup>*Supranote* 12, pp. 17-18.

<sup>92</sup> World Charter for Nature, G.A. Res. 37/7, U.N. GAOR, 37th Sess., Supp. No. 51, pmbl., para. 3(a), at 18, U.N. Doc. A/37/51 (1982).

<sup>93</sup> *Convention on Environmental Impact Assessment in a Transboundary Context*, Feb. 25, 1991, 30 I.L.M. 800 (1991).



## b. National perspective.

A right to clean environment is fundamental to the very existence of human being. It is absolutely necessary to keep environment clean and healthy to prevent pollution. The judiciary has played a very important role by giving guidelines and directions for controlling and preventing pollution, for improving quality of environment, for not disturbing the balance of ecological system, etc.

In a country where the most serious cost of environmental damage falls upon impoverished and illiterate groups with limited access to the courts, the new environmental right is championed as a legal gateway to speedy and in expensive legal remedy.<sup>94</sup> This right to environment came to be read as a fundamental right through a number of cases. The judiciary has contributed to the attainment of cherished goal set by the law and the Constitution to have a pollution free environment. When opportunity came the Supreme Court offered non-conventional interpretation of Article 21 for abating the pollution of the environment.<sup>95</sup>

Article 21 guarantees the right to life, a life of dignity, to be lived in a proper environment, free of danger of disease and infection. It is an essential fact that there exists a close link between life and environment. Right to life would become meaningless if there is no healthy environment.<sup>96</sup>

The *Constitution (Forty-Second Amendment) Act, 1976* inserted a new Directive Principle of State Policy for the protection of environment, Article 48-A, which requires that ‘the state shall endeavour to protect and improve the environment and to safeguard the forest and wild life in the country. But right to environment was not given a place in Fundamental Rights.<sup>97</sup> It is also inserted a fundamental duty “to protect and improve the natural environment, including forests, lakes, rivers and wildlife and to have compassion for all creatures.<sup>98</sup> These directives have been read as complementary to the fundamental rights.<sup>99</sup> In the absence of a

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<sup>94</sup> Dr. J. L. Aparajit, et.al. “Judicial Response towards the Protection of Environment: A Critical Evaluation,” *Journal of Indian Legal Thought*, Vol.1 2003, p. 97.

<sup>95</sup>Dr. Shahabuddin Ansari, “The Evolving Dimensions of Environmental Jurisprudence.” *Ensym. A Journal on Environmental Law*, Vol.II&III Dec.2004, p.47.

<sup>96</sup> P.S. Jaswal and Nishtha Jaswal, *Environmental Law*, (Haryana: Allahabad Law Agency: 3rd Edn., 2009), p. 48.

<sup>97</sup> C.M. Jariwala, “The Fundamental Right to Clean Environment: Status and Prospects,” Paper presented at The Commonwealth Legal Education Association Conference on Economic Policies, Human Rights And The Legal Order, June 4-6-1993, Bangalore, p.2.

<sup>98</sup> Article 51-A(g), *ibid*.

<sup>99</sup>Furqan Ahmad, “Origin And Growth Of Environmental Law in India,” 43*J.I.L.I.* 2001.p.369.



fundamental right to environment the Supreme Court<sup>100</sup> and the high Courts<sup>101</sup> have played a pivotal role in interpreting the right to life to include right to environment. The Courts have been guided by Article 48-A and 51-A (g) in doing so.<sup>102</sup>

It was in the year 1985<sup>103</sup> that the court gave an expansive meaning to the right to environment. It stated: “The right of the people to live in healthy environment with minimum disturbance of ecology balance and without avoidable hazard to them and to their cattle, house and agricultural land and undue affection of air, water and environment.” The right J. Bhagwati talks about is on the one hand 'healthy environment' and on the other 'minimum disturbance to ecology balance' and 'unavoidable hazard' giving no clear direction to the environmental justice in action. Constitutional remedies, in the form of writs, are available for any violation of that right. One may approach the higher judiciary directly by challenging the state action for its violation.<sup>104</sup> Here, the observations of Justice M. J. Rao in *A.P. State Pollution Control Board v. M. V. Naidu*,<sup>105</sup> is worth quoting: “Environmental concerns..... are in our view of equal importance as Human Rights concerns. In fact, both are to be traced to Article 21 which deals with the fundamental right to life and liberty. While environmental aspects concern life, human rights aspects concern liberty.”

In *A.P. Pollution Control Board (II) v. Prof. M. V. Nayadu*<sup>106</sup> the Supreme Court stated that the rights to healthy environment and to sustainable development are fundamental human rights implicit in the right to life.

In *T. Damodar Rao v. The Special Officer, Municipal Corporation of Hyderabad*,<sup>107</sup> the Andhra Pradesh High Court explained the link between Article 21 and environment.

The right to ‘wholesome environment’ was first recognized by Supreme Court in *Rural Litigation and Entitlement Kendra, Dehra Dun v. State of U.P.*<sup>108</sup> In *Subhash Kumar v. State*

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<sup>100</sup> *Rural Litigation and Entitlement Kendra, Dehra Dun v. State of U.P.*, AIR 1985 SC652; *M. C. Mehta v. Union of India*, AIR 1987 SC 965; *M. C. Mehta v. Union of India*, AIR 1988 SC 1037; *Subhash Kumar v. State of Bihar*, AIR 1991 SC 420; *M. C. Mehta v. Union of India*, AIR 2004 SC 4016.

<sup>101</sup> *T Damodar v. Special Officer, Municipal Corporation*, AIR 1987 A.P. 171; *Centre for Environmental World Wide Fund, India v. State of Orissa* AIR 1999 Ori.15; *Hamid Khan v. State of Madhya Pradesh* AIR 1997 M.P.191.

<sup>102</sup> For instance, in *Sachidanand Pandey v. State of West Bengal*, AIR 1987 SC 1109, the Supreme Court pointed out that whenever a problem of ecology is brought before the Court, the Court is bound to bear in mind Articles 48-A and 51-A(g) of the *Constitution*.

<sup>103</sup> *Rural Litigation and Entitlement Kendra v. State of U.P.*, AIR 1985 SC62S.656

<sup>104</sup> M. K. Ramesh, “Environmental Justice: Courts and Beyond”, *Reading Material*, Volume II, Assembled and Edited by Prof (Dr) N.R.MadhavMenon ,(N.J.Academy).

<sup>105</sup> AIR 1999 SC 812.

<sup>106</sup> (2001) 2 SCC 62 at 70-71.

<sup>107</sup> AIR 1987 A.P. 171.

<sup>108</sup> AIR 1988 SC 2187.



of Bihar,<sup>109</sup> the apex court elucidated that the right to life includes the right of enjoyment of pollution free water and air for full enjoyment of life. Many of the high courts have followed this<sup>110</sup> reasoning.

In *Oleum Gas Leak case*,<sup>111</sup> the Supreme Court impliedly treated the right to live in pollution free environment as part of fundamental right to life under Article 21 of the Constitution.

In *Virendra Gaur v. State of Haryana*,<sup>112</sup> the right to environment got full expression as part and parcel of right to life. The Supreme Court observed: “Enjoyment of life..... with human dignity encompasses within its orbit, the protection and preservation of environment, ecological balance, free from pollution, of air and water, sanitation without which life cannot be enjoyed. Any contra acts or actions would cause environmental pollution. Environmental, ecological, air, water pollution, etc., should be regarded as amounting to violation of Article 21.

The judicial response towards the protection of environment has been substantial and effective as per the requirement of the time. Judiciary has been vigilant and active in protecting environment through Constitutional and other laws. The above referred and other similar cases<sup>113</sup> which have been decided by the High Courts and the Supreme Court, indicate that the protection of the environment and related issues have been interpreted in the context of human rights, especially right to life under Article 21 read with Article 48-A.

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<sup>109</sup>AIR 1991 SC 420; also in *M.C. Mehta v. Union of India*, AIR 2004 SC 4016 at 4044.

<sup>110</sup>*Kinkri Devi v. State of Himachal Pradesh*, AIR 1988 H.P. 4; *S. K. Garg v. State of Uttar Pradesh*, AIR 1999 All. 41; *Free Legal Aid Cell v. Government of NCT of Delhi*, AIR 2001 Del 455 etc.

<sup>111</sup>*M. C. Mehta v. Union of India*, AIR 1987 SC 1086.

<sup>112</sup> (1995)2 SCC 577.

<sup>113</sup>Eg. *Municipal Council Ratlam v. Verdichand*, AIR.1980 SC 1922; *Bhopal Gas PeeditMahilaUdyogSangathan v. Union of India*. AIR 1989 SC 1069; *F.K.Hussain v.Union of India* 1990 Ker.321; *CharanlalSahuv.Union of India* (1990) 1SCC 613; *ChhetriyaPradushanMuktiSangharshaSamiti v. State of U.P.* (1990) 4 SCC 449; *Tarun Bharat Sangh, Alwar.v.Union of India*, (1992) 2Supp (2) SCC 448;etc.



**ಮಾನವ ಹಕ್ಕುಗಳ ತರಬೇತಿ****ಡಾ. ಎಂ. ಪೂರ್ವಾಚಾರ್,**

ಸಮಾಜಶಾಸ್ತ್ರ, ಪ್ರಾಧ್ಯಾಪಕರು, ಸಹ್ಯಾದ್ರಿ ಕಾಲೇಜು, ಶಿವಮೊಗ್ಗ.

**ಡಾ. ಕೆ. ಚಂದ್ರಪ್ಪ,**ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು, ಸ್ನಾತಕೋತ್ತರ ರಾಜ್ಯಶಾಸ್ತ್ರ ವಿಭಾಗ,  
ಸಹ್ಯಾದ್ರಿ ಕಲಾ ಕಾಲೇಜು, ಶಿವಮೊಗ್ಗ.

1993ನೇ ಇಸವಿಯ ಮಾನವ ಹಕ್ಕುಗಳ ಕಾಯ್ದೆಯ ಅನುಸಾರ ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು 12ನೇ ಅಕ್ಟೋಬರ್ 1993ರಂದು ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದಿದೆ. ಮುಂದೆ ಇದನ್ನು ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣಾ ಕಾಯ್ದೆ (ತಿದ್ದುಪಡಿ) ಎಂದು 2006ರಲ್ಲಿ ಜಾರಿಗೆ ತರಲಾಗಿದೆ. ಅಕ್ಟೋಬರ್ 1991ರ ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆ ಮತ್ತು ರಾಷ್ಟ್ರೀಯ ಸಂಸ್ಥೆಗಳ ಮುಂಚೂಣಿ ಕಾರ್ಯಾಗಾರದ ಪ್ಯಾರಿಸ್ ತತ್ವದ ಆಧಾರದ ಮೇಲೆ ಹಾಗೂ ಅಮೇರಿಕಾ ಸಂಯುಕ್ತ ಸಂಸ್ಥಾನದ 48/134 ನಿಯಮಗಳ ಅನುಸಾರ ಇಂತಹ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಭಾರತದಲ್ಲಿ ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದಿದೆ. ಮಾನವ ಹಕ್ಕುಗಳು ಎಂಬುದು ಮಾನವನ ಜೀವನ, ಸಮಾನತೆ, ವ್ಯಕ್ತಿಗತ ಅಂತಸ್ತು ಮುಂತಾದವುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆಯ ದೂರುಗಳನ್ನು ವಿಚಾರಣೆ ಮಾಡುವ ಮತ್ತು ಅಂತಹ ಉಲ್ಲಂಘನೆಗಳನ್ನು ಹತೋಟಿ ಮಾಡುವ ಸಲುವಾಗಿ ಅಂತರರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ನಿಯಮಗಳ ಅಡಿಯಲ್ಲಿ ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ನಿಯಂತ್ರಣ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಲಿ ಎಂಬ 'ದೃಷ್ಟಿ' (ವಿಷನ್)ಯನ್ನು ಹೊಂದಿದೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಮಾನವ ಹಕ್ಕುಗಳ ಬಗೆಗಿನ ಪ್ರಜ್ಞೆಯನ್ನು ರಾಷ್ಟ್ರೀಯ ಮತ್ತು ಅಂತರರಾಷ್ಟ್ರೀಯ ಮಟ್ಟದ ಜನರಲ್ಲಿ ವಿಸ್ತರಿಸುವ ಜವಾಬ್ದಾರಿ ಹೊಂದಿದೆ. ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಒಂದು ವಿಶಿಷ್ಟವಾದ ಸಂಸ್ಥೆ. ಇಂತಹ ಸಂಸ್ಥೆಗಳು ಎಲ್ಲ ರಾಷ್ಟ್ರಗಳಲ್ಲಿಯೂ ಇಲ್ಲ. ಕೆಲವೇ ಕೆಲವು ರಾಷ್ಟ್ರಗಳಲ್ಲಿರುವ ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಭಾರತದಲ್ಲಿಯೂ ಇದೆ. ಇದರ ಅಧ್ಯಕ್ಷರು ದೇಶದ ಮಾಜಿ ಮುಖ್ಯ ನ್ಯಾಯಾಧೀಶರು ಆಗಿರುತ್ತಾರೆ. ಭಾರತದಲ್ಲಿರುವ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವನ್ನು ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆ ಮತ್ತು ಪ್ರಚಾರ ಮಾಡುವಲ್ಲಿ ಪ್ರಮುಖ ಸಂಸ್ಥೆಯಾಗಿದೆ ಎಂದು ವಿಶ್ವವೇ ಭಾವಿಸುತ್ತದೆ. ಭಾರತದ ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಪ್ರಪಂಚದ ಇತರ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗ ಸಂಸ್ಥೆಗಳೊಂದಿಗೆ ಸಮನ್ವಯ ಸಾಧಿಸುತ್ತಿದೆ. ಅನೇಕ ವಿಶ್ವಸಂಸ್ಥೆಯ ಪ್ರತಿನಿಧಿಗಳು ವಕೀಲರು, ನಾಗರಿಕರು, ರಾಜಕೀಯ ಮತ್ತು ಸಾಮಾಜಿಕ ಕಾರ್ಯಕರ್ತರು ಈ ಸಂಸ್ಥೆಗೆ ನಿಯೋಗಿಗಳಾಗಿರುತ್ತಾರೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗದಲ್ಲಿ 'ಕಾನೂನು ವಿಭಾಗ'ವು ಕೆಲಸ ಮಾಡುತ್ತಿದೆ. ಈ ವಿಭಾಗವು ಪ್ರತಿವರ್ಷ ಒಂದು ಲಕ್ಷ ಕೇಸುಗಳನ್ನು ವಿಲೇವಾರಿ ಮಾಡುತ್ತದೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿದೆಯೆಂದು ಯಾರಾದರೂ ದೂರು ನೀಡಿದರೆ, ಅವರ ಪರವಾಗಿ ಬೇರೆ ವ್ಯಕ್ತಿ ಅಥವಾ ಸಂಸ್ಥೆ ದೂರು ನೀಡಿದರೆ ಅದನ್ನು ಪರಿಶೀಲಿಸಲಾಗುತ್ತದೆ. ಯಾರೇ ವ್ಯಕ್ತಿ ಪೊಲೀಸ್ ಅಥವಾ ನ್ಯಾಯಾಂಗ ಬಂಧನದಲ್ಲಿ ಮೃತಪಟ್ಟರೆ ಅಥವಾ ಅತ್ಯಾಚಾರಕ್ಕೊಳಪಟ್ಟರೆ ಅಥವಾ ಹಿಂಸೆಗೊಳಪಟ್ಟರೆ ಅವುಗಳ ಬಗ್ಗೆಯೂ ಆಯೋಗವು ಪರಿಶೀಲಿಸಿ ವಿಚಾರಣೆ ನಡೆಸುತ್ತದೆ.



ಈ ಆಯೋಗದಲ್ಲಿರುವ 'ವಿಚಾರಣೆ ವಿಭಾಗ'ವು (ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಡಿವಿಷನ್) ಡಿಜಿಟಲ್ ದರ್ಜೆಯ ಅಧಿಕಾರಿಯಿಂದ ಮುನ್ನಡೆಸಲ್ಪಡುತ್ತಿದ್ದು, ಡಿಐಜಿ ಅಧಿಕಾರಿಯೊಬ್ಬರು ಮತ್ತು ಮೂವರು ಎಸ್‌ಪಿಗಳು ಮುಖ್ಯ ಅಧಿಕಾರಿಗಳಿದ್ದು ಇವರ ಅಧೀನದಲ್ಲಿ ಡಿಎಸ್‌ಪಿಗಳು ಇರುತ್ತಾರೆ. ಯಾವುದೇ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸುವಾಗ ಎಸ್‌ಪಿ ಯೊಬ್ಬರು ಮುಖ್ಯಸ್ಥರಾಗಿರುತ್ತಾರೆ. ವಿವಿಧ ಆಯಾಮಗಳಿಂದ ವಿಚಾರಣೆಯೊಂದನ್ನು ನಡೆಸಬಹುದಾಗಿರುತ್ತದೆ. ಅಂತಹ ವಿವಿಧ ಆಯಾಮಗಳನ್ನು ಈ ಮುಂದಿನಂತೆ ನೋಡಬಹುದು. ಮೊದಲನೆಯದಾಗಿ 'ಸ್ಥಾನೀಯ ವಿಚಾರಣೆ'. ಇದನ್ನು ಅಗತ್ಯಬಿದ್ದಾಗ ಒಂದು ಬಾರಿ ಅಥವಾ ಅನೇಕ ಬಾರಿ ನಡೆಸಲಾಗುವುದು. ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುವ ಸ್ಥಳಕ್ಕೆ ತೆರಳಿ ಅಲ್ಲಿ ಸಂಬಂಧಿಸಿದ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಿದ ತರುವಾಯ ತೀರ್ಪು ನೀಡಲಾಗುವುದು. ಕಾನೂನುಬಾಹಿರ ಬಂಧನ, ಲಾಕಪ್‌ಡೆತ್, ಆಸ್ಪತ್ರೆಗಳು ಮತ್ತು ಆಸ್ಪತ್ರೆಗಳಲ್ಲಿ ಸರಿಯಾಗಿ ಜೀವರಕ್ಷಕ ಔಷಧಿಗಳನ್ನು ದೊರಕಿಸುವಲ್ಲಿ ಆಗುವ ವೈಫಲ್ಯ ಇಂತೆಲ್ಲ ಸಂದರ್ಭಗಳಲ್ಲು ಸ್ಥಾನೀಯ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಬಹುದಾಗಿದೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ರಾಜ್ಯಗಳಿಗೆ ಕೊಟ್ಟಿರುವ ಸೂಚನೆಯನುಸಾರ ರಾಜ್ಯದಲ್ಲಿ ಯಾವುದೇ ಲಾಕಪ್‌ಡೆತ್‌ಗಳು ಆದರೆ ಅಥವಾ ವಿಚಾರಣಾಧೀನ ಸಾವುಗಳು ಉಂಟಾದರೆ ಅದನ್ನು ತಕ್ಷಣ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗಕ್ಕೆ ತಿಳಿಸಬೇಕಾಗುತ್ತದೆ. ಇಂತಹ ಸಂದರ್ಭಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ವಿಚಾರಣೆ ನಡೆಸುತ್ತದೆ. ಅಗತ್ಯಬಿದ್ದರೆ ಆಯೋಗವು ಪೊಲೀಸ್‌ ತಜ್ಞರ ನೆರವನ್ನು ಕೂಡ ಕೋರಬಹುದು. ಆಯೋಗವು ಅನೇಕ ಬಾರಿ 'ಸತ್ಯಾನ್ವೇಷಣೆ'ಗಳನ್ನು ನಡೆಸಬಹುದು. ಇಂತಹ ಸತ್ಯಾನ್ವೇಷಣೆಗಾಗಿ ಆಯೋಗವು ಅಗತ್ಯಬಿದ್ದು ಇಲಾಖೆಗಳ ವರದಿಯನ್ನು ಮುಕ್ತವಾಗಿಯೇ ಅಥವಾ ರಹಸ್ಯವಾಗಿಯೇ ಪಡೆಯಬಹುದು.

ವಿಚಾರಣೆ ವಿಭಾಗದ ಅಧಿಕಾರಿಗಳು ಆಮಂತ್ರಣದ ಮೇರೆಗೆ ಅನೇಕ ತರಬೇತಿ ಕೇಂದ್ರಗಳಲ್ಲಿ ಮತ್ತು ವೇದಿಕೆಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆಯ ಬಗ್ಗೆ ಉಪನ್ಯಾಸಗಳನ್ನು ನೀಡುತ್ತಾರೆ. ಈ ಮೂಲಕ ಮಾನವ ಹಕ್ಕುಗಳ ಬಗ್ಗೆ ಅರಿವನ್ನು ಹೆಚ್ಚಿಸಿ, ಜಾಗೃತಿಯನ್ನು ವಿಸ್ತರಿಸುತ್ತದೆ. 2007ನೇ ಇಸವಿಯಿಂದ ವಿಚಾರಣೆ ವಿಭಾಗವು 'ಯೂಪಿಡ್ ಆಕ್ಟ್' ಸೆಲ್ ಅನ್ನು ಪ್ರಾರಂಭಿಸಿದೆ. ತುಂಬಾ ತುರ್ತಾಗಿ ಬಗೆಹರಿಸಬೇಕಾದ ಕೆಲವು ವಿಚಾರಣೆಗಳಿಗೋಸ್ಕರ ಈ ಘಟಕ ಇದೆ. ಶಿಶುವಿವಾಹ, ಲಾಕಪ್‌ಡೆತ್ ಇಂತಹ ಘಟನೆಗಳ ವಿಚಾರಣೆಯಲ್ಲಿ ಈ ಘಟಕ ಕೆಲಸ ಮಾಡುತ್ತದೆ. 01-04-2017 ರಿಂದ 31-03-2018ರವರೆಗೆ ಈ ಘಟಕ ಅಂತಹ 515 ಕೇಸುಗಳನ್ನು ವಿಚಾರಣೆ ನಡೆಸಿದೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆ, ಮಾನವ ಜೀವನ ಸ್ವಾತಂತ್ರ್ಯ ಮತ್ತು ಅದಕ್ಕೆ ಬೆದರಿಕೆಯಂತಹ ಸಂಗತಿಗಳ ಬಗ್ಗೆ ಶೀಘ್ರ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತದೆ.

ಇದೇ ಅಲ್ಲದೆ ಕೇಂದ್ರ ಪೊಲೀಸ್ ಸಶಸ್ತ್ರ ಮೀಸಲು ಪಡೆಗಳಿಗೆ ಮತ್ತು ರಾಜ್ಯ ಪೊಲೀಸ್ ಸಿಬ್ಬಂದಿಗಳಿಗೆ 'ಮಾನವ ಹಕ್ಕುಗಳ ಭಾಷಣ ಸ್ಪರ್ಧೆ' ಏರ್ಪಡಿಸುತ್ತದೆ. ಆರೋಪಿಗಳನ್ನು ನಿಲಂಬನೆ (ಡಿಟೆನ್ಷನ್) ಗೊಳಿಸಲಾದ ಸ್ಥಳಗಳಿಗೂ ಆಯೋಗದ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಭೇಟಿ ನೀಡಬಹುದು. ವೈದ್ಯೋಪಚಾರ, ಸುಧಾರಣೆ ಅಥವಾ ಸಂರಕ್ಷಣೆಗೋಸ್ಕರ ನಿಲಂಬನೆಗೊಳಿಸಲಾದ ಜೈಲು, ಆಸ್ಪತ್ರೆ, ಮುಂತಾದೆಡೆಗೆ ಭೇಟಿ ನೀಡಬಹುದಾಗಿದೆ. ಮತ್ತು ಯಾವುದೇ ಸಮಸ್ಯೆಗಳಿದ್ದರೆ ಅವುಗಳನ್ನು ಪರಿಹರಿಸಬಹುದಾಗಿದೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗದ 'ಆಡಳಿತ ವಿಭಾಗವು' ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು, ಸದಸ್ಯರು ಮತ್ತು ಇತರ ಪದಾಧಿಕಾರಿಗಳ ಅಗತ್ಯತೆಗಳು, ಸಿಬ್ಬಂದಿ, ಗ್ರಂಥಾಲಯ ಮತ್ತು ಇತರ ಅಗತ್ಯ ಸಾಧನ-ಸಲಕರಣೆಗಳನ್ನು ಒದಗಿಸುವುದು ಮುಂತಾದ ಆಡಳಿತಾತ್ಮಕ ಕೆಲಸಗಳನ್ನು ಮಾಡುತ್ತದೆ. ಈ



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ವಿಭಾಗವು ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿಯೊಬ್ಬರಿಂದ ನಿರ್ವಹಿಸಲ್ಪಡುತ್ತದೆ. ಇವರಿಗೆ ಒಬ್ಬರು ನಿರ್ದೇಶಕರು, ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ, ವಿಭಾಗಾಧಿಕಾರಿ ಮತ್ತು ಇತರ ಸಹಾಯಕ ಸಿಬ್ಬಂದಿ ಸಹಕಾರ ನೀಡುತ್ತಾರೆ.

‘ನೀತಿ ಸಂಶೋಧನೆ, ಯೋಜನೆ ಮತ್ತು ಕಾರ್ಯಕ್ರಮಗಳ ವಿಭಾಗವು’ ಅನೇಕ ವಿಚಾರ ಸಂಕಿರಣ, ಕಾರ್ಯಾಗಾರ, ಕಾರ್ಯಕ್ರಮ ಮುಂತಾದವುಗಳನ್ನು ನಡೆಸುತ್ತದೆ. ಇದರ ಆರೋಗ್ಯಕರ ಸಲಹೆಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಆಯೋಗದ ಜವಾಬ್ದಾರಿಯುತ ಚಟುವಟಿಕೆಗಳನ್ನು ವಿಸ್ತರಿಸಬಹುದಾಗಿದೆ.

### **ತರಬೇತಿ:**

ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗದಲ್ಲಿ ‘ತರಬೇತಿ ವಿಭಾಗ’ವು ಇದ್ದು ಇದು ಸಮಾಜದ ವಿವಿಧ ವರ್ಗಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಅರಿವನ್ನು ಹೆಚ್ಚಿಸುವ ಕೆಲಸವನ್ನು ಮಾಡುತ್ತದೆ. ಈ ವಿಭಾಗಕ್ಕೆ ಜಂಟಿ ನಿರ್ದೇಶಕರೊಬ್ಬರು ಮುಖ್ಯಸ್ಥರಾಗಿರುತ್ತಾರೆ. (ತರಬೇತಿ ಮತ್ತು ಸಂಶೋಧನೆ) ಒಬ್ಬರು ಹಿರಿಯ ಸಂಶೋಧನಾಧಿಕಾರಿಯವರು ಇವರಿಗೆ ಸಹಾಯಕರಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ. ಅನೇಕ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಿಗೆ ಮಾನವ ಹಕ್ಕುಗಳ ತರಬೇತಿ ನೀಡಲಾಗುತ್ತದೆ. ಸರ್ಕಾರೇತರ ಖಾಸಗಿ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ನೌಕರರಿಗೂ ಮತ್ತು ಅವುಗಳ ಮಾಲೀಕರಿಗೂ ತರಬೇತಿಯನ್ನು ನೀಡಲಾಗುತ್ತದೆ. ಶಾಲೆಗಳಲ್ಲಿ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಮಾನವ ಹಕ್ಕುಗಳ ತರಬೇತಿಯನ್ನು ನೀಡಲಾಗುತ್ತದೆ.

ಕಾಲೇಜು ಮತ್ತು ವಿಶ್ವವಿದ್ಯಾಲಯಗಳ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಮಾನವ ಹಕ್ಕುಗಳ ತರಬೇತಿಯನ್ನು ನೀಡಲಾಗುವುದು. ಸಂಸ್ಥಾಪನಾ ದಿನ, ಮಾನವ ಹಕ್ಕುಗಳ ದಿನ ಮೊದಲಾದ ಮುಖ್ಯ ದಿನಗಳಂದು ವಿಶೇಷ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಹಮ್ಮಿಕೊಳ್ಳಲಾಗುತ್ತದೆ. ಈ ಮೂಲಕ ಸಾರ್ವಜನಿಕರಿಗೆ ತರಬೇತಿ ದೊರೆತಂತಾಗುತ್ತದೆ. ಹಲವಾರು ಕಾರ್ಯಕ್ರಮಗಳ ಮೂಲಕ ವಕೀಲರು, ಶಿಕ್ಷಕರು ಮೊದಲಾದವರು ಮತ್ತಷ್ಟು ಸಂಪದ್ವರಿತರಾಗುತ್ತಾರೆ. ಹೀಗೆ ಔಪಚಾರಿಕ ತರಬೇತಿ ಮತ್ತು ವಿವಿಧ ಕಾರ್ಯಕ್ರಮ ಹಾಗೂ ಶಿಬಿರಗಳ ಮೂಲಕ ಅನೌಪಚಾರಿಕವಾಗಿ ಮಾನವ ಹಕ್ಕುಗಳ ಅರಿವಿನ ವಿಸ್ತರಣೆ ತುಂಬಾ ಅವಶ್ಯವಾದ್ದಾಗಿದೆ.

**ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆ****ಡಾ. ಬಿ. ರೇವಣ್ಣ**

ಕನ್ನಡ ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು  
ಎಸ್.ಜಿ.ಎಂ.ಕಲಾ, ವಿಜ್ಞಾನ ಮತ್ತು ವಾಣಿಜ್ಯ ಮಹಾವಿದ್ಯಾಲಯ  
ಚಂದ್ರವಳ್ಳಿ, ಚಿತ್ರದುರ್ಗ

‘ಜಾನಪದ’ ಎನ್ನುವ ಪದ ಇಂಗ್ಲಿಷ್‌ನಲ್ಲಿ ಈಂಟಿಇಟಂಡೀ ಎಂಬುದಕ್ಕೆ ಸಮಾನಾರ್ಥವಾಗಿ ಬಳಸಿರುವ ಕನ್ನಡ ಪದ.ಈಂಟಿಇಟಂಡೀ ಎನ್ನುವುದು ಈಂಟಿಇ & ಟಂಡೀ ಎಂಬ ಎರಡು ಪ್ರತ್ಯೇಕ ಅರ್ಥವನ್ನು ಕನ್ನಡದಲ್ಲಿ ಜನಪದ ಎಂತಲೂ, ಟಂಡೀ ಜ್ಞಾನ ಎಂತಲೂ ಇದೆ. ಜಾನಪದ ಜ್ಞಾನ ಈ ವಿಷಯಕ್ಕೆ ಹಾ.ಮಾ ನಾಯಕ ಅವರು ಜಾನಪದ ಎಂಬ ಶಬ್ದವನ್ನು ಬಳಸಿದ್ದಾರೆ. ಜನಪದ ಜ್ಞಾನವೇ ಜಾನಪದ ಎಂದು ಕರೆಯಬಹುದು. ಜನಪದರ ಸಾಹಿತ್ಯ, ಸಂಗೀತ, ನೃತ್ಯ, ಆಟ, ಈ ಎಲ್ಲವನ್ನೂ ಒಳಗೊಂಡಿದ್ದೇ ಜಾನಪದ ಎಂದು ಹೇಳಬಹುದು. ಮನುಷ್ಯನ ಬದುಕಿನೊಂದಿಗೆ ಅವಿನಾಭಾವ ಸಂಬಂಧವನ್ನು ಹೊಂದಿ ತಲೆತಲೆಮಾರುಗಳಿಂದ ಬಂದಿರುವ ಮೌಖಿಕ ಪರಂಪರೆಯಲ್ಲಿನ ಸಂಬಂಧದ ಜ್ಞಾನವೇ ಜಾನಪದವಾಗಿದೆ.

ಜಾನಪದ ಎಂದರೇನು? ಎಂಬುದನ್ನು ಕುರಿತು ಭಾರತೀಯ ಮತ್ತು ಪಾಶ್ಚಿಮಾತ್ಯ ವಿದ್ವಾಂಸರು ತಮ್ಮ ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಈ ಕೆಳಗಿನಂತೆ ವ್ಯಾಖ್ಯಾನಿಸಿದ್ದಾರೆ.

**ಭಾರತೀಯ ವಿದ್ವಾಂಸರುಗಳಾದ**

ಹಾ.ಮಾ. ನಾಯಕ:ಜನತೆಯ ಗ್ರಂಥಸ್ಥವಲ್ಲದ ಸಾಂಪ್ರದಾಯಿಕ ಕಲೆ ಮತ್ತು ನಂಬಿಕೆಗಳ ಮೊತ್ತ ಎಂದಿದ್ದಾರೆ.

ದೇ.ಜವರೇಗೌಡ:ಬಾಲ ಬಾಯಿಯಲ್ಲಿ ಬ್ರಹ್ಮಾಂಡವು ಅಡಗಿರುವಂತೆ ಜಾನಪದದಲ್ಲಿ ಎಲ್ಲವೂ ಅಡಗಿದೆ.

ಜಿ.ಶಂ ಪರಮಶಿವಯ್ಯ:ಶಿಷ್ಟ ಸಂಸ್ಕೃತಿಯಿಂದ ದೂರವಾದ ಪರಂಪರಾನುಗತವಾದ ಬೆಳವಣಿಗೆಗಳು ಪಡೆದ ಜನ ಸಮುದಾಯದ ವಿಶಿಷ್ಟ ಸಂಸ್ಕೃತಿಯೇ ಜಾನಪದ.

ಗೋ.ರು. ಚನ್ನಬಸಪ್ಪ:ಹಳ್ಳಿ ಜನತೆಯ ನಾಲಿಗೆಯ ತೂಗುತೊಟ್ಟಿಲಿನ ಮೇಲೆ ನರ್ತಿಸುತ್ತಾ ಜನಸಾಮಾನ್ಯರ ಸರ್ವತೋಮುಖ ಅಭಿವ್ಯಕ್ತಿಯಾಗಿದೆ.

**ಪಾಶ್ಚಿಮಾತ್ಯ ವಿದ್ವಾಂಸರ ಪ್ರಕಾರ**

ಆಂಡ್ರೋಲಾಂಗ್:ಜನಾಂಗಗಳ ಪಳೆಯುಳಿಕೆಗಳನ್ನು ಸಮಗ್ರಿಸಿ ಅಧ್ಯಯನ ಮಾಡುವ ಜ್ಞಾನವೇ ಜಾನಪದ.

ಎಡ್ವಿನ್ ಸಿಡ್ನಿ ಹಾರ್ಟ್‌ಲಾಂಡ್:ಜಾನಪದ ಎನ್ನುವುದು ಸಂಪ್ರದಾಯದ ಪ್ರಜ್ಞೆ ಅಂದರೆ ಪರಂಪರಾಗತ ಜ್ಞಾನವು ನೆನಪಿನ ರೂಪದಲ್ಲಿ ಕ್ರಿಯಾ ರೂಪದಲ್ಲಿ ಸಾಗಿಬರುವ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಜಾನಪದ ಎನ್ನುವರು.





ಇ.ಡಬ್ಲ್ಯೂ. ಪೊಗೇಲಿನ್:ಮೌಖಿಕ ಸಂಪ್ರದಾಯದಲ್ಲಿ ಸಾಗಿಬಂದ ಯಾವುದೇ ಪರಂಪರಾಗತ ವಿಷಯವಾಗಿರುವ ಪಠ್ಯ ಮತ್ತು ಗದ್ಯ ವಿಷಯವಾಗಿರಲಿ ಅದುವೇ ಜಾನಪದ.

ಬಾರ್ಬೆ ಮೇರಿಯಸ್:ಪರಂಪರೆಯಾಗಿ ಬಂದಿರುವ ಜ್ಞಾನ, ಅನುಭವ, ಜಾಣ್ಮೆ, ನೈಪುಣ್ಯ, ಹವ್ಯಾಸಗಳು ಮತ್ತು ಅನುಸರಣೆಗಳು ಹಳೆಯ ತಲೆಮಾರಿನಿಂದ ಹೊಸ ತಲೆಮಾರಿಗೆ ಮಾತಿನ ಮೂಲಕ ಹಸ್ತಾಂತರಗೊಳಿಸುತ್ತವೆಯೇ ಅದುವೇ ಜಾನಪದ.

ಇಂತಹ ಲಕ್ಷಣಗಳನ್ನು ಇಟ್ಟುಕೊಂಡು ನಿರ್ದಿಷ್ಟವಾದ ಪ್ರದೇಶದಲ್ಲಿ ವಾಸ ಮಾಡುವ ಜನ ಸಮುದಾಯವನ್ನು ಜನಪದ ಅಥವಾ ಜಾನಪದವೆಂದು ಕರೆಯುತ್ತಾರೆ. ಜಾನಪದವೆಂದರೆ ಕನ್ನಡದ ಲಾಕ್ಷಣಿಕ ಗ್ರಂಥವಾದ 'ಕವಿರಾಜ ಮಾರ್ಗ' ಕನ್ನಡಿಗರ ಕೈಪಿಡಿ ಇದ್ದಂತೆ. ಕನ್ನಡ ಪ್ರದೇಶದಲ್ಲಿ ವಾಸಿಸುವ ಜನಸಮುದಾಯವನ್ನು ಜನಪದವೆಂದು ಕರೆಯಲಾಗಿದೆ. ಹರ್ಸ ಕೋವಿಟ್ಸ್ ನ ಪ್ರಕಾರ ಜನರ ಜೀವನ ವಿಧಾನ ಸಂಸ್ಕೃತಿಯೆಂದು ಕರೆಯುತ್ತಾರೆ. ಜನಪದರ ಇರುವ ಸ್ಥಳ ಹಳ್ಳಿ ಇರಬಹುದು, ಪಟ್ಟಣವಿರಬಹುದು. ಆದರೆ ಅವರೆಲ್ಲಾ ಒಂದು ಭಾಷೆಯ ಮೂಲಕ ಆಚರಣೆಗಳು ಮೂಲಕ ಒಂದು ಸಂಸ್ಕೃತಿಯ ಮೂಲಕ ಒಬ್ಬರೊಬ್ಬರು ನಿಕಟವರ್ತಿಗಳಾಗಿರಬಹುದು. ಹೀಗಾಗಿ ಅವರೆಲ್ಲಾ ಒಂದೇ ಭಾವನೆಯಲ್ಲಿ ಬದುಕುತ್ತಾರೆ. ಬದುಕುತ್ತಾ ತಮ್ಮದೇ ಆದ ವರ್ತನ ಕ್ರಿಯೆಗಳನ್ನು ಅಳವಡಿಸಿಕೊಳ್ಳುತ್ತಾರೆ.

ಒಂದು ರಾಷ್ಟ್ರದ ಸಮಗ್ರ ಸಂಸ್ಕೃತಿಯ ಬಗ್ಗೆ ಅಧ್ಯಯನ ಮಾಡಲು ಪ್ರಯತ್ನಿಸುವವರು ಪ್ರಾಥಮಿಕವಾಗಿ ಜನಪದ ಅಧ್ಯಯನ ಮಾಡುವುದು ಅತ್ಯಂತ ಅವಶ್ಯಕವಾದ ಸಂಗತಿಯಾಗಿದೆ. ಪ್ರತಿಯೊಂದು ದೇಶದ ಸಂಸ್ಕೃತಿಯು ಜಾನಪದ ತಳಪಾಯದ ಮೇಲೆ ಸುಭದ್ರವಾಗಿ ನಿಂತಿರುವುದು ಕಾಣುತ್ತೇವೆ. ಜನತೆಯ ಜೀವನಾಡಿಯಂತಿರುವ ಜಾನಪದ ಅಧ್ಯಯನದಿಂದಲೇ ಅಯಾ ದೇಶದ ಸಾಮಾಜಿಕ ವ್ಯವಸ್ಥೆ, ರಾಜಕೀಯ ವ್ಯವಸ್ಥೆ, ಆರ್ಥಿಕ ಭದ್ರತೆ, ಧಾರ್ಮಿಕ ಶ್ರದ್ಧೆ, ಸಾಂಸ್ಕೃತಿಕವಾಗಿ ಪಾಲ್ಗೊಳ್ಳುವಿಕೆ ಮುಂತಾದವು ಜನತೆಯ ಬದುಕಿನ ಮೇಲೆ ಬೆಳಕು ಚೆಲ್ಲುವ ಬಗೆಯನ್ನು ನೋಡಬಹುದು. ಜನಪದವು ಸಂಸ್ಕೃತಿಯ ಹೃದಯವೆನ್ನಬಹುದು. ಹೃದಯ ತನ್ನ ಕರ್ತವ್ಯ ಸರಿಯಾಗಿ ನಡೆಯುವವರೆಗೆ ಜೀವಕ್ಕೆ ಯಾವುದೇ ತರಹದ ಭಯವಿಲ್ಲ. ಆದ್ದರಿಂದ ಜಾನಪದ ಬೆಳದಂತೆ ಸಂಸ್ಕೃತಿಯೂ ಬೆಳೆಯುವುದು. ಜಾನಪದ ರಕ್ಷಣೆಯಲ್ಲಿ ಸಂಸ್ಕೃತಿಯ ರಕ್ಷಣೆಯೂ ಅಡಗಿದೆ.

ಸಂಸ್ಕೃತಿ ಎಂಬ ಪದವನ್ನು ಇಂಗ್ಲಿಷ್‌ನ ಕಲ್ಚರ್ ಎಂಬ ಪದಕ್ಕೆ ಸರಿಸಾಟಿಯಾಗಿ ಬಳಸಲಾಗುತ್ತದೆ. ಈ ಕಲ್ಚರ್ ಎಂಬ ಶಬ್ದ ಲ್ಯಾಟಿನ್ ಮೂಲದ್ದು. ಕಲ್ಚುಸ್, ಕಲ್ಚರ್ ಎಂಬ ಶಬ್ದಕ್ಕೆ ಲ್ಯಾಟಿನ್ ಭಾಷೆಯಲ್ಲಿ ವ್ಯವಸಾಯ ಮಾಡು, ಪರಿಷ್ಕರಿಸು, ಪೂಜೆ ಮಾಡು, ಇತ್ಯಾದಿ ಅರ್ಥಗಳಿವೆ. ಪ್ರಸಿದ್ಧ ಮಾನವ ಶಾಸ್ತ್ರಜ್ಞ ಇ.ಬಿ.ಟೈಲರ್ ಮೊದಲಿಗೆ ಕಲ್ಚರ್ ಎಂಬ ಪದಕ್ಕೆ ಸಮಗ್ರವಾದ ವ್ಯಾಖ್ಯಾನವನ್ನು ನೀಡಿ ಜಗತ್ಪ್ರಸಿದ್ಧವಾಗುವಂತೆ ಮಾಡಿದ. ಮನುಷ್ಯನ ಜ್ಞಾನ, ನಂಬಿಕೆ, ಕಲೆ, ನೀತಿ, ಕಾನೂನು, ಸಂಪ್ರದಾಯಗಳಲ್ಲದೆ ಅವನು ಸಮಾಜದ ಸದಸ್ಯನಾಗಿ ಪಡೆದುಕೊಳ್ಳುವ ಸಮರ್ಥಗಳೆಲ್ಲವೂ ಸಂಸ್ಕೃತಿಯಾಗಿ ರೂಪುಗೊಳ್ಳುತ್ತಿರುತ್ತವೆ ಎಂದು ಟೈಲರ್ ವ್ಯಾಖ್ಯಾನಿಸಿದ.

ಇಂತಹ ಸಂಸ್ಕೃತಿಯ ಭಾಗವಾದ ಜನಪದರು ದೇವರು ಮತ್ತು ಆಚರಣೆಗಳ ಬಗ್ಗೆ ಅಪಾರವಾದ ಆಸಕ್ತಿಯಿಂದ ಭಯ ಭಕ್ತಿ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ. ಜೊತೆಗೆ ಶ್ರಮದ ಮೇಲೆ ನಂಬಿಕೆ, ಹೆಣ್ಣಿನ ಬಗ್ಗೆ ಗೌರವ ಹೊಂದಿದ್ದಾರೆ. ಈ ಹೆಣ್ಣಿಗೆ ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ 'ಮಹಿಳೆಗೆ' ವಿಶೇಷವಾದ ಪ್ರಾಮುಖ್ಯತೆಯಿದೆ. ಪುರುಷ ಪ್ರಧಾನ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಮಹಿಳೆ ತನ್ನದೆಲ್ಲವನ್ನು ಕಳೆದುಕೊಂಡು ಪುರುಷನ ಹಿಡಿತದಲ್ಲಿ ಮಹಿಳೆ ನಿಯಂತ್ರಣಗೊಂಡಿದ್ದಾಳೆ. ಬಾಲ್ಯದಲ್ಲಿ ತಂದೆ ತಾಯಿ ಹತ್ತಿರ ಬೆಳೆದು ದೊಡ್ಡವಳಾದ ಮೇಲೆ ಗಂಡನಿಗೆ ಹೆಂಡತಿಯಾಗಿ, ಅತ್ತೆ ಮಾವನಿಗೆ ಸೊಸೆಯಾಗಿ, ಮಕ್ಕಳಿಗೆ



ತಾಯಿಯಾಗಿ, ಅತ್ತಿಗೆಯಾಗಿ, ನಾದಿನಿಯಾಗಿ, ಸಹೋದರಿಯಾಗಿ, ಮುತ್ತೈದೆಯಾಗಿ, ದೇವತೆಯಾಗಿ, ಪತಿವ್ರತೆಯಾಗಿ, ಗರತಿಯಾಗಿ, ಉದಾರಿಯಾಗಿ, ತ್ಯಾಗಿಯಾಗಿ ಹಲವು ರೂಪಗಳ ಮುಖಾಂತರ ಅಭಿವ್ಯಕ್ತಗೊಳ್ಳುತ್ತಾಳೆ. ಮುತ್ತೈದೆಯತನ, ದಾಂಪತ್ಯಜೀವನ ತವರಿನ ಹಂಬಲ ಒಂದು ಕಡೆಗಾದರೆ, ಬಂಜೆತನ, ವೇಶ್ಯಾತನ, ಇವುಗಳ ಮುಖವು ಕಾಣಿಸುತ್ತದೆ. ಇವೆಲ್ಲಾ ಗರತಿಯ ಹಾಡುಗಳು, ಮಹಿಳೆ ತನ್ನ ಹಲವಾರು ಕಾಯಕಗಳಲ್ಲಿ ತನ್ನ ಬೇಸರವನ್ನು ಕಳೆಯಲು ಅನೇಕ ಹಾಡುಗಳನ್ನು ಹಾಡುತ್ತಿದ್ದಳು. “ಬೆಳಗಾಗಿ ನಾನದ್ದು ಯಾರ್ಯಾರ ನೆನೆಯಲಿ, ಎಳ್ಳು ಜೀರಿಗೆ ಕಳೆಯೋಳೆ! ಭೂಮಿತಾಯಿ! ಎದೊಂದು ಗಳಿಗೆ ನೆನೆದೇನು”

ಮಹಿಳೆಯ ನೋವು ನಲಿವು ತಲ್ಲಣಗಳು ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಮೂಡಿಬಂದಿದೆ. ಬದುಕಿನ ಅನುಭವದಿಂದ ಹುಟ್ಟಿದ ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆಯರ ಆಶಯಗಳು ಸಹ ಮಹತ್ವದ ಸ್ಥಾನವನ್ನು ಪಡೆದುಕೊಂಡಿದೆ. ಆಚಾರ-ವಿಚಾರ, ಸುಖ-ದುಃಖ, ಗಂಡ-ಹೆಂಡತಿಯ ಜಗಳ ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಸೊಗಸಾಗಿ ಮೂಡಿವೆ. ಸಾಮಾಜಿಕ ಜೀವನದ ಒಂದು ಮಗ್ಗುಲನ್ನೇ ಬದಲಿಸುವಂತಹ ತ್ರಿಪದಿಗಳಿವೆ. ಸ್ತ್ರೀಯರ ಮನೋಧರ್ಮ ಹುಟ್ಟಿ ಬೆಳೆದ ಮನೆ ಬಿಟ್ಟು ಅಪರಿಚಿತ ಪರಿಸರ ಜನರ ಮಧ್ಯದಲ್ಲಿ ಬದುಕು ರೂಪಿಸಿಕೊಳ್ಳುವುದರ ಜೊತೆಗೆ ಕುಟುಂಬ ಕಟ್ಟಿಕೊಳ್ಳುತ್ತಾಳೆ. ಇದಕ್ಕೆಲ್ಲಾ ಪೂರಕವಾಗಿ ತನ್ನ ತವರು ಮನೆಯ ತಂದೆ ತಾಯಿ ಮಾರ್ಗದರ್ಶನ ಕೊಡುತ್ತದೆ. ಜನಪದ ಗೀತೆಗಳಲ್ಲಿ ಧಾರ್ಮಿಕ ವಿಚಾರಗಳು ಒಳಗೊಂಡಿವೆ. ಜೊತೆಗೆ ಹಾಸ್ಯ, ಸರಸ, ಪ್ರೇಮ, ಕಾಮ, ಚೇಷ್ಟೆ, ದೇವರು, ಆಚಾರ, ವಿಚಾರ, ಮಳೆ, ಮೋಡ, ಮುಗಿಲು, ಪ್ರಕೃತಿ ಮದುವೆ, ಮುಂಜಿ ಸಂಪ್ರದಾಯ ಕುರಿತಂತೆ ಹಾಡುಗಳನ್ನು ಕಟ್ಟಲಾಗಿದೆ. ದೇಸಿ ಜನಪದರು ವಿಶ್ವಜ್ಞಾನಪದಕ್ಕೆ ವಿಶಿಷ್ಟ ಕೊಡುಗೆ ನೀಡಿದ್ದಾರೆ. ಜನಪದ ಸಮಾಜ ಮೂಲತವಾಗಿ ಗ್ರಾಮೀಣ ಸಮಾಜವಾಗಿ, ಪಟ್ಟಣಗಳ ನಾಗರಿಕ ಸಮಾಜದಿಂದ ಭಿನ್ನವಾಗಿರುವುದು ಜನಪದರು ಎಂದರೆ ಹೆಚ್ಚಾಗಿ ಅನಕ್ಷರಸ್ಥರೇ ಆಗಿದ್ದಾರೆ. ಅಕ್ಷರಸ್ಥ ಆಧುನಿಕ ಸಮಾಜದಿಂದ ಇವರು ಭಿನ್ನವಾಗಿ ಕಾಣುತ್ತಾರೆ.

“ಕೂಸಿದ್ದ ಮನೆಗೆ ಬೀಸಣಿಕೆ ಯಾತಕ  
ಕೂಸು ಕಂದಯ್ಯ ಒಳಹೊರಗ ಆಡಿದರ  
ಬೀಸಣಿಕೆ ಗಾಳಿ ಸುಳಿದಾಂಗ”

ಮಹಿಳೆ ಶ್ರಮಜೀವಿ, ಮುಂಜಾನೆಯಿಂದ ಸಂಜೆ ಮಲಗುವವರೆಗೆ ಒಂದಿಲ್ಲ ಒಂದು ಕೆಲಸದಲ್ಲಿ ತೊಡಗಿಸಿಕೊಂಡಿರುತ್ತಾಳೆ. ಗಂಡನ ಕಾಟ, ಅತ್ತೆ-ಮಾವನ ಸಂಕಟ, ಅತ್ತಿಗೆ-ನಾದಿನಿಯರ, ಭಾವ ಮೈದುನರ ಕಿರುಕುಳ ಕಟ್ಟಿಕೊಂಡು ಬಾಡಿದ ಹೂವಿನಂತೆ ಬಾಡಿ ಹೋಗುವಾಗ ಮಕ್ಕಳು ಇದ್ದರೆ ಅವರ ಮುಖವನ್ನು ನೋಡಿ ತನ್ನೆಲ್ಲಾ ನೋವುಗಳನ್ನು ಮರೆಯುವ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಾಳೆ. ಮನೆಯವರೆಲ್ಲಾ ಕೊಡುವ ಕಷ್ಟ ಕ್ಷಣಿಕದಂತೆ ಅನಿಸುತ್ತದೆ. ಆದರೆ ಮಕ್ಕಳಿಲ್ಲದೆ ಹೋದರೆ ಅವಳ ಜೀವನ ಬಾಡಿಗೆ ಎತ್ತಿನಂತೆ.

“ಬಾಲಕರಿಲ್ಲದ ಬಾಲಿಬ್ಯಾಕರ ಜನಮ  
ಬಾಡಿಗೆ ಎತ್ತು ದುಡಿದ್ವಂಗ! ಬಾಳೆಲೆಯು  
ಹಾಸುಂಡ ಬೀಸಿ ಒಗದ್ದಂಗ”

ಮಕ್ಕಳಿಲ್ಲದ ಬಂಜೆ ತಾಯಿ ಬದುಕು ದಡವ ಸೇರದ ದೋಣಿ ಇದ್ದಂಗ ಹೆಣ್ಣಿನ ಜನಮಕ್ಕ ಮಕ್ಕಳು ಬೇಕು. ಮಕ್ಕಳಿದ್ದರೆ ಅವಳಿಗೆ ಸ್ವರ್ಗ ಸುಖವಿದ್ದಂತೆ. ಮಕ್ಕಳಿಲ್ಲದಿದ್ದರೆ ಅವಳ ಬದುಕೇ ನರಕ, ರಟ್ಟಿಯಲ್ಲಿ ಶಕ್ತಿ ಇರುವ ತನಕ ದೇಹದಲ್ಲಿ ಚೆಲುವಿರುವ ತನಕ ಗಂಡನ ಮನೆಯವರು ಅವಳನ್ನು ನೋಡುತ್ತಾರೆ, ಇವೆಲ್ಲಾ ತೀರಿದ ಮ್ಯಾಲ ಅವಳ ಮ್ಯಾಲ ಅವಳ ಬದುಕು ಬೀದಿಪಾಲು. ಶಕ್ತಿ ಇರುವ





ತನಕ ಬಾಡಿಗೆ ಎತ್ತಿನಂಗ ದುಡಿದು ತನ್ನ ಬದುಕು ನೆಲೆ ಇಲ್ಲದಂತೆಯಾಗುತ್ತದೆ. ಅದಕ್ಕೆ ಜನಪದರು ಬಾಳೆಲೆಯ ಹಾಸುಂಡು ಬೀಸಿ ಒಗೆದ್ದಂಗವೆಂದು ಹೇಳುತ್ತಾರೆ. ತವರು ಮನೆಯವರು ಹಬ್ಬ-ಹರಿದಿನಕ್ಕೆ, ಮದುವೆ-ಮುಂಜೆ ಕಾರ್ಯಕ್ರಮಕ್ಕೆ ಮಗಳನ್ನು ಕರೆಯಲು ಬಂದಾಗ ಅವಳಿಗೆ ತೌವರು ಮನೆಗೆ ಹೋಗಬೇಕೆಂಬ ತುಡಿತ ಒಂದು ಕಡೆಗೆ ಇನ್ನೊಂದು ಕಡೆಗೆ ಪ್ರೀತಿಯ ಗಂಡನನ್ನು ಬಿಟ್ಟು ಹೋಗುವುದು ತುಂಬಿದ ಹಳ್ಳದಲ್ಲಿ ಹನಿ ನೀರುವಿಲ್ಲದಂಗ ಗಾಸಿಗೊಳ್ಳುತ್ತಾ ಬಿಟ್ಟು ಬರಲು ದುಃಖಿಸುತ್ತಾಳೆ.

“ಎಲ್ಲೆಲ್ಲಿ ನೋಡಿದರೂ ನಲ್ಲ ನಂಥÀದವರಿಲ್ಲ  
ಹಲ್ಲು ನೋಡಿದರೆ ಹವಳವು! ನಲ್ಲನೆ  
ಸೊಲ್ಲು ಕೇಳಿದರೆ ಸಮಾಧಾನ”

ಹೆಣ್ಣಿಗೆ ತನ್ನ ಗಂಡನೇ ಸರ್ವಸ್ವ, ತನ್ನ ಹೃದಯಾಂತರಾಳದಲ್ಲಿ ಅವನನ್ನು ನೆನಪಿಸಿಕೊಂಡಿದ್ದಾಳೆ. ದೇಶವೆಲ್ಲ ಹುಡುಕಾಡಿದರು ತನ್ನ ಗಂಡನಿಗೆ ಸರಿಸಾಟಿಯಾಗಿ ನಿಲ್ಲುವ ಗಂಡು ಯಾರಿಲ್ಲವೆಂದು ಹೆಮ್ಮೆಯಿಂದ ವ್ಯಕ್ತಿತ್ವದ ಗುಣಗಾನ ಮಾಡುವಳು. ಅವನ ನೋಟ, ಅವನ ಮಾಟ ಅವನ ಮಾತು ಬೇರೆಲ್ಲಾ ಸಿಗೋಲ್ಲವೆಂದು, ಆ ಪರಿಯೇ ತನ್ನ ಸರ್ವಸ್ವವೆಂದು ಸದಾ ಕಾಲ ತನ್ನ ಗಂಡನ ಏಳೆಯನ್ನು ಬಯಸುತ್ತಲೇ ಗರತಿ ತನ್ನ ಪತಿಗೆ ಹೆಗಲಿಗೆ ಹೆಗಲು ಕೊಟ್ಟು ತನ್ನ ಕುಟುಂಬದ ಸರ್ವಸ್ವವನ್ನು ಶಕ್ತಿ ಮೀರಿ ಪ್ರೀತಿಸುವಳು.

ಸಹಜವಾಗಿ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೆ ತನ್ನ ತೌವರಿನ ಮನೆಯ ನೆನಪು ಕಾಡುವುದು ಸಹಜ. ಚಿಕ್ಕಂದಿನಿಂದ ಉಂಡು-ತಂದು, ಆಡಿ-ಬೇಡಿ, ತಂದೆ ತಾಯಿಗಳ ಮಧ್ಯೆ ಬೆಳೆದ ಮಗಳಿಗೆ ಸಹಜವಾಗಿ ತೌವರಿನ ನೆನಪು ಕಾಡದೇ ಇರುವುದು. ಗಂಡನ ಮನೆಯಲ್ಲಿ ಸಂತೋಷವಿರಲಿ, ದುಃಖವಿರಲಿ ಈ ಮಾತ್ರ ತನ್ನ ಹಡೆದವರನ್ನು ಮರೆಯದೆ ನೆನಪಿಸುತ್ತಾಳೆ. ಏಕಾಗ್ರತೆಯಿಂದ ಕುಳಿತ ತನ್ನ ಹೆಂಡತಿಯನ್ನು ಗಮನಿಸಿದ ಪತಿರಾಯ ಹೆಂಡತಿಯನ್ನು ಗಮನಿಸಿ ಅವಳನ್ನು ಸಮಾಧಾನ ಪಡಿಸಲು ಸಮಜಾಯಿಸುತ್ತಾನೆ.

“ಹಾಸಿಗೆ ಹಾಸೆಂದ ಮಲ್ಲಿಗೆ ಮುಡಿಎಂದ  
ಬ್ಯಾಸಕರೆ ಮಡದಿ ಮಲಗೆಂದ ತನರಾಯ  
ತನನೊಡಿ ತವರು ಮರೆಯೆಂದ”

ತವರಿನ ಹಂಬಲವಿಟ್ಟುಕೊಂಡು ವಿರಹವೇದನೆಯಲ್ಲಿ ಬಳಲುವ ತನ್ನ ಸತಿಯನ್ನು ಸಮಾಧಾನಪಡಿಸಲು ಸತಿಗೆ ಪತಿ ಮೇಲಿನ ರೀತಿ ಹೇಳುವುದು ಗಮನಿಸಬಹುದು.

“ಮಡದಿಯ ಮಡದಾನ ಮನದಾಗ ಮನಗ್ಯಾನ  
ಒಳಗೊತ್ತಿಗೆ ಸೆರಗ ಹಿಡಿದು ! ತಾ ಕೇಳ್ಯಾನ  
ಬಾ ಹೇಚ್ಚೋ ನಿನ್ನ ತವಹೇಚ್ಚೋ ಎಂದು”

ಸಂಸಾರವೆಂದ ಮೇಲೆ ವಿರಸ, ವೇದನೆ, ಸಣ್ಣಪುಟ್ಟ ಆರೋಗ್ಯಕರವಾದ ಜಗಳಗಳು ಕೌಟುಂಬಿಕದಲ್ಲಿ ಇದ್ದರೆ ಅದೊಂದು ಊಟಕ್ಕೆ ಉಪ್ಪಿನಕಾಯಿ ಇದ್ದಂಗ, ಗಂಡ-ಹೆಂಡಿರ ಜಗಳ ಉಂಟು ಮಲಗುವತನಕ ಆಗಬೇಕೆ ವಿನ್ಮ ದೊಡ್ಡದಾಗಿ ಗಂಡಾಂತರಕ್ಕೆ ನಿಲ್ಲುವಂತಾಗಬಾರದು ಮತ್ತು ಸಂಸಾರವನ್ನು ಮುರಿಯುವ ಮಟ್ಟಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಹೋಗಬಾರದು. ಯಾವುದೋ ಸಂಗತಿಯಾಗಲಿ ಹೆಂಡತಿಯನ್ನು ಹೊಡೆದ ಗಂಡ ಹೆಂಡತಿಗೆ ಹೊಡೆಯಬಾರದಿತ್ತು, ಯಾವುದೋ ಕೋಪದಲ್ಲಿ ಅವಳನ್ನು ಹೊಡೆದನೆಂದು ಮನಸ್ಸಿನಾಗ ಚಿಂತಿಸುತ್ತಾನೆ, ಯಾಕಾದರೂ ಹೊಡೆದೇನೆಪ್ಪನೆಂದು ದುಃಖಿಸುತ್ತಾನೆ. ನಡುಮನಿಯಾಗ ಹೆಂಡತಿ ಒಬ್ಬಳಿರುವುದು ನೋಡಿ ಅವಳ



ಪಕ್ಕಕ್ಕೆ ನಿಂತು ಅವಳ ಸೀರೆಯ ಸೆರಗು ಹಿಡಿದು ಅವಳನ್ನು ರಂಭಿಸುವ ಪ್ರಯತ್ನದ ಜೊತೆಗೆ ಅವಳಿಗೊಂದು ಪ್ರಶ್ನೆ ಹಾಕುತ್ತಾನೆ. “ನಾ ಹೆಚ್ಚೋ ನಿನ್ನ ತವಹೆಚ್ಚೋ” ವೆಂದು ಕೇಳಿದಾಗ ಮೇಣದ ಬತ್ತಿಯಂತೆ ಯಾವ ಹೆಂಡತಿ ಗಂಡನ ಮಾತುಗಳಿಗೆ ಮನಪೂರ್ತಿ ಕರಗಿಹೋಗುತ್ತಾಳೆ ಮತ್ತು ಗಂಡನೇ ತನ್ನ ಸರ್ವಸ್ವವೆಂದು ನಂಬಿಕೊಂಡು ಸಾಗುತ್ತಾಳೆ.

ಸುಕ್ರವಾರದ ದಿನ ಸುಖದ ಸ್ಯಾವಿಗೆ ಮಾಡಿ |  
ಅಕ್ಕ ದ್ಯಾಮವ್ಯಾಗೆ ಎಡೆ ಮಾಡಿ | ಬೇಡಿದೆ|  
ಸುತ್ತೇಳು ಬಳಗ ಸುಖವಿರಲಿ ||  
ಆಚಾರಕ್ಕೆ ಅರಸನಾಗು, ನೀತಿಗೆ ಪ್ರಭುವಾಗು|  
,ಮಾತಿನಲಿ ಚೂಡಾಮಣಿಯಾಗು| ನನಕಂದ  
ಜ್ಯೋತಿಯೇ ಆಗು ಜಗಕೆಲ್ಲಾ||

ಇಲ್ಲಿನ ಮೊದಲ ಪದ್ಯದಲ್ಲಿ ದೇವರಿಗೆ ಪೂಜೆ ಸಲ್ಲಿಸಿ ಪ್ರಾರ್ಥಿಸುವ ಸಮಯದಲ್ಲಿ ವೈಯಕ್ತಿಕವಾಗಿ ನನಗೆ ಮಾತ್ರ ಒಳ್ಳೆಯದನ್ನು ಮಾಡು ಎಂದು ಬೇಡದೆ ‘ಸುತ್ತೇಳು ಬಳಗ ಸುಖವಿರಲಿ’ ಎನ್ನುವ ಮಾತು ಮತ್ತು ಇನ್ನೊಂದು ಪದ್ಯದಲ್ಲಿ ತನ್ನ ಮಗುವು ಮುಂದೆ ಏನಾಗಬೇಕು ಎಂಬ ಕನಸನ್ನು ತನ್ನ ಎದೆ ಹಾಲಿನ ಜೊತೆಗೆ ಮಗುವಿಗೆ ಉಣ್ಣಿಸುತ್ತಾ ‘ಮಗನೇ ನೀನು ಕುಟುಂಬವನ್ನು ಬೆಳಗುವ ದೀಪ ಮಾತ್ರವಾಗದೆ ಜ್ಯೋತಿಯೇ ಆಗು ಜಗಕೆಲ್ಲಾ’ ಎಂದು ಹರಿಸುವ ಹೆಣ್ಣಿನ ಹೃದಯ ವಿಶಾಲತೆ ನಮಗೆ ಅರ್ಥವಾಗುತ್ತದೆ. ಇಂತಹ ಮಹತ್ವಪೂರ್ಣವಾದ ವಿಚಾರಧಾರೆಗಳು ಕೈಗನ್ನಡಿಯಂತೆ ನಮಗೆ ಲಭ್ಯವಾಗುವಂತಹದ್ದು, ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಾತ್ರ.

ಜನಪದ ಕಲೆ ಕಾಲಾತೀತವಾದ ಕಲೆಯಾಗಿದೆ. ಪದಗಳ ಮೂಲಕ ಮಾನವ ಸಂವೇದನೆ ಹಾಗೂ ಭಾವನೆಗಳನ್ನು ತನ್ನದೆ ಆದ ಶೈಲಿಯಲ್ಲಿ ವ್ಯಕ್ತಪಡಿಸುತ್ತದೆ. ಇಂದು ದೃಶ್ಯ ಮಾಧ್ಯಮದಿಂದ ಜನಪದ ಕಲೆ ನಾಶವಾಗುವ ಸ್ಥಿತಿ ತಲುಪಿದೆ. ಇಂದಿನ ಯುವಕರು ಜನಪದ ಕಲೆಯನ್ನು ಉಳಿಸಿ, ಬೆಳೆಸಿ, ಮುಂದೆ ಕೊಂಡೊಯ್ಯಬೇಕಾಗಿದೆ ಅನಿವಾರ್ಯತೆ ಇದೆ.

ಲಿಂಗದ ತಾರತಮ್ಯ ನಮ್ಮ ಹಿಂದೂ ಸಾಮಾಜಿಕ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಅತಿಯಾಗಿ ವ್ಯಾಪಿಸಿರುವುದರಿಂದ ಪುರುಷ ಶ್ರೇಷ್ಠ ‘ಸ್ತ್ರೀ’ ಕನಿಷ್ಠವೆಂಬ ಭಾವನೆಗಳು ಪುರಾತನ ಕಾಲದಿಂದಲೂ ಎಲ್ಲೆಡೆ ಹರಡಿಕೊಂಡಿವೆ. ಶ್ರೇಣೀಕೃತ ಸಾಮಾಜಿಕ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಮೇಲಸ್ಥರದಲ್ಲಿ ನಿಂತ ‘ಗಂಡು’ ಸಮಾಜ ಮತ್ತು ಸಮುದಾಯ ತನ್ನ ಹಿತಾಸಕ್ತಿಗೆ ಅನುಗುಣವಾಗಿ ಹೆಣ್ಣನ್ನು ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದಾನೆ. ಇದರಿಂದ ಆಕೆ ತನ್ನ ಸಂಪೂರ್ಣ ಬದುಕನ್ನು ಸವೆದು ಪುರುಷನ ಅಡಿಯಲ್ಲಿ ಅವನ ನಿರ್ದೇಶನದಂತೆಯಾಗಿಬಿಟ್ಟಿದ್ದಾಳೆ. ‘ಸ್ತ್ರೀ’ ಮನಸ್ಸಿನ ಯಾವುದೇ ಸ್ವತಂತ್ರ ಭಾವನೆಗಳಿಗೆ ಅವಕಾಶವಿಲ್ಲದ ಅಸ್ತಿತ್ವಲ್ಲಿ ಅಡಗಿದೆ. ಕಾಣದೇ ಇರುವ ಆಕೆಯ ಬದುಕು ಕಂಡಿದ್ದು, ನೋಡಿದ್ದು ಪುರಷನಲ್ಲಿ ಮಾತ್ರ. ಇಂತಹ ಕಾಣದೇ ಅದೃಶ್ಯವಾಗಿರುವ ಬದುಕಿನ ಒಳಗಡೆಯೂ ಆಕೆ ತನ್ನ ಅಸ್ತಿತ್ವವನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದು, ತನ್ನತನವನ್ನು ಅಸ್ತಿತ್ವವನ್ನು ಛಾಪಿಸಿದ್ದು ಹಾಗೂ ತನ್ನ ಮನದ ಅಭಿಲಾಷೆಯನ್ನು ಆತ್ಮನಿವೇದನೆಯನ್ನು ಅಭಿವ್ಯಕ್ತಿಯ ರೂಪದಲ್ಲಿ ತೋಡಿಕೊಂಡಿದ್ದು ಜನಪದ ಜಗತ್ತಿನಲ್ಲಿ ಮಾತ್ರ.

ಜನಪದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆ ಪುರುಷನಿಗೆ ಸಮಾನವಾಗಿದ್ದಾಳೆ. ಮೌಖಿಕ ಸಾಹಿತ್ಯವಾದ ಈ ಜನಪದ ಸಾಹಿತ್ಯವು ಮಹಿಳೆಯ ‘ದನಿ’ ದಾಖಲಾಗದ ಶಿಷ್ಟ ಸಂಸ್ಕೃತಿಗೆ ಪ್ರತಿಯಾಗಿ ಮಹಿಳೆಯ ಅಭಿವ್ಯಕ್ತಿ ನೆಲೆಯಾಗಿ ಆಕೆಯ ಅನುಭವ ಹಾಗೂ ಅಂತರಂಗದ ನಿಜವಾದ ಧೋರಣೆಗಳಾಗಿವೆ. ಮಹಿಳೆಗಿರುವ ಈ ಅಭಿವ್ಯಕ್ತಿ ಶಕ್ತಿ ಆಕೆಯ ಅನನ್ಯತೆ ಹಾಗೂ ಆಕೆಗಿರುವ ಲೋಕದೃಷ್ಟಿಯನ್ನು



ತೆರದಿಟ್ಟಿದೆ. ಪುರುಷ ಪ್ರಧಾನ ಸಮಾಜ ಮತ್ತು ಸಂಸ್ಕೃತಿಯ ಆವರಣದೊಳಗೆ ಬದುಕಿದ್ದು ಭಾರತದ ಮಹಿಳೆ ತನ್ನದೇ ಆದ ಅನುಭವ ಲೋಕವನ್ನು ಕಟ್ಟಿಕೊಂಡು ಅಲ್ಲಿ ತನ್ನತನಕ ಸಮೃದ್ಧತೆಯ ಆತ್ಮಬಲವನ್ನು ಅನನ್ಯತೆಯನ್ನು ಅನಾವರಣಮಾಡಿಕೊಂಡಿದ್ದು ವಿಶೇಷವಾಗಿದೆ.

ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಹೆಣ್ಣು ಹೆಚ್ಚು ವಿದ್ಯಾವಂತವಾಗಿ ಕಂಡರೂ ತನ್ನ ಕಾಲಮೇಲೆ ನಿಲ್ಲುವ ಸಾಮರ್ಥ್ಯ ಹೊಂದಿದ್ದರೂ ಅವಳ ಸ್ಥಿತಿ ಚಿಂತಾಜನಕವಾಗಿದೆ. ವರದಕ್ಷಿಣೆ, ಅತ್ಯಾಚಾರ, ಶೋಷಣೆ, ತಾರತಮ್ಯ ಇದ್ದೇ ಇದೆ. ಕೆಲವೆಡೆ ಹೆಣ್ಣು ನೋಂದುಕೊಂಡು ಈ ರೀತಿಯಾಗಿ ಸಮರ್ಥಿಸಿಕೊಂಡಿದ್ದು ಗಮನಿಸಬಹುದು.

“ಹೆಣ್ಣಾಗಿ ಹುಟ್ಟೋದಕ್ಕಿಂತ ಮಣ್ಣಾಗಿ ಹುಟ್ಟಿದರೆ  
ಮಣ್ಣಿನ ಮೇಲೊಂಡ ಮರವಾಗಿ! ಹುಟ್ಟಿದರೆ  
ಪುಣ್ಯವಂತರಿಗೆ ನೆರಳಾದೆ”

ಹೆಣ್ಣಿನಷ್ಟು ಈ ಜಗತ್ತಿನಲ್ಲಿ ಶೋಷಣೆಗಳಗಾದವರು ಯಾರೂ ಇಲ್ಲ, ಇವಳಾಡುವ ಒಂದೊಂದು ಪದ ಅವಳ ಅಂತರಂಗದ ವೇದನೆಯನ್ನು ಹೊರಹಾಕುತ್ತದೆ. ಯಾಕಾದರೂ ಈ ಜಗತ್ತಿನ ಮೇಲೆ ಹೆಣ್ಣಾಗಿ ಹುಟ್ಟಿಸಿದೆ ಎಂದು ಹಿಡಿ ಶಾಪ ಶಿವನಿಗೆ ಹಾಕುವಂತಿದೆ ಅಲ್ಲದೆ ಮಣ್ಣಾಗಿ ಹುಟ್ಟಿಸಿ ಮರವಾಗಿ ಬೆಳೆಸಿದ್ದೆಯಾದರೂ ನೆರಳನ್ನು ಕೊಡುವಂತವಳಾಗುತ್ತಿದ್ದೆ ಎಂದು ಮಾರ್ಮಿಕವಾಗಿ ನುಡಿಯುತ್ತಾಳೆ.

### ಪರಾಮರ್ಶನಾ ಗ್ರಂಥಗಳು

- [1] ಕನ್ನಡ ವಿಷಯ ವಿಶ್ವಕೋಶ, 'ಜಾನಪದ', ಕುವೆಂಪು ಕನ್ನಡ ಅಧ್ಯಯನ ಸಂಸ್ಥೆ, ಮೈಸೂರು ವಿ.ವಿ 2009
- [2] ಸಿರಿ ಜಾನಪದ ಕಾವ್ಯ' ಸಂಪಾದಕ ಡಾ.ವೆಂಕಟೇಶ್ ಇಂದ್ರಾಡಿಪುಸಾರಾಂಗ, ಕನ್ನಡ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಹಂಪಿ, 2010
- [3] ಸಾವಿರದ ಸಿರಿಬೆಳಗು, ಕೃಷ್ಣಮೂರ್ತಿ ಹನ್ನೂರು, ಕನ್ನಡ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಹಂಪಿ 2005
- [4] ಕರಾವಳಿ ಜನಪದ ಕಾವ್ಯದಲ್ಲಿ ಸ್ತ್ರೀವಾದಿ ನೆಲೆಗಳು, ಗಾಯತ್ರಿ ನಾವಡಿ ರಾಷ್ಟ್ರಕವಿ ಗೋವಿಂದಪೈ ಸಂಶೋಧನಾ ಕೇಂದ್ರ, ಉಡುಪಿ, ಸಿರಿ ಪ್ರಕಾಶನ ಹೊಸಪೇಟೆ, 1999
- [5] ಡಾ.ಜಿ.ಹೆಚ್.ಲಕ್ಕಪ್ಪಗೌಡ (ಸಂ), ಜೀಶಂಪ, ಸುವರ್ಣ ಸಂಪುಟ-01
- [6] ಡಾ.ಹಿ.ಚಿ.ಬೋರಲಿಂಗಯ್ಯ, ಬುಡಕಟ್ಟು ದೈವಾರಾಧನೆ.

**ಮಾನವ ಹಕ್ಕುಗಳು ಮತ್ತು ವಚನ ಸಾಹಿತ್ಯ****ಡಾ.ಸುಜಾತ.ಎಸ್**

ಕನ್ನಡ ಉಪನ್ಯಾಸಕರು  
ಎಸ್.ಜಿ.ಎಂ.ವಿ.ಮಹಾಂತ  
ಮಹಾವಿದ್ಯಾಲಯ ರಾಯಾಪುರ, ಧಾರವಾಡ

ಮಾನವ ಧರ್ಮವು ಕುಸಿದು ನರಸಂಪ್ರದಾಯ ಅತಿ ಪ್ರಭಾವಶಾಲಿಯಾಗಿ ಬೆಳೆಯುವ ಎಲ್ಲ ಲಕ್ಷಣಗಳು ಎದ್ದು ಕಾಣುತ್ತಿದ್ದ ಹೊತ್ತಿನಲ್ಲಿಯೇ ಹೊಸ ಭರವಸೆಯೊಂದು ಸುವರ್ಣ ಪ್ರಭೆಯಂತೆ ಬಸವೇಶ್ವರರೆಂಬ ಮಹಾಮಾನವತಾವಾದಿಯ ಮುಖೇನ ಪ್ರಜ್ವಲಿಸಿದ್ದು ಕನ್ನಡ ನಾಡಿನ ಸೌಭಾಗ್ಯವೇ ಸರಿ! ಸಕಾಯದಲ್ಲಿ ಸುದೈವ ಚರಿತರಾದ ಬಸವೇಶ್ವರರ ಚಿಂತನೆಗಳು ಮಾನವೀಯ ನೆಲೆಯಿಂದಲೇ ಪ್ರೋತ್ಸಾಹವಾದವುಗಳು.

ಅದು ಅಕ್ಷರಶಃ ಸ್ವರ್ಣಾಕ್ಷರಗಳಿಂದ ಬರೆದಿಟ್ಟ ಕಾಲವೇ ಹೌದು ಅಂಥದೊಂದು ಯುಗ ನ ಭೂತೋ ನ ಭವಿಷ್ಯತಿ.

‘ಎಂತೆಂತು ಚಿಂತಿಪುದೊ ಬುದ್ಧಿ

ಅಂತಂತೆ ಆಗುವುದು ಸಿದ್ಧಿ’

ಎಂಬ ಕವಿವಾಣಿಯಂತೆ ತಮ್ಮ ನುಡಿಗಳಿಂದಲೇ ಹೊಸ ನಾಡೊಂದನ್ನು ಸಿದ್ಧಿಸಿಕೊಂಡವರು. ‘ನುಡಿದಂತೆ ನಡೆದರು- ನಡೆದಂತೆ ನುಡಿದರು’ ಮತ್ಯವನ್ನು ಕರ್ತಾರನ ಕಮ್ಮಟವನ್ನಾಗಿಸಿದರು. ಅದು ಹೇಗಿದ್ದಿರಬಹುದೆಂಬುದಕ್ಕೆ ಡಾ.ಎನ್.ಎಸ್.ಲಕ್ಷ್ಮೀನಾರಾಯಣ ಭಟ್ಟರ ಈ ಕವನ ಅತ್ಯುತ್ತಮ ಉಪಮೆಯಾಗಿದೆ,

ಎಲ್ಲಿ ಅರಿವಿಗೆ ಇರದೋ ಬೇಲಿ  
ಎಲ್ಲಿ ಇರದೋ ಯದ ಗಾಳಿ  
ಅಂಥಾ ನೆಲ ಇದೆ ಎನೋ ಹೇಳಿ  
ಸ್ವರ್ಗವನ್ನು ಅದರೆದುರು ಹೂಳಿ .....

ಒಂದಲ್ಲ ಎರಡಲ್ಲ ಹಲವು ಕಾರಣಗಳಿಗಾಗಿ ವಚನಯುಗ ವಿಶ್ವಮಾನ್ಯವಾಗಿದೆ. ಇದು ಕೇವಲ ಕನ್ನಡಿಗರಿಗೆ ಅಥವಾ ಭಾರತೀಯರಿಗೆ ಮಾತ್ರವಲ್ಲ ಬದಲಾಗಿ ಇಡೀ ಪ್ರಪಂಚದ ಸಾಹಿತ್ಯಕ್ಕೆ ಕೊಡಬಲ್ಲ ವೈಚಾರಿಕ ಹೊಳಹು. ಈ ವೈಚಾರಿಕತೆಯ ತಳಹದಿ ಜೀವಕೇಂದ್ರೀತವಾದದು. ಚೈತನ್ಯಸಂಸ್ಕೃತಿಯ ನಿರ್ಮಾಣವೇ ವಚನಕಾರರ ಮುಖ್ಯ ಧ್ಯೇಯವಾಗಿತ್ತು. ಸಕಲ ಜೀವಾತ್ಮರಿಗೆ ಲೇಸನ್ನು ಬಯಸುತ್ತಾ ಜೀವಜಾಲದ ಸಮತೋಲ ನಿರ್ವಹವನ್ನು ರೂಪಿಸುವ ನಿಟ್ಟಿನಲ್ಲಿ ತಮ್ಮ ಬದುಕಿನ ಸಮಸ್ತವನ್ನು ಧಾರೆಯೆರೆದರು.

ಮಾನವ ಹಕ್ಕುಗಳು ವಚನಸಾಹಿತ್ಯದಲ್ಲಿ ಹಾಸುಹೊಕ್ಕಾಗಿವೆ. ಹನ್ನೆರಡನೇ ಶತಮಾನದಲ್ಲಿಯೇ ಇವುಗಳ ವಿವೇಚನೆ ನಡೆದಿರುವುದನ್ನು ಅವಲೋಕಿಸಿದಾಗ ಅಂದಿನ ಸಮಾಜದ ಔನತ್ಯದ ಅರಿವಾಗುತ್ತದೆ.



ಐತಿಹಾಸಿಕ ಸತ್ಯವೇನೆಂದರೆ ಪ್ರಪಂಚದ ಎರಡು ಮಹಾಯುದ್ಧಗಳು ಜಗತ್ತನ್ನೇ ತಲ್ಲಣಗೊಳಿಸಿದ್ದರ ಫಲಶ್ರುತಿಯಾಗಿ 1948 ಡಿಸೆಂಬರ್ 10 ರಂದು ವಿಶ್ವಸಂಸ್ಥೆಯು 'ಮಾನವ ಹಕ್ಕುಗಳ ಜಾಗತಿಕ ಘೋಷಣೆಯನ್ನು' ಅಂಗೀಕರಿಸಿತು. ಮನುಕುಲದ ಹಕ್ಕು ಮತ್ತು ಸ್ವತಂತ್ರಕ್ಕಾಗಿ ತೆಗೆದುಕೊಂಡ ಪ್ರಪಥಮ ಅಂತರಾಷ್ಟ್ರೀಯ ಪ್ರಯತ್ನವಿದು. ಇಲ್ಲಿ ಎಲ್ಲ ದೇಶಗಳ ಜನಸಮುದಾಯಗಳನ್ನು ಮಾನವ ಘನತೆಯೊಂದಿಗೆ ಬೆಸೆಯಬೇಕೆನ್ನುವ ಧ್ಯೇಯೋದ್ದೇಶದೊಂದಿಗೆ ವಿಶ್ವಸಂಸ್ಥೆ ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದದ್ದು ಎಷ್ಟು ಸತ್ಯವೋ; ಅಷ್ಟೇ ಸತ್ಯವಾದ ಸಂಗತಿಯೆಂದರೆ ಮಾನವಹಕ್ಕುಗಳನ್ನು ಸಾರಿಹೇಳಿದ್ದಕ್ಕಾಗಿ ಕಲ್ಯಾಣವು ಅವನತಿಯಾಯಿತೆಂಬುದು!

ಮಾನವ ಹಕ್ಕುಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ವಚನಸಾಹಿತ್ಯವನ್ನು ವಿಶ್ಲೇಷಿಸುತ್ತಾ ಹೋದಂತೆ ಹೊಸ ವಿಚಾರಗಳು ಸ್ಪೂರಿತ ಆ ಯುಗದ ವಿಚಾರಗಳಿಗೆ ಓದುಗರ ಬುದ್ಧಿ ಮತ್ತು ಮನಸ್ಸುಗಳು ಮತ್ತಷ್ಟು ವಿಕಸನಗೊಳ್ಳುವವು. ಹುಟ್ಟಿನೊಂದಿಗೆ ಬರುವ ಹಕ್ಕುಗಳೊಂದಿಗೆ ಅಂದರೆ ಯಾವುದನ್ನು ನಾವು ಜನ್ಮಿಸಿದ್ದ ಹಕ್ಕು ಎಂದು ಕರೆಯುತ್ತೇವೆಯೋ ಅವುಗಳೊಂದಿಗೆ ಸಾಂಘಿಕ ಜೀವನದಿಂದ ಪಡೆಯಬಹುದಾದ ಹಲವು ಹಕ್ಕುಗಳು ನಾವಿಂದು ಸಂವಿಧಾನಾತ್ಮಕವಾಗಿ ಪಡೆದಿದ್ದೆವೆಯೋ ಅವುಗಳ ವಿವೇಚನೆ ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ಅತ್ಯಂತ ಸೂಕ್ಷ್ಮತೀಸೂಕ್ಷ್ಮವಾಗಿ ಎಲ್ಲಾ ಆಯಾಮಗಳಿಂದೊಡಗೂಡಿದ ಪ್ರಮಾಣಬದ್ಧ ಮೌಲ್ಯಗಳಾಗಿ ಬಸವ-ಅಲ್ಲಮ, ಅಕ್ಕನಂತಹ ಹಲವು ಶರಣರಿಂದ ಉಲ್ಲೇಖಿಸಲ್ಪಟ್ಟಿವೆ.

ಶರಣ ವಚನಗಳಲ್ಲಿ ಎದ್ದುಕಾಣುವ ಪ್ರಥಮವೆಂದೇ ಪರಿಗಣಿಸಬಹುದಾದ ಮಾನವಹಕ್ಕು ಎಂದರೆ ಅದು ಮಾನವತೆಯ ಹಕ್ಕು ವರ್ಣವ್ಯವಸ್ಥೆಯನ್ನು ಕಟುವಾಗಿ ಖಂಡಿಸಿದ ಆದ್ಯವಚನಕಾರ ಜೇಡರ ದಾಸಿಮಯ್ಯನ ವಚನ :

“ಮಡದಿಯ ಪ್ರಾಣಕ್ಕೆ ಮೊಲೆ ಮುಡಿ ಇದ್ದಿತೆ?  
ಒಡೆಯರ ಪ್ರಾಣಕ್ಕೆ ಇದ್ದಿತ್ತೆ ಯಜ್ಞೋಪವಿತೆ?  
ಕಡೆಯಲ್ಲಿದ್ದ ಅಂತ್ಯಜನು ಹಿಡಿದಿದ್ದನೆ ಪ್ರಾಣದಲ್ಲಿ-ಹಿಡಿಗೋಲ  
ನೀ ತೊಡಕಿಕ್ಕಿದ ತೊಡಕನೀ ಲೋಕದ  
ಜಡರೆತ್ತ ಬಲ್ಲರು ರಾಮನಾಥ?”

ವಚನಗಳಲ್ಲಿ ಉಲ್ಲೇಖಿಸಲ್ಪಟ್ಟ ಮಾನವ ಹಕ್ಕುಗಳು :

□ ಎಲ್ಲ ಮಾನವರು ಹುಟ್ಟಿನಿಂದಲೇ ಸ್ವತಂತ್ರರು ಮತ್ತು ಘನತೆ ಹಾಗೂ ಹಕ್ಕುಗಳಲ್ಲಿ ಸಮಾನರು :

“ಮನೆನೋಡಾ ಬಡವರು ಮನೆನೋಡಾ ಘನ

ಸೋಂಕಿನಲಿ ಶುಚಿ; ಸರ್ವಾಂಗ ಕಲಗಳು

ಪಸರಕ್ಕನುವಿಲ್ಲ ; ಬಂದ ತತ್ಕಾಲಕ್ಕೆ ಉಂಟು

ಕೂಡಲಸಂಗನ ಶರಣರು ಸ್ವತಂತ್ರಧೀರರು”

□ ಗುಲಾಮಗಿರಿಗೆ ಅವಕಾಶವಿಲ್ಲ :

“ದಾಸಿಪುತ್ರನಾಗಲಿ, ವೇಶ್ಯಾಪುತ್ರನಾಗಲಿ

ಶಿವದೀಕ್ಷೆಯಾದ ಬಳಿಕ ಸಾಕ್ಷಾತ್ ಶಿವನೆಂದು ವಂದಿಸಿ,





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ಪೂಜಿಸಿ, ಪಾದೋದಕ ಪ್ರಸಾದವ ಕೊಂಬುದೇ ಯೋಗ್ಯ

ಹೀಗಲ್ಲದೆ ಉದಾಸೀನವ ಮಾಡಿ ಬಿಡುವವರಿಗೆ

ಪಂಚಮಹಾಪಾತಕ ನರಕ ಕಾಣಾ ಕೂಡಲ ಚನ್ನ ಸಂಗಮದೇವ”

“ಉಂಬಲ್ಲಿ ಉಡುವಲ್ಲಿ ಕ್ರಿಯೆಗಳೆಂಬರು

ಕೊಂಬಲ್ಲಿ ಕೊಡುವಲ್ಲಿ ಕುಲವನರಸುವರು

ಎಂತಯ್ಯಾ ಅವರ ಭಕ್ತಿರಂಭೆ

ಕೂಡಲ ಸಂಗಮದೇವಾ ಕೇಳಯ್ಯಾ

ಹೊಲತಿ ಶುದ್ಧ ನೀರಮಿಂದಂತಾಯಿತು”

□ ಕಾನೂನಿನ ಮುಂದೆ ಎಲ್ಲರೂ ಒಂದೇ :

“ನ್ಯಾಯ ನಿಷ್ಕೂರಿ ; ಪರ ನಾನಲ್ಲ

ಲೋಕವಿರೋಧಿ ; ಶರಣನಾಗಿಗಂಜುವನಲ್ಲ

ಕೂಡಲಸಂಗಮದೇವರ ರಾಜತೇಜದಲ್ಲಿಪ್ಪನಾಗಿ”

□ ಯಾರ ವಿರುದ್ಧವೂ ಕ್ರೂರವಾಗಿ ನಡೆದುಕೊಳ್ಳುವಂತಿಲ್ಲ :

“ಸಕಲಜೀವಾತ್ಮರಿಗೆ ಲೇಸನೆ ಬಯಸುವ ನಮ್ಮ

ಕೂಡಲಸಂಗನ ಶರಣರೇ ಕುಲಜರು”

□ ವಿಚಾರ ಮತ್ತು ಧಾರ್ಮಿಕ ಸ್ವಾತಂತ್ರ್ಯದ ಹಕ್ಕು :

“ಗಂಡ ಶಿವಲಿಂಗ ದೇವರ ಭಕ್ತ

ಹೆಂಡತಿ ಮಾರಿ ಮಸಣಿಯ ಭಕ್ತ

ಗಂಡ ಕೊಂಬುದು ಪಾದೋದಕ ಪ್ರಸಾದ

ಹೆಂಡತಿಕೊಂಬುದು ಸುರಮಾಂಸ

ಭಾಂಡಭಾಜನ ಶುದ್ಧವಿಲ್ಲದವರಾ ಭಕ್ತಿ

ಹೆಂಡದ ಮಡಕೆಯ ಹೊರಗೆ ತೊಳೆದಂತೆ ಕೂಡಲಸಂಗಮದೇವ”

□ ಅಭಿವ್ಯಕ್ತಿ ಸ್ವಾತಂತ್ರ್ಯ : ಸಾವಗೈಡುವ ಗಂಡನೊಯ್ಯು ಒಲೆಯೊಳಿಗಿಕ್ಕು ‘ಇಂದ್ರಿಯ ನಿಗ್ರಹವ ಮಾಡಿದಡೆ ಹೊಂದುವವು ದೋಷಗಳು’, ಕಲ್ಲು ದೇವರೆಂದು ಪೂಜಿಸುವರೆಲ್ಲ ಕಲ್ಲಾಗಿ ಪುಟ್ಟುವರು’





□ ಪ್ರತಿಯೊಬ್ಬರಿಗೂ ಶಿಕ್ಷಣ ಪಡೆದುಕೊಳ್ಳುವ ಹಕ್ಕು : ಈ ಹಕ್ಕಿನಿಂದಾಗಿ ನಮಗಿಂದು ಅಪಾರವಾದ ಜ್ಞಾನಭಂಡಾರವೆನಿಸಿದ ವಚನವಾಚ್ಯಯ ಲಭ್ಯವಾಗಿದೆ.

ಹೀಗೆ ಹಲವು ಮಾನವ ಹಕ್ಕುಗಳು ಪ್ರತ್ಯಕ್ಷವಾಗಿ-ಪರೋಕ್ಷವಾಗಿ ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ವಿವೇಚಿಸಲ್ಪಟ್ಟಿವೆ. ಅಂದಿನ ವಚನಕಾರರ ವಿಚಾರಗಳನ್ನು ಅಳವಡಿಸಿಕೊಳ್ಳಲು ಇಪ್ಪತ್ತನೇ ಶತಮಾನದವರೆಗೂ ಕಾಯಬೇಕಾಯಿತಲ್ಲ ಎಂಬುದು ವಿಪರ್ಯಾಸ. ನಡುವೆ ಅದೆಷ್ಟು ಸಾಮ್ರಾಜ್ಯಗಳು ತಲೆಯೆತ್ತಿ ಅದೆಷ್ಟು ಸಾಮ್ರಾಜ್ಯಗಳು ನಿರ್ನಾಮವಾದವು ಆದರೆ ಮಾನವ ಪರ ಕಾಳಜಿ ಎಲ್ಲಿಯೂ ಕಂಡುಬರಲಿಲ್ಲ. ವಚನಕ್ರಾಂತಿಗೆ ಸಾಟಿಯಾದ ಕ್ರಾಂತಿಯುಂಟೇ? ಈ ಜಗತ್ತಿನಲ್ಲಿ.

ವೇದ, ಋಶಿಗಳು, ಬೈಬಲ್‌ನಂತಹ ಮೇರುಗ್ರಂಥಗಳಲ್ಲಿ ಮಹಿಳೆಗೆ ಸ್ಥಾನವೇ ಇಲ್ಲ ಇದ್ದರೂ ಅದು ಕೇವಲ ದಯನೀಯ ಸ್ಥಿತಿಯಲ್ಲಿ ಮಾತ್ರ ಎಂಬುದು ಕಹಿಸತ್ಯ! ಮಹಿಳೆಯರಿಗೆ ಸಂಪೂರ್ಣ ವಾಕ್‌ಸ್ವಾತಂತ್ರ್ಯ, ಧಾರ್ಮಿಕ ಸ್ವಾತಂತ್ರ್ಯ, ಸಮಾನತೆಗಳು ವರವಾಗಿ ಬಂದದ್ದೇ ವಚನಯುಗದಲ್ಲಿ. ಅಕ್ಕನಂತಹ ಜಗತ್ತಿನ ಶ್ರೇಷ್ಠ ಆಧ್ಯಾತ್ಮಿಕ ಸಾಧಕಿ ರೂಪುಗೊಳ್ಳುವಲ್ಲಿ ವಚನ ಯುಗದ ಕಾಣ್ಕೆ ಇದೆ. ಸತ್ಯಕ್ಕ, ರಾಯಮ್ಮ, ರೇಕಮ್ಮ, ಕಾಳವ್ವ ಮುಂತಾದ ಸುಮಾರು ಮೂವತ್ತಕ್ಕೂ ಅಧಿಕ ವಚನಕಾರ್ತಿಯರ ಅಭಿವ್ಯಕ್ತಿಗೆ ವೇದಿಕೆಯಾಯಿತು ಹನ್ನೆರಡನೇ ಶತಮಾನ. ಆಚಾರ-ವಿಚಾರಗಳಿಂದೊಂದಾದ ವಚನ ಸಾಹಿತ್ಯ ಕೇವಲ ಸಾಹಿತ್ಯ ಮಾತ್ರವೆನಿಸದೆ ಧರ್ಮವೆಂಬ ಹೆಗ್ಗಳಿಕೆ ಪಡೆದಿದೆ. ನೀತಿಯಿದ್ದರೆ ಮಾತ್ರ ಧರ್ಮ ಪರಿಪೂರ್ಣವಾಗುತ್ತದೆ. ನೀತಿಯಿರದ ಧರ್ಮ ಅಪರಿಪೂರ್ಣ ನೈತಿಕ ಆಚಾರಗಳನ್ನು ಒಳಗೊಂಡ ಧರ್ಮವು ಸರ್ವಕಾಲಿಕ ಶ್ರೇಷ್ಠತೆಯನ್ನು ಪಡೆದಿರುತ್ತದೆ. ಮಾನವೀಯ ಮೌಲ್ಯಗಳ ಸಂಪ್ರತಿಯಿಂದೊಡಗೂಡಿದ ವಚನಧರ್ಮ ನಿತ್ಯನಿರಂತರೆಯನ್ನು ಪಡೆದುಕೊಂಡಿರುವುದು ಈ ಎಲ್ಲಾ ಕಾರಣಗಳಿಗಾಗಿ.

ವೇದ ಕಾಲದಲ್ಲಿ ಕೇವಲ ಬೆರಳೆಣಿಕೆಯಷ್ಟು ಮಹಿಳೆಯರು ಮಾತ್ರ ಗುರುತಿಸಲ್ಪಟ್ಟಿದ್ದಾರೆ. ಅವರಾದರೂ ಮೇಲ್ವರ್ಗದವರು ಮಾತ್ರ ಎಂಬುದು ವಿಷಾದದ ಸಂಗತಿ! ಉಳಿದಂತೆ ಮಧ್ಯಮವರ್ಗದವರಾಗಲಿ, ಕೆಳವರ್ಗದವರಾಗಲಿ ಕಂಡುಬರುವುದಿಲ್ಲ. ಒಟ್ಟಿನಲ್ಲಿ ಎಲ್ಲ ಮೂಲಭೂತ ಹಕ್ಕುಗಳಿಂದ ವಂಚಿತಳಾಗಿದ್ದಾಳೆಂಬುದು ಸ್ಪಷ್ಟವಾದ ಸಂಗತಿ. ಅಂತೆಯೇ ಶಾಸ್ತ್ರನಿಗೂಲಿ ಪ್ರಾಚೀನ ಕನ್ನಡ ಸಾಹಿತ್ಯದಲ್ಲಾಗಲೀ ಮಹಿಳೆಯರ ಸ್ಥಾನಮಾನಗಳ ಬಗೆಗಿನ ಪ್ರಸ್ತಾವವೇ ಇಲ್ಲ. ಹಾಗಿದ್ದಲ್ಲಿ ಅಂದಿನ ಸಮಾಜವನ್ನು ಅಪರಿಪೂರ್ಣ ಎನ್ನಬಹುದು ಏಕೆಂದರೆ ಸ್ವಾಮಿ ವಿವೇಕಾನಂದರ ಮಾತಿನಂತೆ ಸ್ತ್ರೀಯ ಸಹಭಾಗಿತ್ವವಿಲ್ಲದ ಸಮಾಜ ಅಪರಿಪೂರ್ಣ. ಅವಳಿಗೆ ವಿದ್ಯೆ ನೀಡಬೇಕೆಂಬುದರ ಕುರಿತಾಗಿಯೂ ವಿವೇಚಿಸಿದ್ದಾರೆ. ಹನ್ನೆರಡನೇ ಶತಮಾನವು ಸ್ವಾಮಿ ವಿವೇಕಾನಂದರ ಆಶಯಗಳೆಲ್ಲದರ ಸಕಾರ ರೂಪವಾಗಿತ್ತು.

ವಚನ ಸಾಹಿತ್ಯದ ಶ್ರೇಷ್ಠತೆ ಇರುವುದು ಅದು ನಿಂತಿರುವ ಮಾನವೀಯ ಸಂವೇದನೆಯ ತಳಹದಿಯ ಮೇಲೆ ಹೀಗಾಗಿ ಅದೆಷ್ಟೇ ಸಾಂಸ್ಕೃತಿಕ ತಲ್ಲಣಗಳುಂಟಾದರೂ ಕಿಂಚಿತ್ ಕೂಡ ಪಲ್ಲಟಗೊಳ್ಳದೆ ನಿರಂತರತೆಯನ್ನು ಕಾಯ್ದುಕೊಂಡಿದೆ. ಬದಲಾಗುವ ಕಾಲ, ಸಮಾಜದೊಂದಿಗೆ ಹೆಜ್ಜೆ ಹಾಕುವ ನಿತ್ಯ ನೂತನತೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳುವುದು ಸಾಮಾನ್ಯದ ಮಾತಲ್ಲ. ಸಮಷ್ಟಿ ಪ್ರಜ್ಞೆಯಿರುವ ಸಾಹಿತ್ಯಕ್ಕೆ ಮಾತ್ರ ಈ ಸಾಧ್ಯತೆಗಳಿವೆ. ವಚನಕಾರರ ಸಾಮಾಜಿಕ, ಧಾರ್ಮಿಕ, ಸಾಹಿತ್ಯಿಕ, ಆರ್ಥಿಕ ಒಟ್ಟಾರೆಯಾಗಿ ಎಲ್ಲಾ ವಿಚಾರಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಎತ್ತಿ ಹಿಡಿದಿದ್ದಾರೆ. ವಚನಕಾರರ ನಾಡಿ ಮಿಡಿತ ಮಾನವೀಯತೆಗಾಗಿ ಮಾನವೀಯತೆಯ ಮೂರ್ತರೂಪ ಅನುಭಾವವಾಗಿ ಸ್ಫುರಿಸಿ ಅದನ್ನು ದೈವತ್ವಕ್ಕೇರಿಸಿದೆಯೆಂಬುದು ಅತಿಶಯೋಕ್ತಿಯಲ್ಲ. ಇದಲ್ಲದೆ ಮಾನವತವಾದದ ಗುರಿ ಎಸ್.ರಾಧಾಕೃಷ್ಣನ್ ಹೇಳುವಂತೆ



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ವಚನ ಸಾಹಿತ್ಯದ ಮೌಲ್ಯಗಳು ಈ ಲೋಕದ ಅನುಭವಗಳಿಗೆ ಸ್ಪಂದಿಸಿ ಅಂದರೆ ಒಳಿತಿಗೆ ಪ್ರೋತ್ಸಾಹ ನೀಡಿ ಕೆಡಕನ್ನು ಖಂಡಿಸಿ; ಸಮಸಮಾಜಕ್ಕಾಗಿ ಕ್ರಾಂತಿಯನ್ನು ಉಂಟುಮಾಡಿದ ಮಹತ್ತರ ಮೈಲಿಗಲ್ಲು. ಎಂದು ಸೃಜನಾತ್ಮಕ ಕ್ರಾಂತಿ ಸಮಾಜದ ಪ್ರಗತಿಗೆ ಮಾರಕವಾಗಿದ್ದ ಜಡ್ಡುಗಟ್ಟಿದ ಆಚಾರಗಳನ್ನು ತೊಲಗಿಸಿ ಮಾನವ ವಿಕಾಸಕ್ಕೆ ಪೂರಕವಾಗುವ ವಿಚಾರಗಳನ್ನು ಸ್ವತಃ ಆಚರಣೆಗೆ ತಂದು ಮುಂದಿನ ಪೀಳಿಗೆಗೆ ಮಾರ್ಗದರ್ಶಕರಾದರು.

ಇಂದಿನ ಸಂವಿಧಾನಿಕ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಕೇವಲ ಕಾನೂನಾತ್ಮಕವಾಗಿ ಸ್ವೀಕರಿಸದೆ ಅದರ ಹಿಂದಿರುವ ವಚನಕಾರರ ಧನಾತ್ಮಕ ದೃಷ್ಟಿಕೋನವನ್ನು ಅರಿತುಕೊಂಡಾಗಲೇ ವಚನಸಾಹಿತ್ಯ ಸಾರ್ಥಕ ಪಡೆಯುತ್ತದೆ. ಅವರು ಹಚ್ಚಿದ ವಚನ ಜ್ಯೋತಿ ಬೆಳಗುತ್ತಿದೆ ಬೆಳಗುತ್ತಲೇ ಇರುತ್ತದೆ. ಅದರ ಬೆಳಕಿನಡಿಯಲ್ಲಿ ನಾವು ಸಾಗಬೇಕಿದೆ ಅಲ್ಲಮರ ವಚನದಂತೆ.

ಪಣತೆಯೂ ಇದೆ, ಬತ್ತಿಯೂ ಇದೆ

ಜ್ಯೋತಿಯು ಬೆಳಗುವಡೆ ತೈಲವಿಲ್ಲದೆ

ಪ್ರಭೆ ತಾನೆಲ್ಲಿಯದೋ ?

ಗುರುವಿದೆ ಲಿಂಗವಿದೆ ಶಿಷ್ಯನ ಸುಜ್ಞಾನವಂಕುರಿಸ

ದನ್ನಕ್ಕರ ಭಕ್ತಿಯೆಲ್ಲಿಯದೋ ?

ಸೋಹವೆಂಬುದ ಕೇಳಿ ದಾಸೋಹವ ಮಾಡದಿದ್ದರೆ

ಅತಿಗಳೆದನು ಗುಹೇಶ್ವರ.

**ಪರಾಮರ್ಶನ ಗ್ರಂಥಗಳು:**

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- [6] ವಚನ ಸಾಹಿತ್ಯ ಸಂಗ್ರಹ, ಸಂಪಾದಕರು. ಪ್ರೊ.ಸಂ.ಶಿ.ಭೂಸನೂರಮಠ, ಪ್ರ. ವಚನ ಅಧ್ಯಯನ ಕೇಂದ್ರ ನಾಗನೂರ ಶ್ರೀ ರುದ್ರಾಕ್ಷಿಮಠ, ಶಿವಬಸವನಗರ, ಬೆಳಗಾವಿ, ವ : 2017
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**ಮಾನವ ಹಕ್ಕುಗಳು ಮತ್ತು ಬಸವಣ್ಣನವರ ವಚನಗಳು****ಸತೀಶ್.ಎ.ಎಸ್.**

ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು, ಕನ್ನಡ ವಿಭಾಗ  
ಹೆಚ್.ಪಿ.ಪಿ.ಸಿ ಸರ್ಕಾರಿ ಪ್ರಥಮ ದರ್ಜೆ ಕಾಲೇಜು, ಚಳ್ಳಕೆರೆ  
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“ಯುದ್ಧ ಎಂಬುದೇ ಒಂದು ದೊಡ್ಡ ಸಮಸ್ಯೆ ಆಗಿರುವಾಗ ಅದರಿಂದ ಬೇರೆ ಸಮಸ್ಯೆಗಳನ್ನು ಬಗೆಹರಿಸಲು ಹೇಗೆ ಸಾಧ್ಯ “!?”

**ಪ್ರಸ್ತಾವನೆ:**

ಎರಡನೇ ಮಹಾಯುದ್ಧದ ನಂತರ ನಾಗರಿಕ ಮಾನವ ಸಮಾಜದ ಸ್ವಾತಂತ್ರ್ಯವನ್ನು ಘನತೆಯನ್ನು ಎತ್ತಿಹಿಡಿಯುವ ಸಲುವಾಗಿ 1948 ಡಿಸೆಂಬರ್ 10 ರಂದು ವಿಶ್ವಸಂಸ್ಥೆಯು ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಅಧಿಕೃತವಾಗಿ ಘೋಷಿಸಿತು. ಅದೇ ಸಮಯದಲ್ಲಿ ಭಾರತದಲ್ಲಿ ಸಂವಿಧಾನದ ರೂಪುರೇಷೆಗಳು ರಚನೆಯಾಗುತ್ತಿದ್ದ ಕಾಲಮೂಲಭೂತ ಅವಶ್ಯಕತೆಗಳಾದ ಗಾಳಿ, ನೀರು, ಆಹಾರ ಹಾಗೂ ಶಿಕ್ಷಣ, ವಸತಿ ವಾಕ್ ಸ್ವಾತಂತ್ರ್ಯ, ಆರೋಗ್ಯ, ರಾಷ್ಟ್ರೀಯತೆ ಸೇರಿದಂತೆ ಹಲವಾರು ವಿಷಯಗಳು ಮಾನವ ಹಕ್ಕುಗಳ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತವೆ.

ಕನ್ನಡ ಸಾಹಿತ್ಯವನ್ನು ಅವಲೋಕಿಸಿದಾಗ ‘ಕವಿರಾಜಮಾರ್ಗ’ದಲ್ಲಿ “ಕಸವರವೆಂಬುದು ನೆರೆ ಸೈರಿಸಲಾಪೂರ್ಣ ಪರವಿಚಾರಮುಮಂ ಪರಧರ್ಮಮುಮಂ” ಎಂಬ ಉಲ್ಲೇಖವನ್ನು ಗಮನಿಸಿದಾಗ 9 ನೇ ಶತಮಾನದಲ್ಲಿ ಪರ ಧರ್ಮವನ್ನು, ಪರರ ವಿಚಾರಗಳನ್ನು, ಅಭಿಪ್ರಾಯಗಳನ್ನು, ಚಿಂತನೆಗಳನ್ನು ಆಲಿಸುವ, ಸಹಿಸಿಕೊಳ್ಳುವ ಗುಣವೇ ಅತ್ಯಂತ ಹೆಮ್ಮೆಯ ಮತ್ತು ಚಿನ್ನದಂತಹ ಗುಣ ಎಂಬುದನ್ನು ನೋಡಿದಾಗ ಪ್ರಸ್ತುತ ಸಮಾಜ, ಸಂಬಂಧಗಳು, ಸಹಿಷ್ಣು ಗುಣ, ಮೌಲ್ಯಗಳು ವಿನಾಶದ ಅಂಚಿಗೆ ತಲುಪಿರುವುದು ನಿಜಕ್ಕೂ ಖೇದಕರ ಸಂಗತಿಯಾಗಿದೆ.

ವಚನ ಸಾಹಿತ್ಯವು ಸಾಹಿತ್ಯ ಚರಿತ್ರೆಯಲ್ಲಿ ಅತ್ಯಂತ ಶ್ರೇಷ್ಠ ಘಟ್ಟ ಹಾಗೂ ವಿಶ್ವಸಾಹಿತ್ಯಕ್ಕೆ ಕನ್ನಡ ಕೊಡಮಾಡಿದ ಅಮೂಲ್ಯ ಕೊಡುಗೆಯಾಗಿದೆ ಎಂಬುದು ಗಮನಾರ್ಹ. ವಚನ ಎಂದರೆ ಭಾಷೆ, ಪ್ರಮಾಣ ಅಷ್ಟೇ ಅಲ್ಲದೆ “ನುಡಿದಂತೆ ನಡೆ” ಎಂಬರ್ಥದಲ್ಲಿಯೂ ಅದು ಹಲವು ಮಜಲುಗಳನ್ನು ಪರಿಚಯಿಸುತ್ತದೆ ಇಂತಹ ವಚನ ಕ್ರಾಂತಿಯಲ್ಲಿ ಬಸವಣ್ಣನವರ ಬಹುಪಾಲು ವಚನಗಳು ಮಾನವ ಹಕ್ಕುಗಳ ಮೇಲೆ ಬೆಳಕು ಚೆಲ್ಲುತ್ತವೆ.

ಇವನಾರವ ಇವನಾರವ ಇವನಾರವನೆಂದೆನಿಸದಿರಿಯ್ಯ  
ಇವನಮ್ಮವ ಇವನಮ್ಮವ ಇವನಮ್ಮವನೆಂದೆನಿಸಯ್ಯ  
ಕೊಡಲಸಂಗಮದೇವಾ  
ನಿಮ್ಮ ಮನೆಯ ಮಗನೆಂದೆನಿಸಯ್ಯ ..

ಇಡೀ ಜಗತ್ತು ಮೋಹದ ಬಲೆಯಲ್ಲಿ ಸಿಲುಕಿ ಒಬ್ಬ ವ್ಯಕ್ತಿಯನ್ನು ಮತ್ತೊಬ್ಬ ವ್ಯಕ್ತಿ ಮನುಷ್ಯತ್ವದಿಂದ ಆದರಿಸದೆ ವ್ಯವಹಾರದ ದೃಷ್ಟಿಯಿಂದ ನೋಡುವುದು ವಾಸ್ತವ ಹಾಗೂ ಸರ್ವ ಸಾಮಾನ್ಯವಾಗಿದೆ. ಇಂದು ನಾವು ವಸ್ತುಗಳನ್ನು ಪ್ರೀತಿಸುತ್ತಿದ್ದೇವೆ ವ್ಯಕ್ತಿಗಳನ್ನು



ಬಳಸಿಕೊಳ್ಳುತ್ತಿದ್ದೇವೆ.ಆದ್ದರಿಂದ ನಮ್ಮ ಮಧ್ಯೆ ಇರುವ ಗೋಡೆಗಳನ್ನು ಕೆಡವಿ,ರಾಜಕೀಯ, ಜಾತಿಯ ಸಂಕೋಲೆಗಳನ್ನು ಮೀರಿ ಅಹಂಕಾರವನ್ನು ತ್ಯಜಿಸಿ ಪ್ರತಿಯೊಬ್ಬರನ್ನು ನಮ್ಮವರೆಂದು ಆತ್ಮೀಯತೆಯಿಂದ ಸ್ವಂದಿಸುವ ಹಾಗೂ ಸ್ವರ್ಥಿಸುವ ಅನಿವಾರ್ಯತೆ ಎದುರಾಗಿದೆ. ಆಗ ಮಾತ್ರ ಇಡೀ ವಿಶ್ವವೇ ಒಂದು ಕುಟುಂಬದ ರೀತಿಯಲ್ಲಿ ಕಾಣಲು ಸಾಧ್ಯ ಮನುಷ್ಯ ಮತ್ತೊಬ್ಬ ಮನುಷ್ಯನನ್ನು ಮನುಷ್ಯನನ್ನಾಗಿ ಕಾಣುವುದು ಹೃದಯವಂತಿಕೆಯಿಂದ ವರ್ತಿಸುವುದರ ಬಗ್ಗೆ ವಚನ ಎಚ್ಚರಿಸುತ್ತಿದೆ.

“ಹಾವು ತಿಂದವರ ನುಡಿಸಬಹುದು  
ಗರ ಹೊಡೆದವರ ನುಡಿಸಬಹುದು  
ಸಿರಿಗರ ಹೊಡೆದವರ ನುಡಿಸಲು ಬಾರದು ನೋಡಯ್ಯಾ  
ಬಡತನವೆಂಬ ಮಂತ್ರವಾದಿ ಹೊಗಳಲು ಕೂಡಲಸಂಗಮದೇವಾ”

ಇಂದಿನ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಸಾಮಾಜಿಕ ಪಿಡುಗಾಗಿರುವ ಭ್ರಷ್ಟಾಚಾರದ ಕುರಿತು ಈ ವಚನ ಮಾತನಾಡುತ್ತಿದೆ. ಅಧಿಕಾರದ ಮದ, ಹಣದ ಮದ ಎಷ್ಟರಮಟ್ಟಿಗೆ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಹತ್ತಿಕ್ಕುವ ಪ್ರಯತ್ನದಲ್ಲಿ ಯಶಸ್ಸು ಕಾಣುತ್ತದೆ ಎಂಬುದು ಪದೇಪದೇ ಸಾಬೀತಾಗುತ್ತಿದೆ. ಸಂಪತ್ತಿನ ಅಸಮಾನತೆ ಶೋಷಣೆಗೆ ದಾರಿ ಮಾಡಿಕೊಡುವುದರ ಜೊತೆಗೆ ಅನುಮಾನಿಸುವ ಮತ್ತು ಅವಮಾನಿಸುವ ಸಂಪ್ರದಾಯವನ್ನು ಬೇರೂರುವಂತೆ ಮಾಡುತ್ತಿದೆ. ಇತ್ತೀಚಿನ ರಷ್ಯಾ-ಉಕ್ರೇನ್ ಯುದ್ಧದ ಸನ್ನಿವೇಶವನ್ನು ನೋಡಿದಾಗ ಪುಟಿನ್ ಅವರ ನಿರಂಕುಶ ಆಡಳಿತ, ಏಕಪಕ್ಷೀಯ ನಿರ್ಧಾರಗಳು ಅದೆಷ್ಟೋ ಜನರನ್ನು ಹೇಳಹೆಸರಿಲ್ಲದಂತೆ ವಿನಾಶಕ್ಕೆ ತಂದು ನಿಲ್ಲಿಸಿದೆ.

ಜಗತ್ತಿನ ಪ್ರತಿಯೊಬ್ಬ ನಾಗರಿಕನು ಅದರ ಪರಿಣಾಮವನ್ನು ಪರೋಕ್ಷವಾಗಿ ಅನುಭವಿಸುತ್ತಾನೆ. ಯಾವುದೇ ದೇಶ, ಧರ್ಮ, ಲಿಂಗ, ಬಣ್ಣ, ಭಾಷೆ, ಜಾತಿ, ಜನಾಂಗ ಅಥವಾ ಇತರೆ ಅಂಶಗಳು ಅಧಿಕಾರ ಸ್ಥಾನವನ್ನು ಲೆಕ್ಕಿಸದೆ ಪ್ರತಿಯೊಬ್ಬರು ಸಮಾನರು ಹಾಗೂ ಸಂಪೂರ್ಣ ಹಕ್ಕುಗಳನ್ನು ಹೊಂದಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಸಾರಬೇಕಾಗಿದೆ. ಪ್ರಸ್ತುತ ಸನ್ನಿವೇಶದಲ್ಲಿ ಎಲ್ಲಾ ಸವಲತ್ತುಗಳು,ಕಾನೂನುಗಳು ಅಧಿಕಾರಸ್ಥರ,ಉಳ್ಳವರ ಪಾಲಿಗಟ್ಟಿ ಎಂಬಂತಾಗಿದೆ.ಅಂತವರಿಗೆ ಹಸಿದವರ ಆಕ್ರಂದನ,ಸೂರಿಲ್ಲದವರ ಗೋಳು,ನಿರ್ಗತಿಕರ ಕಣ್ಣೀರು ಸಂವೇದನೆ ಉಂಟು ಮಾಡುತ್ತಿಲ್ಲ ಎಂಬುದೇ ವಿಷಾದದ ಸಂಗತಿ.

ಕಲ್ಲ ನಾಗರ ಕಂಡರೆ ಹಾಲನೆಯೆಂಬರು  
ದಿಟದ ನಾಗರ ಕಂಡರೆ ಕೊಲ್ಲೆಂಬರಯ್ಯ  
ಉಂಬ ಜಂಗಮ ಬಂದಡೆ ನಡೆಯೆಂಬರು  
ಉಣ್ಣದ ಲಿಂಗಕ್ಕೆ ಬೋನವ ಹಿಡಿ ಎಂಬರಯ್ಯ....

ಹಸಿವು ಮನುಷ್ಯನನ್ನು ತೀವ್ರವಾಗಿ ಬಾಧಿಸುತ್ತಿದೆ.ಕೋವಿಡ್ ಬಿಕ್ಕಟ್ಟಿನಂತಹ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಎಷ್ಟೋ ಜನ ಉದ್ಯೋಗವನ್ನು ಕಳೆದುಕೊಂಡು ಊಟಕ್ಕಾಗಿಯೂ ಪರಿತಪಿಸುತ್ತಿದ್ದಾರೆ.ಬಸವಣ್ಣನವರ ಈ ವಚನವು ಮಾನವನಿಗೆ ಇರುವ ಬದುಕಿನ ಹಕ್ಕಿನ ಕುರಿತಾಗಿ ಮಾತನಾಡುತ್ತಾ ಉಳ್ಳವರ ಅಮಾನವೀಯ ನಡೆಯನ್ನು ವಿಡಂಬಿಸುತ್ತಿದೆ. ಹಾಲಿಲ್ಲದೇ ಹಸುಳೆಗಳು,ಸೂರು ಸಿಗದೆ ಇರುವ ನಿರ್ಗತಿಕರು ಹಾಗೆ ಅವರ ದೈನ್ಯದ ಬದುಕಿಗೆ ಸಮಾಜದಲ್ಲಿರುವ ಪ್ರತಿಯೊಬ್ಬರೂ ಸಹ ಕಾರಣ ಎಂಬುದನ್ನು ಸೂಕ್ಷ್ಮವಾಗಿ ತಿಳಿಸುತ್ತಾ ಅರಿವಿನ ಕಣ್ಣು ತೆರೆಸುವ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಕಲ್ಲಿನಲ್ಲಿ ದೇವರನ್ನು ಹುಡುಕುವುದಕ್ಕಿಂತ ಮನುಷ್ಯನಲ್ಲಿರುವ ಮಾನವೀಯತೆಯನ್ನು ಅನಾವರಣಗೊಳಿಸುತ್ತದೆ. ಮಾಗಿಯ ಚಳಿಯಲ್ಲಿ ನಡುಗುತ್ತಾ ಮೂಲೆಯಲ್ಲಿ ಕುಳಿತ ನಿರ್ಗತಿಕರು, ಮಲಗಲು ಸೂರಿಲ್ಲದೆ ಬದುಕುವ ಜೀವಿಗಳ ಪರವಾಗಿ ಧ್ವನಿಯೆತ್ತುವ ವಚನ ಮಾನವ ಹಕ್ಕುಗಳಿಗೆ ಹಿಡಿದ ಕನ್ನಡಿಯಂತಿದೆ.





ಕಳಬೇಡ,ಕೊಲಬೇಡ,ಹುಸಿಯ ನುಡಿಯಲು ಬೇಡ  
ಮುನಿಯ ಬೇಡ,ಅನ್ಯರಿಗೆ ಅಸಹ್ಯಪಡಬೇಡ  
ತನ್ನ ಬಣ್ಣಿಸಬೇಡ,ಇದಿರ ಹಳಿಯಲು ಬೇಡ  
ಇದೇ ಅಂತರಂಗಶುದ್ಧಿ,ಇದೇ ಬಹಿರಂಗ ಶುದ್ಧಿ ನಮ್ಮ ಕೂಡಲಸಂಗಮನೊಲಿಸುವ ಪರಿ.

ಬದುಕಿನ ಹಲವು ಮೌಲ್ಯಗಳನ್ನು ಹೇಳುವ ಪ್ರಸ್ತುತ ವಚನ ಮಾನವ ಹಕ್ಕುಗಳ ದಿಗ್ದರ್ಶನ ಮಾಡಿಸುತ್ತಿದೆ."ದಯವೇ ಧರ್ಮದ ಮೂಲ" ಎಂಬ ಮಾತನ್ನು ಮಾರ್ಥನಿಸುತ್ತಿದೆ.ಸತ್ಯವೇ ಶ್ರೇಷ್ಠವಾದುದು ಹಾಗೂ ನಮ್ಮನ್ನು ಅದ್ವಿತೀಯಾರನ್ನಾಗಿಸುವುದು.ಕೋಪವೇ ನಮ್ಮ ವ್ಯಕ್ತಿತ್ವದ ಮೊದಲ ಶತ್ರುವಾಗಿರುವುದರಿಂದ ಬೇರೋಬ್ಬರ ಮನಸಿಗೆ ಘಾಸಿಯಾಗದಂತೆ ಸದಾ ಕಾಲ ಹಸನ್ಮುಖಿಯಾಗಿರುವ ಆಶಯ ವ್ಯಕ್ತಪಡಿಸುತ್ತದೆ.ಬೇರೋಬ್ಬರನ್ನು ಕಂಡರೆ ಕರುಬುವ ,ನಿಕ್ಕಷ್ಟವಾಗಿ ನೋಡುವ ಕುರಿತು ಎಚ್ಚರಿಸುತ್ತಿದೆ.ತನ್ನ ವ್ಯಕ್ತಿತ್ವದ ಬಗ್ಗೆ ಮತ್ತೊಬ್ಬರು ಮಾತಾಡಬೇಕೇ ವಿನಾ ನಮ್ಮನ್ನು ನಾವೇ ಹೊಗಳಿಕೊಳ್ಳುವುದು ಸಲ್ಲದು ಎನ್ನುತ್ತಾ "ನಾವು ಮಾತಾಡಬಾರದು ನಮ್ಮ ಕಾರ್ಯಗಳು ಮಾತಾನಾಡಬೇಕು" ಎಂಬುದನ್ನು ಎತ್ತಿ ಹಿಡಿಯುತ್ತಿದೆ.ಹೀಗೆ ಮಾನಸಿಕ,ಬೌದ್ಧಿಕ,ಭಾವನಾತ್ಮಕ,ದೈಹಿಕ ಶುದ್ಧಿಯ ಬಗ್ಗೆ ಹಲವಾರು ಬಗೆಯಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳಿಗೆ ಊರುಗೋಲಾಗಿ ನಿಲ್ಲುತ್ತದೆ.

#### ಉಪಸಂಹಾರ:

ಕನ್ನಡ ಸಾಹಿತ್ಯದ ತಲಕಾವೇರಿ ಎನಿಸಿಕೊಂಡಿರುವ ಶಾಸನಗಳಿಂದ ಹಿಡಿದು ಪಂಪಯುಗ,ವಚನಯುಗ ಹಾಗೂ ನಂತರದ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಬಗ್ಗೆ ತೀವ್ರವಾಗಿ ಗಟ್ಟಿಯಾಗಿ ಧ್ವನಿ ಎತ್ತಲಾಗಿದೆ.ಅಶೋಕ ಸೇರಿದಂತೆ ರಾಜ ಮಹಾರಾಜರು,ದಾರ್ಶನಿಕರು,ಸಮಾಜ ಸುಧಾರಕರು ಮಾನವ ಹಕ್ಕುಗಳ ಮಹತ್ವವನ್ನು ಜಗತ್ತಿಗೆ ಸಾರಿದ್ದರೂ ಸಹ ಇಂದು ಜಾಗತೀಕರಣ,ಉದಾರಿಕರಣ.ಆಧುನೀಕರಣ ಮತ್ತು ತಂತ್ರಜ್ಞಾನದಲ್ಲಿ ಉನ್ನತವಾಗಿ ಬೆಳೆದು ವಿಶ್ವವೇ ಅಂಗೈಯಲ್ಲೆಂಬಂತೆ ಅತೀ ಹತ್ತಿರವಾಗಿದ್ದರೂ ಮಾನಸಿಕವಾಗಿ,ಭಾವನಾತ್ಮಕವಾಗಿ ದೂರವೇ ಉಳಿದಿದ್ದೇವೆ.

ಹತ್ತಿರವಿದ್ದೂ ದೂರ ನಿಲ್ಲುವೆವು  
ನಮ್ಮ ಅಹಂಮಿನ ಕೋಟಿಯಲಿ  
ಎಷ್ಟು ಕಷ್ಟವೋ ಹೊಂದಿಕೆಯೆಂಬುದು  
ನಾಲ್ಕು ದಿನದ ಈ ಬದುಕಿನಲಿ

--ಜಿ.ಎಸ್.ಶಿವರುದ್ರಪ್ಪ

#### ಆಧಾರ ಗ್ರಂಥಗಳು:

- [1] ವಚನ ಸಂಪದ-ಸಂಪಾದಕಿ:ಜಿ.ಬಿ.ಟಿ.ಗೀತಾ
- [2] ಸಮಗ್ರ ಕಾವ್ಯ- ಜಿ.ಎಸ್.ಶಿವರುದ್ರಪ್ಪ



## ಏಕೀಕರಣೋತ್ತರ ಮಧ್ಯಕರ್ನಾಟಕದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು: ಕಾರ್ಮಿಕರ ಸಂಘಟನೆ ಮತ್ತು ನಾಯಕತ್ವ

ಉಮೇಶ್.ಆರ್.ಎಸ್<sup>1</sup>

ಪಿಹೆಚ್.ಡಿ ಸಂಶೋಧನಾಧಿಪತಿ, ಚರಿತ್ರೆ ವಿಭಾಗ,  
ಕನ್ನಡ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಹಂಪಿ ಹಾಗೂ ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು,  
ಬಾಪೂಜಿ ಪ್ರಥಮ ದರ್ಜೆ ಕಾಲೇಜು, ಚಳ್ಳಕೆರೆ.

ಡಾ. ಶಿವಪ್ಪ.ಆರ್<sup>2</sup>

ಸಹ ಪ್ರಾಧ್ಯಾಪಕರು ಮತ್ತು ಪಿಹೆಚ್.ಡಿ ಮಾರ್ಗದರ್ಶಕರು,  
ಇತಿಹಾಸ ವಿಭಾಗ, ಸರ್ಕಾರಿ ಕಲಾ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ), ಚಿತ್ರದುರ್ಗ.

### ಸಾರಾಂಶ

ಪ್ರಸ್ತುತ ಲೇಖನದಲ್ಲಿ ಚಿತ್ರದುರ್ಗ ಮತ್ತು ದಾವಣಗೆರೆ ಜಿಲ್ಲೆಯಲ್ಲಿ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿದ ಪ್ರಮುಖ ನಾಯಕರು ಮತ್ತು ಅವರ ನೇತೃತ್ವದಲ್ಲಿ ನಡೆದಂತಹ ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆಯ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಡೆದಿದ್ದು, ಏಕೀಕರಣೋತ್ತರ ಕಾಲಘಟ್ಟಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕಾರ್ಮಿಕರ ಸ್ಥಿತಿಗಳು, ಸಮಸ್ಯೆ, ಶೋಷಣೆಗಳು, ಆಯ್ದು ಕೆಲವು ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು, ಸಂಘಟನೆಗಳು, ನಂತರದ ಬೆಳವಣಿಗೆಗಳನ್ನು ಕುರಿತಂತೆ ಸಂಕ್ಷಿಪ್ತವಾಗಿ ಚರ್ಚಿಸಲು ಪ್ರಯತ್ನಿಸಲಾಗಿದೆ.

ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳ ರಚನೆ ಮತ್ತು ಬೆಳವಣಿಗೆಗಳು, ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಹೋರಾಟದ ತಳಹದಿಯ ಮೇಲೆ ರೂಪಿತವಾಗಿದ್ದು, ಸಮಾಜದಲ್ಲಿ ಸಬಾಲ್ಯನ್‌ಗಳು ಎಂದು ಗುರುತಿಸಲ್ಪಡುವ ಇತಿಹಾಸದ ರಚನೆಯಲ್ಲಿ ಕಡೆಗಣಿಸಲ್ಪಟ್ಟ ಶ್ರಮಜೀವಿಗಳಿಂದ ಕೂಡಿದ್ದು, ಕಾರ್ಮಿಕರು ಮಾನವ ಹಕ್ಕುಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ತಮ್ಮ ಮೂಲಭೂತ ಮಾನವ ಹಕ್ಕುಗಳಿಗಾಗಿ ಕಾರ್ಯಸೂಚನೆಯಲ್ಲಿ ಉತ್ತಮ ಪರಿಸ್ಥಿತಿ ನಿರ್ಮಿಸಿಕೊಳ್ಳಲು, ಕೆಲಸದ ಒತ್ತಡವನ್ನು ನಿವಾರಿಸಿಕೊಳ್ಳಲು, ಶ್ರಮಕ್ಕೆ ತಕ್ಕ ಪ್ರತಿಫಲವನ್ನು ಪಡೆಯುವ, ತಮಗಾಗುವ ಅಪಮಾನ, ಶೋಷಣೆಗಳಿಂದ ತಮ್ಮನ್ನು ತಾವು ರಕ್ಷಿಸಿಕೊಳ್ಳಲು, ಸಾಮಾಜಿಕವಾಗಿ, ಆರ್ಥಿಕವಾಗಿ ಸಮಾನತೆಯನ್ನು, ಉತ್ತಮ ಬದುಕನ್ನು ಹೊಂದುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸಂಘಟಿತರಾಗುತ್ತಾ, ತಮ್ಮ ಬೇಡಿಕೆ, ಅವಶ್ಯಕತೆಗಳನ್ನು ಈಡೇರಿಸಿಕೊಳ್ಳಲು ಹಾಗೂ ತಾವು ಈಗಾಗಲೇ ಅನುಭವಿಸುತ್ತಿರುವ ಕಠಿಣವಾದ ಜೀವನ ಪರಿಸ್ಥಿತಿಯನ್ನು, ಬಂಡವಾಳಶಾಹಿ ಮಾಲೀಕರಿಗೆ ಹಾಗೂ ಅವರನ್ನು ಒಲೈಸುವ/ಬೆಂಬಲಿಸುವ ಸಮಾಜದ ಪಟ್ಟಿ ಭದ್ರ ಹಿತಾಸಕ್ತಿಯುಳ್ಳ ಶ್ರೀಮಂತರಿಗೆ, ನಾಯಕರಿಗೆ ಮತ್ತು ಅಂತಹವರಿಗೆ ಪೂರಕವಾಗಿ ನಡೆದುಕೊಳ್ಳುವ ಸರ್ಕಾರಗಳಿಗೆ/ವ್ಯವಸ್ಥೆಗೆ ಮನವರಿಕೆ ಮಾಡಿಕೊಟ್ಟು ತಮ್ಮ ಸ್ಥಿತಿಗತಿಗಳನ್ನು ಸುಧಾರಿಸಲು, ತಮಗಾಗುತ್ತಿರುವ ಅನ್ಯಾಯ, ಶೋಷಣೆಯನ್ನು ಎದುರಿಸಲು ಇಂತಹ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳನ್ನು ರಚಿಸಲು ಮುಂದಾದರು.

ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳು ಯಾವುದೇ ಸ್ತರಗಳಲ್ಲಿ ಇದ್ದರೂ ಅಂದರೆ ರಾಷ್ಟ್ರೀಯ/ಕೇಂದ್ರಮಟ್ಟ, ರಾಜ್ಯಮಟ್ಟ ಅಥವಾ ಸ್ಥಳೀಯವಾಗಿ ರಚಿಸಿಕೊಂಡವುಗಳಾಗಿದ್ದರೂ ಅವುಗಳ ಉದ್ದೇಶಗಳು ಸಾಮಾನ್ಯವಾಗಿ ಒಂದೇ ರೂಪದಲ್ಲಿರುವುದನ್ನು ಗಮನಿಸಬಹುದಾಗಿದೆ. ಅದರಂತೆ ಭಾರತದಲ್ಲಿಯೂ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳು ರಚನೆಯಾಗಲು ಯೂರೋಪಿನಲ್ಲಾದ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಳ ರಚನೆ, ಹೋರಾಟಗಳೇ ಸ್ಪೂರ್ತಿಯಾಗಿದ್ದು ಬ್ರಿಟಿಷರ ಆಳ್ವಿಕೆಯಲ್ಲಿಯೇ





ಭಾರತದಲ್ಲಿ ಪ್ರಥಮ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳು ಕಾರ್ಮಿಕರ ಸ್ಥಿತಿಗತಿಗಳ ಸುಧಾರಣೆಯ ಉದ್ದೇಶ ಹೊಂದಿದ್ದು, ಕಾರ್ಮಿಕರ ಕಾಯ್ದೆಗಳು ರಚನೆಯಾದವು. ಕಾರ್ಮಿಕರ/ಕೂಲಿಕಾರರ ಸಂಘಗಳು ಕಾರ್ಮಿಕರ ಸ್ಥಿತಿಗತಿಗಳ ಸುಧಾರಣೆಗಾಗಿ ಹುಟ್ಟಿಕೊಂಡು ಸಾಮಾಜಿಕ ಮತ್ತು ಆರ್ಥಿಕ ಅಂಶಗಳ ತಳಹದಿಯ ಮೇಲೆ ನಿಂತಿವೆ. ಕಾರ್ಮಿಕರ ಹಿತ ಸಾಧನೆಗಾಗಿ, ರಕ್ಷಣೆಗಾಗಿ ಕಾರ್ಮಿಕರೆಲ್ಲರೂ ಒಂದಾಗಿ ಪ್ರಯತ್ನಿಸುವುದೇ ಕಾರ್ಮಿಕರ ಸಂಘಗಳ ಉದ್ದೇಶವಾಗಿದೆ. ಮತ್ತು ಮಾಲೀಕರ ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಗಳಿಂದ ಕಾರ್ಮಿಕರನ್ನು ದೂರವಿಟ್ಟು ಅವರಿಗೆ ಸಮಾಜದಲ್ಲಿ ಉತ್ತಮವಾದ ಸ್ಥಾನಮಾನ ಕಲ್ಪಿಸುವುದು ಬಹುಮುಖ್ಯವಾಗಿದೆ.

“ಉದ್ಯೋಗದಾತರ ಅಥವಾ ಕೈಗಾರಿಕಾ ಸ್ವಾಪಕರ ನಿರಂಕುಶ ಪ್ರಭುತ್ವದ ವಿರುದ್ಧ ಸೆಣಸಿ ಕೈಗಾರಿಕಾ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಸ್ಥಾಪಿಸುವ ಮೂಲಕ ಕಾರ್ಮಿಕರ ಸರ್ವಾಂಗೀಣ ಅಭಿವೃದ್ಧಿಗೆ ಶ್ರಮಿಸಿ ಕಾರ್ಮಿಕರಿಗೆ ಸಮಾಜದಲ್ಲಿ ಸ್ಥಾನಮಾನಗಳನ್ನು ದೊರಕಿಸಿಕೊಡುವಲ್ಲಿ ಕಾರ್ಮಿಕರ ಸಂಘಗಳ ಪಾತ್ರ ಮಹತ್ವದ್ದಾಗಿದೆ”. ಯುರೋಪಿನಲ್ಲಾದ ಕೈಗಾರಿಕಾ ಕ್ರಾಂತಿಯ ಪರಿಣಾಮವಾಗಿ ಉತ್ಪಾದನಾ ವಿಧಾನಗಳಲ್ಲಾದ ಬದಲಾವಣೆಗಳು ಮತ್ತು ಕಾರ್ಮಿಕರ ಮೇಲೆ ನಡೆದ ದೌರ್ಜನ್ಯಗಳನ್ನು ವಿರೋಧಿಸಿ ನಡೆದಂತಹ ಪ್ರತಿರೋಧದ ಅಭಿವ್ಯಕ್ತಿಯೇ ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು.

ಕರ್ನಾಟಕದ ವಿವಿಧ ಪ್ರದೇಶಗಳಲ್ಲಿ ಹಲವಾರು ಉದ್ಯಮಗಳು 19ನೇ ಶತಮಾನದಲ್ಲಿ ಸ್ಥಾಪಿತಗೊಂಡವು. ಅದರಿಂದಾಗಿ ಬೆಂಗಳೂರಿನ ಹತ್ತಿ ಗಿರಣಿಗಳು (ಮಹಾರಾಜ ಮಿಲ್ಸ್, ಬಿನ್ನಿಮಿಲ್ಸ್, ಮಿನರ್ವ ಮಿಲ್) ಕೋಲಾರದ ಚಿನ್ನದ ಗಣಿ, ಮೈಸೂರಿನ ಷುಗರ್ ಮಿಲ್ಸ್, ಕಾಗದ ಕಾರ್ಖಾನೆ, ರೈಲ್ವೆ ವಕ್ರಾಶಾಪ್, ಕೃಷ್ಣರಾಜೇಂದ್ರ ಮಿಲ್, ಭದ್ರಾವತಿಯ ಕಬ್ಬಿಣ ಮತ್ತು ಉಕ್ಕಿನ ಕಾರ್ಖಾನೆ, ದಾವಣಗೆರೆಯ ಹತ್ತಿ ಗಿರಣಿಗಳು ಸ್ಥಾಪಿತವಾಗಿ ಸಾವಿರಾರು ಕಾರ್ಮಿಕರು ದುಡಿಯುತ್ತಿದ್ದರು. ಆರಂಭದಲ್ಲಿ ತಮ್ಮ ಮೇಲಿನ ದೌರ್ಜನ್ಯ, ಶೋಷಣೆಗಳನ್ನು ಸಹಿಸಿಕೊಂಡಿದ್ದು ಅದನ್ನು ಎದುರಿಸುವ ಸಾಮರ್ಥ್ಯವನ್ನು ಹೊಂದಿರಲಿಲ್ಲ.

ಕಾಲಕ್ರಮೇಣ ಕಾರ್ಮಿಕರಲ್ಲಿ ತಮ್ಮ ಮೇಲಿನ ಶೋಷಣೆಯ ಬಗ್ಗೆ, ಅಧಿಕ ಒತ್ತಡದ ಕೆಲಸವನ್ನು ವಿರೋಧಿಸುವ ಮನೋಭಾವನೆಗಳು ಬೆಳೆದು ನಂತರದ ದಿನಗಳಲ್ಲಿ ಕಾರ್ಮಿಕರೆಲ್ಲರೂ ಸಂಘಟಿತರಾಗಬೇಕೆಂಬ ಭಾವನೆಗಳು ಬೆಳೆದಂತೆ ಕಾರ್ಮಿಕರೆಲ್ಲರೂ ಒಂದುಗೂಡಿ ತಮಗಾಗುತ್ತಿದ್ದ ಅನ್ಯಾಯದ ವಿರುದ್ಧ ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸಲು ಮುಂದಾದರು. ಕಾರ್ಖಾನೆಗಳು, ಗಣಿಗಳಲ್ಲಿನ ಕಾರ್ಮಿಕರಲ್ಲಿ ಜಾಗೃತಿಯ ಮನೋಭಾವನೆಗಳು ಸಣ್ಣ ಪ್ರಮಾಣದಲ್ಲಿ ಬೆಳೆದು ಅದು ಪ್ರತಿರೋಧ/ಪ್ರತಿಭಟನೆಯ ಸ್ವರೂಪವನ್ನು ಪಡೆದುಕೊಂಡು ಬಂಡವಾಳ ಶಾಹಿಗಳು/ಮಾಲೀಕರ ವಿರುದ್ಧ ಮುಖಾ ಮುಖಿ ಘರ್ಷಣೆಗೆ ಇಳಿಯಲು ಧೈರ್ಯ ಮತ್ತು ಸ್ಪೂರ್ತಿಯನ್ನು ತುಂಬಿತು.

ಈ ಮಧ್ಯೆ ರಾಷ್ಟ್ರೀಯ ಕಾಂಗ್ರೆಸ್‌ನ ನಾಯಕರು ಸ್ವಾತಂತ್ರ್ಯದ ಚಳವಳಿಯಲ್ಲಿ ಹೋರಾಡುತ್ತಿದ್ದು ತಮ್ಮ ಹೋರಾಟವನ್ನು ಬಲಿಷ್ಠಗೊಳಿಸಲು ಕಾರ್ಮಿಕರು, ಜನಸಾಮಾನ್ಯರನ್ನು ತಮ್ಮೊಡನೆ ಸೇರಿಸಿಕೊಳ್ಳಲು ಬಯಸಿದರು. ಅದಕ್ಕಾಗಿ ಬಂಡವಾಳ ಶಾಹಿಗಳಿಂದ ಶೋಷಿತರಾಗಿದ್ದ ಕಾರ್ಮಿಕರನ್ನು ತಮಗಾಗುತ್ತಿದ್ದ ದಬ್ಬಾಳಿಕೆಯನ್ನು, ಅನ್ಯಾಯವನ್ನು ಎದುರಿಸುವಂತೆ ಧೈರ್ಯ ತುಂಬಿ, ಅವರ ಹೋರಾಟಕ್ಕೆ ತಾವುಗಳೇ ನಾಯಕತ್ವವನ್ನು ವಹಿಸಿಕೊಂಡು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿ ಬೃಹತ್ ಪ್ರಮಾಣದಲ್ಲಿ ಚಳವಳಿಗಳನ್ನು ನಡೆಸಲು ಮುಂದಾದರು.

ಏಕೀಕರಣೋತ್ತರ ಕರ್ನಾಟಕದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆ ಮತ್ತು ಪ್ರತಿಭಟನೆಗಳು:



ಕರ್ನಾಟಕದಲ್ಲಿ ವಿವಿಧ ಕ್ಷೇತ್ರಗಳಲ್ಲಿನ ಕಾರ್ಮಿಕರ ಮೇಲೆ ಮಾಲೀಕರು ನಡೆಸುತ್ತಿದ್ದ ದಬ್ಬಾಳಿಕೆ ಶೋಷಣೆಗಳು ನಿರಂತರವಾಗಿ ನಡೆಯುತ್ತಿದ್ದವು. ಏಕೀಕರಣದ ಪೂರ್ವದಲ್ಲಿ ಅನೇಕ ಕಾರ್ಮಿಕರ ಸಂಘಗಳು ರಚನೆಯಾಗಿ ತಮ್ಮ ಮೇಲಿನ ದೌರ್ಜನ್ಯವನ್ನು ತಪ್ಪಿಸಿಕೊಳ್ಳಲು ಪ್ರಯತ್ನಿಸಿದರು ಮತ್ತು ಅದರಲ್ಲಿ ಭಾಗಶಃ ಗೆಲುವಾಯಿತು. ಕಾರ್ಮಿಕರು ಅನುಭವಿಸುತ್ತಿದ್ದ ಸಮಸ್ಯೆಗಳು ಮತ್ತು ಅದರ ವಿರುದ್ಧ ಸಿಡಿದೆದ್ದು ಹೋರಾಟವನ್ನು ನಡೆಸುವುದು ಸಮಾಜದಲ್ಲಿ ಗಮನಾರ್ಹ ಬದಲಾವಣೆಗಳನ್ನು ತರಲು ಶ್ರೇಷ್ಠ ನಾಯಕರು, ಸಮಾಜವಾದಿ ಚಿಂತಕರುಗಳು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿ ಹೋರಾಟವನ್ನು ನಡೆಸಲು ಎಣತಿಯು ಸಂಘಟನೆಯನ್ನು ಬೆಳೆಸಿದರು.

ಏಕೀಕರಣದ ನಂತರ ಕರ್ನಾಟಕದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಮೇಲಿನ ಶೋಷಣೆ ಮತ್ತು ಸಮಸ್ಯೆಗಳ ವಿರುದ್ಧ ಹೋರಾಟ ನಡೆಸಲು ಎಣತಿಯು ಪ್ರಾಂತೀಯ ಮಟ್ಟದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಾಗಿ 1956 ಅಕ್ಟೋಬರ್ 27 ಮತ್ತು 28 ರಂದು ಕೋಲಾರದಲ್ಲಿ “ಮೈಸೂರು ಸಂಸ್ಥಾನ ಟ್ರೇಡ್ ಯೂನಿಯನ್ ಕೌನ್ಸಿಲ್” ಎಂಬ ಸಮ್ಮೇಳನ ನಡೆಸಿ ಕರ್ನಾಟಕ ಪ್ರಾಂತ ಟ್ರೇಡ್ ಯೂನಿಯನ್ ಕಾಂಗ್ರೆಸ್ (ಕೆ.ಪಿ.ಟಿ.ಯು.ಸಿ) ಎಂಬ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟವನ್ನು ರಚಿಸಿತು. ಇದರ ನೇತೃತ್ವದಲ್ಲಿ ಕರ್ನಾಟಕದಾದ್ಯಂತ ಕಾರ್ಮಿಕರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉದ್ಯವಿಸುವ ಎಲ್ಲಾ ಸಮಸ್ಯೆಗಳನ್ನು ಬಗೆಹರಿಸಲು ಮತ್ತು ಎಲ್ಲಾ ಕಾರ್ಮಿಕರಿಗೂ ಮಧ್ಯಮ ವರ್ಗದ ನೌಕರಿಗೂ ಏಕರೀತಿಯ ಶಾಸನ, ವೇತನಗಳನ್ನು ಜಾರಿಗೆ ತರಲು ಕರೆ ನೀಡಿತು.

ಬೆಂಗಳೂರು, ಭದ್ರಾವತಿ, ಹರಿಹರ, ದಾವಣಗೆರೆ, ಕೋಲಾರ, ಬಳ್ಳಾರಿ ಮುಂತಾದ ಕಡೆ ಕಾರ್ಮಿಕರ ಮೇಲಿನ ದೌರ್ಜನ್ಯ, ಹೆಚ್ಚು ಕೆಲಸ ಕಡಿಮೆ ಕೂಲಿ, ಅಭದ್ರತೆ, ಸೌಕರ್ಯಗಳ ಕೊರತೆ ಇತ್ಯಾದಿ ಸಮಸ್ಯೆಗಳನ್ನು ಖಂಡಿಸಿ ಹಲವಾರು ಚಳವಳಿಗಳನ್ನು ಕಾರ್ಮಿಕರು ಏಕೀಕರಣೋತ್ತರ ಕಾಲದಲ್ಲಿ ಕೈಗೊಂಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಏಕೀಕರಣೋತ್ತರದಲ್ಲಿ ಕಾಂ.ಸೂರ್ಯನಾರಾಯಣ (ಕಾಂ.ಸೂರಿ) ಎಂಬುವರು ಕರ್ನಾಟಕದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಶೋಷಣೆ ಮತ್ತು ಸಮಸ್ಯೆಗಳ ವಿರುದ್ಧ ನಾಯಕತ್ವವನ್ನು ವಹಿಸಿಕೊಂಡು ಹೋರಾಟಗಳನ್ನು ನಡೆಸಿದ್ದು, ಕಾರ್ಮಿಕರ ಮನಸ್ಸಿನಲ್ಲಿ ತಮ್ಮದೇ ಆದ ಭದ್ರವಾದ ಸ್ಥಾನವನ್ನು ಪಡೆದಿದ್ದಾರೆ. ಸರ್ಕಾರ ನೀತಿ, ಆಧುನೀಕರಣದಿಂದಾಗಿ ಶೋಷಿತರಾದ ಕಾರ್ಮಿಕರು ಇವರ ನೇತೃತ್ವದಲ್ಲಿ ಸಂಘಟಿತರಾಗಿ ಬೆಂಗಳೂರು ಮತ್ತು ಸುತ್ತಮುತ್ತ ಅನೇಕ ಹೋರಾಟಗಳನ್ನು ನಡೆಸಿದರು.

ವಿವಿಧ ತತ್ವ ಸಿದ್ಧಾಂತಗಳ ಅಡಿಯಲ್ಲಿ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸುವ, ಅವರ ಅಗತ್ಯತೆ, ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸುವಿಕೆ, ಅವರ ಮೇಲೆ ನಡೆಯುವ ದಬ್ಬಾಳಿಕೆ ಶೋಷಣೆಗಳನ್ನು ತಡೆಗಟ್ಟಿ ಉತ್ತಮ ಜೀವನ ಪರಿಸ್ಥಿತಿಯನ್ನು ಕಲ್ಪಿಸಿಕೊಡುವ ನಿಟ್ಟಿನಲ್ಲಿ ಹಲವಾರು ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳು ಸ್ವತಂತ್ರವಾಗಿ ಹಾಗೂ ರಾಜಕೀಯ ಪಕ್ಷಗಳ ಅಂಗಗಳಾಗಿ ಭಾರತದಾದ್ಯಂತ ಜನ್ಮ ತಾಳಿದವು.

. ಅಂತಹ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳೆಂದರೆ ಎಣತಿಯುಸಿ (1920), ಐಎನ್‌ಟಿಯುಸಿ (1947), ಹೆಚ್.ಎಂ.ಎಸ್(1948), ಬಿ.ಎಂ.ಎಸ್ (1954), ಯುಟಿಯುಸಿ (1949), ಸಿಐಟಿಯು (1970) ಮುಂತಾದವುಗಳು ಇವುಗಳ ಮೂಲಕ ಕಮ್ಯುನಿಷ್ಚರು, ಸೋಷಿಯಲಿಸ್ಚರು, ಸ್ವಾತಂತ್ರ್ಯ ಪೂರ್ವ ಮತ್ತು ನಂತರದಲ್ಲಿ ಸಕ್ರಿಯವಾಗಿದ್ದು, ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಮುಂದಾದರು. ಅವರ ಮೇಲೆ ನಡೆಯುತ್ತಿದ್ದ ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಯ ವಿರುದ್ಧ ಬಂಡವಾಳ ಶಾಹಿಗಳು/ ಮಾಲೀಕರುಗಳ ವಿರುದ್ಧ ಪ್ರತಿಭಟನೆ, ಹೋರಾಟಗಳನ್ನು ಕೈಗೊಂಡು ಶ್ರಮಿಕರ ಅಗತ್ಯತೆ, ಬೇಡಿಕೆಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸಿ, ಉತ್ತಮ ಜೀವನ ಸ್ಥಿತಿಯನ್ನು, ಪರಿಸರವನ್ನು ನಿರ್ಮಿಸಿಕೊಡುವಲ್ಲಿ ನಿರಂತರವಾಗಿ ಪ್ರಯತ್ನಿಸುತ್ತಲೇ ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ, ರಾಜಕೀಯವಾಗಿ ಸುಧಾರಣೆಗಳನ್ನು ತರಲು ಬಯಸುತ್ತಾ ಆ ನಿಟ್ಟಿನಲ್ಲಿ



ಕಾರ್ಮಿಕರಲ್ಲಿ ಜಾಗೃತಿಯನ್ನು ಮೂಡಿಸುತ್ತಾ, ಸಂಘಟನೆಯನ್ನು ಬಲಗೊಳಿಸುತ್ತಿರುವುದನ್ನು ಗುರುತಿಸಬಹುದಾಗಿದೆ.

ಅವಿಭಜಿತ ಚಿತ್ರದುರ್ಗ (ದಾವಣಗೆರೆ ಒಳಗೊಂಡು) ಜಿಲ್ಲೆಯಲ್ಲಿ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಳು ಮತ್ತು ನಾಯಕತ್ವ

ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸುವ, ಅವರ ಅಗತ್ಯತೆಗಳನ್ನು ತೀರಿಸಲು ಪ್ರಯತ್ನಿಸುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಜನ್ಮ ತಾಳಿದ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟಗಳು ಭಾರತದಾದ್ಯಂತ ಸ್ಥಾಪಿತಗೊಂಡು ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿಯೂ ಪಾದಾರ್ಪಣೆ ಮಾಡಿದವು. ಅದರಂತೆಯೇ ಮಧ್ಯಕರ್ನಾಟಕದಲ್ಲಿಯೂ ತಮ್ಮ ಅಸ್ತಿತ್ವವನ್ನು ಸ್ಥಾಪಿಸಿ ಸಮಾಜದಲ್ಲಿನ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸುವ ಮತ್ತು ಆ ಮೂಲಕ ಶೋಷಿತರ ರಕ್ಷಣೆಗಾಗಿ ಬಂಡವಾಳ ಶಾಹಿಗಳ ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಯ ವಿರುದ್ಧ ಪ್ರತಿಭಟನೆಗಳು, ಮುಷ್ಕರಗಳನ್ನು ಕೈಗೊಂಡು ಕಾರ್ಮಿಕರ ಸ್ಥಿತಿಗತಿಗಳ ಸುಧಾರಣೆಗೆ ಆಧ್ಯತೆಯನ್ನು ನೀಡುತ್ತಿವೆ.

ಅವಿಭಜಿತ ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯ ದಾವಣಗೆರೆಯಲ್ಲಿ ಸ್ವಾತಂತ್ರ್ಯ ಪೂರ್ವದಲ್ಲಿಯೇ ಹಲವು ಹತ್ತಿ ಗಿರಣಿ, ಎಣ್ಣೆ ಗಿರಣಿಗಳು ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದಿದ್ದು, 1936 ರಲ್ಲಿ ದೊಡ್ಡ ಪ್ರಮಾಣದ ಅತ್ಯಾಧುನಿಕ ಯಂತ್ರಗಳ (ಆಗಿನ ಕಾಲಕ್ಕೆ) ಹತ್ತಿಗಿರಣಿಯು ದಾವಣಗೆರೆಯಲ್ಲಿ ಸ್ಥಾಪನೆಯಾಯಿತು. ಆರಂಭದಲ್ಲಿ ಅದು ನೂರಾರು ಕಾರ್ಮಿಕರಿಗೆ ಉದ್ಯೋಗ ಅವಕಾಶ ನೀಡಿತು. ಇದರೊಂದಿಗೆ ಅನೇಕ ಹತ್ತಿಗಿರಣಿಗಳು ತಮ್ಮ ಅಸ್ತಿತ್ವ ಕಂಡುಕೊಂಡವು. ಇವುಗಳು ಕಾರ್ಮಿಕರಿಗೆ ಅಗತ್ಯ ಸೌಲಭ್ಯಗಳನ್ನು ನೀಡುವಲ್ಲಿ ಅವರು ಮುಂದಾಗಲಿಲ್ಲ, ಕಾರ್ಮಿಕರ ಮೇಲಿನ ಶೋಷಣೆ ತೀವ್ರವಾಗಿದ್ದು, ಕಾರ್ಮಿಕರ ವರದಿ 'ಶ್ರಮಕ್ಕೆ ತಕ್ಕ ಫಲ' 'ಶೋಷಣೆಯ ವಿರುದ್ಧದ ಹೋರಾಟ' ತತ್ವಗಳು ಕಾರ್ಮಿಕರನ್ನು ಸೆಳೆದವು. ದಾವಣಗೆರೆಯಲ್ಲಿ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷದ ನೇತೃತ್ವದಲ್ಲಿ ಕಾರ್ಮಿಕರು ಸಂಘಟಿತರಾದರು.

ಸಿಪಿಐ ನಾಯಕರಾದ ಶ್ರೀ ಬಿ.ವಿ.ಕಕ್ಕಿಲಾಯ, ಶ್ರೀ ಎನ್.ಡಿ.ಶಂಕರ್, ಶ್ರೀ ಪಂಪಾಪತಿ, ಶ್ರೀ ಹೆಚ್.ಕೆ.ರಾಮಚಂದ್ರಪ್ಪ, ಶ್ರೀ ಸುರೇಶ್, ಶ್ರೀ ಶೇಖರಪ್ಪ ಮುಂತಾದ ನಾಯಕರು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಮುಂದಾದರು ಹಾಗೂ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷದ ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ಎಐಟಿಯುಸಿ ಸಂಘಟನೆಯು ಬಲವಾಗಿ ಕಾರ್ಮಿಕರಲ್ಲಿ ಶೋಷಣೆಯ ವಿರುದ್ಧ ಹೋರಾಡಲು ಸಂಘಟಿತರಾದರು. ಇದು ಕ್ರಮೇಣ ಚಿತ್ರದುರ್ಗದಲ್ಲಿಯೂ ಪ್ರಬಲವಾಯಿತು. 1970 ರಲ್ಲಿ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷವು ವಿಭಜನೆಯಾದಾಗ ಸಿಪಿಐ ನೇತೃತ್ವದಲ್ಲಿ ಎಐಟಿಯುಸಿ, ಸಿಪಿಐ(ಎಂ) ನೇತೃತ್ವದಲ್ಲಿ ಸಿಐಟಿಯು ಗಳು ರಚನೆಯಾಗಿ ಕಾರ್ಮಿಕರಲ್ಲಿನ ಒಗ್ಗಟ್ಟು ನಾಶವಾಗಿ ಬೇರೆ ಬೇರೆ ಗುಂಪುಗಳಲ್ಲಿ ಚದುರಿದರು.

ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕಾರ್ಮಿಕರಲ್ಲಿ ಸಂಘಟನೆ ಮೂಡಿಸುವಂತಹ ಹಲವು ಒಕ್ಕೂಟಗಳು (ಬಿ.ಎಂ.ಎಸ್ ಮತ್ತು ಹೆಚ್.ಎಂ.ಎಸ್) ಸ್ಥಾಪಿತವಾಗಿದ್ದು ಕಾರ್ಮಿಕರಲ್ಲಿಯೇ ಭಿನ್ನಾಭಿಪ್ರಾಯ ದ್ವೇಷ ಅಸೂಯೆಗಳು ಹುಟ್ಟಿದವು. ಗಲಭೆಗಳು ಸಾವು ನೋವುಗಳು ಸಂಭವಿಸಿ ದಾವಣಗೆರೆಯಲ್ಲಿ ಹಲವು ನಾಯಕರು ಸಾವಿಗೀಡಾದರು. (ಶೇಖರಪ್ಪ, ಸುರೇಶ್, ರೇವಣಸಿದ್ದಪ್ಪ ಮುಂತಾದವರ ಕೊಲೆಗಳು) ಇದು ಕಾರ್ಮಿಕರಲ್ಲಿ ಸಿಪಿಐ ಬಗ್ಗೆ ಜಾಗೃತಿ ಭಾವನೆ ಮೂಡಿಸಿ ಸಂಘಟಿತರಾಗಲು ಅವಕಾಶ ನೀಡಿತು.

ಇದರಿಂದಾಗಿ ಸಿ.ಪಿ.ಐ. ಮುಖಂಡರಾದ ಶ್ರೀ ಪಂಪಾಪತಿಯವರು ಪ್ರಬಲ ನಾಯಕರಾಗಿ ಏಳಿಗೆ ಹೊಂದಿದರು. ಸಿ.ಪಿ.ಐ ನೆರಳಿನಲ್ಲಿ ಎಐಟಿಯುಸಿಯು ಬಲಿಷ್ಠವಾಯಿತು. ಹೀಗೆ ದಾವಣಗೆರೆಯಲ್ಲಿ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷವು ಪ್ರಬಲವಾಗಿ ಅದರ ಮೂಲಕ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಯು ತೀವ್ರವಾಯಿತು. ಅದರಂತೆಯೇ ಚಿತ್ರದುರ್ಗದಲ್ಲಿಯೂ 1970-80ರ ದಶಕದಲ್ಲಿ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷ (ಸಿಪಿಐ) ಮತ್ತು ಅದರ ಅಂಗವಾದ ಎಐಟಿಯುಸಿಯು ಪ್ರಬಲವಾಗುತ್ತಾ ವಿವಿಧ ಕ್ಷೇತ್ರಗಳ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸುವಲ್ಲಿ



ನಿರತವಾಯಿತು. ಈ ಕಾರ್ಯದಲ್ಲಿ ದಾವಣಗೆರೆಯ ಶ್ರೀ ಪಂಪಾಪತಿ, ಶ್ರೀ ಹೆಚ್.ಕೆ.ರಾಮಚಂದ್ರಪ್ಪ, ಬೆಂಗಳೂರಿನ ಶ್ರೀ ಎಂ.ಎಸ್.ಕೃಷ್ಣನ್, ಶ್ರೀ ಆನಂದತೀರ್ಥ.ವಿ.ಆರ್, ಚಿಕ್ಕಮಗಳೂರಿನ ಶ್ರೀ ಸುಂದರೇಶ್ ಮುಂತಾದವರ ಸಲಹೆ, ಮಾರ್ಗದರ್ಶನದಲ್ಲಿ ಕಮ್ಯುನಿಸ್ಟ್ ನಾಯಕರಾದ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪ, ಶ್ರೀ ವೈ.ಹನುಮಂತಪ್ಪ ಎಂಬ ಕಾರ್ಮಿಕ ನಾಯಕರು ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯಲ್ಲಿ (ದಾವಣಗೆರೆ ತಾಲ್ಲೂಕು ಹೊರತುಪಡಿಸಿ) ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಪ್ರಯತ್ನಿಸಿ ಅದರಲ್ಲಿ ಯಶಸ್ವಿಯಾದರು.

ಏಕೀಕರಣೋತ್ತರ ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯಲ್ಲಿ 1970ರ ನಂತರ ಕಮ್ಯುನಿಸ್ಟ್ ಪಕ್ಷ ಮತ್ತು ಅದರ ಅಂಗವಾದ ಎಐಟಿಯುಸಿ ಕಾರ್ಮಿಕರ ಒಕ್ಕೂಟವು ಸ್ಥಾಪಿತವಾಯಿತು. ದಾವಣಗೆರೆಯ ಕಮ್ಯುನಿಸ್ಟ್ ನಾಯಕರಾದ ಶ್ರೀ ಪಂಪಾಪತಿಯವರ ಪ್ರೇರಣೆಯಿಂದಾಗಿ ಅವರ ಬೆಂಬಲಿಗರಾದ ಶ್ರೀ ಜಯಲಕ್ಷ್ಮಿ ಟೆಕ್ಸ್ಟೈಲ್ಸ್ ಮತ್ತು ಸ್ಪಿನ್ನಿಂಗ್ ಮಿಲ್‌ನ ಕಾರ್ಮಿಕರಾಗಿದ್ದ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪ, ಆರ್.ಹೆಚ್. ಕಾಟನ್ ಜಿನ್ನಿಂಗ್ ಮಿಲ್‌ನ ಕಾರ್ಮಿಕರಾದ ಶ್ರೀ ವೈ.ಹನುಮಂತಪ್ಪ, ಶ್ರೀ ಪಾಪಿ ತಿಪ್ಪೇಸ್ವಾಮಿ, ಶ್ರೀ ನಂಜುಂಡಪ್ಪ ಮುಂತಾದವರು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಮುಂದಾದರು. ಏಕೀಕರಣೋತ್ತರ ಕಾಲದಲ್ಲಿ ಚಿತ್ರದುರ್ಗದಲ್ಲಿ ಹತ್ತಿಗಿರಣಿಗಳು, ಎಣ್ಣೆ ಗಿರಣಿಗಳು, ಅಕ್ಕಿ ಗಿರಣಿಗಳು, ಚಳ್ಳಕೆರೆಯಲ್ಲಿ ಎಣ್ಣೆ ಗಿರಣಿಗಳು, ಅಕ್ಕಿ ಗಿರಣಿಗಳು, ಹಿರಿಯೂರಿನಲ್ಲಿ ಹತ್ತಿ ಗಿರಣಿಗಳು, ಎಣ್ಣೆ ಗಿರಣಿಗಳು, ಹೊಸದುರ್ಗದಲ್ಲಿ ಸಿಮೆಂಟ್ ಕಾರ್ಖಾನೆಗಳು ಇತ್ಯಾದಿ ಸ್ಥಾಪಿತವಾಗಿದ್ದು, ಸಾವಿರಾರು ಕಾರ್ಮಿಕರು ಜಿಲ್ಲೆಯಾದ್ಯಂತ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು. (ಪ್ರಸ್ತುತ ಬಹುತೇಕ ಗಿರಣಿ, ಕಾರ್ಖಾನೆಗಳು ಸ್ಥಗಿತವಾಗಿವೆ).

ಇವರ ಶ್ರಮದ ಫಲವಾಗಿ ಮಾಲೀಕರು ಶ್ರೀಮಂತರಾಗಿದ್ದು, ದಬ್ಬಾಳಿಕೆಯ ಪ್ರವೃತ್ತಿಯನ್ನು ನಡೆಸುತ್ತಿದ್ದರು. ಕಾರ್ಮಿಕರುಗಳು ತಮ್ಮ ಮೇಲೆ ನಡೆಸುತ್ತಿದ್ದ ಶೋಷಣೆಗಳನ್ನು ಪ್ರಶ್ನಿಸದೇ, ವಿರೋಧಿಸದೆ ನಿರಂತರವಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು. ಕಾರ್ಮಿಕರಲ್ಲಿ ಯಾವುದೇ ಸಂಘಟನೆಗಳಿಲ್ಲದೇ ಸೂಕ್ತ ನಾಯಕತ್ವ ಇಲ್ಲದೇ ಶೋಷಣೆಗೆ ಗುರಿಯಾಗುತ್ತಿದ್ದರು.

ಇಂತಹ ಸಂದರ್ಭಗಳಲ್ಲಿ ದಾವಣಗೆರೆಯ ಕಾರ್ಮಿಕ ನಾಯಕರು ಸಿಪಿಐ ಮುಖಂಡರಾದ ಶ್ರೀ ಪಂಪಾಪತಿಯವರ ಮಾರ್ಗದರ್ಶನ ಪ್ರೇರಣೆಯಿಂದಾಗಿ ಕಾರ್ಮಿಕ ನಾಯಕರಾದ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪ ಎನ್ನುವವರು ತಾವು ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದ “ಶ್ರೀ ಜಯಲಕ್ಷ್ಮಿ ಟೆಕ್ಸ್ಟೈಲ್ಸ್ ಮತ್ತು ಸ್ಪಿನ್ನಿಂಗ್ ಮಿಲ್”ನಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದ ಸುಮಾರು 600 ಜನ ಕಾರ್ಮಿಕರನ್ನು ಮೊದಲ ಬಾರಿಗೆ ಸಂಘಟಿಸಿಕೊಂಡು ಚಿತ್ರದುರ್ಗದಲ್ಲಿ 1975ರಲ್ಲಿ ‘ಶ್ರೀ ಜಯಲಕ್ಷ್ಮಿ ಟೆಕ್ಸ್ಟೈಲ್ಸ್ ಮತ್ತು ಸ್ಪಿನ್ನಿಂಗ್ ಮಿಲ್ ಕಾರ್ಮಿಕರ ಸಂಘ’ವನ್ನು ಸ್ಥಾಪಿಸಿದರು.

ಅದರ ಮುಖಾಂತರ ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಿಕೊಳ್ಳಲು ಪ್ರತಿಭಟನೆಗಳನ್ನು ಕೈಗೊಂಡರು. ಅದರಿಂದ ಪ್ರೇರಣೆಗೊಂಡ ಆರ್.ಹೆಚ್.ಕಾಟನ್ ಕಾಟನ್ ಜಿನ್ನಿಂಗ್ ಮಿಲ್, ಜಿ.ಹೆಚ್.ಆರ್.ಕಾಟನ್ ಸ್ಪಿನ್ನಿಂಗ್ ಮಿಲ್, ವಿಜಯಲಕ್ಷ್ಮಿ ಕಾಟನ್ ಮಿಲ್, ಶ್ರೀನಿವಾಸ ಮಿಲ್‌ಗಳು, ಚಳ್ಳಕೆರೆಯಲ್ಲಿನ ಎಣ್ಣೆ ಗಿರಣಿಗಳಲ್ಲಿ, ಹಿರಿಯೂರಿನ ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆ, ಹೊಸದುರ್ಗದ ಸಿಮೆಂಟ್ ಕಾರ್ಖಾನೆಗಳಲ್ಲಿ ಕಾರ್ಮಿಕರು ಸಂಘಟಿತರಾಗತೊಡಗಿದರು.

ಈ ಎಲ್ಲಾ ಕಾರ್ಖಾನೆ ಉದ್ಯಮಗಳಲ್ಲಿನ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆ, ಪ್ರತಿಭಟನೆಗಳಿಗೆ ಕಮ್ಯುನಿಸ್ಟ್ ನಾಯಕರು ಮತ್ತು ಎಐಟಿಯುಸಿಯ ಮುಖಂಡರಾದ ಕಾಂ.ಜಿ.ಚಂದ್ರಪ್ಪ ಮತ್ತು ಕಾಂ.ವೈ.ಹನುಮಂತಪ್ಪನವರ ನೇತೃತ್ವವನ್ನು ಗುರುತಿಸಬಹುದು. ಅದರಲ್ಲಿ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪನವರ ಪಾತ್ರವನ್ನು ಬಹುತೇಕ ಎಲ್ಲಾ ಕಾರ್ಮಿಕರ ಚಳವಳಿ, ಹೋರಾಟಗಳಲ್ಲಿ ಗುರುತಿಸಬಹುದಾಗಿದೆ.





ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯ ವಿವಿಧ ಭಾಗಗಳಲ್ಲಿ ಕಾರ್ಮಿಕರು ಸಂಘಟಿತರಾಗಿ ಕಡಿಮೆ ಕೂಲಿಗೆ ಹೆಚ್ಚು ದುಡಿಸಿಕೊಳ್ಳುವುದು, ಬೋನಸ್‌ಗಾಗಿ, ಕೆಲಸ ಮಾಡುವ ಸ್ಥಳದಲ್ಲಿ ಆಗುವ ಅಪಮಾನಗಳ ವಿರುದ್ಧ, ಉತ್ತಮ ವಾತಾವರಣಕ್ಕಾಗಿ, ನಿಗದಿತ ಸಮಯಕ್ಕೆ ಸರಿಯಾಗಿ ವೇತನವನ್ನು ನೀಡುವಂತೆ, ರಾತ್ರಿಪಾಳಿ ಕೆಲಸಗಾರರಿಗೆ ಸೂಕ್ತ ಭದ್ರತೆ ಮತ್ತು ಅಗತ್ಯ ಸೌಕರ್ಯಗಳನ್ನು ಕಲ್ಪಿಸುವಂತೆ ಬೇಡಿಕೆ ಇಟ್ಟು, ತಮಗಾಗುತ್ತಿದ್ದ ಅನ್ಯಾಯ ಶೋಷಣೆಯನ್ನು ವಿರೋಧಿಸಿ ಉತ್ತಮ ಜೀವನದ ಸ್ಥಿತಿಗತಿಗಳನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಹೋರಾಟಗಳನ್ನು / ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸಲು ಮುಂದಾದರು. ಈ ಮೊದಲು ಕಾರ್ಮಿಕರಲ್ಲಿ ಸಂಘಟನೆಗಳು, ಸೂಕ್ತ ನಾಯಕತ್ವ ಇಲ್ಲದ್ದರಿಂದಾಗಿ ತಮ್ಮ ಸಮಸ್ಯೆಗಳನ್ನು ವಿರೋಧಿಸದೇ ಅವುಗಳನ್ನು ಅನುಭವಿಸುತ್ತಿದ್ದರು. ಇಂತಹ ಸನ್ನಿವೇಶದಲ್ಲಿ 1970-80 ರ ದಶಕದಲ್ಲಿ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪ, ಶ್ರೀ ವೈ.ಹನುಮಂತಪ್ಪ, ಶ್ರೀ ಸಿ.ವೈ.ಶಿವರುದ್ರಪ್ಪ ಮುಂತಾದ ಸ್ಥಳೀಯ ಸಿಪಿಐ/ಎಐಟಿಯುಸಿ ಮುಖಂಡರು ಮತ್ತು ಅವರಿಗೆ ಮಾರ್ಗದರ್ಶಕರಾಗಿದ್ದ ಶ್ರೀ ಪಂಪಾಪತಿ, ಶ್ರೀ ಹೆಚ್.ಕೆ. ರಾಮಚಂದ್ರಪ್ಪ, ಶ್ರೀ ಆನಂದ ತೀರ್ಥ.ವಿ.ಆರ್ ಇವರುಗಳ ನಾಯಕತ್ವದಲ್ಲಿ ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯಲ್ಲಿ ಸಿಪಿಐ ಮತ್ತು ಎಐಟಿಯುಸಿಗಳು ಪ್ರಬಲಗೊಂಡು ವಿವಿಧ ವಲಯದ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿ ತಮ್ಮ ಮೇಲೆ ನಡೆಯುತ್ತಿದ್ದಂತಹ ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಗಳನ್ನು ಖಂಡಿಸಿ ಅದರ ವಿರುದ್ಧ ಧ್ವನಿಯನ್ನು ಎತ್ತಲು ಧೈರ್ಯ, ಆತ್ಮವಿಶ್ವಾಸವನ್ನು ತುಂಬಿದರು.

\*ಚಿತ್ರದುರ್ಗದ ಶ್ರೀ ಜಯಲಕ್ಷ್ಮಿ ಟೆಕ್ಸ್ಟೈಲ್ಸ್ ಮತ್ತು ಸ್ಪಿನ್ನಿಂಗ್ ಮಿಲ್‌ನಲ್ಲಿ ಕಾರ್ಮಿಕರು ಸಂಘಟಿತರಾಗಿ ಶ್ರೀ ಚಂದ್ರಪ್ಪನವರ ನೇತೃತ್ವದಲ್ಲಿ 1975ರಲ್ಲಿ ವೇತನ ಹೆಚ್ಚಳಕ್ಕಾಗಿ ಕೆಲಸದ ಒತ್ತಡವನ್ನು ಕಡಿಮೆ ಮಾಡುವಂತೆ ಬೇಡಿಕೆ ಇಟ್ಟು ಹೋರಾಟಗಳನ್ನು ಕೈಗೊಂಡಾಗ ಆರಂಭದಲ್ಲಿ ಅದನ್ನು ತಿರಸ್ಕರಿಸಿದ ಮಾಲೀಕರು (ವೀರಭದ್ರಯ್ಯ ಮತ್ತು ಜಿ.ಹನುಮಂತರೆಡ್ಡಿ), ಪ್ರತಿಭಟನೆಗಳು ಹೆಚ್ಚಾಗಿ ಕಾರ್ಮಿಕರು ಕೆಲಸವನ್ನು ಸ್ಥಗಿತಗೊಳಿಸಿದಾಗ ಕಾರ್ಮಿಕರ ಮುಖಂಡರಾದ ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪನವರು ಮತ್ತು ಇತರ ನಾಯಕರ ಜೊತೆಗೆ ಚರ್ಚಿಸಿ ಅವರ ಬೇಡಿಕೆಗಳನ್ನು ಅಲ್ಪ ಪ್ರಮಾಣದಲ್ಲಿ ಈಡೇರಿಸಿದರು. ಅದಕ್ಕೆ ಕಾರ್ಮಿಕರು ಸಮ್ಮತಿಯನ್ನು ಸೂಚಿಸಿದರು ಎಂದು ತಿಳಿಯುತ್ತದೆ.

ಮುಂದೆ ಕಾರ್ಖಾನೆಯ ಮಾಲೀಕರು ಮತ್ತು ಕಾರ್ಮಿಕ ಮುಖಂಡರುಗಳು ಸೇರಿ ಕಾರ್ಮಿಕರ ಹಿತದೃಷ್ಟಿಯಿಂದ “ಶ್ರೀ ಜಯಲಕ್ಷ್ಮಿ ಟೆಕ್ಸ್ಟೈಲ್ಸ್ ನೌಕರರ ಪ್ರಾಥಮಿಕ ಬಳಕೆದಾರರ ಸಹಕಾರ ಸಂಘ”ವನ್ನು 1982ರಲ್ಲಿ ಸ್ಥಾಪಿಸಿದರು. ಆ ಮೂಲಕ ಕಾರ್ಮಿಕರಿಗೆ ಕಡಿಮೆ ವೆಚ್ಚದಲ್ಲಿ ದಿನಬಳಕೆಯ ವಸ್ತುಗಳನ್ನು ನೀಡುವ ವ್ಯವಸ್ಥೆ ಮಾಡಲಾಯಿತು. ಶ್ರೀ ವೈ.ಹನುಮಂತಪ್ಪನವರ ನೇತೃತ್ವದಲ್ಲಿ ಆರ್.ಹೆಚ್.ಜಿ.ನಿಂಗ್ ಮಿಲ್, ಜಿ.ಹೆಚ್.ಆರ್.ಜಿ.ನಿಂಗ್ ಮಿಲ್, ವಿಜಯಲಕ್ಷ್ಮಿ ಕಾಟನ್ ಮಿಲ್‌ನ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲಾಯಿತು. ಆ ಮೂಲಕ ಕಾರ್ಮಿಕರ ಮೇಲೆ ನಡೆಯುತ್ತಿದ್ದ ಕೆಲಸದ ಒತ್ತಡ, ದಬ್ಬಾಳಿಕೆಯ ವಿರುದ್ಧ, ವೇತನ ಹೆಚ್ಚಳಕ್ಕಾಗಿ, ಕಾರ್ಮಿಕರನ್ನು ಕೆಲಸದಿಂದ ವಜಾ ಮಾಡುವುದರ ವಿರುದ್ಧ ಹೋರಾಟಗಳನ್ನು ಸಂಘಟಿಸಿದರು. ಈ ಹೋರಾಟಗಳಲ್ಲಿ ಕಾರ್ಮಿಕರು ಬಹುತೇಕವಾಗಿ ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಿಕೊಂಡರು.

ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆ ಚಳ್ಳಕೆರೆ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಕ್ರಿ.ಶ. 1980ರ ದಶಕದಲ್ಲಿ ಸುಮಾರು 100ಕ್ಕೂ ಹೆಚ್ಚು ಎಣ್ಣೆ ಗಿರಣಿಗಳು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದು, ಸುಮಾರು 20000ಕ್ಕೂ ಹೆಚ್ಚು ಜನರು ದಿನನಿತ್ಯ ಅಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದರು. ಎಣ್ಣೆ ಉತ್ಪಾದನೆಯಲ್ಲಿ ಕರ್ನಾಟಕದಲ್ಲಿಯೇ ಪ್ರಮುಖ ನಗರವಾಗಿತ್ತು. ಇಲ್ಲಿನ ಎಣ್ಣೆ ಗಿರಣಿಗಳಲ್ಲಿ ಸ್ತ್ರೀ-ಪುರುಷರಿಬ್ಬರೂ ಕಾರ್ಮಿಕರಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದು, ಕಡಿಮೆ ಕೂಲಿ / ವೇತನವನ್ನು ಪಡೆಯುತ್ತಿದ್ದರು. ಹಗಲಿರುಳು ದುಡಿಯುತ್ತಿದ್ದ ಕಾರ್ಮಿಕರಿಗೆ ಕನಿಷ್ಠ ಮೂಲಭೂತ ಸೌಕರ್ಯಗಳಿಂದ ಇಎಸ್‌ಐ, ಪಿಎಫ್, ಕನಿಷ್ಠ ವೇತನಗಳ ಸೌಲಭ್ಯವು, ಸಾಮಾಜಿಕ ಭದ್ರತೆಗಳು,



ಕಾರ್ಯಕ್ರಮದಲ್ಲಿ ರಕ್ಷಣಾತ್ಮಕ ಕ್ರಮಗಳಾಗಲಿ ಇರಲಿಲ್ಲ. ಇಂತಹ ಕ್ಲಿಷ್ಟಕರ ಸನ್ನಿವೇಶದಲ್ಲಿ ಎಣ್ಣೆಮಿಲ್ಲು ಕಾರ್ಮಿಕರು ದುಡಿಯುತ್ತಿದ್ದರು, ಅಲ್ಲದೇ ಕಾರ್ಮಿಕರು ಕೆಲಸದ ವೇಳೆ ಗಾಯಗೊಂಡರೆ ಅವರಿಗೆ ಸೂಕ್ತ ವೈದ್ಯಕೀಯ ಸೌಲಭ್ಯ ಪರಿಹಾರಗಳನ್ನು ನೀಡುತ್ತಿರಲಿಲ್ಲ.

ಕಾರ್ಮಿಕರು ಕಡಿಮೆ ವೇತನಕ್ಕಾಗಿ 8 ರಿಂದ 10 ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು. ಇಂತಹ ಕಾರ್ಮಿಕರ ದುಃಸ್ಥಿತಿಯನ್ನು ಗುರುತಿಸಿದ ಸಿಪಿಐ/ಎಐಟಿಯುಸಿ ಯ ಘಟಕದ ನಾಯಕರಾದ ಶ್ರೀ ಪಂಪಾಪತಿ, ಶ್ರೀ ಹೆಚ್.ಕೆ. ರಾಮಚಂದ್ರಪ್ಪ, ಶ್ರೀ ಜಿ.ಚಂದ್ರಪ್ಪ, ಶ್ರೀ ಸಿ.ವೈ. ಶಿವರುದ್ರಪ್ಪ, ಪಾಲಯ್ಯ, ಸೈಯದ್, ಹಾಯ್ಲ್ ನಾಗರಾಜ್, ಪಿ.ತಿಪ್ಪೇರುದ್ರಪ್ಪ, ದೊಡ್ಡ ಉಳ್ಳಾತಿ ಕರಿಯಣ್ಣ ಮುಂತಾದ ನಾಯಕರು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸುತ್ತಾ ಅವರ ಸಮಸ್ಯೆಗಳನ್ನು ಪರಿಷ್ಕರಿಸಲು ಪ್ರತಿಭಟನೆಗಳನ್ನು ಹಮ್ಮಿಕೊಂಡರು. ಇಂತಹ ಸಂದರ್ಭಗಳಲ್ಲಿ ಶ್ರೀ ಲಕ್ಷ್ಮೀ ಆಯಿಲ್ ಇಂಡಸ್ಟ್ರೀಸ್, ಶ್ರೀ ಮಾತಾ ಆಯಿಲ್ ಇಂಡಸ್ಟ್ರೀಸ್, ಶ್ರೀ ರಂಗನಾಥ ಆಯಿಲ್ ಇಂಡಸ್ಟ್ರೀಸ್ ಮುಂತಾದ ಕಡೆ ಕಾರ್ಮಿಕರು ಕನಿಷ್ಠ ವೇತನ ಹೆಚ್ಚಳಕ್ಕಾಗಿ, ಬೋನಸ್‌ಗಾಗಿ ರಕ್ಷಣಾತ್ಮಕ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವಂತೆ ಬೇಡಿಕೆಗಳನ್ನು ಇಟ್ಟು ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಯ ಮೂಲಕ 1985ರಲ್ಲಿ ಪ್ರತಿಭಟನೆಗಳು ನಡೆದವು. ಅಂತಹ ವೇಳೆಯಲ್ಲಿ ಮಾಲೀಕರು ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳನ್ನು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳದೇ ನಿರ್ಲಕ್ಷಿಸಿದರು. ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಎಐಟಿಯುಸಿ ಸಂಘಟನೆಯು ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿಕೊಂಡು ತೀವ್ರವಾಗಿ ಹೋರಾಟಗಳನ್ನು ಕೈಗೊಂಡರು ಮತ್ತು ಉತ್ತಾದನಾ ಚಟುವಟಿಕೆಯನ್ನು ನಿಲ್ಲಿಸಿದರು. ವಿವಿಧ ಕಾರ್ಮಿಕರ ನಾಯಕರ ನೇತೃತ್ವದಲ್ಲಿ ಹಲವಾರು ಬಾರಿ ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸಿದಾಗ ಕಾರ್ಖಾನೆಗಳ ಮಾಲೀಕರು ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಳಲ್ಲಿನ ಒಗ್ಗಟ್ಟಿಗೆ ಮಣಿದು ಅವರ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಿದರು.

\*ಕ್ರಿ.ಶ. 1975ರಲ್ಲಿ ಚಳ್ಳಕೆರೆಯ ಕುದಾಪುರದಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಸ್ಥಾಪಿತವಾದ 'ಕುರಿ ಸಂವರ್ಧನಾ ಕೇಂದ್ರ'ದಲ್ಲಿ ಮತ್ತು ನಂತರದಲ್ಲಿ ದೊಡ್ಡ ಉಳ್ಳಾತಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ಹೈನುಗಾರಿಕೆ ಕೇಂದ್ರದಲ್ಲಿ ಪ್ರಾಣಿಗಳನ್ನು ಸಾಕಲು ಸುಮಾರು 200 ಜನ ಸ್ಥಳೀಯ ಕೂಲಿಕಾರ್ಮಿಕರನ್ನು ನೇಮಿಸಿಕೊಂಡಿದ್ದು, ಅವರಿಗೆ ಸರಿಯಾಗಿ ಕೂಲಿಯನ್ನು ನೀಡದೆ ಹೆಚ್ಚು ದುಡಿಸಿಕೊಳ್ಳುತ್ತಿದ್ದರು. ಇದರಿಂದಾಗಿ ಶೋಷಿತರಾಗಿದ್ದ ಕಾರ್ಮಿಕರು ಸಂಘಟಿತರಾಗಿ 1983-84ರಲ್ಲಿ ಶ್ರೀ ಪಂಪಾಪತಿಯವರ ನೇತೃತ್ವದಲ್ಲಿ ಜಿ.ಚಂದ್ರಪ್ಪ, ಸಿ.ವೈ.ಶಿವರುದ್ರಪ್ಪ, ದೊಡ್ಡ ಉಳ್ಳಾತಿ ಕರಿಯಣ್ಣ ಮುಂತಾದ ಸಿಪಿಐ/ಎಐಟಿಯುಸಿ ಮುಖಂಡರ ನೇತೃತ್ವದಲ್ಲಿ ತಮ್ಮ ಮೇಲಿನ ದಬ್ಬಾಳಿಕೆಯ ವಿರುದ್ಧ ಹಾಗೂ ತಮ್ಮ ಕೆಲಸವನ್ನು ಖಾಯಂ ಮಾಡಬೇಕೆಂದು, ಸಂಬಳ ಹೆಚ್ಚಿಸಬೇಕೆಂದು ಹೋರಾಡಿದರು.

ಈ ವೇಳೆಯಲ್ಲಿ ಇಲ್ಲಿನ ಅಧಿಕಾರಿಗಳಿಗೆ ಮತ್ತು ಕಾರ್ಮಿಕ ಮುಖಂಡರಿಗೆ ದೊಡ್ಡ ಗಲಭೆ ನಡೆದು ತಳಕು ಪೊಲೀಸ್ ಠಾಣೆಯಲ್ಲಿ ಕೇಸು ದಾಖಲಾಗಿ ಅನೇಕ ಹೋರಾಟಗಾರರನ್ನು ಬಂಧಿಸಿದರು. ನಂತರ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಕಾರ್ಮಿಕರ ಸಮಸ್ಯೆಗಳಿಗೆ ಪರಿಹಾರವನ್ನು ಬಯಸಿ ದಾವೆ ಹೂಡಿದಾಗ, ನ್ಯಾಯಾಲಯದ ಸಲಹೆ ಮತ್ತು ಮಾನವೀಯತೆಯ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸರ್ಕಾರವು ಅಲ್ಲಿನ ಕೆಲಸಗಾರರನ್ನು ಖಾಯಂಗೊಳಿಸಿತು. ಈ ಹೋರಾಟಗಳನ್ನು ನಡೆಸುತ್ತಿದ್ದಾಗ ಕಾರ್ಮಿಕರು ಮೂಕ ಪ್ರಾಣಿಗಳಿಗೆ ತೊಂದರೆಯಾಗಬಾರದೆಂದು ಗುಂಪು ಗುಂಪಾಗಿ ಪಾಳಿಯಂತೆ ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸುತ್ತಿದ್ದರು ಎಂಬುದು ಗಮನಿಸಬೇಕಾದ ಅಂಶವಾಗಿದೆ.

**\*ಹಿರಿಯೂರು ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆ ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು:-**

ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯಲ್ಲಿ ನಡೆದಿರುವ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆ ಮತ್ತು ಹೋರಾಟಗಳಲ್ಲಿ ವಾಣಿ ವಿಲಾಸ ಸಹಕಾರಿ ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯ ಕಾರ್ಮಿಕರ ಹೋರಾಟವು ಒಂದು ಮುಖ್ಯವಾದದ್ದು, ಕ್ರಿ.ಶ.





1971ರಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ಈ ಕೈಗಾರಿಕೆಯು ಖಾಯಂ ನೌಕರರು ಮತ್ತು ಹಂಗಾಮಿ ನೌಕರರನ್ನು ಒಳಗೊಂಡಂತೆ ಸುಮಾರು 750 ಜನ ಕಾರ್ಮಿಕರು ದಿನನಿತ್ಯ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು. ಇದು ಸ್ಥಾಪನೆಯಾದ ನಂತರ ಸುಮಾರು 10 ವರ್ಷಗಳ ಕಾಲ ಇಲ್ಲಿ ಯಾವುದೇ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಳು ಇರಲಿಲ್ಲ. ಕಾರ್ಮಿಕರು ಕನಿಷ್ಠ ಕೂಲಿ/ವೇತನ ಇಲ್ಲದೇ ಕಠಿಣವಾದ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು. ಅಲ್ಲಿನ ಆಡಳಿತ ಮಂಡಳಿಯ ಮುಂದೆ ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಪೂರೈಸುವಂತೆ ಮನವಿ ಸಲ್ಲಿಸಿದರೇ ಅದನ್ನು ತಿರಸ್ಕರಿಸುತ್ತಿದ್ದರು.

ತಮ್ಮ ಸಮಸ್ಯೆಗಳನ್ನು ಗಮನಕ್ಕೆ ತಂದರೆ ಅಂದರೆ ಹೆಚ್ಚು ಕೆಲಸದ ಒತ್ತಡ, ಅಪಾಯಕಾರಿ ಸನ್ನಿವೇಶದಲ್ಲಿ ಕೆಲಸ ಮಾಡುವುದು ಮತ್ತು ಅದಕ್ಕೆ ಪೂರಕವಾದ ರಕ್ಷಣ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವಂತೆ ವೇತನ ಹೆಚ್ಚಳಕ್ಕಾಗಿ, ಬೋನಸ್‌ಗಾಗಿ ಬೇಡಿಕೆ ಇಟ್ಟರೆ ಅದನ್ನು ತಿರಸ್ಕರಿಸಿ ಕಾರ್ಮಿಕರನ್ನು ಯಾವುದೇ ಮುನ್ನೂಕನೆ ನೀಡದೇ ಕೆಲಸದಿಂದ ವಜಾ ಮಾಡುತ್ತಿದ್ದರು. ಕಾರ್ಮಿಕರು ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಿಕೊಳ್ಳಲು ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸಿದರೆ ಅಂತಹ ಹೋರಾಟಗಳನ್ನು ದಮನ ಮಾಡುತ್ತಿದ್ದು, ಅದಕ್ಕೆ ಪೊಲೀಸರ ನೆರವನ್ನು ತೆಗೆದುಕೊಳ್ಳುತ್ತಿದ್ದರು. ಕಾರ್ಮಿಕರಲ್ಲಿ ಕೆಲವರು ಆಡಳಿತ ಮಂಡಳಿಯ ಪರವಾಗಿದ್ದು, ಕಾರ್ಮಿಕರ ಪ್ರತಿಭಟನೆಗಳು ವಿಫಲವಾಗುತ್ತಿದ್ದವು. ಹೀಗಿರುವಾಗ ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯ ಕಾರ್ಮಿಕರ ಮೇಲಿನ ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಗಳನ್ನು ಖಂಡಿಸಿ ಎ.ಐ.ಟಿ.ಯು.ಸಿ. ಸಂಘಟನೆಯು ಮೊದಲ ಬಾರಿಗೆ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು 1980ರಲ್ಲಿ ಮುಂದಾಯಿತು.

ಅದರಂತೆ ಕಾರ್ಮಿಕ ನಾಯಕರಾದ ಶ್ರೀ ಪಂಪಾಪತಿ, ಶ್ರೀ ವಿ.ಆರ್. ಆನಂದತೀರ್ಥ, ಶ್ರೀ ಜಿ.ಚಂದ್ರಣ್ಣ, ಶ್ರೀ ಸಿ.ವೈ.ಶಿವರದ್ರಪ್ಪ ಮತ್ತು ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯ ಕಾರ್ಮಿಕರಾದ ಶ್ರೀ ಎಸ್.ಸಿ.ಕುಮಾರ್, ಶ್ರೀ ಚೌಡಪೂರ್, ಶ್ರೀ ಬಸಪ್ಪ, ಶ್ರೀ ರಾಮಾಂಜನೇಯ ಮುಂತಾದವರು ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಿದರು. ತದನಂತರ ತಮ್ಮ ಸಮಸ್ಯೆಗಳನ್ನು ಆಡಳಿತ ಮಂಡಳಿಗೆ ತಿಳಿಸಿ ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಪೂರೈಸಿಕೊಳ್ಳಲು ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸುತ್ತಿದ್ದರು. ಇವರುಗಳು ವೇತನ ಹೆಚ್ಚಳಕ್ಕಾಗಿ, ಕನಿಷ್ಠ ವೇತನಕ್ಕಾಗಿ, ಬೋನಸ್‌ಗಾಗಿ, ವೈದ್ಯಕೀಯ ಸೌಲಭ್ಯ, ಪಿ.ಎಫ್ ಮುಂತಾದ ಸರ್ಕಾರಿ ಸವಲತ್ತುಗಳನ್ನು ಬಯಸಿ 1983-84ರಲ್ಲಿ ಪ್ರತಿಭಟನೆಗಳನ್ನು ನಡೆಸಿದಾಗ ಅದನ್ನು ದಮನ ಮಾಡಲು ಆಡಳಿತ ಮಂಡಳಿಯವರು ಪುಡಾರಿಗಳು, ಪೊಲೀಸರ ನೆರವನ್ನು ಬಳಸಿಕೊಂಡು ಪ್ರತಿದಾಳಿ ಮಾಡಿಸಿದರು. ಇದರಲ್ಲಿ ಅನೇಕ ಕಾರ್ಮಿಕರು ಗಾಯಗೊಂಡರು. ಕಾರ್ಮಿಕರು ಅನೇಕ ಬಾರಿ ತಮ್ಮ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಿಕೊಳ್ಳಲು ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾಧಿಕಾರಿ ಕಛೇರಿಗೆ ಪಾದಯಾತ್ರೆಯ ಮೂಲಕ ತೆರಳಿ ಮನವಿ ಸಲ್ಲಿಸಿ ಬರುತ್ತಿದ್ದರು. ಅದಕ್ಕೆ ಪೂರಕವಾಗಿ ಆಡಳಿತ ಮಂಡಳಿ, ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳ ಮಧ್ಯೆ ಮಾತುಕತೆಗಳಾಗಿ ಕಾರ್ಮಿಕ ಸಮಸ್ಯೆಗಳಿಗೆ ಅಲ್ಪಸ್ವಲ್ಪ ಪರಿಹಾರ ನೀಡಲಾಗುತ್ತಿದ್ದುದನ್ನು ಗಮನಿಸಬಹುದು.

1987ರಲ್ಲಿ ಕಾರ್ಮಿಕರು, ಎಐಟಿಯುಸಿ ಸಂಘಟನೆಯ ಮೂಲಕ ಹಂಗಾಮಿ ನೌಕರರನ್ನು ಖಾಯಂ ಮಾಡುವಂತೆ ಮನವಿ ಮಾಡಲು ಸಹಕಾರ ಮಂತ್ರಿ ಆರ್.ಎಲ್.ಜಾಲಪ್ಪನವರು ತಂಗಿದ್ದ ವಿ.ವಿ.ಸಾಗರದ ಪ್ರವಾಸಿ ಮಂದಿರಕ್ಕೆ ರಾತ್ರಿ ತೆರಳಿ ಎಸ್.ಸಿ.ಕುಮಾರ್, ಬಸವರಾಜಪ್ಪ ಎಂಬುವವರು ಮನವಿ ಪತ್ರ ಸಲ್ಲಿಸಿದರು. ಇಂತಹ ವೇಳೆಯಲ್ಲಿ ಗುಂಪುಗೂಡಿದ್ದ ಕಾರ್ಮಿಕರು ತಮ್ಮ ಬೇಡಿಕೆ ಈಡೇರಿಸುವಂತೆ ಷೋಷಣೆಗಳನ್ನು ಕೂಗುತ್ತಿದ್ದಾಗ, ಪೊಲೀಸರು ಲಾರಿಚಾರ್ಜ್ ಮಾಡಿ ಅನೇಕರನ್ನು ತೊಂದರೆಗೆ ಒಳಪಡಿಸಿದರು. 1989ರ ವೇಳೆಗೆ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಗಳು ಬಲಗೊಂಡಂತೆ ಕಾರ್ಮಿಕರಿಗೆ ಕನಿಷ್ಠ ವೇತನ, ಬೋನಸ್‌ಗಳು, ಮೂಲಭೂತ ಸೌಕರ್ಯಗಳನ್ನು ಪೂರೈಸಿಕೊಳ್ಳಲು ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯ ಕಾರ್ಮಿಕರು ಎಐಟಿಯುಸಿ ನೇತೃತ್ವದಲ್ಲಿ ಶ್ರೀ ಪಂಪಾಪತಿ ನೇತೃತ್ವದಲ್ಲಿ ಹಿರಿಯೂರಿನ ಮುನ್ಸಿಪಲ್ ಕಛೇರಿಯ ಮುಂದೆ ಅಮರಣಾಂತ ಉಪವಾಸ ಸತ್ಯಾಗ್ರಹವನ್ನು ನಡೆಸಲಾಯಿತು. ಆಗ



ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆ ಆಡಳಿತ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರಾದ ಬಿ.ಎಲ್.ಗೌಡರವರು ಅವರ ಬೇಡಿಕೆಗಳನ್ನು ಈಡೇರಿಸಲು ಒಪ್ಪಿದಾಗ ಪ್ರತಿಭಟನೆಯನ್ನು ನಿಲ್ಲಿಸಿದರು.

**ಪರಾಮರ್ಶನ ಗ್ರಂಥಗಳು:-**

- [1] 02 ಮಂಜುನಾಥ ನಾಯಕ್.ಕೆ., ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾ ದರ್ಶನ, ಪಾರ್ವತಿ ಪ್ರಕಾಶನ, ಚಿತ್ರದುರ್ಗ, 2015.
- [2] ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾ ಸಂಖ್ಯಾ ಸಂಗ್ರಹಣಾಧಿಕಾರಿಗಳು, “ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾ ಅಂಕಿ ಅಂಶಗಳ ನೋಟ 2011-12”., ಪ್ರಕಾಶಕರು, ಜಿಲ್ಲಾ ಪಂಚಾಯತ್, ಚಿತ್ರದುರ್ಗ, 2013.
- [3] ಡಾ. ಬಾಬಾಸಾಹೇಬ್ ಅಂಬೇಡ್ಕರ್ ಅವರ ಸಮಗ್ರ ಬರಹಗಳು ಮತ್ತು ಭಾಷಣಗಳು, ಸಂಪುಟ-8, ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಇಲಾಖೆ, ಮತ್ತು ಕುವೆಂಪು ಭಾಷಾ ಭಾರತಿ ಪ್ರಾಧಿಕಾರ, ಬೆಂಗಳೂರು, 2016.
- [4] ವಿಜಯ್ ಪೂಣಚ್ಚ ತಂಬಂಡ (ಪ್ರ.ಸಂ)., ಚಿನ್ನಸ್ವಾಮಿ ಸೋಸಲೆ (ಸಂ.ಸಂ)., “ಸಮಕಾಲೀನ ಕರ್ನಾಟಕ ಚರಿತ್ರೆ, ಸಂಪುಟ-6”, ಪ್ರಸಾರಾಂಗ, ಕನ್ನಡ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಹಂಪಿ, 2010.
- [5] ವಿಕಿಪೀಡಿಯ “ಕನ್ನಡ ವಿಷಯ ವಿಶ್ವಕೋಶ”, ಪ್ರಸಾರಾಂಗ, ಮೈಸೂರು ವಿಶ್ವವಿದ್ಯಾಲಯ, ಮೈಸೂರು.
- [6] ವೇದರಾಜ್.ಎನ್.ಕೆ(ಸಂ)., ಭಾರತದ ಕಮ್ಯುನಿಸ್ಟ್ ಆಂದೋಲನ, ಕ್ರಿಯಾ ಪ್ರಕಾಶನ, ಬೆಂಗಳೂರು -2021.
- [7] ವೆಂಕಟಸ್ವಾಮಿ.ಎಂ, “ಕೋಲಾರದ ಚಿನ್ನದ ಗಣಿಗಳು”., ಸಾಹಿತ್ಯ ಸುಗ್ಗಿ ಪ್ರಕಾಶನ, ಬೆಂಗಳೂರು, 2010.
- [8] ಶಿವಪುತ್ರ ಪೋತಾಲ್ಕರ್., “ಇಂಡಸ್ಟ್ರಿಯಲ್ ಡಿಸ್ಪ್ಲಾಟ್ ಇನ್ ಕರ್ನಾಟಕ”, ಲಕ್ಷ್ಮಿ ಬುಕ್ ಪಬ್ಲಿಕೇಷನ್, ಸೊಲ್ಲಾಪುರ, 2015.
- [9] ಅಂಜಿನಪ್ಪ.ಬಿ.ಹೆಚ್, “ಹತ್ತಿ ಹಿಂಜುವ (ಜಿನ್ನಿಂಗ್) ಕಾರ್ಖಾನೆಗಳಲ್ಲಿರುವ ಮಹಿಳಾ ಕಾರ್ಮಿಕರ ಸಾಮಾಜಿಕ ಆರ್ಥಿಕ ಸ್ಥಿತಿಗಳು : ಸಮಾಜ ಶಾಸ್ತ್ರೀಯ ಅಧ್ಯಯನ”., ಅಪ್ರಕಟಿತ ಪಿಎಚ್.ಡಿ ಮಹಾಪ್ರಬಂಧ, ಸಮಾಜಶಾಸ್ತ್ರ ವಿಭಾಗ, ಕುವೆಂಪು ವಿಶ್ವವಿದ್ಯಾಲಯ, ಶಂಕರಘಟ್ಟ, 2002.
- [10] ಕುಮಾರ್.ಬಿ.ಪಿ., ದಾವಣಗೆರೆ ಹತ್ತಿ ಗಿರಣಿ ಕಾರ್ಮಿಕರ ಚಳವಳಿ, ಅಪ್ರಕಟಿತ ಪಿಎಚ್.ಡಿ ಮಹಾಪ್ರಬಂಧ., ಚರಿತ್ರೆ ವಿಭಾಗ, ಕನ್ನಡ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಹಂಪಿ - 2006.
- [11] ತಿಪ್ಪೇಸ್ವಾಮಿ.ಆರ್., “ಎಣ್ಣೆ ಗಿರಣಿಯ ಕಾರ್ಮಿಕರ ಸಮಸ್ಯೆಗಳು : ಒಂದು ಸಮಾಜಶಾಸ್ತ್ರೀಯ ಅಧ್ಯಯನ”., ಅಪ್ರಕಟಿತ ಪಿಎಚ್.ಡಿ ಮಹಾಪ್ರಬಂಧ, ಸಮಾಜಶಾಸ್ತ್ರ ವಿಭಾಗ, ಕುವೆಂಪು ವಿಶ್ವವಿದ್ಯಾಲಯ, ಶಂಕರಘಟ್ಟ, 2019.

- ದಿನಪತ್ರಿಕೆಗಳು: ಪ್ರಜಾವಾಣಿ, ವಿಜಯಕರ್ನಾಟಕ, ಸಂಯುಕ್ತ ಕರ್ನಾಟಕ
- ಅಂತರ್ಜಾಲ

ಈ ಲೇಖನಕ್ಕಾಗಿ ಸಂದರ್ಶಿಸಲಾದ ವ್ಯಕ್ತಿಗಳು:- 1) ಚಿತ್ರದುರ್ಗ ಎ.ಐ.ಟಿ.ಯು.ಸಿ ಜಿಲ್ಲಾ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳಾದ ಕಾಂ ಜಿ.ಸಿ.ಸುರೇಶ್‌ಬಾಬು. 2) ಎ.ಐ.ಟಿ.ಯು.ಸಿ. ರಾಜ್ಯ ಸಂಚಾಲಕರಾದ ಕಾಂ ಸಿ.ವೈ.ಶಿವರುದ್ರಪ್ಪ, ಚಳ್ಳಕೆರೆ. 3) ಎ.ಐ.ಟಿ.ಯು.ಸಿ. ಹಿರಿಯೂರು ತಾಲ್ಲೂಕು ಅಧ್ಯಕ್ಷರಾದ ಎಸ್.ಸಿ.ಕುಮಾರ್. 4) ಮೊಳಕಾಲ್ಮೂರು ತಾಲ್ಲೂಕು ಅಧ್ಯಕ್ಷರಾದ ಜಾಫರ್ ಶರೀಫ್. 5) ಐ.ಎನ್.ಟಿ.ಯು.ಸಿ. ಜಿಲ್ಲಾಧ್ಯಕ್ಷರಾದ ಜಾಕೀರ್ ಹುಸೇನ್. 6) ಸಿ.ಐ.ಟಿ.ಯು. ಜಿಲ್ಲಾ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳಾದ ಗೌಸ್‌ಪೀರ್.



## ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಪ್ರತಿಪಾದನೆ

ಡಾ. ಕೆ.ಜಿ. ಚವಾಣ

ಕನ್ನಡ ಸಹ ಪ್ರಾಧ್ಯಾಪಕರು

ಎಸ್.ಜಿ.ಎಂ. ಪ್ರಥಮ ದರ್ಜೆ ಕಲಾ ಮತ್ತು ವಾಣಿಜ್ಯ ಕಾಲೇಜು, ತರೀಕೆರೆ.

ಲಿಂಗದಹಳ್ಳಿ ರಸ್ತೆ, ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ - 577 228

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ಕರ್ನಾಟಕದ 12ನೆಯ ಶತಮಾನದ ವಚನ ಚಳುವಳಿ ಮಾನವ ಹಕ್ಕುಗಳ ಪ್ರತಿಪಾದನೆಗೆ ಅವಿರತವಾಗಿ ಜನರು ಶ್ರಮಿಸುತ್ತಿದ್ದಾರೆ, ಭವಿಷ್ಯ ಲಿಂಗಧೀಕ್ಷೆ, ಲಿಂಗವಂತನಿಗೆ ಹರದೀಕ್ಷೆ, ಹರವಂತನಿಗೆ ಅರಿವುದೀಕ್ಷೆ ಎಂಬ ತತ್ವದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸಮಾಜದ ಎಲ್ಲಾ ವರ್ಗದವರಿಗೂ ಸ್ವಾತಂತ್ರ್ಯ ಸ್ವಾಭಿಮಾನ ಮತ್ತು ಸಮಾನತೆಯನ್ನು ದೊರಕಿಸಿಕೊಡುವುದೇ ವಚನ ಚಳುವಳಿಯ ಉದ್ದೇಶವಾಗಿತ್ತು ಆ ಚಳುವಳಿಯ ಉಪ ಉತ್ಪನ್ನವೇ ವಚನಸಾಹಿತ್ಯ. ಅಂತರಂಗ ಶುದ್ಧಿಯೇ ಬಹಿರಂಗ ಶುದ್ಧಿಯೆಂದು ಸಾರಿದ ಜಾತಿ, ಮತ, ಪಂಥ, ವಯಸ್ಸು, ಲಿಂಗ, ಅಂತಸ್ತು ಮೊದಲಾದ ಎಲ್ಲ ರೀತಿಯ ಮೇಲು ಕೀಳೆಂಬ ಅಸಮಾನತೆಯ ಆಚರಣೆಗೆ ಭಾವದ ಜ್ಞಾನದ ಸಿಡಿಮದ್ದನ್ನಿಟ್ಟು ಸ್ಪೋಟಿಸಿದರು, ಹಾಗಾಗಿ ಆ ಕಾಲದಲ್ಲಿ ಬ್ರಾಹ್ಮಣ ಬಸವಣ್ಣನಿಂದ ಹಿಡಿದು ಮಾದರ ಹರಳಯ್ಯನವರೆಗೆ, ಮಹಾದೇವಿಯಕ್ಕನಿಂದ ಹಿಡಿದು ಸೂಳೆ ಸಂಕವೈಯವರೆಗೆ ನಾನಾ ಜಾತಿಯ ವರ್ಗದ, ಅಂತಸ್ತಿನ ಜನ ಮೂಡಿ ಮಹಾ ಮಾನವರಾಗಿದ್ದಾರೆ, ವಚನಗಳು ಕನ್ನಡದ ಉಪನಿಷತ್ತುಗಳು ಮಾನವತೆಯ ಅಣಿಮುತ್ತುಗಳು ವಚನಕಾರರು ಆಧ್ಯಾತ್ಮದ ಮೂಲಕ ವ್ಯಕ್ತಿ ನಿರ್ಮಾಣ, ವ್ಯಕ್ತಿ ನಿರ್ಮಾಣದ ಮೂಲಕ ಹೊಸ ಸಮಾಜ ನಿರ್ಮಾಣದ ಕನಸು ಕಂಡವರು ಮತ್ತು ಆ ಕಾಲ ಘಟ್ಟದಲ್ಲೇ ನನಸು ಮಾಡಲು ಪ್ರಯತ್ನಿಸಿದವರು,

ಮಾನವ ಹಕ್ಕುಗಳ ಚಳುವಳಿಯ ಕಸುವು ಎಷ್ಟಿದೆಯೆಂದರೆ ಅಂದಿನ ದಾಸೋಹದ ಪರಿಕಲ್ಪನೆಯ ಪ್ರೇರಣೆಯಿಂದ ಇಂದಿಗೂ ಕರ್ನಾಟಕದಲ್ಲಿ ಉಂಟು ಮಾಡಿರುವ ಅನ್ನ, ಅರಿವು, ದಾಸೋಹ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಅಕ್ಷರ ದಾಸೋಹ ಸಮಾಜದ ಎಲ್ಲ ಸ್ತರದವರ ಏಳಿಗೆಗೆ ಕಾರಣವಾಗುತ್ತಿದೆ ವಚನ ಸಾಹಿತ್ಯ ಸಮಾಜ ಮತ್ತು ಸಾಹಿತ್ಯದ ಮೇಲೆ ಪ್ರೇರಣೆ, ಪ್ರಭಾವ ಬೀರಿದೆ.

ವಚನಸಾಹಿತ್ಯದ ವಚನ ಚಳುವಳಿಯ ಬಹುಮುಖ್ಯ ನೆಲೆಗಳೆಂದರೆ ವಿಚಾರ ಮತ್ತು ಆಚಾರ, ನುಡಿಯೊಳಗಾಗಿ ನಡೆಯದವನ ಮೆಚ್ಚು ನಮ್ಮ ಕೂಡಲ ಸಂಗಮದೇವ, ನುಡಿದಂತೆ ನಡೆದವನ ನುಡಿಯೆಲ್ಲ ಪರತತ್ವ ಎಂಬ ಬಸವ ಅಲ್ಲಮರ ಆಶಯದ ವಿಚಾರ-ಆಚಾರಗಳ ವಚನಗಳ ಭಾಗವೇ ಇಲ್ಲಿಯದಾಗಿದೆ ಅಸ್ಪೃಶ್ಯತೆ ಕೆಳವರ್ಗ ದೇವರ ಮೈಯಲಿಲ್ಲ ಮೇಲು ವರ್ಗದವರ ಮನಸ್ಸಿನಲ್ಲಿದೆ ಅದನ್ನು ಕಳೆಯಬೇಕೆಂದರೆ ಬ್ರಾಹ್ಮಣ ನೆಲೆಯಿಂದ ಬಂದ ಬಸವಣ್ಣನವರಂತೆ ಹುಟ್ಟಿನಿಂದ ಬರುವ ಶ್ರೇಷ್ಠತೆಯನ್ನು ನಾವೆಲ್ಲರೂ ಕೂಡ ನಿರಾಕರಿಸಬೇಕಾಗಿರುವುದು ವರ್ತಮಾನದ ಅಗತ್ಯ ಸಮಾಜ ಜಾತಿ ವೈಷಮ್ಯದಿಂದ ಛಿದ್ರಗೊಂಡು ಕ್ರೂರವಾದರೆ ಅಲ್ಲಿ ಯಾವ ವರ್ಗದ ಹಿತವೂ ಇಲ್ಲ ಹಾಗಾಗಿ ದಯೆಯೇ ಧರ್ಮದ ಮೂಲ ಇದುವರೆಗೂ ಸಂಪ್ರದಾಯದ ಸಂಕೋಲೆಯಲ್ಲಿ ಬಂಧಿಸಲ್ಪಟ್ಟಿದ್ದ ಸ್ತ್ರೀಸಮಾಜ ವೀರಶೈವ ಧರ್ಮದ ತಾತ್ವಿಕ ನಿಲುವುಗಳಿಂದ ಪುರುಷರಂತೆ ಸಮಾನ ಅವಕಾಶಗಳನ್ನು ಪಡೆಯಿತು ಅದುವರೆವಿಗೂ ಕನ್ನಡದ ಸಾಹಿತ್ಯ ಚರಿತ್ರೆಯಲ್ಲಿ ಕಾಣಿಸಿದ ಸ್ತ್ರೀ ಸಾಹಿತ್ಯ ವಚನಯುಗದಲ್ಲಿ ಗೋಚರಿಸಿದೆ ಅವರ ವಿಚಾರಧಾರೆಗಳು ಎಷ್ಟೊಂದು ಪೌಂಡ ಮತ್ತು ಹರಿತವಾಗಿರಬಲ್ಲವೆಂಬುದಕ್ಕೆ ವಚನಗಳಲ್ಲಿಯ ಅಂಶಗಳೇ ಕಾರಣವಾಗಿವೆ ಮನಸ್ಸಿನ ಸ್ವರೂಪ ಆಚಾರದ ಮಹತ್ವ, ಅನಾಚಾರದ ವಿಡಂಬನೆ, ಘನದ ಅನ್ವೇಷಣೆ, ಅನುಭಾವಿಕ ವಚನಗಳಲ್ಲಿ ಕನ್ನಡ ಸಾಹಿತ್ಯದ ಅಮೂಲ್ಯ ಸಂಪತ್ತು



ವಚನಗಳಲ್ಲಿ ಪ್ರಸ್ತಾಪವಾಗಿರುವ ಧಾರ್ಮಿಕ ಹಾಗೂ ಸಾಮಾಜಿಕ ವಿಚಾರಗಳು ವ್ಯಾಪಿಸಿ ವಿಶ್ವಮಾನ್ಯತೆ ಗಿಟ್ಟಿಸಿಕೊಂಡಿದೆ.

ವಚನಕಾರರು ತಮ್ಮ ವಚನಗಳ ಮೂಲಕ ಜನಜೀವನಕ್ಕೆ ತೊಡೆಸಿದ ಮೌಲ್ಯಗಳ ಉದಾತ್ತ ಶತಮಾನಗಳ ಎಲ್ಲೆಯನ್ನು ಮೀರಿ ಜೀವಂತವಾಗಿ ಉಳಿಯಬಲ್ಲ ಸತ್ವ ಹೊಂದಿವೆ, ಎಂಟುನೂರು ವರ್ಷಗಳ ಸುದೀರ್ಘ ಕಾಲಾವಧಿಯ ಅನಂತರದ ಈ ಸಂದರ್ಭದಲ್ಲೂ ಬಸವಾದಿ ಶಿವಶರಣರ ಸಾಧನೆ ಮತ್ತು ವಿಚಾರಗಳು ನಮಗೆ ಮಾರ್ಗದರ್ಶಿಯಾಗಿವೆ. 'ವಚನ' ಎಂದರೆ ಪ್ರಮಾಣ ಕೊಟ್ಟು ಮಾತು ಎಂದರ್ಥ ವಚನ ಸಾಹಿತ್ಯ ಎನ್ನುವುದು ಕನ್ನಡ ಸಾಹಿತ್ಯದ ಪ್ರಮುಖ ಘಟ್ಟಗಳಲ್ಲಿ ಒಂದು 11ನೆಯ ಶತಮಾನದ ಉತ್ತರಾರ್ಧದಲ್ಲಿ ಉದಯಿಸಿದ 12ನೆಯ ಶತಮಾನದ ಕಡೆಯವರೆಗೂ ಜನಸಾಮಾನ್ಯರ ಆಂದೋಲನದ ಭಾಗವಾಗಿ ಬೆಳೆದುಬಂತು ಸಾಹಿತ್ಯ ಪರಿಭಾಷೆಯ ಒಂದು ವಿಶಿಷ್ಟ ಸಾಹಿತ್ಯ ಪ್ರಕಾರದ ಕಾವ್ಯ ಹಾಡಿದರೆ ಹಾಡಾಗುವ ಓದಿದರೆ ಗದ್ಯವಾಗುವ ಕನ್ನಡದ ವಿಶೇಷ ಪ್ರಕಾರ ವಚನ ಸಾಹಿತ್ಯವು ಕನ್ನಡದ ಪ್ರಾಚೀನ ಪಂಪಯುಗದ ಅನಂತರ ಬಂದ ಸಾಹಿತ್ಯವಾಗಿದೆ.

ಸ್ವಂತಿಕೆಯಿಂದ ಮೆರೆವ ವಚನಗಳು ಕನ್ನಡ ಸಾಹಿತ್ಯದಲ್ಲಿ ಪ್ರಭಾವಶಾಲಿ ಆತ್ಮವಿಮರ್ಶೆಯ ಮಾಧ್ಯಮವಾಗಿ ಸ್ವತಂತ್ರವಾಗಿ ಬೆಳೆದು ವಿಜೃಂಭಣೆ ಮುಂದಿನ ಸಾಹಿತ್ಯ ಪರಂಪರೆಗಳ ಮೇಲೆ ಪ್ರಭಾವ ಬೀರಿ ವಿಶ್ವಸಾಹಿತ್ಯದಲ್ಲೂ ಒಂದು ಅವಿಭಾಜ್ಯ ಅಂಗವಾಗಿ ಉಳಿದಿದೆ. ಸಮಾಜದ ಎಲ್ಲಾ ಜಾತಿಯವರು ವಚನವನ್ನು ಮಾನವ ಹಕ್ಕುಗಳ ಸ್ಥಾಪನೆಗಾಗಿ ವಚನವನ್ನು ತಮ್ಮ ಅನುಭವಗಳನ್ನು ಹೇಳಿಕೊಳ್ಳತೊಡಗಿದ್ದರಿಂದ ವಚನ ಸಾಹಿತ್ಯ ಒಂದು ಚಳುವಳಿಯೂ ಆಯಿತು ಬಂಡಾಯ ಸಾಹಿತ್ಯಕ್ಕಿಂತ ಮೊದಲು ಕನ್ನಡ ನಾಡಿನಲ್ಲಿ ವಚನ ಸಾಹಿತ್ಯವು ಒಂದು ಚಳುವಳಿಯ ಮುಖವಾಣಿಯಾಗಿತ್ತೆಂದರೆ ಅದರ ಸಾಮಾಜಿಕ ವ್ಯಾಪಕತೆ ಅಪಾರವಾದುದೆಂಬುದು ಅರಿವಿಗೆ ಬಾರದೇ ಇರದು ಸ್ವಾವರ ಸಮಾಜವನ್ನು ತಿರಸ್ಕರಿಸಿ ಜಂಗಮ ಸಮಾಜವನ್ನು ನಂಬಿದ ದೊಡ್ಡ ಮಾನವೀಯ ಮೌಲ್ಯ ಕಾಯಕ ಮತ್ತು ದಾಸೋಹಗಳ ಮೂಲಕ ಸಮಾಜೋತ್ಪನ್ನಗಳ ಸಮಪಾಲು ಸಿದ್ಧಾಂತವನ್ನು ಮಂಡಿಸುವ ಈ ಚಳುವಳಿ ಭಾರತೀಯ ಸಾಹಿತ್ಯ ಮತ್ತು ಸಂಸ್ಕೃತಿಯಲ್ಲೇ ಅತ್ಯಂತ ಅಪರೂಪದ್ದು ಬಸವಣ್ಣ ಅಲ್ಲಮಪ್ರಭು, ಚೆನ್ನಬಸವಣ್ಣ, ಅಕ್ಕಮಹಾದೇವಿ, ಜೇಡರದಾಸಿಮಯ್ಯ, ಸಿದ್ಧರಾಮ, ಮೋಳಿಗೆ ಮಾರಯ್ಯ ಮಡಿವಾಳ ಮಾಚಿದೇವರಂತಹ ಹಿರಿಯ ಶರಣ ಶರಣೆಯರ ವಚನ ಸಾಹಿತ್ಯಕ್ಕೆ ಮಹತ್ವದ ಕೊಡುಗೆ ನೀಡಿದವರ ಪೈಕಿ ಅಗ್ರಗಣ್ಯರು.

ವಚನಗಳೆಂಬ ಹೊಸ ಸಾಹಿತ್ಯ ಪ್ರಕಾರಗಳನ್ನು ಆರಂಭಿಸಿದ ಕೀರ್ತಿ ಬಸವಣ್ಣನವರಿಗೆ ಸಲ್ಲಬೇಕು ವಚನಗಳು ಗದ್ಯಪದ್ಯ ರೂಪವಾದ ಚಂಪುವಿಗಿಂತಲೂ ಭಿನ್ನವಾಗಿರುವುದು ಭಗವಂತನನ್ನು ವಿಷಯವನ್ನಾಗಿಸಿಕೊಂಡು ಭಾವನಾ ಪ್ರವಾಹವನ್ನು ಹರಿಸುವ ಭಕ್ತಿಯೇ ಯೋಗವಾದಾಗ ಭಗವಂತ ಮತ್ತು ಭಕ್ತ ಇವರ ಸಂಬಂಧ ಉಂಟಾಗುವುದು ಈ ಸಂಸ್ಕಾರದಿಂದ ಬಿಡುಗಡೆ ಪಡೆಯಲು ಭಕ್ತ ಪ್ರಯತ್ನಿಸುವುದು ಮಾತು ಮನಸ್ಸು ಕೃತಿಗಳ ಮೂಲಕವಾಗಿ ಪರಮೇಶ್ವರನಲ್ಲಿ ಭಕ್ತಿಯನ್ನು ಸಂಪಾದಿಸಿಕೊಳ್ಳುವ ಭಕ್ತಿಯ ಮಾರ್ಗದರ್ಶನವು ವಚನಗಳಲ್ಲಿಯೇ ಬಸವಣ್ಣನವರು ಲೋಕ ಜೀವನ ಪಾಠಶಾಲೆಯಲ್ಲಿ ಶಿಕ್ಷಣವನ್ನು ಪಡೆದು ನೀತಿ ತತ್ವಗಳನ್ನು ಆಚರಣೆ ಮಾಡಿ ಕಾವ್ಯಕಲೆಯ ನೀತಿ ಪ್ರಜ್ಞೆ ಮಾನವ ಹಕ್ಕುಗಳ ಜೀವಾಳ ವಚನಗಳಲ್ಲಿ ತುಂಬಿವೆ ಸಹಜವಾದ ಆಡುಭಾಷೆಯಿಂದ ಆರಂಭಿಸಿದರೂ ಅಸಾಧಾರಣವಾದ ಭಾವವನ್ನು ಅನುಭವಗಳನ್ನು ನೀಡುತ್ತದೆ.

ನೈತಿಕತೆ ಮತ್ತು ಆಧ್ಯಾತ್ಮಿಕತೆಗಳ ಕೂಡಲಸಂಗಮವಾಗಿವೆ ನಾನೆಷ್ಟು ಭಕ್ತಿಯ ಮಾಡಿದರೆನು ನಿಮ್ಮ ಶರಣರ ಮನ ಎಲ್ಲಿ ನಿಂತು ನೊಂದರೆ ಎನ್ನಭಕ್ತಿಯ ಅಭಿಮಾನ ಹೋಗಿತ್ತು ಎಂಬಲ್ಲಿ ಸಜ್ಜನಲೋಕದ ಆರಾಧನೆಯಿದೆ ವೇದಕ್ಕೆ ಹೊರೆಯ ಕಟ್ಟುವೆ ಶಾಸ್ತ್ರಗಳನಿಕ್ಕುವೆನು ತರ್ಕದ ಬೆನ್ನ ಭಾರನೆತ್ತುವೆನು ಚೆನ್ನಯ್ಯನ ಮನೆಯ ಮಗನಾನು ಎಂಬ ವಚನದಲ್ಲಿ ದೀನರ ಉದ್ಧಾರದ ಕರುಣೆಯ ಕರ್ಮವೂ ಭಗವಂತನ ಕೃಪೆಗೆ ಕಾರಣ ಬಸವಣ್ಣನವರ ವಿಚಾರಧಾರೆಯ ಬೆಳಕಿನಲ್ಲಿ ಅನೇಕ ಮಹಿಳೆಯರು ವಚನಕಾರ್ತಿಯರಾಗಿ ಬಾಳನ್ನು ಬೆಳಗಿದರು ಈ ಮೂಲಕ ಅವರು ವಚನಕಾರ್ತಿಯರ ಸ್ವತಂತ್ರ ವ್ಯಕ್ತಿತ್ವದ ಹರಿಕಾರರಾಗಿದ್ದರು, ಜನನಕ್ಕೆ ತಾಯಾಗಿ ಹೆತ್ತಳು ಮಾಯೆ, ಮೊಹಕ್ಕೆ ಮಗಳಾಗಿ ಹುಟ್ಟಿದಳು ಮಾಯೆ, ಹೆಣ್ಣನ್ನು ಮಾಯೆ ಎಂದು ತಿರಸ್ಕರಿಸಿದುದು ತಪ್ಪೆಂಬುದು ಬಸವಣ್ಣನ





ಅಭಿಪ್ರಾಯವಾಗಿತ್ತು, ವಚನದಲ್ಲಿ ನಾಮಾಮೃತ ತುಂಬಿ ಕಿವಿಯಲ್ಲಿ ಕೀರ್ತಿ ತುಂಬಿ ನುಡಿದಂತೆ ನಡೆವೆ ನಡೆಯೊಳಗೆ ನುಡಿಯ ಪೂರೈಸುವೆ ಈ ರೀತಿ ಆಡಿದ್ದನ್ನು ಮಾಡಿ ಆಚರಿಸಿ ತೋರಿಸಿದವರು.

‘ನಾಳೆ ಬಪ್ಪುದು ನಮಗಿಂದೆ ಬರಲಿ ಇಂದು ಬಪ್ಪುದು ನಮಗೀಗಲೇ ಬರಲಿ ಇದಕ್ಕಾರಂಜುವರು ಇದಕ್ಕಾರಳುವರು’ ಕಲಿತವರು ಎಂಬಲ್ಲಿ ವ್ಯಕ್ತಿತ್ವದ ವೀರಭಾವವಿದೆ-ದೈರ್ಯವಿದೆ ವಚನಕಾರರು ಅನುಷ್ಠಾನಕ್ಕೆ ತಂದ ಅಮೂಲ್ಯ ಸಾಮಾಜಿಕ, ಧಾರ್ಮಿಕ ತತ್ವಗಳಲ್ಲಿ ಕಾಯಕ ಪ್ರಮುಖವಾಗಿದ್ದು ‘ಕಾಯಕವೇ ಕೈಲಾಸ’ ಇದು ಭಾರತೀಯ ಜನಜೀವನಕ್ಕೆ ಅವರು ಸಾಕ್ಷಾತ್ಕರಿಸಿ ಕೊಟ್ಟ ಒಂದು ಚಿರಂತನ ಮೌಲ್ಯ ಈ ತತ್ವದ ಮಹತ್ವ ಎಷ್ಟೆಂಬುದು 21 ನೇ ಶತಮಾನದಲ್ಲಿರುವ ನಮಗಿಂದು ಪ್ರತ್ಯಕ್ಷ ಮನವರಿಕೆಯಾಗಿದೆ ಉದ್ಯೋಗಕ್ಕೂ ಮತ್ತು ಕಾಯಕಕ್ಕೂ ತಾತ್ವಿಕವಾದ ಅಂತರವಿದೆ ಲೋಕದ ಜನರು ತಮ್ಮ ಉದರ ಪೋಷಣೆಯಿಂದ ಲೋಕ ಸಂಗ್ರಹಾರ್ಥವಾಗಿ ಮಾಡುವುದು ಉದ್ಯೋಗವಾದರೆ ಶರಣರು ದಾಸೋಹಕ್ಕಾಗಿ ದಾಸೋಹ ಭಾವನೆಯಿಂದ ಆತ್ಮೋದ್ಧಾರ ಹಾಗೂ ಸಮಾಜೋದ್ಧಾರಕ್ಕಾಗಿ ಮಾಡುವ ಉದ್ಯೋಗವೇ ಕಾಯಕ ಎಂದು ವಿಶ್ಲೇಷಿಸಿದ್ದಾರೆ, ಅಂದಿನ ಕಾಲದಲ್ಲಿ ಶರಣರ ಬದುಕೇ ಆದರ್ಶ ಮಾದರಿಯಾಗಿತ್ತು ಎಲ್ಲರೂ ಅನುಕರಿಸಬಹುದಾದಷ್ಟು ಆಕರ್ಷಕ ಮತ್ತು ಅಳವಡಿಸಿಕೊಳ್ಳಬಹುದಾದಷ್ಟು ಸರಳ ಕಾಯಕದ ಮಹತ್ವ ಜಗತ್ತಿಗೆ ಸಾರಿದವರು ತನಗಾಗಿ ದುಡಿಯುವುದು ಕಾಯಕ ಬೇರೆಯವರಿಗಾಗಿ ನೀಡುವುದನ್ನು ಪ್ರಸಾದವೆಂದರು. ಪ್ರಸಾದ ಬದುಕಿಗೆ ಅಗತ್ಯವಷ್ಟೇ ಅಲ್ಲ ಅವರ ಪ್ರಾಮಾಣಿಕ ಪರಿಶ್ರಮ ಸಾಮಾಜಿಕ ಕಳಕಳಿಯ ದ್ಯೋತಕವಾಗಿತ್ತು.

“ಕುರಿ ಕೋಳಿ ಕಿರಿ ಮೀನು ತಿಂಬುವರಿಗೆಲ್ಲ ಕುಲಜ ಕುಲಜರೆಂದೆಂಬರು,  
ಶಿವಗೆ ಪಂಚಾಮೃತವ ಕರೆವ ಪಶುವ ತಿಂಬ ಮಾದಿಗ ಕೀಳು ಜಾತಿಯೆಂಬರು”

ಕುರಿ ಕೋಳಿ ಮೀನು ತಿನ್ನುವ ಉಚ್ಛಕುಲದವರೆಲ್ಲ ಕುಲ ಶ್ರೇಷ್ಠರಾದರೆ ಶಿವನಿಗೆ ಪಂಚಾಮೃತವನ್ನೀವ ಪಶು ತಿನ್ನುವ ಮಾದಿಗರು ಮಾತ್ರ ಕೀಳು ಕುಲದವರೇ? ಪ್ರಸಾದ ಅಥವಾ ಆಹಾರ ಪ್ರಾಣಿ ಯಾವುದಾದರೇನು ಭೇದವೇಕೆ ಎಂದು ಕಟುವಾಗಿ ಪ್ರಶ್ನಿಸಿರುವರು.

ಪ್ರಸಾದ ಸತ್ಯ ಶುದ್ಧ ಕಾಯಕದಿಂದ ಕೂಡಿದದಾಗಿರಬೇಕೇ ವಿನಃ ಕುಳಿತು ತಿನ್ನುವುದು ಪ್ರಸಾದವೆನ್ನಿಸಿಕೊಳ್ಳಲಾರದು ಮಾಂಸಾಹಾರ ಸೇವಿಸುವ ಅದೆಷ್ಟೋ ಮೇಲ್ಮಾತಿಗಳವರು ಕೂಡ ಇನ್ನೊಬ್ಬ ಮಾಂಸಾಹಾರಿಯನ್ನು ತುಚ್ಛವಾಗಿ ಕಾಣುವುದು ಸಮಾಜದಲ್ಲಿ ತಮ್ಮ ಹಕ್ಕುಗಳಿಗಾಗಿ ದೈಹಿಕವಾಗಿ ಮಾನಸಿಕವಾಗಿ ಬೌದ್ಧಿಕವಾಗಿ ತಮ್ಮ ಹಕ್ಕುಗಳಿಗಾಗಿ ಹೋರಾಡಿದರು. ಶರಣರು ಶುದ್ಧ ಸಸ್ಯಹಾರಿಗಳಾಗಿದ್ದರು ದಯವಿರಬೇಕು ಸಕಲ ಪ್ರಾಣಿಗಳೆಲ್ಲರಲ್ಲಿ ಎಂದಿದ್ದರು. ಪ್ರಾಣಿಹಿಂಸೆಯನ್ನು ಯಾವ ಕಾರಣಕ್ಕೂ ಒಪ್ಪುತ್ತಿರಲಿಲ್ಲ ಕಲ್ಯಾಣ ನಾಡಿಗೆ ಶರಣ ಸಂಕುಲ ಸೇರಲು ದೂರ ದೂರದ ಪ್ರದೇಶದಿಂದ ಜನ ಬಂದು ಇವರನ್ನು ಸೇರಿದರು ನಯನಾರರು, ಆಂಡಾಳರು, ಶೈವ ಪರಂಪರೆಯವರು, ಕಾಳಾಮುಖರು, ಕಾಪಾಲಿಕರು, ನಾಥಪರಂಪರೆಯ ಯೋಗಿಗಳು, ನಾಗಾಗಳು ಇದನ್ನು ಗಂಭೀರವಾಗಿ ಯೋಚಿಸಿದ ಅವರು ಮರು ಜೀವಕ್ಕೆ ಜೀವ ಆಧಾರ, ಜೀವ ತಪ್ಪಿಸಿ ಜೀವಿಸಬಾರದು. ಬೀಜದಲ್ಲೂ ಸಸ್ಯದಲ್ಲೂ ಜೀವವಿದೆ. ಅಹಿಂಸೆಯೇ ಪರಮಧರ್ಮ, ನಾವು ಸೇವಿಸುವ ಪ್ರಸಾದ ನಮ್ಮ ಕಠಿಣ ಶ್ರಮದ ಫಲವಾಗಿರಬೇಕೇ ವಿನಾ ಇನ್ನೊಬ್ಬರ ಭಿಕ್ಷೆಯಾಗಿರಬಾರದು ಪರಿಶ್ರಮದಿಂದ ಕಾಯಕ ಮಾಡುವವನಿಗೆ ಅಂಬಲಿ ಸಹ ಅಮೃತವೆನಿಸುತ್ತದೆ. ಹೀಗೆ ವಚನಕಾರರು ತಮ್ಮ ಹಕ್ಕುಗಳ ಪ್ರತಿಪಾದನೆಗೆ ಆಹಾರ, ವಿಹಾರ, ಆಚಾರ, ವಿಚಾರ, ಸಂಸ್ಕೃತಿ, ಪರಂಪರೆ ಬದುಕಿಗಾಗಿ ಹೋರಾಡಿದರು

### ಆಕರ ಗ್ರಂಥಗಳು

- [1] ವಚನ ಸಾಹಿತ್ಯ - ಸಮಗ್ರ ವಚನ ಸಂಪುಟ-1 ಬಸವಣ್ಣನವರ ವಚನ ಸಂಪುಟ : ಸಂ. ಡಾ.ಎಂ.ಎಂ.ಕಲಬುರ್ಗಿ, ಕನ್ನಡ ಪುಸ್ತಕ ಪ್ರಾಧಿಕಾರ ಬೆಂಗಳೂರು
- [2] ಶಿವಶರಣೆಯರ ವಚನ ಸಂಪುಟ : ಸಂ.ಡಾ.ವೀರಣ್ಣ ರಾಜೂರ, ಕನ್ನಡ ಪುಸ್ತಕ ಪ್ರಾಧಿಕಾರ ಬೆಂಗಳೂರು.
- [3] ವಚನ ನಿರ್ವಚನಾ : ಸಂ. ಜಯಶ್ರೀ ದಂಡೆ



## ದೇವರಾಜ ಅರಸುರವರ ಆಳ್ವಿಕೆಯಲ್ಲಿ ಭೂಸುಧಾರಣಾ ಶಾಸನದ ಅನುಷ್ಠಾನ 1974 ಕುರಿತು ಒಂದು ವಿವೇಚನೆ.

ಶಿವಣ್ಣ ಮತ್ತು ಡಾ. ಪೂರ್ವಾಚಾರ್ ಎಂ.

### ಪೀಠಿಕೆ

ದೇವರಾಜ ಅರಸುರವರ ಆಳ್ವಿಕೆಯಲ್ಲಿ 1974 ರ ವರ್ಷ ಸುವರ್ಣಾಕ್ಷರದಲ್ಲಿ ಬರೆದಿಡಬೇಕು ವರ್ಷ ಇಡೀ ದೇಶದಲ್ಲಿ ಅತ್ಯಂತ ಪುರೋಗಾಮಿ ಶಾಸನವೆನಿಸಿದ ಭೂ ಸುಧಾರಣಾ ಶಾಸನ ವನ್ನು ಅತ್ಯಂತ ಸಮರ್ಪಕವಾಗಿ ಅನುಷ್ಠಾನಕ್ಕೆ ತಂದರು. ಕೆಲವೇ ಮಂದಿಗೂ ನೆಲೆ ತಪ್ಪಿದರೂ ಈ ಶಾಸನದಿಂದಾಗಿ ಬಹುತೇಕರಿಗೆ ನೆಲೆಯೊದಗಿತು. 'ಉಳುವವನೇ ನೆಲದ ಒಡೆಯ' ಎಂಬ ಮಹಾತ್ಮ ಗಾಂಧಿಯವರ ಕನಸನ್ನು ಅರಸರು ಅತ್ಯಂತ ಸಮರ್ಥವಾಗಿ ಆಚರಣೆಗೆ ತಂದರು. ಸಹಸ್ರಾರು ವರ್ಷಗಳ ಭೂ ಒಡೆತನದ ಇತಿಹಾಸ ಪರಂಪರೆಯ ಇರುವ ನಾಡಿನಲ್ಲಿ 'ಉಳುವವನೇ ಭೂಮಿಯ ಒಡೆಯ'ನಾಗಿ ಪರಿವರ್ತನವಾಗುವುದು ಸುಲಭದ ಮಾತಾಗಿರಲಿಲ್ಲ.

ಭೂನ್ಯಾಯ ಮಂಡಳಿ, ಹಾಗೂ ಜನತಾ ನ್ಯಾಯಾಲಯಗಳನ್ನು ರಚಿಸಿ ಶಾಸನವು ಅರ್ಥವತ್ತಾಗಿ ಜಾರಿಗೆ ಬರುವಂತೆ ಮಾಡಿದ್ದು ಒಂದು ಸಾಮಾಜಿಕ ಕ್ರಾಂತಿಯೇ ಆಗಿತ್ತು. ಭೂ ನ್ಯಾಯ ಮಂಡಳಿಗೆ ಒಂದು ರೀತಿಯ ಪರಮಾಧಿಕಾರವನ್ನು ನೀಡಿ ಅಗತ್ಯ ಬಿದ್ದಾಗ ಪೊಲೀಸ್ ಹಾಗೂ ಕಂದಾಯ ಇಲಾಖೆಯ ಸಹಾಯ ಪಡೆಯಲು ಸೂಚಿಸಿದರು. "ಆಂ ಪಂಚಾಯತಿ ಸದಸ್ಯರ ಆಯ್ಕೆಯಲ್ಲಿ ತೋರಿದ ಚಾಣಾಕ್ಷತೆ, ಪದಾಧಿಕಾರಿಗಳ ನಿಯತ್ತು ಸುಮಾರು 15 ಲಕ್ಷ ಗೇಣಿದಾರರ ಕುಟುಂಬಗಳ ಭೂ ಒಡೆತನಕ್ಕೆ ಕಾರಣವಾದವು. ಜನರು ನ್ಯಾಯಾಲಯದ ಕಲ್ಪನೆ ಯಶಸ್ವಿ ಶಾನಸವೊಂದರ ಕಾರ್ಯಸಾಧನವಾಗಿದ್ದು ಅರಸುರವರ ನೈತಿಕ ವಿಜಯವೆನ್ನಬಹುದು.

ಈ ಮಸೂದೆ ಪ್ರಬಲರ ಕೆಂಗಣ್ಣಿಗೆ ಅರಸರನ್ನು ಗುರಿ ಮಾಡಿತು ಹೊಗಳಿಕೆ ತೆಗಳಿಕೆ ಶಾಪ ಕೋಪ ತಾಪ ಇವೆಲ್ಲವುಗಳನ್ನು ಅವರು ಗಟ್ಟಿಮನದಿಂದ ನಿಭಾಯಿಸಿದರು. ಸಾವಿರಾರು ಜನರಿಗೆ ಒಳಿತಾಗುವುದಾದರೆ ಹತ್ತಾರು ಜನ ತ್ಯಾಗಮಾಡಲೇಬೇಕು. ಭೂಮಿಯನ್ನು ಸೃಷ್ಟಿಮಾಡಲು ಸಾಧ್ಯವಿಲ್ಲ ಭೂ ಸಂಪತ್ತು ಹಂಚಿ ತಿನ್ನುವಂತಾಗಬೇಕು ಎಂಬ ಸಮಾಜವಾದ ನೀತಿ ಅರಸುರವರದಾಗಿತ್ತು.

ಸಮಾಜವು ಆರ್ಥಿಕ ರಚನೆಯ ಮೇಲೆ ನಿಂತಿದ್ದು ಅದರ ಮೇಲೆ ಸಾಮಾಜಿಕ ರಚನೆ ಆಗಿದೆ. ಅದರ ಮೇಲೆ ರಾಜಕೀಯ ವ್ಯವಸ್ಥೆ ನಿಂತಿವೆ. ಸಾಮಾಜಿಕ ಮಟ್ಟದಲ್ಲಿ ಸುಸ್ಥಿತಿಯಲ್ಲಿರುವವರು ಆಸ್ತಿಯನ್ನು ಹೊಂದಿರುವರು, ರಾಜಕೀಯ ವ್ಯವಸ್ಥೆಯನ್ನು ತಮ್ಮ ಹಿಡಿತದಲ್ಲಿ ಇರಿಸಿಕೊಂಡಿದ್ದಾರೆ ಹೀಗಾಗಿ ದಲಿತರನ್ನು ಒಳಗೊಂಡಂತೆ ಎಲ್ಲಾ ಜಾತಿಯ ಭೂ ಮಾಲೀಕರನ್ನು, ಬಂಡವಾಳಶಾಹಿಗಳು, ಬಂಡವಾಳ ಶಾಹಿಯವರ ಹಿತಾಶಕ್ತಿಯನ್ನು ಕಾಪಾಡುವವರು ರಾಜಕೀಯ ಅಧಿಕಾರವನ್ನು ಹಿಡಿದುಕೊಂಡಿದ್ದರಿಂದ ಅರಸು ಅವರಿಗೆ ಶ್ರಮಿಕ ಸಮುದಾಯಗಳ ಬಗ್ಗೆ ಇರುವ ಕಾಳಜಿಯನ್ನು ಮತ್ತು ಅವರ ಬದ್ಧತೆ ವ್ಯಕ್ತವಾಗುವುದು ಹೀಗೆ "ನಾನು ಬದುಕಿರುವವರೆಗೂ ಬಡವರಿಗಾಗಿ, ಅಲ್ಪಸಂಖ್ಯಾತರಿಗಾಗಿ ನನ್ನ ಸೇವೆ ಮೀಸಲು ಮಂತ್ರಿಯಾಗಿ ನಾನು ಯಾವ ಕೆಲಸ ಮಾಡುತ್ತೇನೆ ಎಂಬುದು ನನಗೆ ಗೊತ್ತು ಜನ ಬೆಂಬಲ ಇರುವವರೆಗೂ ನಾನು ಯಾರಿಗೂ ಹೆದರಬೇಕಿಲ್ಲ. ಎಂದು ಹೇಳಿದುದುಂಟು. ಎಸ್. ನಿಜಲಿಂಗಪ್ಪನವರ ಕಾಲದಿಂದಲೂ ನನೆಗುದಿಗೆ ಬಿದ್ದಿದ್ದ ಭೂಸುಧಾರಣಾ ಕಾಯಿದೆಗೆ ಎಷ್ಟತ್ತರ ದಶಕದಲ್ಲಿ ಅರಸು ಅವರು ನಿರಂತರ ಪ್ರಯತ್ನದಿಂದ ರಾಜ್ಯದಲ್ಲಿ ಲಕ್ಷಾಂತರ ಗೇಣಿದಾರರಿಗೆ ಭೂಮಿ ಮೇಲಿನ ಒಡೆತನ ದೊರಕಿಸಿಕೊಡುವಲ್ಲಿ ಯಶಸ್ವಿಯಾದರು ಎಂಬುದು





ಅತ್ಯಂತ ಮಹತ್ವ ಪೂರ್ಣವಾದದ್ದು. ಜೊತೆಗೆ ಕೃಪೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅದಕ್ಕೆ ಬೇಕಾದ ಸೇವಾ ಸಂಘಗಳನ್ನು ದೊರಕಿಸಿಕೊಡುವಲ್ಲಿ ಅವರು ಇಟ್ಟ ಹೆಜ್ಜೆ ಶ್ಲಾಘನೀಯವಾದುದು.

ಭೂ ಸುಧಾರಣೆಯ ಉದ್ದೇಶಗಳು

ಅರಸು ಅವರ ದೃಷ್ಟಿಯಲ್ಲಿ ಈ ಕೆಳಕಂಡ ಭೂಸುಧಾರಣೆಯ ಉದ್ದೇಶಗಳು ಬಹುಮುಖ್ಯವಾಗಿದ್ದವು.

- 1) ಜಮೀನಾರಿ ಪದ್ಧತಿಯನ್ನು ಹೋಗಲಾಡಿಸುವುದು;
- 2) ಜೀತಪದ್ಧತಿಯನ್ನು ನಿರ್ಮೂಲನೆ ಮಾಡುವುದು;
- 3) ಕೃಷಿ ಉತ್ಪಾದನೆಯ ಪ್ರಮಾಣವನ್ನು ಹೆಚ್ಚಿಸುವುದು;
- 4) ಭೂ ವಂಚಿತರಿಗೆ ಭೂಮಿಯನ್ನು ನೀಡುವುದು;
- 5) ಬಂಡವಾಳಶಾಹಿತವನ್ನು ನಿಯಂತ್ರಿಸುವುದು;
- 6) ಆರ್ಥಿಕ ಸಮಾನತೆಯನ್ನು ಸಾಧಿಸುವುದು;
- 7) ಉದ್ಯೋಗಗಳ ಸ್ವಷ್ಟ ಮತ್ತು ನಿರುದ್ಯೋಗ ಸಮಸ್ಯೆಯನ್ನು ನಿವಾರಿಸುವುದು

ಭೂಮಿಯು ಸಣ್ಣ ಪುಟ್ಟ ಘಟಕಗಳಲ್ಲಿ (ಹಿಡುವಳಿ) ಹಂಚಿಹೋದರೆ ಉತ್ಪಾದನಾ ಪ್ರಾಣ ಹೆಚ್ಚಾಗುತ್ತದೆ ಎಂಬ ಅಂಶವನ್ನು ಅದ್ವೈತಿಯನಗಳ ಆಧಾರದ ಮೇಲೆ ಅರಸರವರು ಪ್ರಭಲವಾಗಿ ಮಂಡಿಸಿದರು. ಭೂಸುಧಾರಣಾ ತತ್ವ ಮತ್ತು ಉದ್ದೇಶಗಳನ್ನು ಬಿಡಿಸಿ ಹೇಳುತ್ತಿದ್ದ ಅರಸು, ಜನರನ್ನು ವಿಶ್ವಾಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವ, ಒಟ್ಟಾರೆ ನಾಡಿನ ಅಭಿವೃದ್ಧಿಯ ಕಳಕಳಿ ವ್ಯಕ್ತವಾದುದನ್ನು ನಾವು ಅವರ ಕಾರ್ಯವೈಖರಿಯುದ್ದಕ್ಕೂ ಕಾಣುತ್ತೇವೆ. ಅವರು ಹೇಳಿದ ಈ ಮುಂದಿನ ಮಾತುಗಳು ಇಂದಿಗೂ ನಮಗೆ ಪ್ರಸ್ತುತವಾಗಿವೆ. ಒಂದು ವೇಳೆ ನಾವು ಈ ಸುಧಾರಣೆಯನ್ನು ಸರಿಯಾಗಿ ಅನುಷ್ಠಾನಗೊಳಿಸದಿದ್ದರೆ ಕೆಲಕಾಲದ ನಂತರದಲ್ಲಿ ಇದಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ತೀವ್ರತರವಾದ ಸುಧಾರಣೆಯ ಕಟ್ಟಡಗಳನ್ನು ಕುರಿತು ನಾವು ಪರ್ಯಾಲೋಚಿಸಬೇಕಾಗಿದೆ. ಮುಂದೆ ಈ ಕಾಯಿದೆ 1995 ರಲ್ಲಿ ತಿದ್ದುಪಡಿ ಪಡೆದುಕೊಂಡಿದ್ದನ್ನು ಮತ್ತೊಮ್ಮೆ ಸ್ಥಾಪಿಸಿಕೊಳ್ಳಬಹುದು.

### ಪರಾಮರ್ಶನ ಗ್ರಂಥಗಳು

- [1] ಅಣ್ಣಯ್ಯ ಆರ್.ವಿ. ದೇವರಾಜ ಅರಸು ಅವರ ಅಭಿವೃದ್ಧಿ ಚಿಂತನೆಗಳು. ಮಧು ಪ್ರಕಾಶನ, ಮೈಸೂರು
- [2] ಕರ್ನಾಟಕ ಸರ್ಕಾರ ರಾಜ್ಯಶಾಸ್ತ್ರ, ಸಾರ್ವಜನಿಕ ಮುದ್ರಣ ಇಲಾಖೆ, ಬೆಂಗಳೂರು-2017
- [3] ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಹಿಂದುಳಿದ ವರ್ಗದ ಕೈಪಿಡಿ.
- [4] ಮುನಿವೆಂಕಟಪ್ಪ ಎ. 2013. ದಲಿತ ಸಾಮಾಜಿಕ ದರ್ಶನ. ಲಿಖಿತ ಪ್ರಕಾಶನ, ಮೈಸೂರು.
- [5] ಮುನಿವೆಂಕಟಪ್ಪ ಎ. 2013. ಸಾಮಾಜಿಕ ಬದಲಾವಣೆ. ಭೀಮ ಪ್ರಕಾಶನ, ಮೈಸೂರು.

**ಮಹಿಳಾ ಹಕ್ಕುಗಳು ಮತ್ತು ವಚನ ಸಾಹಿತ್ಯ****ಪ್ರೊ. ಬಸವರಾಜ ಟಿ**

ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು, ಕನ್ನಡ ವಿಭಾಗ  
ವಾಣಿ ಸಕ್ಕರೆ ಸರ್ಕಾರಿ ಪ್ರಥಮ ದರ್ಜೆ ಕಾಲೇಜು ಹಿರಿಯೂರು  
99016 21647

**“ಸ್ತ್ರೀ ಪರಿಕಲ್ಪನೆ”**

ಸ್ತ್ರೀ ಅಥವಾ ಮಹಿಳಾ ಪದವು ಸಂಸ್ಕೃತದ್ದು, ಕನ್ನಡದಲ್ಲಿ ಈ ಪದಕ್ಕೆ ‘ಹೆಣ್ಣು’ ಎಂಬ ಅರ್ಥವಿದೆ. ಇದು ನಾಗರಿಕಗೌರವ ಮತ್ತು ಪುರುಷ ಪದದ ಸಮಾನ ಪದವಾಗಿದ್ದು, ವಯಸ್ಕ ಹೆಣ್ಣನ್ನು ಸೂಚಿಸಲು ಉಪಯೋಗಿಸಲಾಗುತ್ತದೆ. ಆದಿಯಿಂದಲೂ ಸೃಷ್ಟಿಯ ಮೂಲ ಸ್ತ್ರೀಯಾಗಿದ್ದಾಳೆ. ನಮ್ಮ ಭಾರತೀಯ ಸಂಸ್ಕೃತಿಯಲ್ಲಿ ಸ್ತ್ರೀಗೆ ಅವಳದೇ ಆದ ಗೌರವ ಸ್ಥಾನಮಾನಗಳಿರುವುದನ್ನು ಗುರುತಿಸಬಹುದಾಗಿದೆ. ಸ್ತ್ರೀ ಅವಿನಾಶಿ, ಸಂಜೀವಿನಿ, ಹೆಣ್ಣು ವಿಶಿಷ್ಟ ಶಕ್ತಿಗಳ ಸಂಗಮ, ಮಮತೆ, ಕರುಣೆ, ವಾತ್ಸಲ್ಯ, ಅಕ್ಕರೆ ಮತ್ತು ಭೂಮಿತೂಕದ ತಾಳ್ಮೆಯುಳ್ಳ ಸ್ತ್ರೀ ಒಂದು ಪ್ರಬಲ ಶಕ್ತಿ ಎನ್ನುವುದರಲ್ಲಿ ಎರಡು ಮಾತಿಲ್ಲ. ಮಹಿಳೆಯ ಜಾಯಮಾನ ಪುರುಷನ ಜಾಯಮಾನಕ್ಕಿಂತ ಭಿನ್ನವಾದುದು, ಮಹಿಳೆಯನ್ನು ಪ್ರಾಚೀನ ಕಾಲದಿಂದಲೂ ಅಬಲೆಯೆಂದೇ ಕಡೆಗಣಿಸಲಾಗುತ್ತಿತ್ತು. ಮಾನವರಲ್ಲಿ ಗಂಡು ಅಥವಾ ಹೆಣ್ಣು ಎಂಬ ನಿಸರ್ಗಬದ್ಧವಾಗಿ ಅಂಗಾಂಗ ವಿನ್ಯಾಸದಲ್ಲಿ ಭಿನ್ನತೆಯದೇ ಹಠಾಂತರವಾಗುತ್ತದೆ. ರಚನೆ ಹಾಗೂ ಸಂತಾನೋತ್ಪತ್ತಿಯ ಕ್ರಿಯೆಗಳಲ್ಲಿ ಹೆಣ್ಣು ಹಾಗೂ ಗಂಡು ವಿಶೇಷವಾದ ಗುಣಗಳನ್ನೂ ಹೊಂದಿದ್ದಾರೆ.

**ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆಯ ಹಕ್ಕುಗಳು**

ಪ್ರಪ್ರಥಮವಾಗಿ ಮಹಿಳೆಯರ ಸಮಾನತೆ ಹಾಗೂ ಹಕ್ಕುಗಳ ಬಗೆಗಿನ ಚಿಂತನೆ ವಿಪುಲವಾಗಿ ನಡೆದದ್ದು ಕರ್ನಾಟಕದಲ್ಲಿ ಎಂಬುದು ಹೆಮ್ಮೆಯ ವಿಷಯ. ಎಲ್ಲಿ? ಹೇಗೆ? ಎಂದು ಅವಲೋಕಿಸಿದರೆ ಮತ್ತೆ ಕಣ್ಣಿಂದ ಬರುವುದು 12ನೇ ಶತಮಾನದ ಶರಣಕ್ರಾಂತಿ. ಈ ಶರಣಕ್ರಾಂತಿಯ ಮುಂದಾಳುಗಳು ಬಸವಣ್ಣ, ಅಲ್ಲಮಪ್ರಭು ಮತ್ತು ಅಕ್ಕಮಹಾದೇವಿ. ಅಕ್ಕಮಹಾದೇವಿಯನ್ನು ಕನ್ನಡದ ಪ್ರಥಮಕವಯಿತ್ರಿ ಎಂದೂ ಗುರುತಿಸಬಹುದು.

ಸಾಹಿತ್ಯ ಅಂದಿನ ಸಮಾಜದ ಕನ್ನಡಿ ಎಂಬ ಮಾತಿನಂತೆ ಹೊಸ ಸಾಹಿತ್ಯ ಪ್ರಕಾರ ‘ವಚನ’ ಶುರುವಾದದ್ದು 12ನೆಯ ಶತಮಾನದಲ್ಲಿ. ವಚನ ಸಾಹಿತ್ಯವು ಶರಣ ಚಿಂತನೆಗಳ ಮುಖವಾಣಿಯಂತಿದ್ದಿತು ಎಂದು ಹೇಳಲು ತಪ್ಪಾಗಲಾರದು. ವಚನದ ಮೂಲ ಉದ್ದೇಶ, ಪ್ರಯೋಜನ ಸಾಹಿತ್ಯ ಸೃಷ್ಟಿಯಲ್ಲ. ಅಂದಿನ ಸಾಮಾಜಿಕ ಅಸಮಾನತೆ, ಮೂಲ ಭೂತ ಹಕ್ಕುಗಳು, ಮಾನವೀಯ ಮೌಲ್ಯಗಳು, ಮಹಿಳಾ ಹಕ್ಕುಗಳು ಮತ್ತು ಸಮಾನತೆ, ಜಾತಿ ಕಂದರಗಳು, ಮೂಡನಂಬಿಕೆ, ಅನಾಚಾರಗಳ ವಿಡಂಬನೆ, ಡಾಂಭಿಕ ಭಕ್ತಿ ವಿರುದ್ಧ ತೋರಿದ ದೋರಣೆಗಳು ವಚನಕಾರರ ಅನುಭವದ ನುಡಿಗಳ ಮೂಲಕ ಸಮ ಸಮಾಜದ ನಿರ್ಮಾಣಕ್ಕೆ ನಾಂದಿ ಹಾಡಿದರು.

ಸಮ ಸಮಾಜದ ನಿರ್ಮಾಣದಲ್ಲಿ ಮಹಿಳಾ ಸಮಾನತೆ ಮತ್ತು ಹಕ್ಕುಗಳು ಮಹಿಳಾ ಸಶಕ್ತೀಕರಣ ಮುಖ್ಯವಾದವು ಎಂದು ಮನಗಂಡ ಶರಣರು ಮಹಿಳೆಯರ ಪ್ರಜ್ಞಾ ಪ್ರವಾಹಕ್ಕೆ ಮುಂದಾದರು. ಸಮಾಜದ ಕಟ್ಟು-ಕಟ್ಟಲೆಗಳ ನಡುವೆಯೇ 12ನೆಯ ಶತಮಾನದ ಮಹಿಳಾ ಮಣಿಗಳು/ವಚನಗಾರ್ತಿಯರು ಕೇವಲ ಲೌಕಿಕ ಗಂಡ, ಮನೆ, ಮಕ್ಕಳ ಚಾಕರಿಕೆ ಮೀಸಲೆಂದು



ಪರಿಗಣಿಸಿದ್ದು ಸಮಾಜದಲ್ಲಿತಮ್ಮ ಅಸ್ತಿತ್ವವನ್ನು ಕಂಡುಕೊಂಡು ಸಾಮಾಜಿಕಕ್ರಾಂತಿಯಲ್ಲಿತೊಡಗಿಸಿಕೊಂಡದ್ದು ಜೊತೆಗೆತಮ್ಮ ಹಕ್ಕುಗಳ ಭಾದ್ಯತೆಗಳನ್ನು ಪಡೆಯುವಲ್ಲಿ ಮುಂದಾಗಿದ್ದು ಎಂಥವರನ್ನೂ ರೋಮಾಂನಚನಗೊಳಿಸದೇ ಇರದು.

ಜಗತ್ತಿನ ಸಾಹಿತ್ಯಕ್ಷೇತ್ರಕ್ಕೆ ತಿಳಿದಿರುವಂತೆ ಶರಣ/ವಚನ ಕ್ರಾಂತಿಯ ಮೂಲ ಪುರುಷ ಬಸವಣ್ಣ. ಮಹಿಳಾ ಸಮಾನತೆಯಕ್ರಾಂತಿಯಕಿಡಿ ಶುರುವಾಗುವುದು ಬಸವಣ್ಣನ ಮೂಲಕ.ತನ್ನ ಅಕ್ಕ ನಾಗಲಾಂಬಿಕೆಗೆ ಉಪನಯನ ಶಾಸ್ತ್ರ ಸಲ್ಲ ಎಂಬ ಅಂದಿನ ಸಮಾಜದ ಕಟ್ಟುಪಾಡುಗಳನ್ನು ತಿರಸ್ಕರಿಸಿದುದರಿಂದಲೇ 12ನೆಯ ಶತಮಾನದಲ್ಲಿ ಶುರುವಾದ ಮಹಿಳಾ ಹಕ್ಕುಗಳ ಹೋರಾಟ ಮಹಾ ಕ್ರಾಂತಿಯಾಗಿ ಹಲವಾರು ಶರಣೆಯರನ್ನು ಸೃಷ್ಟಿಸಿತು.

ಜಾತಿರಹಿತ ಶರಣ ಸಂಸ್ಕೃತಿ ಕಟ್ಟುವಲ್ಲಿ ಸಫಲವಾದರೂಇದರ ಅಸ್ತಿತ್ವವು ಆಧುನಿಕಕಾಲದಲ್ಲಿ ಎಲ್ಲವೂ ನಶಿಸುತ್ತಿರುವ ಸಂಗತಿ ಮಾತ್ರ ಬಹಳ ನೋವಿನ ವಿಷಯತಂದಿದೆ. ಬಸವಣ್ಣನ ನಂತರ ಬಂದ ಸಮಾಜದಲ್ಲಿ ಮಹಿಳೆಗೆ ಸ್ಥಾನ-ಮಾನ ಉಳಿಯುವಲ್ಲಿ ಹಗಲಿರುಳು ಶ್ರಮಿಸಿದ, ಮಹಿಳಾ ಹಕ್ಕುಗಳನ್ನು ಎತ್ತಿಹಿಡಿದ ಆಧುನಿಕ ಕಾಲದ ಸಂವಿಧಾನ ಶಿಲ್ಪಿ ಡಾ.ಬಿ.ಆರ್. ಅಂಬೇಡ್ಕರ್ ಅವರನ್ನು ಈ ಸಂದರ್ಭದಲ್ಲಿ ಶ್ಲಾಘನೆ ಮಾಡಬೇಕು.12ನೆಯ ಶತಮಾನದಲ್ಲಿ ಪಾಲ್ಗೊಂಡ ಮಹಿಳೆಯರು ತಮ್ಮ ಸ್ವಂತ ಸಂಸಾರ ನಿಭಾಯಿಸುವುದರೊಂದಿಗೆ ಸಮಾಜದ ಮೌಢ್ಯವನ್ನು ನಿರಾಕರಿಸಿ, ಸಮಾಜದಲ್ಲಿ ಸಕ್ರಿಯವಾಗಿ ಭಾಗಿಯಾಗಿ, ಸಮಾಜವನ್ನು ತಿದ್ದುತ್ತಾ ತೀಡುತ್ತಾ ನವ ಸಮಾಜದ ಕಲ್ಪನೆ ಸಾಕಾರಗೊಳ್ಳುವಲ್ಲಿ ಭಾಗಿಯಾದರು.12ನೆಯ ಶತಮಾನದಲ್ಲಿ ತಮ್ಮ ಅನುಭವ ಹಾಗೂ ಅನುಭಾವವನ್ನು ವಚನಗಳ ಮೂಲಕ ಪ್ರಹರಿಸಿದರು.ಅಷ್ಟೇ ಅಲ್ಲದೆ ಅಂದಿನ 'ಪ್ರಜಾ ಸಂಸತ್' ಎಂದೇ ಗುರುತಿಸಬಹುದಾದ "ಅನುಭವ ಮಂಟಪದಲ್ಲಿ" ಸಕ್ರಿಯವಾಗಿ ಪುರುಷ ಮಹಿಳೆ ಅನ್ನದೆ ಪಾಲ್ಗೊಂಡು ತಮ್ಮ ಕೊಡುಗೆಯನ್ನು ಸಮ ಸಮಾಜ ನಿರ್ಮಾಣ ಮಾಡಲಿಕ್ಕೆ ಕಾಣ್ಯೆ ಕೊಟ್ಟರು.

ನಾವು ಇಂದು ಆಧುನಿಕ, ತಂತ್ರಜ್ಞಾನ, ವಿಜ್ಞಾನಯುಗದಲ್ಲಿ ಮಹಿಳಾ ಸಮಾನತೆ ಮತ್ತು ಹಕ್ಕು ಬಾಧ್ಯತೆಗಳನ್ನು, ಮೀಸಲಾತಿಯಿಂದ ಮಹಿಳಾ ಸಶಕ್ತೀಕರಣಕ್ಕೆ ಮುಂದಾಗುತ್ತಿದ್ದರೆ, 12ನೆಯ ಶತಮಾನದಲ್ಲಿ ಶರಣರು ಸ್ತ್ರೀ-ಪುರುಷ ಸಮಾನರೆಂದು ಸಾರಿದರು, ಶೈಕ್ಷಣಿಕವಾಗಿ, ಸಾಮಾಜಿಕವಾಗಿ, ಧಾರ್ಮಿಕವಾಗಿ, ಕೌಟುಂಬಿಕವಾಗಿ, ಆರ್ಥಿಕವಾಗಿ ಸ್ತ್ರೀಯರು ಸಮಾನರೆಂದು ವಚನಯುಗ ಸಾಬೀತು ಪಡಿಸಿತು. ಈ ಮೂಲ ಧ್ಯೇಯವನ್ನು ನಡೆ-ನುಡಿಯಾಗಿಸಿದ್ದ ಅಲ್ಲಮ ಪ್ರಭುವನ್ನು ಪ್ರಶ್ನಿಸುವ ಮುಕ್ತಾಯಕ್ಕೆ, ಅಲ್ಲಮನ ಪರೀಕ್ಷೆಯ ಪ್ರಶ್ನೆಗಳಿಗೆ ಸರಿ ಉತ್ತರಿಸಿ ಅಲ್ಲಮನಿಂದಲೇ ಪ್ರಶಂಸೆಗೊಳಗಾದ ಅಕ್ಕಮಹಾದೇವಿ. ಬಸವಣ್ಣನ ತಿದ್ದುವ ವಿಚಾರ ಪತ್ತಿ ನೀಲಮ್ಮ ಹಾಗೂ ಅಕ್ಕ ನಾಗಲಾಂಬಿಕೆ, ಗಂಡ ಮಾರಯ್ಯನಕಾಯಕ ಪ್ರಜ್ಞೆಯನ್ನು ನೆನಪಿಸುವ ಹಾಗೂ ಅವನ ಆಸೆಯ ಮನಸ್ಸನ್ನು ಪ್ರಶ್ನಿಸುವ ಆಯ್ಕೆ ಲಕ್ಕಮ್ಮ, ಕಸಗುಡಿಸುವಾಗ ಹೊನ್ನು ಸಿಕ್ಕರೂ ಅದು ಶ್ರಮಗಳಿಕೆಯಲ್ಲವೆಂದು ತಿರಸ್ಕರಿಸಿ ಕಸದಂತೆ ಪರಿಗಣಿಸುವ ಸತ್ಯಕ್ಕೆ ಹೀಗೆ ಹತ್ತು ಹಲವು ಧೀಮಂತ ಮಹಿಳಾ ಮಣಿಗಳು ಸಕ್ರಿಯವಾಗಿ 12ನೆಯ ಶತಮಾನದಲ್ಲಿ ಮಹಿಳಾ ಹಕ್ಕು ಮತ್ತು ಸಮಾನತೆಗೆ ಕಲ್ಯಾಣರಾಜ್ಯದಲ್ಲಿ ತಮ್ಮ ದೇವದೇವ ಅನುಭವದಿಂದ ವಚನಗಳನ್ನು ರಚನೆ ಮಾಡಿದ ಸಂದರ್ಭ ತಿಳಿದಿರುತ್ತದೆ.

12ನೆಯ ಶತಮಾನದ ಶರಣೆಯರಧೋರಣೆ ಹಾಗೂ ಮನಃಸ್ಥಿತಿ ತಿಳಿಯಲು ಗಮನಿಸಬೇಕಾದ ವಚನಗಳು

ಅಕ್ಕ ಕೇಳಕ್ಕಾ, ನಾನೊಂದಕನಸಕಂಡೆ



ಚಿಕ್ಕಚಿಕ್ಕ ಕೆಂಜೆಡೆಗಳ ಸುಲಿಪಲ್ಲಗೊರವನು  
ಬಂದೆನ್ನನೆರೆದ ನೋಡವ್ವ  
ಆತನನಪ್ಪಿಕೊಂಡು ತಳವೆಳಗಾದೆನ  
ಚೆನ್ನಮಲ್ಲಿಕಾರ್ಜುನನಕಂಡು  
ಕಣ್ಣು ಮುಚ್ಚಿತೆರೆದು ತಳವೆಳಗಾದೆನು - ಅಕ್ಕಮಹಾದೇವಿ  
ಮೊಲೆ ಮುಡಿ ಇದ್ದುದೆ ಹೆಣ್ಣೆಂದು ಪ್ರಮಾಣಿಸಲಿಲ್ಲ  
ಕಾಸೆ ಮೀಸೆ ಕಠಾರವಿದ್ದುದೆಗಂಡೆಂದು ಪ್ರಮಾಣಿಸಲಿಲ್ಲ  
ಅದುಜಗದ ಹಾಹೆ; ಬಲ್ಲವರ ನೀತಿಯಲ್ಲ  
ಏತರ ಹಣ್ಣಾದಡೂ ಮಧುರವೆಕಾರಣ  
ಅಂದವಿಲ್ಲದ ಕುಸುಮಕ್ಕೆ ವಾಸನೆಯೆಕಾರಣ  
ಇದರಿಂದವ ನೀನೇ ಬಲ್ಲೆ ಶಂಭುಜಕ್ಕೇಶ್ವರಾ - ಸತ್ಯಕ್ಕ  
  
ಅರಿವನಣಲೊಳಗಿಕ್ಕಿ ಅಗಿವುತ್ತಿದೆ ಮತ್ಯಲೋಕವೆಲ್ಲವು  
ಅರಿವು ಉಳಿಯಲರಿಯದೆ ಕೆಟ್ಟಿತ್ತು ಲೋಕವೆಲ್ಲವು  
ನಾನೆಂತು ಬದುಕುವೆನಣ್ಣಾ?  
ಕತ್ತಲೆ ಬೆಳಗ ಕಾಂಬ ಸಂದೇಹಿ ನಾನೊಬ್ಬಳು  
ಎನ್ನಕಣ್ಣುಕಟ್ಟಿಕನ್ನಡಿಯತೋರಿತ್ತು ಅಜಗಣ್ಣಾ, ನಿನ್ನಯೋಗ- ಮುಕ್ತಾಯಕ್ಕ  
ನೀರು ನೆಲವಿಲ್ಲದೆ ಇರಬಹುದೆ?  
ಬೀಜ ನೆಲವಿಲ್ಲದೆ ಹುಟ್ಟಬಹುದೆ?  
ಜ್ಞಾನಕ್ರಿಯೆಯಿಲ್ಲದೆ ಅರಿಯಬಹುದೆ?  
ಚಿತ್ತಚಿತ್ತುವಿಲ್ಲದೆ ವಸ್ತುವ ಲಕ್ಷಿಸಿ ಗ್ರಹಿಸಬಲ್ಲದೆ?  
ಇಂತೀಕ್ರೀಜ್ಞಾನ ಸಂಬಂಧ ಸ್ಥಲಭಾವ  
ಎನ್ನಯ್ಯ ಪ್ರಿಯ ಇಮ್ಮಡಿ ನಿಕಳಂಕ ಮಲ್ಲಿಕಾರ್ಜುನ  
ನಲ್ಲಿ ಉಭಯ ಸ್ಥಲಭೇದ- ಮೋಳಿಗೆ ಮಹಾದೇವಿ



ಹೀಗೆ ಮೂವತ್ತಕ್ಕೂ ಅಧಿಕ ವಚನಗಾರ್ತಿಯರನ್ನೊಳಗೊಂಡು ಸುಮಾರು 45 ಶರಣೆಯರು 12ನೆಯ ಶತಮಾನದಲ್ಲಿ ತಮ್ಮ ಶಕ್ತಿ, ಅಸ್ತಿತ್ವವನ್ನು ಕಂಡುಕೊಂಡು ನಿರ್ಭಯವಾಗಿ ನಿರ್ಭೇಡೆಯಿಂದ ವಚನಗಳ ಮೂಲಕ ತಮ್ಮ ಭಕ್ತಿ, ಸಮತ್ವ, ಹಕ್ಕು, ಸಮಾನತೆ, ದಯೆ, ಅನುಭವ, ಅನುಭಾವ, ವೈಚಾರಿಕ ಹಾಗೂ ವೈಜ್ಞಾನಿಕಚಿಂತನೆ, ಸಾಮಾಜಿಕಚಿಂತನೆ, ಪ್ರಕೃತಿ ವರ್ಣನೆಗಳ ಬಗೆಗೆ ತಮ್ಮ ನಿಲುವನ್ನು ಒಪ್ಪುವಹಾಗೆ ಪ್ರಕಟಿಸಿದರು. ಹಲವಾರು ಶರಣೆಯರು ತಮ್ಮ ಶರಣ ಸಂಸ್ಕೃತಿಯ ಮೂಲ ಬೇಕಾದ ಕಾಯಕತತ್ವದೊಂದಿಗೆ ಗುರುತಿಸಿಕೊಂಡಿದ್ದು ಮುಖ್ಯವಾಗಿ ಗಮನಿಸಬಹುದು. ಅಂದಿನ ಕಾಲದ ಮುಖ್ಯ ಶರಣೆಯರು ಕದಿರೆಮ್ಮವ್ವ, ಕನ್ನಡಿ ಕಾಯಕದರೇಮವ್ವ, ಸೂಳೆ ಸಂಕಮ್ಮ, ದುಗ್ಗಲೆ, ಗೊಗ್ಗವ್ವ, ನೀಲಮ್ಮ, ಅಕ್ಕಮ್ಮ, ಆಯ್ದಕ್ಕಿ ಲಕ್ಕಮ್ಮ, ಉರಿಲಿಂಗ ಪೆದ್ದಿಗಳ ಪುಣ್ಯಸ್ತ್ರೀ ಕಾಳವ್ವ, ಕಾಲಣ್ಣೆಯಕಾಮಮ್ಮ, ಮೋಳಿಗೆ ಮಹಾದೇವಿ, ಅಮುಗೆ ರಾಯಮ್ಮ, ಬೊಂತಾದೇವಿ ಮುಂತಾದವರು. ಅಮ್ಮ, ಅಕ್ಕ, ತಂಗಿ, ಅಜ್ಜಿ, ಮಡದಿ, ಮಗಳು, ಸೊಸೆ ಸಕಲ ಸ್ತ್ರೀಯರಿಗೂ ಶರಣರಿವರು.

12ನೆಯ ಶತಮಾನದಲ್ಲಿ ನವ ಸಮಾಜ ನಿರ್ಮಾಣ ಮಾಡುವ ಧೈಯೋದ್ದೇಶ ವಚನ ಸಾಹಿತ್ಯದ ಮುಖ್ಯಗುರಿಯಾಗಿತ್ತು. ಅಕ್ಷರದಾಸೋಹ, ಅನ್ನದಾಸೋಹ, ಸರ್ವರಿಗೂ ಸಮಾನತೆ ಕಲ್ಪಿಸುವಂತೆ ಸಂಕಲ್ಪ ಹೊಂದಿತ್ತು. ಸ್ತ್ರೀ-ಪುರುಷ ಭೇದ-ಭಾವದಿಂದ ಮುಕ್ತತೆಯನ್ನು ಪಡೆದಿತು. ಹೀಗೆ ವಚನ ಸಾಹಿತ್ಯವು ವಿಶ್ವಕ್ಕೆ ಸಮಾನತೆ ಹಾಗೂ ಭ್ರಾತೃತ್ವವನ್ನು ಸಾರಿತು. ವಚನ ಸಾಹಿತ್ಯದಲ್ಲಿ ಮಹಿಳೆಗೆ ಅಗತ್ಯವಾದ ಹಕ್ಕು ಭಾದ್ಯತೆಗಳನ್ನು 12ನೆಯ ಶತಮಾನದಲ್ಲಿ ಕಲ್ಪಿಸಿಕೊಟ್ಟದನ್ನು ನಾವೆಲ್ಲ ತಿಳಿದಿದ್ದೇವೆ.

### ಪಾರಮರ್ಶನ ಗ್ರಂಥಗಳು:

- [1] ಕನ್ನಡ ಸಾಹಿತ್ಯ ಸಂಸ್ಕೃತ ಕೋಶ - ಡಾ. ಚಿ.ಸಿ.ನಿಂಗಣ್ಣ
- [2] ಬಸವತತ್ವ ಸಾಮಾಜಿಕ ಬದಲಾವಣೆ- ಮಹೇಶ ತಿಪ್ಪಶೆಟ್ಟಿ
- [3] ಅಂತರ್ಜಾಲ ಮಾಹಿತಿ ಸಂಗ್ರಹ



**ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯ ನಿವಾರಣೆಯಲ್ಲಿ ಕಾನೂನು/ಶಾಸನಗಳ ಪಾತ್ರ****ನಯಾಜ್‌ಅಹ್ಮದ್**

ಸಮಾಜಶಾಸ್ತ್ರ, ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು  
ಸರ್ಕಾರಿ ಕಲಾ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ), ಚಿತ್ರದುರ್ಗ 577501

ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯು ಸಾರ್ವತ್ರಿಕವಾಗಿದ್ದು ಜಗತ್ತಿನೆಲ್ಲಾ ಸಮಾಜಗಳಲ್ಲೂ ಕಂಡುಬರುತ್ತದೆ. ನಮಗೆ ಇತಿಹಾಸದ ದಾಖಲೆಗಳಿಂದ ತಿಳಿದಿರುವಂತೆ ಚಿಕ್ಕ-ದೊಡ್ಡ, ಆಧುನಿಕವಲ್ಲಾ ಸಮಾಜಗಳಲ್ಲೂ ಸದಸ್ಯರ ವ್ಯಕ್ತಿಗತ ಸ್ಥಾನಮಾನಗಳಲ್ಲಿ ವ್ಯತ್ಯಾಸಗಳಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಅಸಮಾನತೆ ಎಂಬುದು ವೈವಿಧ್ಯತೆಯ ಒಳಿಡು ರೂಪವಾಗಿ ಕಂಡುಬರುತ್ತದೆ. ಅಂತಸ್ತು, ಸಂಪತ್ತು, ಅಧಿಕಾರ ಪ್ರತಿಷ್ಠೆ ಮುಂತಾದ ಕಾರಣಗಳಿಂದಾಗಿ ಮೇಲು-ಕೀಳು, ಶ್ರೀಮಂತ-ಬಡವ, ಶೋಷಕ-ಶೋಷಿತ, ಪ್ರಭಲ-ದುರ್ಬಲ ಎಂಬ ಒಳಿಡು ತೆರನಾದ ಅಸಮಾನತೆಯನ್ನು ನಾವು ಕಾಣುತ್ತಲೇ ಬಂದಿದ್ದೇವೆ.

ಎಲ್ಲಾ ಸಮಾಜಗಳು ತಮ್ಮ ಸದಸ್ಯರನ್ನು ಸಮಾನವಾಗಿ ಪರಿಗಣಿಸುವುದಿಲ್ಲ. ಸದಸ್ಯರುಗಳ ನಡುವೆ ಭೇದವನ್ನು ಪರಿಗಣಿಸುತ್ತದೆ. ಉದಾ. ಸ್ತ್ರೀಯರು-ಪುರುಷರು, ಮುದುಕರು-ಮಕ್ಕಳು, ಹಿರಿಯರು-ಕಿರಿಯರು, ಇವರುಗಳ ನಡುವಿನ ವ್ಯತ್ಯಾಸವನ್ನು ಸ್ವಪ್ಪವಾಗಿ ಗುರುತಿಸಿ ಅದಕ್ಕನುಗುಣವಾಗಿ ವ್ಯವಹರಿಸುತ್ತದೆ. ಸಮಾಜವುತನ್ನ ಸದಸ್ಯರನ್ನು ಮೈಬಣ್ಣ, ಮತ-ಧರ್ಮ, ದೈಹಿಕ ಹಾಗೂ ಬೌದ್ಧಿಕ ಶಕ್ತಿ, ಶೈಕ್ಷಣಿಕ ಹಾಗೂ ಮತ್ತಿತರ ಸಾಧನೆಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಬೇರೆ ಬೇರೆ ರೀತಿಯಲ್ಲಿ ನಡೆಸಿಕೊಳ್ಳುವುದು ಸದಸ್ಯರುಗಳನ್ನು ಹೀಗೆ ವಿವಿಧ ರೀತಿಗಳಲ್ಲಿ ನಡೆಸಿಕೊಳ್ಳುವ ಕ್ರಮವೇ ಅಸಮಾನತೆಗೆ ಕಾರಣವಾಗುವುದು.

ಸಾಮಾಜಿಕ ಚಿಂತಕರ ಬರವಣಿಗೆಗಳಲ್ಲಿ ಚಿಂತನೆಗಳಲ್ಲಿ ಸ್ವರ ವ್ಯವಸ್ಥೆಯ ಕುರಿತಾದ ಉಲ್ಲೇಖಗಳಿರುವುದನ್ನು ಇತಿಹಾಸದ ಉದ್ದಕ್ಕೂ ನಾವು ಕಾಣಬಹುದಾಗಿದೆ. ಪ್ಲೇಟೋ ಬರೆದ ದಿ ರಿಪಬ್ಲಿಕ್ (The Republic), ಅರಿಸ್ಟಾಟಲ್ಲಿನ ಪಾಲಿಟಿಕ್ಸ್ (Politics), ಚಾಣಕ್ಯನ ಅರ್ಥಶಾಸ್ತ್ರ, ಮನುವಿನ ಮನುಸ್ಮೃತಿ, ಕನ್‌ಫ್ಯೂಶಿಯಸ್‌ನ ಅನಲೆಕ್ಸ್‌ಆಫ್ ಕನ್‌ಫ್ಯೂಶಿಯಸ್ (Analects of Confucius), ರೋಮನ್‌ಚಿಂತಕ ಸಿಸಿರೋನ ಕೃತಿ ದಿ ರಿಪಬ್ಲಿಕ್, ಮುಂತಾದವರ ಕೃತಿಗಳಲ್ಲಿ ಬಡವ-ಶ್ರೀಮಂತ, ಆಳರಸರು-ಅಳಿಯಾಳುಗಳು, ಉಚ್ಚ-ನೀಚ, ಎಂಬುದಾಗಿ ಜನ ಸಮೂಹಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಉಲ್ಲೇಖಗಳಿವೆ.

ಗೌತಮಬುದ್ಧ, ಮಹಾವೀರ, ಬಸವಣ್ಣ, ಸ್ವಾಮಿ ವಿವೇಕಾನಂದ, ಸ್ವಾಮಿದಯಾನಂದ ಸರಸ್ವತಿ, ಜ್ಯೋತಿರಾವ್ ಪುಲೇ, ಮಹಾತ್ಮಗಾಂಧೀಜಿ, ಡಾ. ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ಮುಂತಾದ ಮಹನೀಯರ ಚಿಂತನೆಗಳಲ್ಲಿ ಸ್ವರವ್ಯವಸ್ಥೆಯ ಕುರಿತಾಗಿ ಗಂಭೀರವಾದ ಪ್ರಸ್ತಾವಗಳಿವೆ, ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯ ಕುರಿತಾದ ಅವರ ಗಂಭೀರವಾದ ಕಾಳಜಿ ಹಾಗೂ ಆಸೆ ಅವರ ಚಿಂತನೆಗಳಲ್ಲಿ, ಕೃತಿಗಳಲ್ಲಿ, ಮಾತುಗಳಲ್ಲಿ ಅಭಿವ್ಯಕ್ತವಾಗಿವೆ.

**ಸಾಮಾಜಿಕ ಅಸಮಾನತೆ:**

“ಸಮಾಜವೊಂದರಲ್ಲಿ ಅಥವಾ ಸಮೂಹವೊಂದರಲ್ಲಿರುವ ವಿಭಿನ್ನ ಸಾಮಾಜಿಕ ಅಂತಸ್ತುಗಳು ಹಾಗೂ ಸ್ಥಾನಗಳಿಗೆ ಅಸಮಾನವಾದ ಅವಕಾಶಗಳು ಹಾಗೂ ಪ್ರತಿಫಲಗಳು ದೊರೆಯುವಂತಹ ಸ್ಥಿತಿಯನ್ನು ಸಾಮಾಜಿಕ ಅಸಮಾನತೆ ಎನ್ನಬಹುದು.



**ಕಾನೂನು**

ಸಾಮಾಜಿಕ ಬದಲಾವಣೆ ಉಂಟಾಗುವಲ್ಲಿ ಕಾನೂನು ಮುಖ್ಯಪಾತ್ರ ವಹಿಸುತ್ತದೆ. ಹಿಂದಿನ ಅಥವಾ ಪ್ರಾಚೀನ ಸಮಾಜಗಳಲ್ಲಿ ಲೋಕರೂಢಿ, ನೈತಿಕನಿಯಮಗಳು, ಸಂಪ್ರದಾಯ, ಧರ್ಮವು ಸಾಮಾಜಿಕ ಬದಲಾವಣೆಯನ್ನುಂಟು ಮಾಡುವ ಅಂಶವಾಗಿದ್ದರೆ. ಇಂದಿನ ಆಧುನಿಕ ಕೈಗಾರಿಕ ಸಂಕೀರ್ಣ ಸಮಾಜದಲ್ಲಿ ಮಾನವ ಚಟುವಟಿಕೆಗಳು, ನಡತೆ, ಕಾರ್ಯಗಳನ್ನು ಹತೋಟಿಯಲ್ಲಿಡಲು ಹಾಗೂ ಸಮಾಜದ ಸಂಘ-ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಮತ್ತು ಅವುಗಳ ಕಾರ್ಯಗಳಲ್ಲಿ ನಿರಂತರವಾದ ಬದಲಾವಣೆಗಳನ್ನು ತರುವಲ್ಲಿ ಕಾನೂನು ಪ್ರಮುಖ ಪಾತ್ರ ವಹಿಸುತ್ತಿದೆ.

“ಕಾನೂನು ಎಂದರೆ ರಾಜ್ಯಾಂಗದಿಂದ ರಚಿತವಾದ ಮತ್ತು ನ್ಯಾಯಾಲಯಗಳಿಂದ ಜಾರಿಗೊಳಿಸಲ್ಪಟ್ಟಿರುವ ನಡವಳಿಕೆಯ ನಿಯಮಗಳು”

ಕಾನೂನಿನ ಹಿಂದೆ ರಾಜ್ಯಾಂಗದತ್ತವಾದ ಮತ್ತು ಅಧಿಕಾರಯುತ ಬಲ ಹಾಗೂ ಒತ್ತಾಯ ಇರುತ್ತದೆ. ಕಾನೂನನ್ನು ಎಲ್ಲರೂ ಕಡ್ಡಾಯವಾಗಿ ಪಾಲಿಸಬೇಕು, ಉಲ್ಲಂಘಿಸಿದರೆ ಶಿಕ್ಷಾರ್ಹ.

ಕಾನೂನು ಹೆಚ್ಚು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಬೇಕಾದರೆ ಅದು ಸಮಾಜಬದ್ಧ, ಸಂಪ್ರದಾಯ ಬದ್ಧವಾಗಿರಬೇಕು. ಸಂಪ್ರದಾಯ, ನೀತಿ ನಿಯಮಗಳನ್ನು ಆಧರಿಸಿದ ಕಾನೂನು ಹೆಚ್ಚು ಬಲಯುತ ಹಾಗೂ ಪರಿಣಾಮಕಾರಿಯಾಗಿರುತ್ತದೆ. ಕಾನೂನು ಸಾಮಾಜಿಕ ಅವಷ್ಯಕತೆಗಳು ಮತ್ತು ಸಾರ್ವಜನಿಕ ಅಭಿಪ್ರಾಯಗಳಿಗೆ ಹೊಂದಿಕೊಂಡಿರಬೇಕೆಂದು ಚಿಂತಕ ಮೈನ್ ತಿಳಿಸಿದ್ದಾನೆ. ಸಾಮಾಜಿಕ ಸನ್ನಿವೇಶಗಳಿಗೆ ಹೊಂದಿಕೊಳ್ಳದಿರುವ ಕಾನೂನು ನಿರಪಯುಕ್ತ, ನಿಷ್ಪ್ರಿಯ. ಸಾಮಾಜಿಕ ಮತ್ತು ನೈತಿಕ ಹಿನ್ನೆಲೆಯಿಲ್ಲದ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಮನ್ನಣೆಯಿಲ್ಲದ ಕಾನೂನುಗಳನ್ನು ಪಾಲಿಸುವುದಕ್ಕಿಂತ ಉಲ್ಲಂಘಿಸುವುದೇ ಹೆಚ್ಚು. ಆದ್ದರಿಂದ ಕಾನೂನಿಗೆ ಕೇವಲ ರಾಜಕೀಯ ಹಿನ್ನೆಲೆಯಿಲ್ಲದೆ ಸಾಮಾಜಿಕ ಹಿನ್ನೆಲೆಯು ಅವಷ್ಯಕ. ಸಾಮಾಜಿಕ ಹಿನ್ನೆಲೆಯುಳ್ಳ ಮತ್ತು ಸಾಮಾಜಿಕ ಪರಿಣಾಮ ಉಳ್ಳ ಕಾನೂನುಗಳನ್ನು ಸಾಮಾಜಿಕ ಕಾನೂನುಗಳೆನ್ನುತ್ತೇವೆ.

**ಉದಾ:** 1) 1829 ರ ಸತಿಸಹಗಮನ ಪದ್ಧತಿ ನಿಷೇಧಕಾಯ್ದೆ 2) 1856 ರ ಹಿಂದೂ ವಿಧವಾ ಪುನರ ವಿವಾಹ ಕಾಯ್ದೆ 3) 1872 ರ ವಿಶೇಷ ವಿವಾಹ ಕಾಯ್ದೆ 4) 1929 ರ ಬಾಲ್ಯ ವಿವಾಹ ನಿಷೇಧಕಾಯ್ದೆ 5) 1955 ರ ಹಿಂದೂ ವಿವಾಹ ಕಾಯ್ದೆ 6) 1961 ರ ವರದಕ್ಷಿಣೆ ನಿಷೇಧಕಾಯ್ದೆ.

**ಕಾನೂನು ಮತ್ತು ಸಾಮಾಜಿಕ ಬದಲಾವಣೆ:**

- 1) ಕಾನೂನು ಮತ್ತು ಹಕ್ಕು ಬಾಧ್ಯತೆಗಳ ಅರಿವು
- 2) ಕಾನೂನು ಮತ್ತು ಸಾಮಾಜಿಕ ಶಿಸ್ತು ಹಾಗೂ ಸಾಮಾಜಿಕ ಕ್ರಮ
- 3) ಕಾನೂನು ಮತ್ತು ಆರ್ಥಿಕ ಪ್ರಗತಿ
- 4) ಕಾನೂನು ಹಾಗೂ ಸಾಮಾಜಿಕ ಸಮಸ್ಯೆಗಳ ನಿವಾರಣೆ
- 5) ಮಹಿಳೆಯರ ಸ್ಥಾನಮಾನದಲ್ಲಿ ಬದಲಾವಣೆ
- 6) ಹಿಂದುಳಿದ ವರ್ಗ, ಪರಿಶಿಷ್ಟಜಾತಿ, ಪರಿಶಿಷ್ಟಪಂಗಡ, ದುರ್ಬಲ ಮತ್ತು ಅಲ್ಪ ಸಂಖ್ಯಾತರರ ಕ್ಷಣ
- 7) ಸಾಮಾಜಿಕ ಚಲನೆ
- 8) ಸಂಘ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಬದಲಾವಣೆ.

**ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯ ನಿವಾರಣೆಯಲ್ಲಿನ ಪ್ರಾಥಮಿಕ ಹಂತಗಳು**



- 1) ಎಲ್ಲರಿಗೂ ಶಿಕ್ಷಣ ನೀಡುವುದರ ಮೂಲಕ ವ್ಯಕ್ತಿಗಳ ಸಬಲೀಕರಣ.
- 2) ಉದ್ಯೋಗ ಸೃಷ್ಟಿ ಮತ್ತು ಸಂಪತ್ತಿನ ಸಮಾನ ವಿತರಣೆ.
- 3) ಭೂ ಸುಧಾರಣೆಕಾನೂನನ್ನು ಜಾರಿಗೆ ತಂದು ಭೂರಹಿತರಿಗೆ ಭೂಮಿಯ ವಿತರಣೆ.
- 4) ವ್ಯಾಪಾರ ಏಕ ಸ್ವಾಮ್ಯವನ್ನು ತೆಗೆದು ಹಾಕುವುದು.
- 5) ಸಾಮಾಜಿಕ ರಕ್ಷಣಾ ಕ್ರಮಗಳು.
- 6) ಉದ್ಯೋಗ ಕಾರ್ಯಕ್ರಮಗಳು ಮತ್ತು ವೇತನ ನೀತಿಗಳನ್ನು ಜಾರಿಗೆ ತರುವುದು.
- 7) ಕನಿಷ್ಠ ಕಾರ್ಯಕ್ರಮಗಳ ಜಾರಿ.

### ಅಸ್ಪೃಶ್ಯತೆಯ ನಿವಾರಣೆಯಲ್ಲಿ ಶಾಸನಾತ್ಮಕ ಕ್ರಮಗಳು:

ಭಾರತ ಸಂವಿಧಾನದ 17ನೇ ವಿಧಿಯು ಅಸ್ಪೃಶ್ಯತೆಯನ್ನು ತೆಗೆದು ಹಾಕಲಾಗಿದೆ ಮತ್ತು ಯಾವುದೇ ರೂಪದಲ್ಲಿ ಅದನ್ನು ಆಚರಿಸುವುದನ್ನು ನಿಷೇಧಿಸಲಾಗಿದೆ. ಈ ವಿಧಿಯು ನೀಡಿರುವ ಅವಕಾಶದಂತೆ 1955 ರಲ್ಲಿ ಅಸ್ಪೃಶ್ಯತೆಯ ಅಪರಾಧಗಳ ಕಾಯ್ದೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

- 1) ಅಸ್ಪೃಶ್ಯತೆಯ ಅಪರಾಧಗಳ ಕಾಯ್ದೆ 1955
- 2) ನಾಗರಿಕ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆ 1976
- 3) ಪರಿಶಿಷ್ಟ ಜಾತಿಗಳ/ಪಂಗಡಗಳ ವಿರುದ್ಧ ದೌರ್ಜನ್ಯ ಪ್ರತಿಬಂಧಕ ಕಾಯ್ದೆ 1986

### ಪರಿಶಿಷ್ಟ ಪಂಗಡಗಳ ಕಲ್ಯಾಣ ಕಾರ್ಯಕ್ರಮಗಳು

#### ಸಾಂವಿಧಾನಿಕ ಸವಲತ್ತುಗಳು

- 1) ಸಂವಿಧಾನದ 15ನೇ ವಿಧಿಯ ಪ್ರಕಾರ ಜಾತಿ, ಜನಾಂಗ, ಮತ ಪಂಥ, ಪಂಗಡಗಳೆಂಬ ಭೇದವಿಲ್ಲದೆ ಆದಿವಾಸಿಗಳನ್ನೊಳಗೊಂಡಂತೆ ಎಲ್ಲರಿಗೂ ಸಮಾನ ಅವಕಾಶ ನೀಡಲಾಗಿದೆ.
- 2) 16(4) ಮತ್ತು 320(4) ವಿಧಿಗಳ ಪ್ರಕಾರ ಉದ್ಯೋಗಗಳಲ್ಲಿ ಆದಿವಾಸಿಗಳಿಗೆ ಸ್ಥಳಾವಕಾಶವನ್ನು ಕಾಯ್ದಿರಿಸಲಾಗಿದೆ.
- 3) 330, 332, ಮತ್ತು 334 ವಿಧಿಗಳ ಪ್ರಕಾರ ಶಾಸನ ಸಭೆಗಳಲ್ಲಿ ಆದಿವಾಸಿಗಳಿಗೆ ಕೆಲವು ಸ್ಥಾನಗಳನ್ನು ಮೀಸಲಿಡಲಾಗಿದೆ.
- 4) 15(4) ಮತ್ತು 29(2) ವಿಧಿಗಳ ಪ್ರಕಾರ ಆದಿವಾಸಿಗಳ ಶೈಕ್ಷಣಿಕ ಅಭಿವೃದ್ಧಿಗಾಗಿ ರಾಜ್ಯವು ಅವರುಗಳಿಗೆ ಯಾವುದೇ ಅವಕಾಶಗಳನ್ನು ಕಲ್ಪಿಸಬಹುದಾಗಿದೆ.
- 5) 19(5)ನೇ ವಿಧಿಯ ಪ್ರಕಾರ ದೇಶದ ಯಾವುದೇ ಭಾಗದಲ್ಲಿ ಆಸ್ತಿ ಮಾಡುವ ಹಕ್ಕನ್ನು ನೀಡಲಾಗಿದೆ.
- 6) 275ನೇ ವಿಧಿಯ ಪ್ರಕಾರ "ಭಾರತ ಸಂಚಿತ ನಿಧಿಯಿಂದ" ಆದಿವಾಸಿಗಳ ಅಭಿವೃದ್ಧಿಗಾಗಿ ರಾಜ್ಯಗಳಿಗೆ ಆರ್ಥಿಕ ನೆರವನ್ನು ಕೇಂದ್ರವು ನೀಡಬಹುದಾಗಿದೆ.
- 7) 46ನೇ ವಿಧಿಯ ಪ್ರಕಾರ ಆದಿವಾಸಿಗಳ ಆರ್ಥಿಕ ಮತ್ತು ಶೈಕ್ಷಣಿಕ ಆಸಕ್ತಿಗಳನ್ನು ಸಂರಕ್ಷಿಸುವ ಅವಕಾಶಗಳನ್ನು ಒಳಗೊಂಡಿದೆ.
- 8) 164ನೇ ವಿಧಿಯ ಪ್ರಕಾರ ಕೆಲವು ರಾಜ್ಯಗಳಲ್ಲಿ ಆದಿವಾಸಿಗಳ ಹಿತಾಸಕ್ತಿಗಳನ್ನು ಸಂಪೋಷಿಸುವ ಸಲುವಾಗಿ ಪ್ರತ್ಯೇಕ ಮಂತ್ರಿಗಳನ್ನು ನೇಮಕ ಮಾಡಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ.
- 9) 243ನೇ ವಿಧಿಯಲ್ಲಿ ಷಡ್ಯೂಲ್ ಪ್ರದೇಶಗಳು ಮತ್ತು ಆದಿವಾಸಿ ಪ್ರದೇಶಗಳ ಆಡಳಿತದ ದೃಷ್ಟಿಯಿಂದ ಕೆಲವು ಸೂಚನೆ ಸಲಹೆಗಳನ್ನು ನೀಡಲಾಗಿದೆ.



- 10) 338ನೇ ವಿಧಿಯಂತೆ ಆದಿವಾಸಿಗಳ ಯೋಗಕ್ಷೇಮವನ್ನು ನೋಡಿಕೊಳ್ಳಲು ವಿಶೇಷ ಅಧಿಕಾರಿಗಳನ್ನು ನೇಮಿಸಬಹುದಾಗಿದೆ.

### ಉಪಸಂಹಾರ

ಭಾರತ ಸರ್ಕಾರವು ಸಾಮಾಜಿಕಅಸಮಾನತೆಯ ನಿವಾರಣೆಯಲ್ಲಿ ಹಲವಾರು ಕಾನೂನುಗಳನ್ನು ಜಾರಿಗೆತಂದಿದೆ, ಪ್ರಾಚೀನ ಕಾಲಕ್ಕೆ ಹೋಲಿಸಿದಾಗ ಇಂದು ಬಹಳಷ್ಟು ಬದಲಾವಣೆಗಳಾಗಿವೆ. ಆದರೂ ಇಂದಿಗೂ ಕೆಲವು ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಮಹಿಳೆಯರ ಶೋಷಣೆ, ದೌರ್ಜನ್ಯಗಳು, ಕಲಹಗಳು, ದಬ್ಬಾಳಿಕೆ, ಶೋಷಣೆಗಳು ಕಂಡುಬರುತ್ತಿವೆ. ಮುಖ್ಯವಾಗಿಜನರ ಮನಸ್ತಿದಿಯಲ್ಲಿಯೂ ಬದಲಾವಣೆಯಾಗ ಬೇಕಾಗಿದೆ. ಆಗ ಸಾಮಾಜಿಕ ಅಸಮಾನತೆಯ ನಿವಾರಣೆಯಾಗುತ್ತದೆ.

### ಗ್ರಂಥಮುಖ

- 1) ಡಾ. ಚ.ನ ಶಂಕರ್ ರಾವ್,2021 “ಸಮಾಜಶಾಸ್ತ್ರ ಒಚಿದು ಗ್ರಹಿಕೆ”, ಜೈಭಾರತ್‌ಪ್ರಕಾಶನ, ಮಂಗಳೂರು.
- 2) ಎಂ. ನಾರಾಯಣ, 2014, “ಸಮಾಜಶಾಸ್ತ್ರದ ಬುನಾದಿಗಳು”ಚೇತನ ಬುಕ್ ಹೌಸ್, ಮೈಸೂರು.
- 3) ಚ.ನ ಶಂಕರ್ ರಾವ್,2008, “ಭಾರತೀಯಸಮಾಜ-2 ಪರಂಪರೆ ಮತ್ತು ಪರಿವರ್ತನೆ”, ಜೈಭಾರತ್ ಪ್ರಕಾಶನ, ಮಂಗಳೂರು.
- 4) ಗೂಗಲ್ ವೆಬ್‌ಸೈಟ್.

**ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕಘೋಷಣೆ- 1948****ವಿಜಯಕುಮಾರ ಎಂ.ಸಿ.**

ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು

ರಾಜ್ಯಶಾಸ್ತ್ರ ವಿಭಾಗ

ಕದಂಬ ಪ್ರಥಮದರ್ಜೆಕಾಲೇಜು, ಶಿರಾಳಕೊಪ್ಪ

ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕಘೋಷಣೆ, ಮಾನವ ಹಕ್ಕುಗಳ ಇತಿಹಾಸದಲ್ಲಿಯೇ ಒಂದು ಮೈಲಿಗಲ್ಲು. ವಿಶ್ವಸಂಸ್ಥೆಯ ಒಂದು ಕ್ರಾಂತಿಕಾರಿ ದಿಟ್ಟ ಹೆಜ್ಜೆ. ಮನುಕುಲದ ಇತಿಹಾಸಕ್ಕೆ ಹೊಸ ಅಧ್ಯಾಯವನ್ನು ಈ ಘೋಷಣೆ ಸೇರ್ಪಡೆ ಮಾಡಿದೆ. ಪ್ರತಿಯೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಗೌರವದಿಂದ, ಶೋಷಣೆ ರಹಿತವಾಗಿ ಬದುಕುವುದೇ ಜೀವನದ ಸಾಫಲತೆ, ಅದಕ್ಕೆ ಮಾನವ ಹಕ್ಕುಗಳು ಸ್ಪಂದಿಸಿವೆ. ವಿಶ್ವಸಂಸ್ಥೆಯು 1945ರಲ್ಲಿ ಸ್ಥಾಪಿಸಲ್ಪಟ್ಟು, ತನ್ನದೇ ಆದ ಒಂದು ಪ್ರಣಾಳಿಕೆಯನ್ನು ಹೊಂದಿದೆ. ಇದರಲ್ಲಿ 111 ಕಲಂ ಹಾಗೂ ಒಂದು ಪೀಠಿಕೆಯನ್ನು ಒಳಗೊಂಡಿದೆ. ವಿಶ್ವಸಂಸ್ಥೆ 1948 ಡಿಸೆಂಬರ್ 10 ರಂದು ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳ ಘೋಷಣೆಯನ್ನು ಮಾಡಿದೆ. ಈ ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳ ಘೋಷಣೆಯು ಎರಡನೇ ಮಹಾಯುದ್ಧದ ಫಲಶ್ರುತಿಯಾಗಿದೆ.

ಜಾಗತಿಕಯುದ್ಧದ ನಂತರ ಜಾಗತಿಕ ಸಮಾಜವು ಮತ್ತೆ ಇಂತಹ ಸರ್ವನಾಶದ ಯುದ್ಧ ಮುಂದೆ ಜರುಗಬಾರದೆಂದು ಎಚ್ಚೆತ್ತುಕೊಂಡು ಪ್ರತಿಯೊಂದು ದೇಶದ ಪ್ರತಿಯೊಬ್ಬ ಪ್ರಜೆಗೆ ಮಾನವ ಹಕ್ಕುಗಳು ದೊರಕುವಂತಾಗಬೇಕೆಂದು ನಿರ್ದೇಶಿಸಿದರು. ಈ ನಿರ್ದೇಶನದ ಫಲವಾಗಿ ವಿಶ್ವದ ವಿವಿಧ ದೇಶಗಳ ಬೇರೆ ಬೇರೆ ಸಾಂಸ್ಕೃತಿಕ ಹಾಗೂ ಕಾನೂನಿನ ಹಿನ್ನೆಲೆಯುಳ್ಳ 18 ಜನ ಪ್ರತಿನಿಧಿಗಳಿಂದ ಕೂಡಿದ ಸಮಿತಿಯೊಂದನ್ನು ಸ್ಥಾಪಿಸಿತು. ಈ ಸಮಿತಿಗೆ ಮಾನವ ಹಕ್ಕುಗಳ ಕರಡು ಪ್ರತಿಯನ್ನು ತಯಾರಿಸುವ ಹೊಣೆಯನ್ನು ವಹಿಸಿಕೊಡಲಾಯಿತು. ಕರಡು ಸಮಿತಿ ತಯಾರಿಸಿದ ಮಾನವ ಹಕ್ಕುಗಳ ಪಟ್ಟಿಯನ್ನು ವಿಶ್ವಸಂಸ್ಥೆಯ ಸದಸ್ಯ ರಾಷ್ಟ್ರಗಳಿಗೆ ಕಳುಹಿಸಿಕೊಡಲಾಯಿತು. ಇದನ್ನು ಜಿನಿವಾ ಡ್ರಾಫ್ಟ್ ಎಂದು ಕರೆಯಲಾಯಿತು.

ಇದರಲ್ಲಿ ನಾಗರಿಕ, ರಾಜಕೀಯ, ಸಾಮಾಜಿಕ ಹಕ್ಕು ಮತ್ತು ಸ್ವಾತಂತ್ರ್ಯಗಳನ್ನು ಕುರಿತು ತಿಳಿಸಲಾಗಿದೆ. ವಿಶ್ವಸಂಸ್ಥೆಯ ಸಾಮಾನ್ಯ ಸಭೆಯು ಅವುಗಳನ್ನು 48 ಮತಗಳ ಮೂಲಕ ಅಂಗೀಕರಿಸಿತು. ವಿಶ್ವಸಂಸ್ಥೆಯ ಸಾಮಾನ್ಯ ಸಭೆಯ ಅಂಗೀಕಾರದ ನಂತರ ಸುಮಾರು 500 ಭಾಷೆಗಳಲ್ಲಿ ಭಾಷಾಂತರಿಸಲಾಗಿದೆ. ಈ ಮೂಲಭೂತ ಮಾನವ ಹಕ್ಕುಗಳನ್ನೊಳಗೊಂಡ ಅಂತರಾಷ್ಟ್ರೀಯದಾಖಲೆಯು ಸ್ವಾತಂತ್ರ್ಯ ಮತ್ತು ಸಮಾನತೆಯ ಜಾಗತಿಕರಸ್ತೆಯ ನಕ್ಷೆ (ಖಂಚಿಜ ಒಚಿರಿ) ಆಗಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದೆ.

ಈ ಘೋಷಣಾದಾಖಲೆಯು ಒಂದು ಪೀಠಿಕೆಯಿಂದ ಮತ್ತು 30 ವಿಧಿಗಳಿಂದ ಕೂಡಿರುತ್ತದೆ ಹಾಗೂ ಈ ಘೋಷಣೆಯು ನಾಗರಿಕ, ರಾಜಕೀಯ, ಆರ್ಥಿಕ, ಸಾಮಾಜಿಕ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಹಕ್ಕುಗಳಿಂದ ಕೂಡಿದೆ. ಮಾನವನ ವ್ಯಕ್ತಿತ್ವದ ಘನತೆ ಮತ್ತು ಯೋಗ್ಯತೆಯಲ್ಲಿ ಹಾಗೂ ಸ್ತ್ರೀ-ಪುರುಷರ ಸಮಾನ ಹಕ್ಕುಗಳಲ್ಲಿ, ಮಾನವನ ಮೂಲಭೂತ ಹಕ್ಕುಗಳಲ್ಲಿ ವಿಶ್ವಾಸವನ್ನು ನಿರ್ದೇಶನ ಮಾಡುತ್ತದೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕಘೋಷಣೆಯ ಪೀಠಿಕೆಯನ್ನು ವಿಶ್ವಸಂಸ್ಥೆಯ ಸಂವಿಧಾನದ ಪೀಠಿಕೆಯ ಆರಂಭದ ಪದಗಳಾದ 'ವಿಶ್ವದ ಪ್ರಜೆಗಳಾದ ನಾವು' ಎಂಬ ವಾಕ್ಯಕ್ಕೆ ಅನುಗುಣವಾಗಿ ರಚಿಸಲಾಗಿದೆ. ಇದರಲ್ಲಿರುವ 30 ವಿಧಿಗಳನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ವರ್ಗೀಕರಿಸಲಾಗಿದೆ.

1. ಸಾಮಾನ್ಯ ವಿಧಿಗಳು - ವಿಧಿ 1 ಮತ್ತು 2



2. ನಾಗರಿಕ ಮತ್ತುರಾಜಕೀಯ ಹಕ್ಕುಗಳು – ವಿಧಿ 3 ರಿಂದ 21 ರ ವರೆಗೆ.
3. ಆರ್ಥಿಕ, ಸಾಮಾಜಿಕ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಹಕ್ಕುಗಳು. – ವಿಧಿ 22 ರಿಂದ 27 ರ ವರೆಗೆ.
4. ಮುಕ್ತಾಯ- ವಿಧಿ 28 ರಿಂದ 30 ರ ವರೆಗೆ

### ಸಾಮಾನ್ಯ ವಿಧಿಗಳು –(ವಿಧಿ 1 ಮತ್ತು 2)

- 1 ನೇ ವಿಧಿ –ಎಲ್ಲಾ ಮಾನವರು ಸ್ವತಂತ್ರವಾಗಿ, ಘನತೆಯಿಂದ ಮತ್ತು ಹಕ್ಕುಗಳಲ್ಲಿ ಸಮಾನವಾಗಿ ಜನಿಸಿರುವರು ಎಂದು ಘೋಷಿಸಿದೆ. ಪ್ರತಿಯೊಬ್ಬರಿಗೂ ವಿವೇಕ ಮತ್ತು ಆತ್ಮಸಾಕ್ಷಿಯನ್ನು ನೀಡಲಾಗಿದೆ.
- 2 ನೇ ವಿಧಿ –ಯಾವುದೇ ವಂಶ, ವರ್ಣ, ಲಿಂಗಭೇದ, ಭಾಷೆ, ಮತಮುಂತಾದಾದಾರದ ಮೇಲೆ ತಾರತಮ್ಯತಮಾಡುವಂತಿಲ್ಲ ಎಂದು ತಿಳಿಸಿದೆ.

### ನಾಗರಿಕ ಮತ್ತುರಾಜಕೀಯ ಹಕ್ಕುಗಳು – (ವಿಧಿ 3 ರಿಂದ 21 ರ ವರೆಗೆ)

- 3 ನೇ ವಿಧಿ-ಜೀವದ ಹಕ್ಕು, ವ್ಯಕ್ತಿ ಸ್ವಾತಂತ್ರ್ಯ ಮತ್ತು ಭದ್ರತೆ.
- 4ನೇ ವಿಧಿ –ಗುಲಾಮಗಿರಿ ಮತ್ತು ದಾಸ್ಯಗಳಿಂದ ಮುಕ್ತಿ
- 5ನೇ ವಿಧಿ –ಚಿತ್ರ ಹಿಂಸೆ, ಕ್ರೌರ್ಯ, ಅಮಾನವೀಯ ಕೃತ್ಯಗಳಿಗೆ ಶಿಕ್ಷೆ.
- 6ನೇ ವಿಧಿ – ಕಾನೂನಿನ ಮುಂದೆ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ರೀತಿಯಲ್ಲಿ ಮನ್ನಣೆ ನೀಡುವುದು.
- 7ನೇ ವಿಧಿ – ಕಾನೂನಿನ ಮುಂದೆ ಸಮಾನತೆ ಮತ್ತು ತಾರತಮ್ಯತೆಯ ವಿರುದ್ಧ ಸಮಾನರಕ್ಷಣೆಯ ಹಕ್ಕು.
- 8ನೇ ವಿಧಿ -ಸಕ್ಷಮ ನ್ಯಾಯ ಮಂಡಳಿಯ ಮೂಲಕ ಪರಿಹಾರ ಪಡೆಯುವ ಹಕ್ಕು.
- 9ನೇ ವಿಧಿ –ಕ್ರಮವಲ್ಲದ ಬಂಧನ ಮತ್ತು ಗಡಿಪಾರು ಮಾಡುವುದರ ವಿರುದ್ಧ ರಕ್ಷಣೆ.
- 10ನೇ ವಿಧಿ - ಸ್ವತಂತ್ರ ಮತ್ತು ನಿಷ್ಪಕ್ಷಪಾತ ನ್ಯಾಯಾಧಿಕರಣದಿಂದ ಸಾರ್ವಜನಿಕರ ದೂರುಗಳನ್ನು ಪರಿಶೀಲಿಸುವ ಸ್ವಾತಂತ್ರ್ಯ.
- 11ನೇ ವಿಧಿ –ಅಪರಾಧ ಸಾಬೀತಾಗುವವರೆಗೂ ನಿರ್ದೋಷಿ ಎಂಬ ಪೂರ್ವ ಭಾವನೆಯ ಹಕ್ಕು.
- 12ನೇ ವಿಧಿ – ವೈಯಕ್ತಿಕ ಜೀವನದಲ್ಲಿ ಯಾರೂ ಅತಿಕ್ರಮಿಸದಂತೆ ಸ್ವಾತಂತ್ರ್ಯ.
- 13ನೇ ವಿಧಿ \_ ಸಂಚರಿಸುವ ಮತ್ತು ಯಾವುದೇ ದೇಶದಲ್ಲಿ ವಾಸಿಸುವ ಸ್ವಾತಂತ್ರ್ಯ.
- 14ನೇ ವಿಧಿ –ಯಾವುದೇ ದೇಶದ ಆಶ್ರಯ ಪಡೆಯುವ ಸ್ವಾತಂತ್ರ್ಯ.
- 15ನೇ ವಿಧಿ –ರಾಷ್ಟ್ರೀಯತೆಯ ಹಕ್ಕು
- 16ನೇ ವಿಧಿ – ವಿವಾಹ ಮತ್ತು ಕುಟುಂಬ ಹೊಂದುವ ಸ್ವಾತಂತ್ರ್ಯ.
- 17ನೇ ವಿಧಿ -ಸ್ವಂತ ಆಸ್ತಿ ಹೊಂದುವ ಮತ್ತು ರಕ್ಷಿಸಿಕೊಳ್ಳುವ ಸ್ವಾತಂತ್ರ್ಯ.
- 18ನೇ ವಿಧಿ – ವಿಚಾರ, ನಂಬಿಕೆ ಮತ್ತು ಧಾರ್ಮಿಕ ಸ್ವಾತಂತ್ರ್ಯದ ಹಕ್ಕು.
- 19ನೇ ವಿಧಿ –ಅಭಿಪ್ರಾಯ ಮತ್ತು ಮಾಹಿತಿ ಸ್ವಾತಂತ್ರ್ಯದ ಹಕ್ಕು.
- 20ನೇ ವಿಧಿ - ಶಾಂತಿಯುತವಾಗಿ ಸಭೆಗಳನ್ನು ನಡೆಸುವ ಸಂಘ ಸ್ಥಾಪಿಸಿಕೊಳ್ಳುವ ಹಕ್ಕು.
- 21ನೇ ವಿಧಿ –ತನ್ನ ದೇಶದ ಸರ್ಕಾರದಲ್ಲಿ ಭಾಗವಹಿಸುವ, ಸಾರ್ವಜನಿಕ ಸೇವೆಗೆ ಸೇರುವ ಹಕ್ಕು. ಆರ್ಥಿಕ, ಸಾಮಾಜಿಕ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಹಕ್ಕುಗಳು. –(ವಿಧಿ 22 ರಿಂದ 27 ರ ವರೆಗೆ.)
- 22ನೇ ವಿಧಿ - ಸಾಮಾಜಿಕ ಭದ್ರತೆಯ ಹಕ್ಕು.
- 23ನೇ ವಿಧಿ – ಕೆಲಸದ ಮತ್ತು ಕೆಲಸಕ್ಕೆ ತಕ್ಕ ಸಂಬಳ ಪಡೆಯುವ ಹಕ್ಕು.
- 24ನೇ ವಿಧಿ – ವಿಶ್ರಮಿಸುವ ಅಥವಾ ವಿರಾಮದ ಹಕ್ಕು.
- 25ನೇ ವಿಧಿ –ಉತ್ತಮ ಜೀವನ ಮಟ್ಟ, ಆರೋಗ್ಯದ ಹಕ್ಕು.
- 26ನೇ ವಿಧಿ - ಶಿಕ್ಷಣದ ಹಕ್ಕು
- 27ನೇ ವಿಧಿ - ಸಾಮುದಾಯಿಕ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಜೀವನದ ಸ್ವಾತಂತ್ರ್ಯ.





ಮುಕ್ತಾಯ-(ವಿಧಿ 28 ರಿಂದ 30 ರ ವರೆಗೆ)

28ನೇ ವಿಧಿ - ಮೇಲಿನ ಎಲ್ಲಾ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಸಂರಕ್ಷಿಸುವ ಭರವಸೆ ನೀಡುವ ಸಾಮಾಜಿಕ ವ್ಯವಸ್ಥೆ.

29(1) ವಿಧಿ - ಪ್ರತಿಯೊಬ್ಬರ ವ್ಯಕ್ತಿತ್ವದ ಬೆಳವಣಿಗೆ ಮತ್ತು ರಕ್ಷಣೆಯ ಸಾಮಾಜಿಕ ಹೊಣೆಗಾರಿಕೆ

29(2)ವಿಧಿ -ಪ್ರತಿಯೊಬ್ಬರೂ ತಮ್ಮ ಹಕ್ಕುಗಳನ್ನು ಚಲಾಯಿಸುವಲ್ಲಿ ಮತ್ತೊಬ್ಬರ ಹಕ್ಕು ಮತ್ತು ಸ್ವಾತಂತ್ರ್ಯಗಳನ್ನು ಗೌರವಿಸುವುದು.

29(3) ವಿಧಿ - ಪ್ರತಿಯೊಬ್ಬರೂ ತಮ್ಮ ಹಕ್ಕು ಮತ್ತು ಸ್ವಾತಂತ್ರ್ಯಗಳನ್ನು ವಿಶ್ವಸಂಸ್ಥೆಯ ವಿರುದ್ಧವಾಗಿ ಚಲಾಯಿಸುವಂತಿಲ್ಲ.

30ನೇ ವಿಧಿ- ಮೇಲಿನ ಯಾವುದೇ ಹಕ್ಕುಗಳಲ್ಲಿ ರಾಜ್ಯಗಳಾಗಲಿ, ಅಥವಾ ಇನ್ನಾವುದೇ ಸಂಸ್ಥೆಗಳಾಗಲಿ ಮಧ್ಯಪ್ರವೇಶಿಸದಂತೆ ನೋಡಿಕೊಳ್ಳುವ ಸ್ವಾತಂತ್ರ್ಯ.

**ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕ ಘೋಷಣೆಯ ಪ್ರಭಾವ:**

ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಘೋಷಣೆ ಮಾಡಿದ ದಿನದಿಂದ ಇದು ಅಂತರಾಷ್ಟ್ರೀಯವಾಗಿ ಮತ್ತು ರಾಷ್ಟ್ರೀಯವಾಗಿ ತುಂಬಾ ಪ್ರಭಾವ ಬೀರಿದೆ. ಅದರ ಕಾನೂನಿನ ಗುಣಮಟ್ಟವು ಏನೇ ಇದ್ದರೂ ಈ ಘೋಷಣೆಯು ರಾಷ್ಟ್ರೀಯ ನಡತೆಯನ್ನು ಮಾಪನ ಮಾಡುವ ಮತ್ತು ರಾಷ್ಟ್ರಗಳು ಹೇಗೆ ನಡೆದುಕೊಳ್ಳಬೇಕು ಎಂಬ ಮಾರ್ಗದರ್ಶನ ಮಾಡುವ ಅಳತೆಗೋಲಿನಂತಾಗಿದೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಕುರಿತು ಸಾರ್ವತ್ರಿಕ ಘೋಷಣೆಯೊಳಗೆ ಸೇರಿಸಲಾಗಿರುವ ಹಕ್ಕುಗಳು ಮತ್ತು ಸ್ವಾತಂತ್ರ್ಯಗಳು ಸಂಯುಕ್ತ ರಾಷ್ಟ್ರಗಳಿಂದ ಸ್ವೀಕರಿಸಲಾಗಿರುವ ವಿವಿಧ ಘೋಷಣೆಗಳೊಳಗೆ ಸೇರಿಸಲಾಗಿವೆ.

ಅವುಗಳಲ್ಲಿ ಶಿಶುವಿನ ಹಕ್ಕುಗಳ ಕುರಿತು ಘೋಷಣೆ (1959), ವಸಾಹತು ದೇಶಗಳಿಗೆ ಮತ್ತು ಜನರಿಗೆ ಸ್ವಾತಂತ್ರ್ಯ ನೀಡುವ ಘೋಷಣೆ (1960), ಸಾಮಾಜಿಕ ಪ್ರಗತಿ ಮತ್ತು ವಿಕಾಸ ಘೋಷಣೆ (1969), ಮಾನಸಿಕವಾಗಿ ಹಿಂದೆ ಬಿದ್ದಿರುವ ವ್ಯಕ್ತಿಗಳ ಹಕ್ಕುಗಳ ಕುರಿತು ಘೋಷಣೆ (1971), ಧರ್ಮ ಮತ್ತು ನಂಬಿಕೆಯ ಆಧಾರದ ಅಸಹನೆ ಮತ್ತು ತಾರತಮ್ಯವನ್ನು ನಿರ್ಮೂಲನೆಗೊಳಿಸುವ ಘೋಷಣೆ (1981), ಮಾನವ ಹಕ್ಕುಗಳ ಕುರಿತು ವಿಶ್ವ ಘೋಷಣೆ (1993), ಮಹಿಳೆಯರ ವಿರುದ್ಧ ಹಿಂಸೆಯನ್ನು ತಡೆಗಟ್ಟುವ ಘೋಷಣೆ (1993), ಈಗ ಇನ್ನೂ ಮುಂತಾದ ಹತ್ತು ಹಲವು ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣಾ ಘೋಷಣೆಗಳಿಗೆ ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳ ಘೋಷಣೆಯು ತನ್ನದೇ ಆದ ಪ್ರಭಾವ ಬೀರಿದೆ. ಅಲ್ಲದೇ ಅನೇಕ ದೇಶಗಳ ಸಂವಿಧಾನಗಳು, ಸ್ವದೇಶಿ ಕಾನೂನುಗಳು ಮತ್ತು ನ್ಯಾಯಾಲಯದ ನಿರ್ಣಯಗಳ ಮೇಲೆ ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳ ಘೋಷಣೆ ಪ್ರಭಾವ ಬೀರಿದೆ. (ಉದಾ: ಅಲ್ಬೇರಿಯಾ, ಬುರಂದಿ, ಕೆಮೆರೂನ್, ಚಾಡ್, ದಿ ಡೆಮೋಕ್ರಟಿಕ್ ರಿಪಬ್ಲಿಕ್ ಆಫ್ ಕಾಂಗೊ ಮುಂತಾದ ದೇಶಗಳು)

ಭಾರತದ ಆಡಳಿತದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಸಾರ್ವತ್ರಿಕ ಘೋಷಣೆಯ ಪ್ರಭಾವ ಮತ್ತು ಜಾರಿಗೊಳಿಸುವಲ್ಲಿನ ಪ್ರಯತ್ನ:

ಭಾರತದಲ್ಲಿನ ಸಂವಿಧಾನಾತ್ಮಕ ಆಡಳಿತದ ಮೇಲೆ ಸಾರ್ವತ್ರಿಕ ಮಾನವ ಹಕ್ಕುಗಳ ಘೋಷಣೆಯ ಪ್ರಭಾವ ಹೆಚ್ಚಾಗಿದೆ. ಭಾರತ ಸಂವಿಧಾನದ ಪೀಠಿಕೆಯಲ್ಲಿ ಭಾರತದ ನಾಗರಿಕರಿಗೆ ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಮತ್ತು ರಾಜಕೀಯ ನ್ಯಾಯ. ವಿಚಾರ ಅಭಿವ್ಯಕ್ತಿ, ನಂಬಿಕೆ ಮತ್ತು ಆರಾಧನೆಯ ಸ್ವಾತಂತ್ರ್ಯ. ಸ್ವಾನಿರ್ಮಾನ ಮತ್ತು ಅವಕಾಶದಲ್ಲಿ ಸಮಾನತೆಯನ್ನು ಭದ್ರಪಡಿಸಿದೆ. ಹಾಗೂ ವ್ಯಕ್ತಿಯ ಘನತೆ ಮತ್ತು ರಾಷ್ಟ್ರದ ಏಕತೆಯನ್ನು ಖಾತರಿಪಡಿಸುವ ಭ್ರಾತೃತ್ವವನ್ನು ಅವರೊಳಗೆ





ವೃದ್ಧಿಪಡಿಸುತ್ತದೆ. ಭಾರತ ಸಂವಿಧಾನದ ಭಾಗ- 3 ಮತ್ತುಭಾಗ-4, ಸಾರ್ವತ್ರಿಕಘೋಷಣೆಯ ಪ್ರಮುಖ ಅಂಶಗಳನ್ನು ಒಳಗೊಂಡಿದೆ. ಸಾರ್ವತ್ರಿಕಘೋಷಣೆಯ 7 ನೇ ವಿಧಿ ಕಾನೂನಿನ ಮುಂದೆ ಸಮಾನರು ಮತ್ತು ಸಮಾನರಕ್ಷಣೆಯನ್ನು ತಿಳಿಸುತ್ತದೆ.ಇದೇ ಹಕ್ಕನ್ನು ಭಾರತ ಸಂವಿಧಾನದ 14ನೇ ವಿಧಿಯಲ್ಲಿ ಕಾನೂನಿನ ಮುಂದೆ ಸಮಾನತೆಯನ್ನು(ಎಲ್ಲರೂ ಸಮಾನರು) ನೀಡಿರುವುದುಅದರ ಪ್ರಭಾವವನ್ನು ಎತ್ತಿ ತೋರಿಸುತ್ತದೆ.

ಭಾರತ ಸಂವಿಧಾನದ ವಿಧಿ 32ರ ಪ್ರಕಾರ ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆ ಹಾಗೂ ವಿಧಿ 226ರ ಪ್ರಕಾರ ಜಾರಿಗೊಳಿಸುವ ಜವಾಬ್ದಾರಿಯನ್ನು ನ್ಯಾಯಾಂಗಕ್ಕೆ ವಹಿಸಲಾಗಿದೆ. ಪ್ರತಿ ವರ್ಷ ಡಿಸೆಂಬರ್ 10 ರಂದು ವಿಶ್ವ ಮಾನವ ಹಕ್ಕುಗಳ ದಿನವನ್ನು ಆಚರಿಸುವುದರ ಮೂಲಕ ಮಾನವ ಹಕ್ಕುಗಳ ಮಹತ್ವವನ್ನು ಪ್ರಜೆಗಳಿಗೆ ತಿಳಿಸಲಾಗುತ್ತಿದೆ.

ಮಾನವ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣೆಗಾಗಿ 1993ರಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣಾಕಾಯ್ದೆಯನ್ನು ಜಾರಿಗೊಳಿಸಲಾಯಿತು. ಈ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್ ಮೂರರ ಅನ್ವಯ ಅಕ್ಟೋಬರ್ 12, 1993 ರಂದು ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವನ್ನು ರಚಿಸಿದೆ. ಜೊತೆಗೆ ಮಾನವ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣಾಕಾಯ್ದೆ 1993 ರ ಅಧ್ಯಾಯ 5ರ ಕಲಮ್ 21ರ ಪ್ರಕಾರ ಪ್ರತಿಯೊಂದು ರಾಜ್ಯಗಳೂ ಸಹ ಮಾನವ ಹಕ್ಕುಗಳ ಸಂರಕ್ಷಣೆಗಾಗಿ ರಾಜ್ಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವನ್ನು ರಚಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಿದೆ.

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**ಸಾರಾಂಶ**

ಸಂವಹನ ಅತಿ ಮುಖ್ಯ. ಪಶು, ಪಕ್ಷಿ, ಪ್ರಾಣಿ ಜಲಚರಗಳಷ್ಟೇ ಅಲ್ಲದೆ ಗಿಡಮರಗಳ ಮಧ್ಯೆಯೂ ಸಂವಹನ ನಿರಂತರವಾಗಿ ನಡೆಯುತ್ತಲೇ ಇರುತ್ತದೆ. ಮಾನವ ಜೀವನವೂ ಇದರಿಂದ ಹೊರತಲ್ಲ. ದೇಶ, ಭಾಷೆ, ಪ್ರಪಂಚದ ನಡುವೆ ಸಂಪರ್ಕ ಬೆಸೆದಿರುವುದೇ ಸಂವಹನದಿಂದ. ಕೈಸನ್ನೆ, ಕಣ್ಣುಸನ್ನೆ, ಚಿತ್ರಗಳ ಮೂಲಕ ಆರಂಭಗೊಂಡ ಸಂವಹನ ಇಂದು ವಿವಿಧ ಮಾಧ್ಯಮಗಳ ಮೂಲಕ ನಡೆಯುತ್ತಲಿದೆ. ಪತ್ರಿಕೆ, ಪುಸ್ತಕ, ದೂರದರ್ಶನ, ಆಕಾಶವಾಣಿ, ಕಂಪ್ಯೂಟರ್, ಇಂಟರ್‌ನೆಟ್, ಉಪಗ್ರಹಗಳವರೆಗೆ ಸಮೂಹ ಮಾಧ್ಯಮ ಬೆಳೆದಿದೆ.

ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಬಹಳ ಕಾಲದಿಂದಲೂ ಪ್ರಬಲ ಶಕ್ತಿಗಳೆಂದು ಗುರುತಿಸಲ್ಪಟ್ಟಿವೆ. ನಮ್ಮನ್ನು ನಾವು ಹಾಗೂ ಜಗತ್ತನ್ನು ನೋಡುವ ಮತ್ತು ಅನುಭವಿಸುವ ರೀತಿಯನ್ನು ಕಲಿಸುವಲ್ಲಿ ಮಹತ್ವದ ಪಾತ್ರ ವಹಿಸಿವೆ. ತಾಂತ್ರಿಕ ಪರಿವರ್ತನೆಗೆ ಕಾರಣವಾಗಿ ಆಕಾಶವಾಣಿ, ದೂರದರ್ಶನ ಹಾಗೂ ಪತ್ರಿಕೆಗಳನ್ನು ರೂಪಿಸುವಲ್ಲಿ ಮನುಷ್ಯನ ಶೋಧನಾ ದೃಷ್ಟಿ ಕಾರಣವಾಯಿತು.

ನಾಯಿ ಮನುಷ್ಯನನ್ನು ಕಚ್ಚಿದರೆ ಸುದ್ದಿಯಲ್ಲ, ಮನುಷ್ಯ ನಾಯಿಯನ್ನು ಕಚ್ಚಿದರೆ ಅದು ಸುದ್ದಿ ಎಂಬ ಮಾತು ಜನಜನಿತ. ಅದರರ್ಥ 'ಹೊಸತು' ಸುದ್ದಿ ಎಂಬುದರಲ್ಲಿ ಯಾವುದೇ ಅನುಮಾನವಿಲ್ಲ. ಮಾಧ್ಯಮಗಳೂ ಹೊರತಲ್ಲ. ಡೆಡ್‌ಲೈನ್ ಒತ್ತಡ ಮಾಧ್ಯಮದ ಸಿಬ್ಬಂದಿಯನ್ನೂ ಕಾಡುತ್ತಿದೆ. ವಸ್ತುಸ್ಥಿತಿಗಿಂತ ಸುದ್ದಿನೀಡುವ ಆತುರತೆಯೇ ಮುಖ್ಯವಾಗಿ ಸ್ಪಷ್ಟತೆ ಖಚಿತತೆಯಿಲ್ಲದ ವಿಷಯಗಳು ಪ್ರಸಾರವಾಗುತ್ತಿವೆ.

ಇವೆಲ್ಲವೂ ಸಾಮಾಜಿಕ, ಮಾನಸಿಕ ಆರೋಗ್ಯಕ್ಕೆ ಮಾರಕಗಳಾಗಿವೆ. ಪ್ರತಿನಿತ್ಯವೂ ಈ ಕುರಿತು ಪ್ರಸಾರವಾಗುವ ವರದಿಗಳಿಂದ ಜನರು ಮಾನಸಿಕವಾಗಿ, ದೈಹಿಕವಾಗಿ ಒತ್ತಡಕ್ಕೆ ಸಿಲುಕುತ್ತಿದ್ದಾರೆ. ಬಿತ್ತರಗೊಂಡ ಸುದ್ದಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿ, ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಲು ಜನರಿಗೆ ನೆರವಾಗುವಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ ಬಲು ದೊಡ್ಡದು. ಮಾಹಿತಿ ಕ್ರೋಢೀಕರಣದಲ್ಲಿ ಸಾಮಾಜಿಕ ಜಾಲತಾಣಗಳು ಪ್ರಮುಖ ಪಾತ್ರ ವಹಿಸುತ್ತಿವೆ.

**ಮುಖ್ಯ ಪದಗಳು:-** ಕೋವಿಡ್, ಮಾಧ್ಯಮಗಳು, ಪಾತ್ರ, ಸರ್ಕಾರ, ಸೃಷ್ಟಿ, ಸುದ್ದಿ ಮೂಗು, ಮಾನವೀಯ ಮೌಲ್ಯ. ಆನ್‌ಲೈನ್ ಕಲಿಕೆ:

**ಪೀಠಿಕೆ:-**

ಜಗತ್ತಿನ ಪ್ರತಿಯೊಂದು ಚರಾಚರ ಸೃಷ್ಟಿಗೂ ಸಂವಹನ ಅತಿ ಮುಖ್ಯ. ಪಶು, ಪಕ್ಷಿ, ಪ್ರಾಣಿ ಜಲಚರಗಳಷ್ಟೇ ಅಲ್ಲದೆ ಗಿಡಮರಗಳ ಮಧ್ಯೆಯೂ ಸಂವಹನ ನಿರಂತರವಾಗಿ ನಡೆಯುತ್ತಲೇ



ಇರುತ್ತದೆ. ಮಾನವ ಜೀವನವೂ ಇದರಿಂದ ಹೊರತಲ್ಲ. ದೇಶ, ಭಾಷೆ, ಪ್ರಪಂಚದ ನಡುವೆ ಸಂಪರ್ಕ ಬೆಸೆದಿರುವುದೇ ಸಂವಹನದಿಂದ. ಕೈಸನ್ನೆ, ಕಣ್ಣುಸನ್ನೆ, ಚಿತ್ರಗಳ ಮೂಲಕ ಆರಂಭಗೊಂಡ ಸಂವಹನ ಇಂದು ವಿವಿಧ ಮಾಧ್ಯಮಗಳ ಮೂಲಕ ನಡೆಯುತ್ತಲಿದೆ. ಪತ್ರಿಕೆ, ಪುಸ್ತಕ, ದೂರದರ್ಶನ, ಆಕಾಶವಾಣಿ, ಕಂಪ್ಯೂಟರ್, ಇಂಟರ್‌ನೆಟ್, ಉಪಗ್ರಹಗಳವರೆಗೆ ಸಮೂಹ ಮಾಧ್ಯಮ ಬೆಳೆದಿದೆ.

ಕೇವಲ ಒಂದು ಶತಮಾನದ ಹಿಂದಿನ ಜಗತ್ತನ್ನು ನೋಡಿದರೆ ಆಗ ಇದ್ದದ್ದು ಕೆಲವೇ ನಗರಗಳು. ಉಳಿದವರ ವಾಸ ಗ್ರಾಮೀಣ ಪ್ರದೇಶದಲ್ಲಿ. ಆಗ ಒಂದೊಂದು ಗ್ರಾಮವೂ ಒಂದೊಂದು ಪ್ರಪಂಚವಾಗಿತ್ತು. ದಿನನಿತ್ಯದ ಜೀವನ ಹಳ್ಳಿಗಳ ಮಧ್ಯೆಯೇ ನಿರಾಂತಕವಾಗಿ ನಡೆಯುತ್ತಿತ್ತು. ಆದರೆ ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಅತಿಯಾದ ನಗರಿಕರಣದಿಂದ ನಗರಗಳೇ ಹೆಚ್ಚು ಪ್ರಾಮುಖ್ಯತೆ ಪಡೆಯುತ್ತಿವೆ. ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಸಣ್ಣ ಸಣ್ಣ ಹಳ್ಳಿಗಳನ್ನು ವಿಳಂಬವಿಲ್ಲದೆ ತಲುಪುತ್ತಿವೆ. ಜಗತ್ತಿನ ಪ್ರತಿಯೊಂದು ಸಂಗತಿಯು ಕ್ಷಣಮಾತ್ರದಲ್ಲಿ ಮೂಲೆಮೂಲೆಯನ್ನು ತಲುಪುತ್ತಿದೆ. ಈ ಸಂವಹನದಲ್ಲಿ ಪ್ರಮುಖ ಪಾತ್ರವಹಿಸಿರುವುದು ಸಮೂಹಮಾಧ್ಯಮಗಳು ಎಂಬುದು ಸ್ಪಷ್ಟ.

ಅತಿಯಾದ ಆಧುನಿಕತೆ, ನಗರಿಕರಣದಿಂದ ಇವತ್ತು ಉಸಿರುಗಟ್ಟುವ ವಾತಾವರಣ ಏರ್ಪಟ್ಟಿದೆ. ಸಂಘಜೀವಿಯಾದ ಮನುಷ್ಯ ಏಕಾಂಗಿತನ ಅನುಭವಿಸುತ್ತಿದ್ದಾನೆ. ವ್ಯಕ್ತಿಯ ಕೈಯಲ್ಲಿ ಹಿಡಿಯಬಹುದಾದ ಮೊಬೈಲ್‌ನಂತಹ ಸಣ್ಣ ಉಪಕರಣ ಕುಳಿತ ಸ್ಥಳದಲ್ಲೇ ಇಡೀ ಜಗತ್ತನ್ನು ತೆರೆದು ತೋರುತ್ತಿದೆ. ಹೀಗಾಗಿ ಜನರ ನಡುವೆ ಸಂವಹನ ಸಾಧ್ಯವಾಗಿಸುವ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ ಬದುಕಿನಲ್ಲಿ ಅಪಾರವಾಗುತ್ತಿದೆ. ಆಧುನಿಕ ಶತಮಾನವನ್ನು ವಿಜ್ಞಾನಯುಗವೆಂದು ಕರೆಯುವುದರ ಜೊತೆ ಜೊತೆಗೆ ಸಮೂಹ ಸಂಪರ್ಕ ಮಾಧ್ಯಮಗಳ ಯುಗವೆಂದು ಕರೆಯಬಹುದು. ಆರಂಭದಲ್ಲಿ ಇದ್ದದ್ದು ಕೇವಲ ಪತ್ರಿಕೆಗಳು ಮಾತ್ರ.

20ನೆ ಶತಮಾನದ ಮೂರು ನಾಲ್ಕನೆ ದಶಕದಲ್ಲಿ ಮಾಧ್ಯಮಗಳು ನಿಜವಾದ ಸಾಮಾಜಿಕ ಪ್ರಭಾವ ಬೀರತೊಡಗಿದವು. ರಾಷ್ಟ್ರೀಯ ಹೋರಾಟದಂತಹ ಘಟನೆಗಳು, ಜಗತ್ತಿನ ಮಹಾಯುದ್ಧಗಳ ಕುರಿತ ವಿವರಗಳು ಜನರಿಗೆ ತಿಳಿದದ್ದೇ ಪತ್ರಿಕೆಗಳಿಂದ. ಅಂದಿನ ಬಹುತೇಕ ಪತ್ರಿಕೆಗಳು ರಾಷ್ಟ್ರೀಯ ಹೋರಾಟದಲ್ಲಿ ಪಾಲ್ಗೊಂಡಿದ್ದವು. ಬರುಬರುತ್ತಾ ಮಾಧ್ಯಮಗಳು ಸಾಮಾಜಿಕ ಹೊಣೆಗಾರಿಕೆಯನ್ನು ಮರೆತ ಹಾಗೆ ಬದಲಾಗುತ್ತಾ ಹೋದವು. ಇದಕ್ಕೆ ಪ್ರಮುಖ ಕಾರಣ ಮಾಧ್ಯಮಗಳೆಲ್ಲಾ ಉದ್ಯಮಗಳಾಗಿದ್ದು. ಪತ್ರಿಕೆ ಪತ್ರಿಕೋದ್ಯಮವಾದರೆ, ಪುಸ್ತಕ ಸಂಸ್ಕೃತಿ ಪುಸ್ತಕೋದ್ಯಮವಾಯಿತು. ಸಿನಿಮಾರಂಗವೂ ಚಲನಚಿತ್ರೋದ್ಯಮವಾಯಿತು.

ಸರ್ಕಾರಿ ಸಾಮ್ಯದ ಪತ್ರಿಕೆ, ವಾಹಿನಿಗಳನ್ನು ಹೊರತುಪಡಿಸಿ ಉಳಿದೆಲ್ಲವು ಖಾಸಗಿಯವರ ಒಡೆತನದಲ್ಲಿವೆ. ಬಂಡವಾಳಕಾರರು ಸಹಜವಾಗಿಯೇ ಉದ್ಯಮವೃದ್ಧಿಗೆ ಬೇಕಾದ ಪ್ರಯತ್ನ ನಡೆಸುತ್ತಲೇ ಇರಬೇಕಾಗುತ್ತದೆ. ಇವರೆಲ್ಲಾ ಅವಲಂಬಿಸಿರುವುದು ವಾಣಿಜ್ಯ ಜಾಹಿರಾತುಗಳನ್ನು. ಉತ್ಪನ್ನಗಳನ್ನು ಉತ್ಪಾದಿಸುವ ಕಂಪೆನಿಗಳಿಗೆ ಉತ್ಪನ್ನಗಳ ಮಾರಾಟ ಹೇಗೆ ಮುಖ್ಯವೋ ಹಾಗೆಯೇ ಅಂತಹ ಕಂಪೆನಿಗಳು ನೀಡುವ ಜಾಹಿರಾತುಗಳು ಮಾಧ್ಯಮಗಳಿಗೆ ಅಷ್ಟೇ ಮುಖ್ಯ. ಹೀಗಾಗಿ ಪತ್ರಿಕೆಗಳಾಗಲೀ ದೂರದರ್ಶನವಾಹಿನಿಗಳಾಗಲೀ ಕೇವಲ ಸಾಮಾಜಿಕ ಕಾಳಜಿಯನ್ನಷ್ಟೇ ಗುರಿಯಾಗಿಸಿಕೊಂಡರೆ ಮುಂದುರೆಯಲು ಸಾಧ್ಯವಿಲ್ಲ ಎಂಬ ಸ್ಥಿತಿಗೆ ಇಂದಿನ ಮಾಧ್ಯಮ ಉದ್ಯಮ ಬಂದು ನಿಂತಿದೆ.

ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಬಹಳ ಕಾಲದಿಂದಲೂ ಪ್ರಬಲ ಶಕ್ತಿಗಳೆಂದು ಗುರುತಿಸಲ್ಪಟ್ಟಿವೆ. ನಮ್ಮನ್ನು ನಾವು ಹಾಗೂ ಜಗತ್ತನ್ನು ನೋಡುವ ಮತ್ತು ಅನುಭವಿಸುವ ರೀತಿಯನ್ನು ಕಲಿಸುವಲ್ಲಿ ಮಹತ್ವದ ಪಾತ್ರ ವಹಿಸಿವೆ. ತಾಂತ್ರಿಕ ಪರಿವರ್ತನೆಗೆ ಕಾರಣವಾಗಿ ಆಕಾಶವಾಣಿ, ದೂರದರ್ಶನ ಹಾಗೂ



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ಪತ್ರಿಕೆಗಳನ್ನು ರೂಪಿಸುವಲ್ಲಿ ಮನುಷ್ಯನ ಶೋಧನಾ ದೃಷ್ಟಿ ಕಾರಣವಾಯಿತು. ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಸದಾ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಜಗತ್ತಿನ ಎರಡು ಮಹಾಯುದ್ಧಗಳಂತಹ ಐತಿಹಾಸಿಕ ಘಟನೆಗಳನ್ನು ದಾಖಲಿಸುವಲ್ಲಿ ಯಶಸ್ವಿಯಾಗಿವೆ. ಸಾಮಾಜಿಕ ಹೊಣೆಗಾರಿಕೆ ತೋರಬೇಕಾದ ಮಾಧ್ಯಮ ಸಂಸ್ಥೆಗಳು ಹಾಗೂ ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಆರೋಗ್ಯ ಕಾಳಜಿಯಂತಹ ವಿಷಯಗಳನ್ನು ಹೇಗೆ ವ್ಯಾಪಾರಿ ದೃಷ್ಟಿಯಿಂದ ನೋಡುತ್ತಿದ್ದಾರೆ ಎಂಬುದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಇಂದಿನ ಮಾಧ್ಯಮ ಇದೆ. ಕೋವಿಡ್-19 ನಂತರ ಜಗತ್ತಿನ ತಲ್ಲಣಕ್ಕೆ ಕಾರಣವಾಗಿರುವ ಮಾರಕ ಸೋಂಕಿನ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಜನರಲ್ಲಿ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಯಶಸ್ಸು ಗಳಿಸಿವೆಯೇ ಎಂಬುದು ಬಹುದೊಡ್ಡ ಪ್ರಶ್ನೆಯಾಗಿದೆ.

ಆರಂಭದಲ್ಲಿ ಎಲ್ಲ ಬಗೆಯ ಐತಿಹಾಸಿಕ ಅರಿವನ್ನು ಮೂಡಿಸುವಲ್ಲಿ ಪಾತ್ರ ವಹಿಸಿರುವ ಸಮೂಹ ಮಾಧ್ಯಮಗಳು ಇತಿಹಾಸದಲ್ಲಿ ಜಗತ್ತನ್ನು ತಲ್ಲಣಗೊಳಿಸಿದ ಪ್ಲೇಗ್‌ನಂತಹ ಹತ್ತಾರು ಮಾರಣಾಂತಿಕ ಸೋಂಕುಗಳ ಬಗ್ಗೂ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಬಹುಮುಖ್ಯ ಪಾತ್ರ ವಹಿಸಿವೆ. ಹಾಗೆಯೇ ಸಾಮಾಜಿಕ, ಕೌಟುಂಬಿಕ ಅರಿವು ಹಾಗೂ ಕುಟುಂಬದ ಒಳಗಿನ ಬಾಂಧ್ಯವದ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಮಾಧ್ಯಮಗಳು ಸಹಕಾರಿಯಾಗಿವೆ. ಆದರೆ ಬರುಬರುತ್ತಾ ಮಾಧ್ಯಮ ವ್ಯವಹಾರಿಕ ಉದ್ಯಮವಾಗಿ ಪರಿಗಣಿಸಲ್ಪಟ್ಟಿದೆ.

ಜಗತ್ತು ತಲೆಕೆಳಗಾಗಿದೆ. ಕೋವಿಡ್-19 ಸೋಂಕು ಇಡೀ ಮಾನವ ಸಮೂಹವನ್ನು ಆತಂಕಕ್ಕೆ ದೂಡಿದೆ. ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಸಾಮಾಜಿಕ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಮಾಧ್ಯಮಗಳು ಸಾಕಷ್ಟು ನೆರವಾಗಿವೆ. ಸಾಮಾಜಿಕ ಜಾಲತಾಣಗಳು, ಚಿತ್ರರಂಗ, ದೂರದರ್ಶನ, ಆಕಾಶವಾಣಿಗಳ ಮೂಲಕ ಅರಿವು ಮೂಡಿಸುವ ಪ್ರಯತ್ನ ನಿರಂತರವಾಗಿ ಸಾಗುತ್ತಿದೆ. ಕನ್ನಡ ಪತ್ರಿಕೋದ್ಯಮ ಸವಾಲಿನ ಸ್ಥಿತಿಗೆ ಬಂದಿದೆ. ಕೆಲ ಮಾಧ್ಯಮ ಸಂಸ್ಥೆಗಳು ನಷ್ಟ ಅನುಭವಿಸುತ್ತಿದ್ದು ಮುಚ್ಚುವ ಹಂತ ತಲುಪಿವೆ. ಅದಕ್ಕೆ ಕಾರಣ ಈ ಕ್ಷೇತ್ರದಲ್ಲಿನ ಸ್ಪರ್ಧಾ ಮನೋಭಾವ ಸುಳ್ಳನ್ನು ಧಾಳಾಗಿ ಕಣ್ಣಿಗೆ ರಾಚುವಂತೆ ಪ್ರತಿಬಿಂಬಿಸುತ್ತಿವೆ. ನಮ್ಮಲ್ಲೇ ಮೊದಲು ಎನ್ನುವ ಮನೋಭಾವದಿಂದ ಬಳಲುತ್ತಿರುವ ಮಾಧ್ಯಮಗಳು ಸುಳ್ಳನ್ನು ಸತ್ಯವಾಗಿ, ಸತ್ಯವನ್ನು ಸುಳ್ಳಾಗಿ ಬಿಂಬಿಸುತ್ತಿವೆ. ತ್ವರಿತವಾಗಿ ಮಾಹಿತಿ ನೀಡುವ ಜೊತೆ ಜೊತೆಗೆ ಹಸಿ ಸುಳ್ಳು ಮಾಹಿತಿಯೂ ಜನರಿಗೆ ತಲುಪುತ್ತಿದೆ.

ಶತಮಾನದ ಹಿಂದೆ ಜಗತ್ತನ್ನು ತಲ್ಲಣಗೊಳಿಸಿದ ವೈರಾಣುವಿಗೆ ಮಿಲಿಯಗಟ್ಟಲೆ ಜನ ಮರಣ ಹೊಂದಿದರು ಆ ಹೊತ್ತಿನ ಮಾಧ್ಯಮ ಇವತ್ತಿನಷ್ಟು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಇಲ್ಲದಿರುವುದರಿಂದ ಮತ್ತು ಕೆಲ ದೇಶಗಳಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಮೇಲೆ ನಿಯಂತ್ರಣ ಇದ್ದುದರಿಂದ ಸೋಂಕಿನ ಬಗೆಗಿನ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಅಲ್ಪಮಟ್ಟಿಗೆ ಪ್ರಯತ್ನಿಸಿದವು. ಆದರೆ ಪ್ರಸ್ತುತ ಸಂದರ್ಭದ ಹಾಗೆ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ ಎಂಬುದಂತೂ ಸತ್ಯ.

ಸಂವಿಧಾನದ ನಾಲ್ಕನೆ ಆಧಾರಸ್ತಂಭವೆಂದು ಕರೆಯಲ್ಪಟ್ಟಿರುವ ಮಾಧ್ಯಮವನ್ನು ಅಗತ್ಯ ಸೇವೆಯ ಅಡಿಯಲ್ಲಿ ಸೇರಿಸಲಾಗಿರುವ ಈ ಸಂದರ್ಭದಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಮಧ್ಯದಲ್ಲಿಯೇ ಜಿದ್ದಾಜಿದ್ದಿ ನಡೆಯುತ್ತಿದೆ. ಶತಮಾನದ ಹಿಂದಿನ ಸೋಂಕಿನ ಬಗ್ಗೆ ಬಾಯ್‌ಸೆಟ್ಸ್ ಮತ್ತು ಅಂಚೆ ಸಿಬ್ಬಂದಿ, ಶಿಕ್ಷಕರ ಮೂಲಕ ಮನೆ ಮನೆಗೆ ವಿಷಯ ತಲುಪಿಸಲಾಯಿತು. ಪ್ರಸ್ತುತ

ಸಂದರ್ಭದಲ್ಲಿ ಈ ರೀತಿಯ ಸೇವೆಯನ್ನು ನಿರೀಕ್ಷೆ ಮಾಡುವಂತೆಯೇ ಇಲ್ಲ. ಆಧುನಿಕ ತಂತ್ರಜ್ಞಾನ ಕರತಲಾಮೂಲಕ ಆಗಿರುವುದರಿಂದ ಮನೆಯಿಂದಲೇ, ಕುಳಿತಲ್ಲಿಂದಲೇ ಮಾಹಿತಿ ಲಭ್ಯವಾಗುತ್ತಿದೆ. ಪ್ರತಿದಿನದ ಸೋಂಕಿನ ಪ್ರಮಾಣ, ಸೋಂಕು ಹರಡುತ್ತಿರುವ ಬಗ್ಗೆ, ತಜ್ಞರ ಅಭಿಪ್ರಾಯ, ಎಲ್ಲವೂ ಕ್ಷಣಮಾತ್ರದಲ್ಲಿಯೇ ಲಭ್ಯವಾಗುತ್ತಿವೆ.





ಇಂದು ಕೋಟ್ಯಂತರ ಜನ ಸಾಮಾಜಿಕ ಜಾಲತಾಣವನ್ನು ಬಳಸಿಕೊಳ್ಳುವ ಮೂಲಕ ಜಾಗೃತಿಯನ್ನು ಪಡೆಯುತ್ತಿದ್ದಾರೆ. ಸೋಂಕು ಹರಡದಂತೆ ತಡೆಗಟ್ಟಲು ಸಾಮಾಜಿಕ ಅಂತರ ಕಾಯ್ದುಕೊಳ್ಳಬೇಕೆನ್ನುವ ಅರಿವು ಕೆಲ ತಿಂಗಳ ಹಿಂದೆ ಯಾರಿಗೂ ತಿಳಿದಿರಲಿಲ್ಲ. ಆದರೆ ಇಂದು ಇದರ ಬಗ್ಗೆ ಬಹುತೇಕ ಜನರಿಗೆ ತಿಳಿಯುವಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ ಬಹುದೊಡ್ಡದು. ಕ್ವಾರಂಟೈನ್, ಸೋಷಿಯಲ್ ಡಿಸ್ಟೆನ್ಸಿಂಗ್, ಸ್ಯಾನಿಟೈಸರ್, ಕಂಟೈನ್‌ಮೆಂಟ್ ಝೋನ್, ಲಾಕ್‌ಡೌನ್, ಸೀಲ್‌ಡೌನ್, ಮುಂತಾದ ಶಬ್ದಗಳು ಗ್ರಾಮೀಣ ಪ್ರದೇಶದ ಅನಕ್ಷರಸ್ಥರ ಬಾಯಲ್ಲೂ ರಾರಾಜಿಸುತ್ತಿವೆ.

ಕೋವಿಡ್ ಕಾರಣದಿಂದ ಇಡೀ ದೇಶವನ್ನು ಸುಮಾರು ಎರಡು ತಿಂಗಳಷ್ಟು ದೀರ್ಘಕಾಲ ಇದೇ ಮೊದಲಬಾರಿಗೆ ಲಾಕ್‌ಡೌನ್ ಮಾಡಲಾದ ಸಂಗತಿಯೂ ಮಾಧ್ಯಮಗಳ ಮೂಲಕವೇ ಜನರಿಗೆ ತಲುಪಿತು. ಮಾರ್ಚ್ 22ರಂದು ಸಾಂಕೇತಿಕವಾಗಿ ಲಾಕ್‌ಡೌನ್ ಘೋಷಣೆ ಮಾಡಿ, ನಂತರ ಮಾರ್ಚ್ 24ರ ರಾತ್ರಿಯಿಂದ ಇಡೀ ದೇಶವನ್ನು 21 ದಿನಗಳ ಲಾಕ್‌ಡೌನ್ ಮಾಡಲಾಯಿತು. ನಂತರ ಒಟ್ಟು ನಾಲ್ಕು ಹಂತಗಳಲ್ಲಿ ಲಾಕ್‌ಡೌನ್ ಮುಂದುವರೆದು ಸುಮಾರು 2 ತಿಂಗಳ ಕಾಲ ಇಡೀ ದೇಶವನ್ನು ಲಾಕ್‌ಡೌನ್‌ಗೆ ಒಳಪಡಿಸಿದ್ದು ಐತಿಹಾಸಿಕ ದಾಖಲೆಯೇ ಸರಿ.

### ಮಾಧ್ಯಮದ ಹೊಣೆಗಾರಿಕೆ:

ನಾಯಿ ಮನುಷ್ಯನನ್ನು ಕಚ್ಚಿದರೆ ಸುದ್ದಿಯಲ್ಲ, ಮನುಷ್ಯ ನಾಯಿಯನ್ನು ಕಚ್ಚಿದರೆ ಅದು ಸುದ್ದಿ ಎಂಬ ಮಾತು ಜನಜನಿತ. ಅದರರ್ಥ 'ಹೊಸತು' ಸುದ್ದಿ ಎಂಬುದರಲ್ಲಿ ಯಾವುದೇ ಅನುಮಾನವಿಲ್ಲ. ಜನರಲ್ಲಿ ಆಸಕ್ತಿ ಕೆರಳಿಸುವ ಹತ್ತಾರು ಸಂಗತಿಗಳು ಸುದ್ದಿಗಳೇ. ಗಂಡ ಹೆಂಡತಿಯ ನಡುವಿನ ಬೀದಿ ಜಗಳ, ಗರ್ಭಿಣಿಯೊಬ್ಬಳು ಏಕಕಾಲದಲ್ಲಿ ನಾಲ್ಕೈದು ಮಕ್ಕಳಿಗೆ ಜನ್ಮ ನೀಡುವುದು. ಜಗತ್ತಿನ ಪ್ರಮುಖ ವ್ಯಕ್ತಿಗಳ ಲೈಂಗಿಕ ಹಗರಣಗಳು, ಉಗ್ರರಿಂದಾದ ದಮನಕಾರಿ ಘಟನೆಗಳು, ಪ್ರಕೃತಿ ವಿಕೋಪಗಳು-ಇವೆಲ್ಲವೂ ಸಹಜವಾಗಿಯೇ ಮನುಷ್ಯನ ಆಸಕ್ತಿಯನ್ನು ಕೆರಳಿಸುತ್ತವೆ. ಹಾಗೆಂದು ಪತ್ರಕರ್ತರಾದವರು ಸಾಮಾಜಿಕ ಹೊಣೆಗಾರಿಕೆಯನ್ನು ಮರೆಯುವಂತಿಲ್ಲ. ವ್ಯವಹಾರ ಜ್ಞಾನ, ಭಾಷೆಯ ಮೇಲಿನ ಹಿಡಿತ, ಮಾನವೀಯ ಮೌಲ್ಯಗಳನ್ನು ಜೀವನದಲ್ಲಿ ರೂಪಿಸಿಕೊಂಡವರು ಉತ್ತಮ ಪತ್ರಕರ್ತರೆನಿಸಿಕೊಳ್ಳುತ್ತಾರೆ.

ಪ್ರತಿಯೊಬ್ಬ ವರದಿಗಾರನಿಗೂ 'ನೋಸ್ ಫಾರ್ ನ್ಯೂಸ್'(ಸುದ್ದಿ ಮೂಗು) ಇದ್ದು, ಬರೆಯುವ ವಿಷಯ ಕುರಿತು ಸರಿತಪ್ಪುಗಳ ವಿವೇಚನೆ ಇರಬೇಕು. ಆಲೋಚನೆ ಬರವಣಿಗೆ ಸ್ಪಷ್ಟವಾಗಿದ್ದು ಗೊಂದಲ ಮೂಡಿಸುವಂತೆ ಇರಬಾರದು. ವೈಯಕ್ತಿಕತೆ, ಅಥವಾ ವ್ಯಕ್ತಿನಿಷ್ಠತೆಗೆ ಅವಕಾಶವಿರದೆ ವಸ್ತುನಿಷ್ಠತೆಯಿಂದ, ನಿಖರತೆ ಕಾಪಾಡಿಕೊಳ್ಳಬೇಕು. ಸದಾ ಜಾಗೃತನಾಗಿದ್ದು, ಜನರ ಜಾಗೃತಿಗೂ ಕಾರಣನಾಗಬೇಕು. ಎಂತಹದ್ದೇ ದಾರುಣ ಸನ್ನಿವೇಶವಿದ್ದರೂ ಸ್ತಿಮಿತ ಕಳೆದುಕೊಳ್ಳಬಾರದು. ಜನರ ಕುತೂಹಲಕ್ಕೆ ಕಾರಣವಾಗಬೇಕೆ ಹೊರತು, ಭೀತಿ ಮೂಡಿಸಬಾರದು. ಇಂದು ಜಗತ್ತಿನ ಆತಂಕಕ್ಕೆ ಕಾರಣವಾಗಿರುವ ಕೋವಿಡ್‌ನಂತಹ ಮಾರಕ ಸೋಂಕಿನ ಸಂದರ್ಭದಲ್ಲಿಯೂ ಮಾಧ್ಯಮಗಳು ಈ ಹೊಣೆಗಾರಿಕೆಯನ್ನು ಮರೆಯಬಾರದು.

ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಮಾಧ್ಯಮಗಳಿಂದ ಈ ಕಾಳಜಿ ನಿರೀಕ್ಷೆ ಮಾಡಲು ಸಾಧ್ಯವೇ ಎಂಬುದು ಈ ಹೊತ್ತಿನ ಬಹುದೊಡ್ಡ ಪ್ರಶ್ನೆ. ಏಕೆಂದರೆ ಅನೇಕ ಮಾಧ್ಯಮಗಳು ಸುದ್ದಿ ನೀಡುವಲ್ಲಿ ತೋರುವ ಆತುರ, ಸುದ್ದಿಯ ಖಚಿತತೆಯಲ್ಲಿ ತೋರುತ್ತಿಲ್ಲ. ಕೊರೊನಾ ಕಾಲದಲ್ಲಂತೂ ಸುದ್ದಿಗಳು ಏಕಪಕ್ಷೀಯವಾಗಿ ನಿರೂಪಿತವಾಗುತ್ತಿವೆ. ಪ್ರಭುತ್ವದ ಅಡಿಯಾಳುಗಳಂತೆ ವರ್ತಿಸುತ್ತಿರುವ ಮಾಧ್ಯಮಗಳು ಸಮಾಜದಲ್ಲಿ ಸಾಮರಸ್ಯ ಮೂಡಿಸುವ ಬದಲು ಧಾರ್ಮಿಕ ಒಡಕನ್ನು ಮೂಡಿಸುವಲ್ಲಿ ಹೆಚ್ಚು ಆಸಕ್ತಿ ವಹಿಸಿವೆ.



ಇಂತಹ ಮನೋಭಾವಕ್ಕೆ ಮಾಧ್ಯಮಗಳನ್ನು ಪ್ರತಿನಿಧಿಸುವವರೆಲ್ಲರೂ ಬಹುತೇಕ ಏಕಪಕ್ಷೀಯ ಅಥವಾ ಏಕವ್ಯಕ್ತಿ ಆರಾಧಕರಾಗಿರುವುದು ಕಾರಣವಾಗಿದೆ. ಕೊರೋನಾ ವಿಷಯ ನಿರೂಪಣೆಯೂ ಇಂದು ಮನರಂಜನೆಯಾಗಿದೆ. ಯಾವುದೇ ಸುದ್ದಿಯಾಗಲೀ ಮನರಂಜನಾ ದೃಷ್ಟಿಕೋನದಲ್ಲಿ ನೀಡಬೇಕು ಎಂಬುದು ಮಾಧ್ಯಮದ ನಿಲುವಾಗಿದೆ. ನಿರೂಪಕರ ಅತಿಯಾದ ಅರಚಾಟ(ಕೂಗುಮಾರಿಗಳು) ವೀಕ್ಷಕರನ್ನು ಭಯಭೀತರನ್ನಾಗಿಸುವ ಪರಿಪಾಠ ಹೆಚ್ಚುತ್ತಿದೆ. ಇತ್ತೀಚೆಗಂತೂ ಸುದ್ದಿಗಳನ್ನು ಯಾವ ರೀತಿ ಬರೆಯಬೇಕು, ಬರೆಯಬಾರದು ಎಂದು ಸುದ್ದಿಯ ಪ್ರಾಯೋಜಕರು ನಿರ್ದೇಶಿಸುವ ಮಟ್ಟಿಗೆ ಪತ್ರಕರ್ತ ತನ್ನ ಸ್ವಾತಂತ್ರ್ಯವನ್ನು ಕಳೆದುಕೊಂಡು ಒಂದು ರೀತಿಯ ಜೀತದಾಳಿನಂತೆ ಉದ್ಯೋಗ ಮಾಡಬೇಕಾಗಿರುವುದು ಇಂದಿನ ದುರಂತ.

**ಮಾಧ್ಯಮದ ಇತ್ಯಾತ್ಮಕ ಪ್ರಭಾವ**

- ಸರ್ಕಾರಕ್ಕೆ ಎಚ್ಚರಿಕೆ ಘಂಟೆ: ಕೋವಿಡ್‌ನಿಂದ ಸಂತ್ರಸ್ತರಾಗಿರುವ ದೇಶದ ಕಾರ್ಮಿಕರು ತಮ್ಮ ತಮ್ಮ ಸ್ವಗ್ರಾಮಗಳಿಗೆ ತೆರಳುವ ಸಂದರ್ಭದಲ್ಲಿ ದೇಶದ ಬಹುತೇಕ ಮಾಧ್ಯಮಗಳು ಈ ಕುರಿತು ಪ್ರತಿನಿತ್ಯವೂ ವರದಿಗಳನ್ನು ಮಾಡುತ್ತಾ, ವಸ್ತುಸ್ಥಿತಿಯನ್ನು ವಿವರಿಸುವ ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೆ ಎಚ್ಚರಿಕೆಯ ಗಂಟೆಗಳಾಗಿವೆ. ಕಾರ್ಮಿಕರು ತೆರಳುವ ಸಮಯದಲ್ಲಿ ಅನುಭವಿಸುವ ಹಸಿವಿನ ತೊಳಲಾಟ, ಆರೋಗ್ಯ ಸಮಸ್ಯೆಗಳು, ದಾರಿ ಮಧ್ಯೆ ಅನುಭವಿಸುವ ಸಂಕಟಗಳನ್ನು ಬಿಂಬಿಸುವ ಜೊತೆಯಲ್ಲಿಯೇ ವಲಸೆ ಕಾರ್ಮಿಕರಿಗೆ ಸೂಕ್ತ ವ್ಯವಸ್ಥೆ ಕಲ್ಪಿಸಲು ಸಾಧ್ಯವಾಗದ ಸರ್ಕಾರಗಳ ನಿರ್ಲಕ್ಷ್ಯತನವನ್ನು ಯಾವುದೇ ಹಿಂಜರಿಕೆಯಿಲ್ಲದೆ ತೋರುತ್ತಿರುವುದು. ಆ ಮೂಲಕ ವಲಸೆ ಕಾರ್ಮಿಕರಿಗೆ ಒಂದಿಷ್ಟಾದರೂ ನೆರವು ಕಲ್ಪಿಸುವ ಆಶಾಭಾವನೆ ಮೂಡಿಸುತ್ತಿವೆ. ಇತ್ತೀಚೆಗೆ ಸಾವಿರಾರು ಕಾರ್ಮಿಕರು, ಸಾವಿರಾರು ಕಿ.ಮೀ. ದೂರವನ್ನು ಸೂಕ್ತ ವ್ಯವಸ್ಥೆ ಇಲ್ಲದೆ ನಡೆದೇ ಹೊರಟಿದ್ದು ಅತ್ಯಂತ ದುರಂತಮಯ ಸಂಗತಿ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ ಗಣನೀಯ.
- ಸಾಮಾಜಿಕ ಅರಿವು: ಸಮಾಜ ಮತ್ತು ಜನ ಸಮುದಾಯಗಳು ಪರಸ್ಪರ ನಂಟು ಹೊಂದಿವೆ. ಸಮಾಜದ ಮಧ್ಯದಲ್ಲಿಯೇ ಕಾರ್ಯನಿರ್ವಹಿಸುವ ಮಾಧ್ಯಮಗಳು ಸಮಾಜ ಮತ್ತು ಜನರ ನಡುವೆ ಸೇತುವೆಯಂತೆ ಕೆಲಸ ಮಾಡುತ್ತಿವೆ. ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಯಾವುದೇ ವಿಷಯವಾಗಿರಲಿ ಜನರಿಗೆ ತಿಳಿಯುವುದು ಮಾಧ್ಯಮದ ಮೂಲಕವೇ. ಕೋವಿಡ್‌ನಂತಹ ಮಾರಣಾಂತಿಕ ಸೋಂಕು ಇಡೀ ಜಗತ್ತನ್ನು ತಲ್ಲಣಗೊಳಿಸುತ್ತಿರುವ ಈ ಹೊತ್ತಿನಲ್ಲೂ ಜನರಲ್ಲಿ ಅರಿವು ಮೂಡಿಸುವಲ್ಲಿ ಮಾಧ್ಯಮ ಪಾತ್ರ ಬಹು ದೊಡ್ಡದು. ಇತ್ಯಾತ್ಮಕವಾಗಿರಲಿ, ನೇತಾತ್ಮಕವಾಗಿರಲಿ ಒಟ್ಟಾರೆ ಮಾಧ್ಯಮಗಳೇ ಈ ಹೊತ್ತಿನ ಕೊಂಡಿಯಾಗಿವೆ.
- ಕೊರೋನಾ ವಾರಿಯರ್ಸ್: ದೇಶ ಕಾಯುವ ಯೋಧರ ಹಾಗೆಯೇ ಕೋವಿಡ್ ಸೋಂಕಿನ ವಿರುದ್ಧ ನಿತ್ಯವೂ ಹೋರಾಡುತ್ತಿರುವ ಸಿಬ್ಬಂದಿಯನ್ನು ಕೊರೋನಾ ವಾರಿಯರ್ಸ್ ಎಂದು ಗುರುತಿಸಲಾಗಿದೆ. ವೈದ್ಯರು, ಆರೋಗ್ಯ ಕಾರ್ಯಕರ್ತರು, ಪೊಲೀಸ್ ಸಿಬ್ಬಂದಿ, ಆಶಾ ಕಾರ್ಯಕರ್ತರು, ಮಾಧ್ಯಮ ಸಿಬ್ಬಂದಿಗಳು ಯೋಧರಂತೆ ಬಿಂಬಿತರಾಗುತ್ತಿದ್ದಾರೆ. ಇವರೆಲ್ಲರೂ ಸಲ್ಲಿಸುವ ಸೇವೆ, ಸೋಂಕಿನ ವಿರುದ್ಧ ಹೋರಾಡುತ್ತಿರುವ ರೀತಿ, ರೋಗಿಗಳಿಗೆ ನೀಡುತ್ತಿರುವ ನೆರವು, ಪೊಲೀಸ್ ಸಿಬ್ಬಂದಿಯ ಕಾರ್ಯತತ್ಪರತೆ ಮುಂತಾದವುಗಳನ್ನು ಮಾಧ್ಯಮಗಳು ಧನಾತ್ಮಕವಾಗಿ ಬಿಂಬಿಸುತ್ತಾ ಸರ್ಕಾರಕ್ಕೆ ಸೂಕ್ತ ಮಾಹಿತಿ ತಲುಪಿಸುವಲ್ಲಿ ಸಾಕಷ್ಟು ಯಶಸ್ವಿಯಾಗಿವೆ.
- ಆರೋಗ್ಯ ಕಾಳಜಿ: ಪತ್ರಿಕೆ, ದೂರದರ್ಶನದಂತಹ ಮಾಧ್ಯಮಗಳು ರಾಜಕಾರಣವನ್ನೇ ಪ್ರಮುಖವಾಗಿ ಬಿಂಬಿಸಿದರೂ ಜೊತೆ ಜೊತೆಗೆ ಆರೋಗ್ಯ, ಸಾಂಸ್ಕೃತಿಕ, ಕ್ರೀಡೆ, ಅಂತಾರಾಷ್ಟ್ರೀಯ ವಿಷಯಗಳ ಕುರಿತು ಪ್ರತಿದಿನವೂ ಮಾಹಿತಿ ನೀಡುತ್ತವೆ. ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಎಲ್ಲ ಮಾಧ್ಯಮಗಳೂ





ಉಳಿದ ವಿಷಯಗಳನ್ನು ಗೌಣವಾಗಿಸಿ, ರಾಜಕಾರಣ, ಮತ್ತು ಆರೋಗ್ಯ ಕ್ಷೇತ್ರವನ್ನು ಪ್ರಮುಖವಾಗಿ ಬಿಂಬಿಸುತ್ತಿವೆ. ಮಾರಕ ಸೋಂಕು ಕೋವಿಡ್ ಕುರಿತ ವಿಷಯ ಪ್ರಸ್ತುತಿಯ ಜೊತೆಗೆ ಜನರ ಆರೋಗ್ಯ ಕುರಿತು ಅರಿವು ಮೂಡಿಸುತ್ತಿವೆ. ಸಾಮಾಜಿಕ ಅಂತರ ಎಷ್ಟಿರಬೇಕು ಎನ್ನುವುದರಿಂದ ಹಿಡಿದು ಆರೋಗ್ಯಕರ ಆಹಾರ ಸೇವನೆ, ಜೀವನಶೈಲಿ, ಸ್ವಚ್ಛತೆ, ರೋಗನಿರೋಧಕ ಶಕ್ತಿ ಹೆಚ್ಚಳಕ್ಕೆ ಯಾವ ಕ್ರಮ ಅನುಸರಿಸಬೇಕು, ಒತ್ತಡವನ್ನು ನಿಭಾಯಿಸುವುದು ಹೇಗೆ ಎಂಬುದರ ಕುರಿತು ತಜ್ಞರೊಂದಿಗೆ ಸಮಾಲೋಚನೆ ಹೀಗೆ ಹತ್ತಾರು ಮಾಹಿತಿಗಳನ್ನು ಜನರಿಗೆ ತಲುಪಿಸಿ ಆರೋಗ್ಯ ಕಾಳಜಿ ಮೂಡಿಸುತ್ತಿವೆ. ಈ ಎಲ್ಲ ಸಂಗತಿಗಳು ಜನರಿಗೆ ಕುಳಿತ ಸ್ಥಳದಲ್ಲೇ ಲಭಿಸುತ್ತಿವೆ.

- ಮಾಹಿತಿ ಕ್ರೋಡೀಕರಣ: ಬಿತ್ತರಗೊಂಡ ಸುದ್ದಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿ, ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಲು ಜನರಿಗೆ ನೆರವಾಗುವಲ್ಲಿ ಮಾಧ್ಯಮಗಳ ಪಾತ್ರ ಬಲು ದೊಡ್ಡದು. ಮಾಹಿತಿ ಕ್ರೋಡೀಕರಣದಲ್ಲಿ ಸಾಮಾಜಿಕ ಜಾಲತಾಣಗಳು ಪ್ರಮುಖ ಪಾತ್ರ ವಹಿಸುತ್ತಿವೆ. ಫೇಸ್‌ಬುಕ್‌ನಂತಹ ಜಾಲತಾಣಗಳ ಮೂಲಕ ಚರ್ಚಾ ಕಾರ್ಯಕ್ರಮಗಳು ನೇರವಾಗಿ ಪ್ರಸಾರಗೊಳ್ಳುತ್ತಿವೆ. ದೂರದರ್ಶನಗಳಲ್ಲಿ ನೇರ ಸಂವಾದ ಕಾರ್ಯಕ್ರಮಗಳು ಪ್ರಸಾರವಾಗುತ್ತಿವೆ. ಇವೆಲ್ಲವೂ ವಿಷಯ ಕುರಿತು ಅರಿವು ಮೂಡಿಸುತ್ತಿವೆ.

- ಮನೆಯಲ್ಲೇ ಮನರಂಜನೆ: ಆಧುನಿಕ ತಂತ್ರಜ್ಞಾನದ ಪ್ರಭಾವದಿಂದಾಗಿ ಸಾಮಾಜಿಕ ಜಾಲತಾಣಗಳು ಜನ ಸಮುದಾಯದ ನಡುವಿನ ಕೊಂಡಿಯಾಗಿವೆ. ಕ್ರೀಡೆ, ಸಾಂಸ್ಕೃತಿಕ ಕಾರ್ಯಕ್ರಮಗಳು, ಅದ್ದೂರಿ ಮದುವೆಗಳು, ಸಿನಿಮಾ ಥಿಯೇಟರ್‌ಗಳು ಒಟ್ಟಾರೆ ಜನ ಒಂದೆಡೆ ಸೇರಲು ಕಾರಣವಾಗುವ ಎಲ್ಲ ಸಮಾರಂಭಗಳು ರದ್ದುಗೊಂಡಿರುವುದರಿಂದ ಜಾಲತಾಣಗಳೇ ಮನರಂಜನಾ ಮಾಧ್ಯಮಗಳಾಗಿವೆ. ಒಟಿಟಿ ಪ್ಲಾಟ್‌ಫಾರ್ಮ್‌ಗಳಾದಂತಹ, ನೆಟ್‌ಫ್ಲಿಕ್ಸ್, ಅಮೆಜಾನ್ ಪ್ರೈಮ್, ರಿಝ್, ಡಿಸ್ನಿ+ಹಾಟ್‌ಸ್ಟಾರ್, ವೂಟ್ ಗಳು ಮನೆಯಲ್ಲೇ ಜನರಿಗೆ ಮನರಂಜನೆ ಒದಗಿಸುತ್ತಿವೆ.

- ಆನ್‌ಲೈನ್ ಕಲಿಕೆ: ಶಿಕ್ಷಣ ಕ್ಷೇತ್ರ ಸಂಪೂರ್ಣ ಸ್ಥಗಿತಗೊಂಡಿರುವ ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಆನ್‌ಲೈನ್ ಕಲಿಕೆಗೆ ಅವಕಾಶಗಳು ಹೆಚ್ಚಾಗಿವೆ. ಖಾಸಗಿ ವಾಹಿನಿಗಳು ಹೆಚ್ಚಾಗಿ ಕೋವಿಡ್ ಸಂಬಂಧಿತ ವಿಷಯಗಳಿಗೆ ಸೀಮಿತಗೊಂಡರೂ ಸರ್ಕಾರದ ಅಧೀನದಲ್ಲಿರುವ ಚಂದನ, ಆಕಾಶವಾಣಿಗಳಲ್ಲಿ ಆನ್‌ಲೈನ್ ಶಿಕ್ಷಣದ ನೇರಪ್ರಸಾರ ಕಾರ್ಯಕ್ರಮಗಳು ಪ್ರಸಾರವಾಗುತ್ತಿದ್ದು ಗ್ರಾಮೀಣ ಪ್ರದೇಶದ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೂ ಸುಲಭವಾಗಿ ಲಭ್ಯವಾಗುತ್ತಿವೆ. ಉನ್ನತ ಶಿಕ್ಷಣ ಕ್ಷೇತ್ರದಲ್ಲಿ ನಡೆಯುವ ವಿಚಾರಗೋಷ್ಠಿಗಳು ವಿಚಾರಸಂಕಿರಣಗಳ ಜಾಗದಲ್ಲಿ ವೆಬಿನಾರ್‌ಗಳು ಆನ್‌ಲೈನ್‌ಗಳಲ್ಲಿ ನಡೆಯುತ್ತಿವೆ.

- ನೂತನ ಅನ್ವೇಷಣೆ: ಆಹಾರ ಪದ್ಧತಿ, ಕರಕುಶಲ ಮುಂತಾದ ಚಟುವಟಿಕೆಗಳ ಕಲಿಕೆಗೆ ಜನರು ಸಾಮಾಜಿಕ ಜಾಲತಾಣವನ್ನು ಅವಲಂಬಿಸಿದ್ದಾರೆ, ಹೊಸ ಬಗೆಯ ರುಚಿ, ಮಾಡುವ ವಿಧಾನ, ತಯಾರಿಸಿದ ನಂತರ ಜಾಲತಾಣದಲ್ಲಿ ಹಂಚಿಕೊಳ್ಳುವುದು ಆ ಮೂಲಕ ಸ್ನೇಹವಲಯ ವಿಸ್ತರಿಸಿಕೊಳ್ಳುವುದು ಎಲ್ಲವೂ ಸಾಧ್ಯವಾಗುತ್ತಿರುವುದು ಜನರ ಪರಸ್ಪರ ಸಹಕಾರ ಮತ್ತು ಅನ್ವೇಷಣಾ ಮನೋಭಾವದಿಂದ. ಹೀಗಾಗಿ ಮನೆಗಳು ಹೊಸ ಕಲಿಕಾ ಕೇಂದ್ರಗಳಾಗಿವೆ.

### ನೇತೃತ್ವ ಪ್ರಭಾವ

- ಅಸಮರ್ಪಕ ಮಾಹಿತಿ ನೀಡುವಿಕೆ: ಹತ್ತಾರು ಪತ್ರಿಕೆಗಳೂ, ಹತ್ತಾರು ದೂರದರ್ಶನ ಖಾಸಗಿ ವಾಹಿನಿಗಳು ಇರುವ ಪ್ರಸ್ತುತ ಸಂದರ್ಭದಲ್ಲಿ ಸಮೂಹ ಮಾಧ್ಯಮಗಳ ಮಧ್ಯೆ ಜಿದ್ದಾಜಿದ್ದಿ ಏರ್ಪಟ್ಟಿದೆ, ನಮ್ಮಲ್ಲಿಯೇ ಮೊದಲು ಎಂಬ ಕ್ರೆಡಿಟ್‌ಗಾಗಿ ಖಾಸಗಿ ವಾಹಿನಿಗಳು ಹೊಡೆದಾಡುತ್ತಿವೆ. ಇದರ ಮಧ್ಯೆ ಟಿಆರ್‌ಪಿ ಎಂಬ ಪೆಡಂಭೂತ ಎಲ್ಲ ಮಾಧ್ಯಮಗಳನ್ನೂ ಮೆಟ್ಟಿದೆ. ಅಸ್ತಿತ್ವದ ಪ್ರಶ್ನೆ, ಪತ್ರಿಕೆ, ವಾಹಿನಿಗಳಿಗೆ ಸವಾಲಾಗಿದೆ. ಈ ಹೋರಾಟದ ನಡುವೆ ನಿಜವೋ ಸುಳ್ಳೋ ಎಂದು ಸುದ್ದಿಯನ್ನು



ಖಚಿತಪಡಿಸಿಕೊಳ್ಳುವ ಮನಸ್ಸಿತಿ ಇಲ್ಲವಾಗಿದೆ. ಹೀಗಾಗಿ ಸುಳ್ಳು ಅಥವಾ ಅಸಮರ್ಪಕ ಮಾಹಿತಿ ಪ್ರಸಾರ ಹೆಚ್ಚಾಗುತ್ತಿರುವುದು ಕಂಡುಬರುತ್ತಿದೆ.

• ಸಾಮಾಜಿಕ ಆರೋಗ್ಯಕ್ಕೆ ಮಾರಕ: ಇಡೀ ಜನಸಮುದಾಯ ತಲ್ಲಣಗೊಂಡಿರುವ

ಸಂದರ್ಭದಲ್ಲಿ ಸಹಜವಾಗಿಯೇ ಆರೋಗ್ಯ ಸಮಸ್ಯೆ ಎಲ್ಲೆಡೆಯೂ ಕಾಡುತ್ತಿದೆ. ಇದಕ್ಕೆ ಮಾಧ್ಯಮಗಳೂ ಹೊರತಲ್ಲ. ಡೆಡ್‌ಲೈನ್ ಒತ್ತಡ ಮಾಧ್ಯಮದ ಸಿಬ್ಬಂದಿಯನ್ನೂ ಕಾಡುತ್ತಿದೆ. ವಸ್ತುಸ್ಥಿತಿಗಿಂತ ಸುದ್ದಿನೀಡುವ ಆತುರತೆಯೇ ಮುಖ್ಯವಾಗಿ ಸ್ಪಷ್ಟತೆ ಖಚಿತತೆಯಿಲ್ಲದ ವಿಷಯಗಳು ಪ್ರಸಾರವಾಗುತ್ತಿವೆ. ಇವೆಲ್ಲವೂ ಸಾಮಾಜಿಕ, ಮಾನಸಿಕ ಆರೋಗ್ಯಕ್ಕೆ ಮಾರಕಗಳಾಗಿವೆ. ಪ್ರತಿನಿತ್ಯವೂ ಈ ಕುರಿತು ಪ್ರಸಾರವಾಗುವ ವರದಿಗಳಿಂದ ಜನರು ಮಾನಸಿಕವಾಗಿ, ದೈಹಿಕವಾಗಿ ಒತ್ತಡಕ್ಕೆ ಸಿಲುಕುತ್ತಿದ್ದಾರೆ.

• ಉದ್ಯೋಗ ನಷ್ಟ: ಕೋವಿಡ್‌19 ಆತಂಕದ ನಡುವೆ ಸಾಮಾಜಿಕ, ಔದ್ಯೋಗಿಕ ಸ್ಥಾನಪಲ್ಲಟಕ್ಕೆ ದಾರಿಮಾಡಿಕೊಟ್ಟಿದೆ. ಕೋಟ್ಯಧಿಪತಿಗಳು ಲಕ್ಷಾಧಿಪತಿಗಳಾಗಿದ್ದಾರೆ. ಉದ್ಯಮಪತಿಗಳು ಬೀದಿಗೆ ಬರುತ್ತಿದ್ದಾರೆ. ಖಾಸಗಿ ಉದ್ಯೋಗರಂಗ ತೀವ್ರ ಸಂಕಷ್ಟಕ್ಕೆ ಒಳಗಾಗಿದೆ. ಉಳಿದ ಕ್ಷೇತ್ರಗಳ ಹಾಗೆಯೇ ಮಾಧ್ಯಮ ಕ್ಷೇತ್ರದಲ್ಲಿಯೂ ಉದ್ಯೋಗ ನಷ್ಟ ಅನುಭವಿಸುತ್ತಿದೆ. ಮಾಧ್ಯಮ ಸಿಬ್ಬಂದಿ ಕೆಲಸ ಕಳೆದುಕೊಳ್ಳುವ ಭೀತಿ ಎದುರಿಸುತ್ತಿರುವುದಷ್ಟೇ ಅಲ್ಲದೆ, ಅನೇಕ ಮಾಧ್ಯಮ ಸಂಸ್ಥೆಗಳು ಸಿಬ್ಬಂದಿಯನ್ನು ಮನೆಗೆ ಕಳುಹಿಸುತ್ತಿರುವ ವಿಷಯಗಳೂ ಹೊರಬರುತ್ತಿವೆ. ಸಹಜವಾಗಿಯೇ ಉದ್ಯೋಗನಷ್ಟದ ಭೀತಿ ಎದುರಿಸುತ್ತಿರುವ ಮಾಧ್ಯಮ ಸಿಬ್ಬಂದಿ, ಸರಿಯೇ ತಪ್ಪೋ ಎಂದು ಕಂಡುಕೊಳ್ಳುವ ಮನಸ್ಸಿತ್ತಿಯನ್ನು ಕಳೆದುಕೊಂಡು ಆತುರಕ್ಕೆ ಒಳಗಾಗಿ ಸುದ್ದಿ ನೀಡುತ್ತಿದ್ದಾರೆ. ಜನರಲ್ಲಿ ಭೀತಿ ಹುಟ್ಟಿಸುತ್ತಿದ್ದಾರೆ. ಇದನ್ನು ಓದುವ, ಕೇಳುವ, ನೋಡುವ ಜನರು ಭ್ರಮೆಯಲ್ಲಿ ಬದುಕುವಂತಾಗಿದೆ.

• ನಮ್ಮಲ್ಲೇ ಮೊದಲು ಎನ್ನುವ ಹಪಾಹಪಿ: ಯಾವುದಾದರೂ ಒಂದು ಸಂಗತಿ ತಿಳಿದರೆ ಅದರ ಬಗ್ಗೆ ಕೂಲಂಕಷ ಪರಿಶೀಲನೆ ನಡೆಸಿ, ಸುದ್ದಿಯ ಮೂಲ ಸುಳ್ಳೋ ನಿಜವೋ ಎಂದು ಪರಿಶೀಲಿಸಿ, ಅದನ್ನು ಏಕಮುಖವಾಗಿ ನೋಡದೆ, ಸಾಧಕ ಬಾಧಕಗಳೆರಡನ್ನೂ ಪರಿಗಣಿಸಿ ಅದನ್ನು ಸುದ್ದಿಯನ್ನಾಗಿಸುವುದು ಪತ್ರಕರ್ತನ ಆದ್ಯ ಕರ್ತವ್ಯ ಎಂಬುದು ಪತ್ರಿಕೋದ್ಯಮ ಕಲಿಯಲು ಬರುವವರಿಗೆ ಇರುವ ಮೊದಲ ಪಾಠ ಅಥವಾ ನಿಯಮ ಎಂದರೂ ಸರಿಯೇ. ಆದರೆ ಇದನ್ನು ಎಷ್ಟು ಜನ ಅಥವಾ ಎಷ್ಟು ಮಾಧ್ಯಮ ಸಂಸ್ಥೆಗು ಅನುಸರಿಸುತ್ತಿವೆ ಎಂದು ನೋಡಿದರೆ, ಶೇ.80ರಷ್ಟು ಸುದ್ದಿಗಳು ಅತ್ತ ಸಂಪೂರ್ಣ ನಿಜವೂ ಅಲ್ಲದ, ಇತ್ತ ಸಂಪೂರ್ಣ ಸುಳ್ಳೂ ಅಲ್ಲದ ಅಡ್ಡಗೋಡೆಯ ಮೇಲೆ ದೀಪ ಇಟ್ಟ ವಿಷಯಗಳೇ ಅಗಿರುವುದು ಇಂದಿನ ಮಾಧ್ಯಮಗಳ ದುರಂತ.

• ಪ್ರಸ್ತುತ ಕೋವಿಡ್ ಸೋಂಕು ಕುರಿತ ಸುದ್ದಿಗಳೂ ಈ ಮಾದರಿಯವೇ ಆಗಿವೆ. ಕೋವಿಡ್‌ನಂತಹ ಮಾರಕ ಸೋಂಕಿನ ಬಗ್ಗೆ ಪ್ರತಿದಿನ ಒಂದುಬಾರಿ ಇಲ್ಲವೇ ಎರಡು ಬಾರಿ ವಿವರ ನೀಡಬೇಕು ಎಂದು ವಿಶ್ವ ಆರೋಗ್ಯ ಸಂಸ್ಥೆ ಹೇಳಿದ್ದರೂ ಅದನ್ನು ಯಾವ ಮಾಧ್ಯಮಗಳೂ ಅನುಸರಿಸುತ್ತಿಲ್ಲ. ಆ ದಿನದ ಸೋಂಕಿನ ಕುರಿತು ಆರೋಗ್ಯ ಇಲಾಖೆ ಅಧಿಕೃತ ವರದಿ ಬಿಡುಗಡೆ ಮಾಡಿದ ನಂತರವೇ ವರದಿ ಮಾಡಬೇಕಾಗಿರುವ ನಿಯಮವನ್ನು ಮೀರಿ, ಅಧಿಕೃತ ಬಿಡುಗಡೆಗೆ ಮೊದಲೇ ಈ ಜಿಲ್ಲೆಯಲ್ಲಿ ಎಷ್ಟು ಶಂಕೆ, ಎಷ್ಟು ಸಾಧ್ಯತೆ ಎಂದು ಪ್ರಶ್ನಾರ್ಥಕ ಚಿಹ್ನೆ ಬಳಸಿ ವರದಿ ಮಾಡುತ್ತಿವೆ. ಆ ಮೂಲಕ ತಮ್ಮ ತಪ್ಪನ್ನು ಮುಚ್ಚಿಕೊಳ್ಳುವ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಿವೆ. ಒಟ್ಟಿನಲ್ಲಿ ದಿನದ 24 ಗಂಟೆಯೂ ಕೋವಿಡ್, ಕೋವಿಡ್, ಕೋವಿಡ್, ಇಷ್ಟು ಜನರಿಗೆ ಇಂದು ಸೋಂಕು ತಗುಲಿದೆ, ಇಷ್ಟು ಜನ ಮರಣ ಹೊಂದಿದರು, ಜಿಲ್ಲೆಯಲ್ಲಿ ಎಷ್ಟು, ರಾಜ್ಯದಲ್ಲಿ ಎಷ್ಟು, ದೇಶದಲ್ಲಿ ಎಷ್ಟು, ಬೇರೆ ಬೇರೆ ದೇಶಗಳಲ್ಲಿ ಎಷ್ಟು ಹೀಗೆ ಇಡೀ ದಿನ ಮಾಧ್ಯಮಗಳೆಲ್ಲವೂ ಕೋವಿಡ್‌ಮಯ.



• ಸರ್ಕಾರದ ವಕ್ತಾರರಂತೆ ಬಿಂಬಿತವಾಗುತ್ತಿವೆ: ದೇಶದಲ್ಲಿ ಏನೇ ನಡೆದರೂ ಅದರ ಬಗ್ಗೆ ವಸ್ತುನಿಷ್ಠ ವರದಿ ನೀಡಬೇಕಾದ ಮಾಧ್ಯಮಗಳು ತಮ್ಮ ಜವಾಬ್ದಾರಿಯನ್ನು ಮರೆತಿವೆ. ಶಾಸಕಾಂಗ, ಕಾರ್ಯಾಂಗ ಅಷ್ಟೇ ಏಕೆ ನ್ಯಾಯಂಗದ ಅಧಿಕೃತ ವಕ್ತಾರರಂತೆ ಬಿಂಬಿಸಿಕೊಳ್ಳುತ್ತಿವೆ. ಬಹುತೇಕ ಏಕಪಕ್ಷೀಯ ಅಥವಾ ಏಕವ್ಯಕ್ತಿ ಆರಾಧನೆ ಮಾಡುತ್ತಿರುವ ಬಹುತೇಕ ಪತ್ರಿಕೆಗಳು, ಖಾಸಗಿ ವಾಹಿನಿಗಳು ಸರ್ಕಾರದ ಕಾರ್ಯವನ್ನು ಪ್ರಶ್ನಿಸುತ್ತಲೇ ಸರ್ಕಾರದ ಪರವಾಗಿಯೂ ಕೆಲಸ ಮಾಡುತ್ತಿವೆ. ಯಾವುದೋ ಮೂಲದಿಂದ ವಿವರ ಪಡೆದವರು, ಅದು ಅಧಿಕೃತವೆಂದೇ ಬಿಂಬಿಸುತ್ತಾ ಮುಂದೆ ಹೀಗೇ ಆಗಬಹುದು, ಆಗುತ್ತದೆ ಎಂದು ಖಚಿತವಾಗಿ ಹೇಳುತ್ತಾ ಸರ್ಕಾರದ ಅಧಿಕೃತ ವಕ್ತಾರರಂತೆ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿವೆ. ಅಷ್ಟೇ ಏಕೆ ಮಾಧ್ಯಮಗಳ ಈ ಪ್ರವೃತ್ತಿಗೆ ನ್ಯಾಯಾಂಗವೂ ಹೊರತಾಗಿಲ್ಲ.

• ನಂಬಿಕೆ ಕಳೆದುಕೊಳ್ಳುತ್ತಿರುವ ಮಾಧ್ಯಮಗಳು: ಮನರಂಜನಾ ದೃಷ್ಟಿಕೋನ, ಎಲ್ಲರಿಗಿಂತ ಮೊದಲು ತಾವೇ ಸುದ್ದಿ ನೀಡಬೇಕೆನ್ನುವ ಹವಾಹವಿ, ಸರಿತಪ್ಪುಗಳ ಖಚಿತ ಅರಿವು ಇಲ್ಲದಿರುವುದು, ಯಾರೋ ಒಬ್ಬರನ್ನು ಓಲೈಸುವುದು, ಕಾಸಿಗಾಗಿ ಸುದ್ದಿ, ವಾಣಿಜ್ಯ ಜಾಹಿರಾತುಗಳ ಹೆಚ್ಚಳ, ಬಲಪಂಥೀಯ ನಿಲುವುಗಳನ್ನೇ ಹೆಚ್ಚಾಗಿ ಬಿಂಬಿಸುವುದು, ಎಡಪಂಥೀಯ ಚಿಂತಕರನ್ನು ದೇಶದ್ರೋಹಿಗಳಂತೆ ಬಿಂಬಿಸುವುದು, ನಿಗದಿತ ಸಮುದಾಯವೊಂದನ್ನು ಗುರಿಯಾಗಿಸಿಕೊಂಡು ಸಮಾಜದಲ್ಲಿ ಕೋಮು ದ್ವೇಷವನ್ನು ಬಿತ್ತುವುದು, ಕೋವಿಡ್‌ನಂತಹ ಮಾರಕ ಸೋಂಕಿನ ಕುರಿತು ವರದಿ ನೀಡುವಲ್ಲಿಯೂ ಮನರಂಜನಾ ದೃಷ್ಟಿಕೋನವಿರುವುದು, ಸುಳ್ಳನ್ನೇ ಬಿಂಬಿಸುವುದು - ಇವೆಲ್ಲದರಿಂದ ಬೇಸತ್ತಿರುವ ಚಿಂತಕರು ಮಾಧ್ಯಮಗಳಿಂದ ದೂರ ಸರಿಯುತ್ತಿರುವುದು ಈ ಹೊತ್ತಿನ ದುರಂತ. ಬಹುತೇಕ ಜನರು ಸುದ್ದಿವಾಹಿನಿ ವೀಕ್ಷಣೆಯನ್ನು ಕೈಬಿಟ್ಟಿರುವುದು ಇವತ್ತಿನ ನಕಾರಾತ್ಮಕ ಬೆಳವಣಿಗೆ. ಹೀಗಾಗಿ ಜನಸಮುದಾಯ ಮತ್ತು ಸಮಾಜದ ಬೆಸೆಯುವಿಕೆಯಲ್ಲಿ ಪ್ರಮುಖ ಪಾತ್ರ ವಹಿಸಬೇಕಾದ ಮಾಧ್ಯಮಗಳು ನಂಬಿಕೆ ಕಳೆದುಕೊಳ್ಳುತ್ತಿವೆ.

## ಉಪಸಂಹಾರ

ಬಹುತೇಕ ದೇಶಗಳನ್ನು ಬಾಧಿಸುತ್ತಿರುವ ಪ್ರಪಂಚದ ಪೆಡಂಭೂತ ಕೋವಿಡ್ ಸೋಂಕು ಇನ್ನು ನಿಯಂತ್ರಣಕ್ಕೆ ಬಂದಿಲ್ಲ. ಬೇರೆ ಬೇರೆ ದೇಶಗಳಲ್ಲಿ ಸೋಂಕಿನ ಪ್ರಮಾಣ, ಸಾವಿನ ಪ್ರಮಾಣ ಹೆಚ್ಚುತ್ತಿದ್ದರೂ ಭಾರತದಲ್ಲಿ ಸ್ವಲ್ಪ ಆಶಾದಾಯಕ ಸ್ಥಿತಿ ಕಂಡುಬರುತ್ತಿದೆ. ಸೋಂಕಿನ ಪ್ರಮಾಣ ಹೆಚ್ಚಿದ್ದರೂ ಅದರಿಂದ ಗುಣಮುಖರಾಗುವ ಪ್ರಮಾಣ ಹೆಚ್ಚಿದೆ. ಹಾಗೆಯೇ ಮರಣ ಪ್ರಮಾಣವೂ ತುಂಬಾ ಕಡಿಮೆಯಿದೆ. ಜನಸಮುದಾಯ ಪ್ರತಿನಿತ್ಯವೂ ಪತ್ರಿಕೆಗಳ ಮೂಲಕ, ಟಿವಿ ವಾಹಿನಿಗಳ ಮೂಲಕ ಕೋವಿಡ್ ಸ್ಥಿತಿಗತಿಯನ್ನು ಅರಿತುಕೊಳ್ಳುತ್ತಿದ್ದಾರೆ. ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಎಚ್ಚರಿಕೆ ಗಂಟೆಯಂತೆ ಕಾರ್ಯನಿರ್ವಹಿಸುವ, ಜನರು ಮಾನಸಿಕ ಕ್ಷೋಭೆಗೆ ಒಳಗಾಗದಂತೆ ಸಮತೂಕದಿಂದ ಪರಿಸ್ಥಿತಿ ನಿಭಾಯಿಸುವ ಚಾಕಚಕ್ಯತೆಯನ್ನು ಮಾಧ್ಯಮಗಳು ರೂಪಿಸಿಕೊಳ್ಳಬೇಕಾಗಿದೆ. ಸಮಾಜದಲ್ಲಿ ಭಯ ಬಿತ್ತದೆ, ಕೋಮುಭಾವನೆಗೆ ಅವಕಾಶ ನೀಡದೆ, ಸಾಮಾಜಿಕ ಸಂಘರ್ಷಕ್ಕೆ ಕಾರಣವಾಗದೆ ನಿಭಾಯಿಸುವ ಹೊಣೆಗಾರಿಕೆ ಮಾಧ್ಯಮಗಳ ಮೇಲಿದೆ.

## ಗ್ರಂಥ ಋಣ:

- [1] ಅವಲೋಕನ
- [2] ಸಮೂಹ ಮಾಧ್ಯಮ
- [3] ಇಂಟರ್‌ನೆಟ್
- [4] ದಿನಪತ್ರಿಕೆಗಳು
- [5] ವಿಕಿಪೀಡಿಯಾ



## ಕರ್ನಾಟಕದ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಅಭಿವೃದ್ಧಿಯಲ್ಲಿ ಸರ್ಕಾರಿ ಯೋಜನೆಗಳು- ಒಂದು ಅಧ್ಯಯನ

ದೇವರಾಜ ಎಂ.ಎಸ್.

ಪಿ.ಹೆಚ್.ಡಿ. ಸಂಶೋಧನಾಧಿಪತಿ  
ಸಮಾಜಶಾಸ್ತ್ರ, ಸಂಶೋಧನ ಮತ್ತು ಅಧ್ಯಯನ ವಿಭಾಗ  
ಕುವೆಂಪು ವಿಶ್ವವಿದ್ಯಾನಿಲಯ, ಶಿವಮೊಗ್ಗ

ಡಾ.ಪೂರ್ವಾಚಾರ್ ಎಂ

ಪ್ರಾಧ್ಯಾಪಕರು ಸಮಾಜಶಾಸ್ತ್ರ ವಿಭಾಗ  
ಸಹ್ಯಾದ್ರಿ ಕಲಾ ಕಾಲೇಜು ಶಿವಮೊಗ್ಗ

### ಪೀಠಿಕೆ

ಭಾರತೀಯ ಸಮಾಜದಲ್ಲಿ ಶೋಷಿತ ವರ್ಗಗಳು ಸಾಮಾಜಿಕ, ರಾಜಕೀಯ ಮತ್ತು ಆರ್ಥಿಕವಾಗಿ ಶೋಷಣೆಗೆ ಒಳಗಾಗಿವೆ. ಕೆಲವು ಪ್ರದೇಶಗಳಲ್ಲಿ ಶೋಷಿತ ವರ್ಗಗಳು ಇಂದಿಗೂ ಸಹ ಮೂಲಭೂತ ಸೇವೆಗಳಾದ ನೀರು, ವಸತಿ, ಶಿಕ್ಷಣ, ಆರೋಗ್ಯ ನೈರ್ಮಲ್ಯ, ಶೌಚಾಲಯ ಮುಂತಾದ ಸೇವೆಗಳಿಂದ ವಂಚಿತರಾಗಿದ್ದಾರೆ. ಇನ್ನೂ ಕೆಲವು ಕಡೆ ಸಮಾಜದಲ್ಲಿ ಮೇಲ್ವರ್ಗ ಮತ್ತು ಕೆಳವರ್ಗವೆಂಬ ಸ್ತರಗಳು ಅಸ್ತಿತ್ವದಲ್ಲಿವೆ. ಭಾರತ ಸಂವಿಧಾನವು ಶೋಷಿತ ವರ್ಗಗಳಾದ ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗಗಳ ಮತ್ತು ಇತರೆ ದುರ್ಬಲ ವರ್ಗಗಳ ಕಲ್ಯಾಣಕ್ಕಾಗಿ ಮತ್ತು ಅವುಗಳ ಸಾಮಾಜಿಕ ನ್ಯಾಯಕ್ಕಾಗಿ ಹಾಗೂ ಇವರ ಸಬಲೀಕರಣಕ್ಕಾಗಿ ಹಲವಾರು ವಿಶೇಷ ಸಂವಿಧಾನಾತ್ಮಕ ರಕ್ಷಣೆಗಳನ್ನು ಕಲ್ಪಿಸಿಕೊಟ್ಟಿದೆ. ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳು ಈ ವರ್ಗಗಳ ಕಲ್ಯಾಣಕ್ಕಾಗಿ ಹಲವಾರು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ರೂಪಿಸಿ ಅನುಷ್ಠಾನಗೊಳಿಸಲು ಅವಕಾಶ ಮಾಡಿಕೊಟ್ಟಿದೆ. ಸರ್ಕಾರಿ ಕಾರ್ಯಕ್ರಮಗಳ ಮುಖ್ಯ ವಿಷಯ ಮತ್ತು ಮಿಷನ್ ಎಂದರೆ ಈ ವರ್ಗಗಳ ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ, ಮತ್ತು ಶೈಕ್ಷಣಿಕ ಸ್ಥಿತಿಯನ್ನು ಸುಧಾರಿಸಿ ಅವರ ಕಲ್ಯಾಣಕ್ಕಾಗಿ ರೂಪಿಸಿರುವ ಯೋಜನೆಗಳನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸಿ, ಇವರನ್ನು ರಾಷ್ಟ್ರದ ಮುಖ್ಯವಾಹಿನಿಗೆ ಕರೆತರುವುದು ಮಾತ್ರವಲ್ಲದೇ ಸಬಲೀಕರಣಗೊಳಿಸುವುದಾಗಿರುತ್ತದೆ.

ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳು ಯಾವ ರೀತಿಯಲ್ಲಿ ಪ್ರಸಾರ ಮಾಧ್ಯಮ ಮತ್ತು ಸಂಪರ್ಕ ವ್ಯವಸ್ಥೆಯನ್ನು ಬಳಸಿಕೊಂಡು ಈ ವರ್ಗಗಳ ಜನರ ಅಭಿವೃದ್ಧಿಗಾಗಿ ರೂಪಿಸಿರುವ ಯೋಜನೆಗಳ ಕುರಿತು ಮಾಹಿತಿ ಮತ್ತು ಪ್ರಯೋಜನ ಮುಂತಾದವುಗಳ ಬಗ್ಗೆ ಜಾಗೃತಿಯನ್ನು ಮೂಡಿಸುತ್ತಿವೆ ಎಂಬುದನ್ನು ಪರಿಶೀಲಿಸುವುದು ಕೂಡ ಮುಖ್ಯವಾಗಿರುತ್ತದೆ. ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳು ಈ ವರ್ಗಗಳ ಕಲ್ಯಾಣಕ್ಕೋಸ್ಕರ ಜಾರಿಗೊಳಿಸಿರುವ ವಿವಿಧ ಯೋಜನೆಗಳು ಸಮರ್ಪಕವಾಗಿ ಅನುಷ್ಠಾನಗೊಂಡಿವೆಯೇ? ಅಥವಾ ಇಲ್ಲವೆ? ಎಂಬುದನ್ನು ಪರಿಶೀಲಿಸುವುದರಲ್ಲಿ ಸಂವಹನ ತಂತ್ರಗಳ ಪಾತ್ರವು ಕೂಡ ಮುಖ್ಯವಾಗಿದೆ. ಈ ಅಧ್ಯಯನದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸರ್ಕಾರದ ವಿವಿಧ ಯೋಜನೆಗಳು, ಅವುಗಳ ಅನುಷ್ಠಾನ ಮತ್ತು ಸಂವಹನ ತಂತ್ರಗಳ ಮೌಲ್ಯಮಾಪನವನ್ನು ಕುರಿತು ಚರ್ಚಿಸಲಾಗಿದೆ.

### ಶೈಕ್ಷಣಿಕ ಕಾರ್ಯಕ್ರಮಗಳು:

- ಮೆಟ್ರಿಕ್ ನಂತರದ ವಿದ್ಯಾರ್ಥಿವೇತನ ಮತ್ತು ಪುಸ್ತಕ ಭಂಡಾರ





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- ಶೈಕ್ಷಣಿಕ ಕಾರ್ಯಕ್ರಮಗಳು
- ಸ್ಪರ್ಧಾತ್ಮಕ ಪರೀಕ್ಷೆಗಳು ತರಬೇತಿ ಮತ್ತು ಸಂಬಂಧಿತ ಕಾರ್ಯಕ್ರಮಗಳು

### **ಶೈಕ್ಷಣಿಕ ಕಾರ್ಯಕ್ರಮಗಳು/ಯೋಜನೆಗಳು**

- ಆಶ್ರಮ ಶಾಲೆಗಳು
- ಮೆಟ್ರಿಕ್ ಪೂರ್ವ ವಿದ್ಯಾರ್ಥಿನಿಲಯ
- ಮೆಟ್ರಿಕ್ ನಂತರ ವಿದ್ಯಾರ್ಥಿನಿಲಯ
- ಅಧ್ಯಯನ ಪ್ರವಾಸಕ್ಕೆ ನೆರವು

### **ವಿದ್ಯಾರ್ಥಿ ವೇತನ ಮತ್ತು ಇತರೆ ನೆರವು**

- ಮೆಟ್ರಿಕ್ ಪೂರ್ವ ಮತ್ತು ಮೆಟ್ರಿಕ್ ನಂತರದ ವಿದ್ಯಾರ್ಥಿ ವೇತನ
- ಶಾಲೆ ಬಿಡುವುದನ್ನು ತಡೆಗಟ್ಟಲು ಪ್ರೋತ್ಸಾಹ ಧನ
- ಎಸ್.ಎಸ್.ಎಲ್.ಸಿ. ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಪ್ರೋತ್ಸಾಹ ಧನ
- ಪ್ರತಿಷ್ಠಿತ ಶಾಲೆಗಳಿಗೆ ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗಗಳ ವಿದ್ಯಾರ್ಥಿಗಳ ದಾಖಲು

### **ನಗದು ವೇತನಗಳು**

- ದ್ವಿತೀಯ ಪಿ.ಯು.ಸಿ. ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ
- ಪದವಿ ತರಗತಿ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ
- ಸ್ನಾತಕೋತ್ತರ ಪದವಿ (ಎಂ.ಎ, ಎಂ.ಎಸ್ಸಿ., ಎಂ.ಕಾಂ)
- ತಾಂತ್ರಿಕ ವೈದ್ಯಕೀಯ, ಕೃಷಿ, ಪಶುವೈದ್ಯಕೀಯ ಪದವಿಗಳು

### **ಇತರೆ ಕಾರ್ಯಕ್ರಮಗಳು**

- ಅಂತರ್ ಜಾತಿ ವಿವಾಹ ದಂಪತಿಗಳಿಗೆ ಪ್ರೋತ್ಸಾಹ ಧನ
- ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗದ ದಂಪತಿಗಳಿಗೆ ಸರಳ ವಿವಾಹ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆರ್ಥಿಕ ನೆರವು
- ಡಾ|| ಬಿ.ಆರ್. ಅಂಬೇಡ್ಕರ್ ಭವನ/ಬಾಬು ಜಗಜೀವನರಾಂ ಭವನ/ಶ್ರೀ ಮಹರ್ಷಿ ವಾಲ್ಮೀಕಿ ಭವನ/ಸಮುದಾಯ ಭವನಗಳ ನಿರ್ಮಾಣ
- ದೌರ್ಜನ್ಯ ಪ್ರಕರಣಗಳಿಗೆ ಪರಿಹಾರ ಮಂಜೂರಾತಿ
- ಮೂಲಭೂತ ಸೌಲಭ್ಯಗಳನ್ನು ಕಲ್ಪಿಸುವುದು

ವಿದೇಶಿ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳಲ್ಲಿ ಉನ್ನತ ವ್ಯಾಸಂಗಕ್ಕೆ ಧನಸಹಾಯ



ವಿದೇಶಿ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳಲ್ಲಿ ಉನ್ನತ ವ್ಯಾಸಂಗಕ್ಕೆ ಆಯ್ಕೆ ಕೋರ್ಸ್‌ಗಳಲ್ಲಿ ಪ್ರವೇಶ ಪಡೆಯುವ ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗಗಳ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಧನ ಸಹಾಯ ನೀಡಲಾಗುವುದು. ಗರಿಷ್ಠ ರೂ 10 ಲಕ್ಷಗಳು, ಅವಧಿ 3 ವರ್ಷ. ಈ ಯೋಜನೆಯನ್ನು ಜಾರಿಗೊಳಿಸಲಾಗಿದೆ.

- ಕರ್ನಾಟಕ ರಾಜ್ಯದ ಹಣಕಾಸು ಸಂಸ್ಥೆಯಿಂದ ಸಾಲ ಸೌಲಭ್ಯ
- ಗಿರಿಜನ ಉಪಯೋಜನೆ ಮತ್ತು ವಿಶೇಷ ಘಟಕ ಯೋಜನೆಗಳು

### ಸಂಶೋಧನ ಸಲಹೆಗಳು

ಸರ್ಕಾರವು ತನ್ನ ಯೋಜನೆಗಳನ್ನು ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗದ ಜನರಿಗೆ ಇನ್ನೂ ಹೆಚ್ಚಿನ ಪ್ರಮಾಣದಲ್ಲಿ ತಲುಪುವಂತೆ ಮಾಡಲು ಸಂವಹನ ತಂತ್ರಗಳು ಮತ್ತು ಸಂಪರ್ಕ ವ್ಯವಸ್ಥೆಗಳನ್ನು ಇನ್ನಷ್ಟು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಅಳವಡಿಸಿಕೊಳ್ಳುವ ಅವಶ್ಯಕತೆಯಿದೆ. ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಸಂವಹನ ತಂತ್ರಗಳ ಬಳಕೆ ಮತ್ತು ವಿಧಾನ ಹಾಗೂ ಕಾರ್ಯಕ್ರಮಗಳ ಅನುಷ್ಠಾನದ ಬಗ್ಗೆ ಹೇಳುವುದಾದರೆ

- ಸರ್ಕಾರವು ತನ್ನ ಕಾರ್ಯಕ್ರಮಗಳು ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗದ ಜನರಿಗೆ ಹೆಚ್ಚಿನ ಪ್ರಮಾಣದಲ್ಲಿ ತಲುಪುವಂತೆ ಮಾಡಲು ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಕಛೇರಿ, ನಾಡ ಕಛೇರಿ, ಪ್ರತಿ ಗ್ರಾಮದ ಹಾಲಿನ ಡೈರಿ, ವ್ಯವಸಾಯ ಸೇವಾ ಸಹಕಾರ ಸಂಘ, ಪಡಿತರ ವಿತರಣ ಅಂಗಡಿಗಳು, ಸ್ತ್ರೀಶಕ್ತಿ ಸ್ವಸಹಾಯ ಗುಂಪುಗಳನ್ನು ತೊಡಗಿಸಿಕೊಂಡು ಸರ್ಕಾರಿ ಕಾರ್ಯಕ್ರಮಗಳ ಪ್ರಯೋಜನಗಳ ಬಗ್ಗೆ ಜಾಗೃತಿ ಮೂಡಿಸಬೇಕು. ಸಂಬಂಧಪಟ್ಟ ಪ್ರಾಧಿಕಾರಗಳು ಕಾರ್ಯಕ್ರಮಗಳ ಬಗ್ಗೆ ಬ್ಯಾನರ್, ಕೈಪಿಡಿ, ಜಾಹಿರಾತು ಪೋಸ್ಟರ್‌ಗಳು ಬೀದಿ ನಾಟಕಗಳು, ಮುಂತಾದವುಗಳ ಮೂಲಕ ಪ್ರಚಾರ ಮಾಡುವುದು.

- ಸಾಮಾಜಿಕ ಜಾಲತಾಣಗಳ ಮೂಲಕ ಯೋಜನೆಗಳ ಬಗ್ಗೆ ಮಾಹಿತಿ ಒದಗಿಸುವುದು.
- ಜಿಲ್ಲಾ ಮತ್ತು ತಾಲ್ಲೂಕು ಮಟ್ಟದಲ್ಲಿ ಸರ್ಕಾರಿ ಕಾರ್ಯಕ್ರಮಗಳು ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗಗಳಿಗೆ ತಲುಪುತ್ತಿವೆಯೇ? ಯೋಜನೆಗಳು ಸಮರ್ಪಕವಾಗಿ ಅನುಷ್ಠಾನಗೊಂಡಿವೆಯೇ ಅಥವಾ ಇಲ್ಲವೇ? ಎಂಬುದನ್ನು ಖಾತರಿ ಮಾಡಿಕೊಳ್ಳಲು ಮಾಸಿಕ ಪ್ರಗತಿ ಪರಿಶೀಲನಾ ಸಭೆಯನ್ನು ಸಂಬಂಧಪಟ್ಟ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಮತ್ತು ಜಿಲ್ಲಾ ಸಮಾಜ ಕಲ್ಯಾಣಾಧಿಕಾರಿಗಳು ಹಾಗೂ ಜನಪ್ರತಿನಿಧಿಗಳು ಈಗಾಗಲೇ ಪ್ರಗತಿ ಪರಿಶೀಲನಾ ಸಭೆಗಳು ನಡೆಸುತ್ತಿದ್ದಾರೆ ಆದರೆ ನಿರೀಕ್ಷಿತ ಫಲಿತಾಂಶ ಮಾತ್ರ ಹೊರಬರುತ್ತಿಲ್ಲ. ಆದ್ದರಿಂದ ಪ್ರಗತಿ ಪರಿಶೀಲನಾ ಸಭೆಗಳನ್ನು ಇನ್ನೂ ಹೆಚ್ಚು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಮತ್ತು ಯಶಸ್ವಿಯಾಗಿ ನಡೆಸಬೇಕಾದ ಅವಶ್ಯಕತೆಯಿದೆ.

### ಆಧಾರ ಗ್ರಂಥಗಳು:

- [1] ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗಗಳ ಕಲ್ಯಾಣ ಇಲಾಖೆಗಳ ಕಾರ್ಯಕ್ರಮಗಳ ಕೈಪಿಡಿ.
- [2] ವಾರ್ತಾ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಸಂಪರ್ಕ ಇಲಾಖೆಯ ಮಾಹಿತಿ
- [3] ಕರ್ನಾಟಕ ಕೈಪಿಡಿ
- [4] ಮಹಿಳೆಯರ ಮತ್ತು ಮಕ್ಕಳ ಅಭಿವೃದ್ಧಿ ಹಾಗೂ ವಿಕಲಚೇತನರ ಮತ್ತು ಹಿರಿಯ ನಾಗರಿಕರ ಸಬಲೀಕರಣ ಇಲಾಖೆಯ ವಾರ್ಷಿಕ ವರದಿ 2015-16
- [5] ಕ್ಷೇತ್ರ ಕಾರ್ಯ ಮಾಹಿತಿಯನ್ನು ಆಧರಿಸಿ ಬರೆಯಲಾಗಿದೆ.





## ಪ್ರಸ್ತುತ ಸಮಾಜಕ್ಕಾಗಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಪ್ರಸ್ತುತತೆ

### ಬಾಬುಕುಮಾರ್ ಓ

ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕರು

ರಾಜ್ಯಶಾಸ್ತ್ರ ವಿಭಾಗ

ಬಾಪೂಜಿ ಪ್ರಥಮದರ್ಜೆಕಾಲೇಜು ಚಳ್ಳಕೆರೆ

### ಪೀಠಿಕೆ

ಮಾನವ ನಾಗರಿಕತೆಯ ಉದಯದಿಂದಲೂ ಸಮಾಜದಲ್ಲಿ ಅನೇಕ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಮಾನವರನ್ನು ಜಾಗೃತ ಮತ್ತು ಸಬಲೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಶಿಕ್ಷಣ ಮಹತ್ವದ ಪಾತ್ರವನ್ನು ವಹಿಸುತ್ತದೆ. ಹೀಗಾಗಿ ಶಿಕ್ಷಣವು ಮಾನವ ಅಭಿವೃದ್ಧಿಯ ಪ್ರತೀಕವಾಗಿ ವ್ಯಾಪಕವಾಗಿ ಆಂಗೀಕರಿಸಲ್ಪಟ್ಟಿದೆ. ಜೊತೆಗೆ ಸಾಮಾಜಿಕ ಸಾಂಸ್ಕೃತಿಕ ಮತ್ತು ಆರ್ಥಿಕ ನೀತಿಗಳು ಮತ್ತು ಆಚರಣೆಗಳಲ್ಲಿ ಅಪೇಕ್ಷಿತ ರೂಪಾಂತರಕ್ಕೆ ಕಾರಣವಾಗುವ ಜನರು ತಮ್ಮ ಜೀವನ ಮಟ್ಟವನ್ನು ಸುಧಾರಿಸಲು ಅನುಮಾಡಿಕೊಡುವ ಮಾರ್ಗವಾಗಿದೆ. ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಪರಿಕಲ್ಪನೆಯು ಮಾನವ ಘನತೆ, ಅದರ ಗುರುತಿಸುವಿಕೆ ಮತ್ತು ಸಾರ್ವತ್ರಿಕರಣಕ್ಕೆ ಅಗತ್ಯವಾಗಿದ್ದು, ಮಾನವ ಹಕ್ಕುಗಳು ಸಕಾರಾತ್ಮಕ ಶಾಂತಿಯ ಅಧ್ಯಯನಕ್ಕೆ ಸುಲಭವಾಗಿ ಹೊಂದಿಕೊಳ್ಳುವುದರಿಂದ ಸಾಮಾಜಿಕ, ರಾಜಕೀಯ ಮತ್ತು ಆರ್ಥಿಕ ಒಗ್ಗಟ್ಟು ಮತ್ತು ಅಹಿಂಸಾತ್ಮಕ ಸಂಘರ್ಷದ ಪರಿಹಾರಕ್ಕೆ ಸೂಕ್ತ ಪರಿಹಾರವನ್ನು ಒದಗಿಸುತ್ತದೆ. ಈ ಕಾರಣದಿಂದಾಗಿ ಮಾನವ ಹಕ್ಕುಗಳ ವಿಚಾರವಾಗಿ ಆಯೋಜನೆಗೊಂಡ ಎಲ್ಲಾ ಅಂತರಾಷ್ಟ್ರೀಯ ವೇದಿಕೆ ಮತ್ತು ಸಂಘ-ಸಂಸ್ಥೆಗಳು ಎಲ್ಲಾ ರಾಷ್ಟ್ರಗಳ ಕಲಿಕಾ ಸಂಸ್ಥೆಗಳ ಪಠ್ಯಕ್ರಮದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಔಪಚಾರಿಕ ವಿಷಯಗಳನ್ನು ಸೇರಿಸಲು ಕರೆ ನೀಡಿವೆ.

### ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣ ಎಂದರೇನು?

ಮಾನವ ಹಕ್ಕುಗಳ ಸಾಕ್ಷರತೆ ಮಾತ್ರವಲ್ಲದೆ ಎಲ್ಲಾ ಜನರು ಪರಸ್ಪರ ಗೌರವದಿಂದ ಬದುಕುವ, ಅವಮಾನ, ಶೋಷಣೆ ಮತ್ತು ತಾರತಮ್ಯದ ದೃಷ್ಟಿಯಿಂದ ಮಾನವನ ವ್ಯಕ್ತಿತ್ವ ಬೆಳವಣಿಗೆಯ ಮೇಲೆ ಕೇಂದ್ರೀಕರಿಸಿದೆ. ಒಟ್ಟು ಜನಸಂಖ್ಯೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿ ಲಿಂಗ, ಜನಾಂಗೀಯತೆ, ಧರ್ಮ, ಜಾತಿಗಳಂತಹ ಅಸಮಾನತೆಗಳು ತಾರತಮ್ಯ ಪ್ರಕ್ರಿಯೆ ಮೂಲಕ ಸಂಭವಿಸುತ್ತವೆ. ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವು ದ್ವೇಷ ಮತ್ತು ಹಿಂಸಾಚಾರವಿಲ್ಲದೆ ಬಹು ಸಂಸ್ಕೃತಿಯ ಸಮಾಜದ ವ್ಯವಹಾರಗಳನ್ನು ಸಮನ್ವಯಗೊಳಿಸುವ ಕಲ್ಪನೆಯಾಗಿದೆ.

### ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವು ಈ ಕೆಳಗಿನ ಅಂಶಗಳನ್ನು ನಿರ್ದೇಶಿಸಲ್ಪಡುತ್ತದೆ.

- ಮಾನವ ಹಕ್ಕುಗಳು ಮತ್ತು ಮೂಲಭೂತ ಸ್ವಾತಂತ್ರ್ಯಗಳ ಗೌರವವನ್ನು ಬಲಪಡಿಸುವುದು.
- ಮಾನವ ವ್ಯಕ್ತಿತ್ವದ ಪೂರ್ಣ ಬೆಳವಣಿಗೆ ಮತ್ತು ಅದರ ಘನತೆಯ ಪ್ರಜ್ಞೆ.



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- ರಾಷ್ಟ್ರದ ಜನಾಂಗೀಯ, ಭಾಷಾ ಮತ್ತು ಸಮುದಾಯಗಳ ನಡುವೆ ಸಹಿಷ್ಣುತೆಯನ್ನು ಉತ್ತೇಜಿಸುವುದು.
- ಮುಕ್ತ ಸಮಾಜದಲ್ಲಿ ವ್ಯಕ್ತಿಯ ಪರಿಣಾಮಕಾರಿ ಭಾಗವಹಿಸುವಿಕೆಯನ್ನು ಸಕ್ರಿಯಗೊಳಿಸುವುದು.

### **ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣ : ಒಂದು ಚಳುವಳಿ**

ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವು ಪ್ರಪಂಚದಾದ್ಯಂತ ಅಂದೋಲನವಾಗಿ ಮಾರ್ಪಟ್ಟಿದೆ. ವೈವಿಧ್ಯಮಯ ಮತ್ತು ನಿರಂತರ ಬದಲಾವಣೆಯನ್ನು ಯಾಚಿಸುವ ಕ್ಷೇತ್ರವಾಗಿದ್ದು, ವಿಶ್ವ ಸಮಾಜದಲ್ಲಿನ ಬೆಳವಣಿಗೆಗಳಿಗೆ ಮತ್ತು ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಮುಂದುವರೆದ ಜ್ಞಾನ ಮತ್ತು ಸಂಶೋಧನಾ ಅಭಿವೃದ್ಧಿಯ ಒಳನೋಟಗಳಿಗೆ ಪ್ರತಿಕ್ರಿಯಿಸುತ್ತದೆ.

ಪ್ರಸ್ತುತ ಪ್ರಾಥಮಿಕ ಮತ್ತು ಮಾಧ್ಯಮಿಕ ಶಾಲೆಗಳಲ್ಲಿ ಮಾತ್ರವಲ್ಲದೆ ಶಿಕ್ಷಕರನ್ನೂ ರೂಪಿಸುವ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳ ಶೈಕ್ಷಣಿಕ ಪರಿಸರದಲ್ಲೂ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವು ವಿಸ್ತಾರಗೊಂಡಿದೆ.

### **ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಮಾದರಿಗಳು**

ಭಾರತ ಸೇರಿದಂತೆ ವಿಶ್ವದ ವಿವಿಧ ಭಾಗಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಮೂರು ವಿಭಿನ್ನ ಮಾದರಿಗಳನ್ನು ಕಾಣಬಹುದು.

#### **1. ಮೌಲ್ಯಗಳು ಮತ್ತು ಜಾಗೃತಿ ಮಾದರಿ**

ಈ ಮಾದರಿಯ ಮಾನವ ಹಕ್ಕುಗಳ ಸಮಸ್ಯೆಗಳು ಮೂಲಭೂತ ಜ್ಞಾನವನ್ನು ಮತ್ತು ಸಾರ್ವಜನಿಕ ಮೌಲ್ಯಗಳು ಕೇಂದ್ರೀಕರಿಸುತ್ತದೆ. ಸಾಂಸ್ಕೃತಿಕ ಆಧಾರಿತ ವಿಷಯಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಫಲಾನಿಭವಿ ಸ್ಪಷ್ಟವಾಗಿ ಮಾನವ ಹಕ್ಕುಗಳನ್ನು ಅರ್ಥೈಸಿಕೊಳ್ಳಲು ಈ ಮಾದರಿ ನೆರವಾಗುತ್ತದೆ.

#### **2. ಹೊಣೆಗಾರಿಕೆಯ ಮಾದರಿ**

ಉತ್ತರದಾಯಿ ಮಾದರಿಯ ಮಾನವ ಹಕ್ಕುಗಳಿಗೆ ಕಾನೂನು ಮತ್ತು ರಾಜಕೀಯ ವಿಧಾನದೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದೆ. ಇಲ್ಲಿ ಫಲಾನುಭವಿಗಳು ಈಗಾಗಲೇ ವೃತ್ತಿಪರರಾಗಿ ಗುರುತಿಸಿಕೊಂಡವರಿಗೆ ಸೂಕ್ತ ತರಬೇತಿಗಾಗಿ ನೆಟ್‌ವರ್ಕಿಂಗ್‌ ವ್ಯವಸ್ಥೆಯನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ. ನ್ಯಾಯಾಲಯದ ಪ್ರಕರಣಗಳು, ನೀತಿಸಂಹಿತೆ, ಪಾರದರ್ಶಕತೆ ಮತ್ತು ಮಾಹಿತಿ ಹಕ್ಕು ಮುಂತಾದವುಗಳನ್ನು ಹೇಗೆ ವ್ಯವಹರಿಸಬೇಕು ಎಂಬುದು ಈ ಮಾದರಿಯಾಗಿ ಕಂಡುಬರುತ್ತದೆ.

#### **3. ರೂಪಾಂತರ ಮಾದರಿ**

ಈ ಮಾದರಿಯು ಮಾನವ ಹಕ್ಕುಗಳ ಮಾನಸಿಕ ಮತ್ತು ಸಾಮಾಜಿಕ ಅಂಶಗಳ ಮೇಲೆ ಒತ್ತು ನೀಡುತ್ತದೆ. ಈ ಮಾದರಿಯ ಪರಿಣಾಮಕಾರಿ ವಿಷಯಗಳೆಂದರೆ ದುರ್ಬಲ ಜನಸಂಖ್ಯೆ,



ಅಲ್ಪಸಂಖ್ಯಾತರು, ಮತ್ತುದಲಿತ ಹಕ್ಕುಗಳಂತಹ ವಿಚಾರಗಳಿಂದ ಅನ್ಯಾಯಕ್ಕೆ ಒಳಗಾಗುವವರನ್ನು ಸಬಲೀಕರಣಗೊಳಿಸುವ ಗುರಿ ಈ ಮಾದರಿಯದು.

## ಭಾರತದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಅಭಿವೃದ್ಧಿಗಾಗಿ ಕಾನೂನುಚೌಕಟ್ಟು

ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣದ ಅಡಿಪಾಯ ನಮ್ಮಭಾರತದ ಸಂವಿಧಾನ ಸಂವಿಧಾನದ ಪೀಠಿಕೆಯ ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ, ಮತ್ತುರಾಜಕೀಯ ನ್ಯಾಯವನ್ನು ಸಾಧಿಸಲು ಸಂವಿಧಾನದ3ನೇ ಭಾಗವು ಮೂಲಭೂತ ಹಕ್ಕುಗಳನ್ನು ಖಾತ್ರಿಪಡಿಸುತ್ತದೆ.ಅದಾಗ್ಯೂ ಭಾರತದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವನ್ನುಉತ್ತೇಜಿಸಲುಎಂಬತ್ತರದಶಕದ ಮಧ್ಯಭಾಗದಲ್ಲಿ ಕೆಲ ವಿಫಲ ಪ್ರಯತ್ನಗಳನ್ನು ಮಾಡಲಾಯಿತು.1980 ರಲ್ಲಿ ಭಾರತ ಧನ ಸಹಾಯ ಆಯೋಗವು (ಯು.ಜಿ.ಸಿ) ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ನ್ಯಾಯಾದೀಶರಾಗಿದ್ದು, ಎಸ್.ಎಮ್.ಸಿಕ್ರಿ ಅವರಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣ ಸಮಿತಿಯನ್ನು ನೇಮಿಸಿ ಈ ಸಮಿತಿ ಶೈಕ್ಷಣಿಕಕ್ಷೇತ್ರದಎಲ್ಲಾ ಹಂತಗಳಲ್ಲೂ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣಕ್ಕಾಗಿ ಪ್ರಚಾರ ನಡೆಸಲುಒಂದು ನೀಲಿ ನಕ್ಷೆಯನ್ನುರೂಪಿಸಿತು.

ಈ ವಿಚಾರವಾಗಿ 1980ರ ಅಂತ್ಯದವರೆಗೂಯಾವುದೇದಿಟ್ಟುಕ್ರಮವನ್ನು ತೆಗೆದುಕೊಳ್ಳಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. 1985ರಲ್ಲಿಜವಾಹರ್ ಲಾಲ್ ಮಾನವ ಹಕ್ಕುಗಳ ಕೇಂದ್ರದಿಂದರಾಷ್ಟ್ರೀಯ ವಿಚಾರಣಾಸಂಕೀರ್ಣವನ್ನು ಆಯೋಜಿಸಿದಾಗ ಎಲ್ಲಾ ವಿಶ್ವ ವಿದ್ಯಾಲಯಗಳಲ್ಲಿಮಾನವ ಹಕ್ಕುಗಳ ಭೋದನೆಯನ್ನು ಪರಿಚಯಿಸಲು ಪ್ರಯತ್ನಿಸಲಾಯಿತು.ನೆಹರೂವಿವಿ ಯೋನೆಸ್ಕೋ ಮತ್ತುಧನಸಹಾಯಆಯೋಗದ ಬೆಂಬಲದೊಂದಿಗೆ ಪ್ರಾಥಮಿಕ ಶಿಕ್ಷಣದಿಂದ ವಿಶ್ವ ವಿದ್ಯಾಲಯಗಳ ಹಂತದವರೆಗೂ ಮಾನವ ಹಕ್ಕುಗಳ ಕಲಿಕಾ ಪ್ರಕ್ರಿಯೆಯನ್ನುಆರಂಭಿಸಿದರಿಂದಾಗಿ ಪ್ರಸ್ತುತದೇಶ 35 ವಿಶ್ವ ವಿದ್ಯಾಲಯಗಳು ಮತ್ತುರಾಷ್ಟ್ರೀಯ ಕಾನೂನು ಶಾಲೆಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳು ಶೈಕ್ಷಣಿಕ ಪಠ್ಯವನ್ನುಕಾಣಬಹುದಾಗಿದೆ.

## ಮಾನವ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆಕಾಯಿದೆ 1993

ಭಾರತದ ಸಂಸತ್ತು ಮಾನವ ಹಕ್ಕುಗಳ ಕಾಯಿದೆ 1993 ಅಂಗೀಕರಿಸಿದ ಮತ್ತು ಈ ಕಾಯ್ದೆಯ ನಿಬಂಧನೆಯ ಮೂಲಕ ರಾಷ್ಟ್ರೀಯ ಮತ್ತುರಾಜ್ಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವನ್ನುಹಾಗೂ ಮಾನವ ಹಕ್ಕುಗಳ ನ್ಯಾಯಾಲಯಗಳನ್ನು ಸ್ಥಾಪಿಸಿದೆ.ಈ ಕಾಯ್ದೆಯಸೆಕ್ಷನ್ 12(9) ಅಡಿಯಲ್ಲಿಆಯೋಗದ ಶಾಸನವು ಸಂಶೋಧನೆಯನ್ನು ಕೈಗೊಳ್ಳಲು ಮತ್ತುಉತ್ತೇಜಿಸಲು ವಿಶ್ವ ವಿದ್ಯಾನಿಲಯಗಳು ಮತ್ತು ಸರ್ಕಾರೇತರ ಸಂಸ್ಥೆಗಳು ಹಾಗೂ ಮಾಧ್ಯಮಗಳ ಸಹಯೋಗದೊಂದಿಗೆಮಾನವ ಹಕ್ಕುಗಳ ಅರಿವು ಮತ್ತು ಸಾಕ್ಷರತೆ ಸೃಷ್ಟಿಸುತ್ತದೆ.

ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಆಯೋಗವು ಎನ್.ಸಿ.ಇ.ಆರ್.ಟಿ.ಯ ಸಹಯೋಗದೊಂದಿಗೆ1996 ರಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳು ಮೂಲ ಪುಸ್ತಕವನ್ನು



ಹೊರತರುವುದರೊಂದಿಗೆ ಶಾಲಾ ಹಂತದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಅಧ್ಯಯನಕ್ಕೆ ಪುಸ್ತಕಗಳ ಸಿದ್ಧಪಡಿಸಿಕೊಟ್ಟಿದೆ.

ದೇಶಗಳ ಎಲ್ಲಾ ರಾಜ್ಯಗಳಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣ ನೀಡಿಕೆಗೆ ಪ್ರಯತ್ನ ನಡೆಸುತ್ತಿರುವುದನ್ನು ಕಾಣಬಹುದು.

### ಉಪಸಂಹಾರ

ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣವು ಔಪಚಾರಿಕ ಮಾತ್ರವಲ್ಲದೇ ಅನೌಪಚಾರಿಕವಾಗಿ ಯುಜನರಲ್ಲಿ ಜಾಗೃತಿ ಮೂಡಿಸುವ ಸಾಂಸ್ಕೃತಿಕ ಚೌಕಟ್ಟನ್ನು ಸಮಾಜದಲ್ಲಿ ನಿರ್ಮಿಸಿದೆ. ನಿರಂತರ ಸಂಕೀರ್ಣ ಗೊಳ್ಳುತ್ತಿರುವ ಸಮಾಜದಲ್ಲಿ ಅನಾದಿಕಾಲದಕೆಲ ಅಚರಣೆಗಳಿಂದಾಗಿ ವ್ಯಕ್ತಿಗಳ ಅಂತರ್ಗತ ಚಟುವಟಿಕೆಗಳಲ್ಲಿ ಬದಲಾವಣೆಯಾಗುವುದರಿಂದ ಸಹಜವಾಗಿಯೇ ಸಮಾಜವು ತಾರತಮ್ಯವನ್ನು ಜೀವಂತವಾಗಿಸಿಕೊಳ್ಳುತ್ತದೆ. ಇದರಿಂದಾಗಿ ವ್ಯಕ್ತಿ ಅಥವಾ ವ್ಯಕ್ತಿತ್ವ ವಿಕಾಸಕ್ಕೆ ಅಸಾಧ್ಯವಾಗುವ ಸಾಧ್ಯತೆಗಳಿದ್ದು, ಈ ಸಾಮಾಜಿಕ ಸಂಘರ್ಷದ ಸಂದರ್ಭದಲ್ಲಿ ಮಾನವ ಹಕ್ಕುಗಳ ಚಿಂತನೆ ಒಂದು ಜಾತ್ಯಾತೀತ ಪರಿಹಾರವಾಗಿ ಕಂಡುಬರುತ್ತದೆ.

### ಆಧಾರ ಗ್ರಂಥಗಳು

- [1] ಬಸು, ದುರ್ಗದಾಸ್ (1993) ಭಾರತ ಸಂವಿಧಾನದ ಪರಿಚಯ 'ಪ್ರಿಂಟಿಸ್ ಹಾಲ್ ಆಫ್ ಇಂಡಿಯ' ನವದೆಹಲಿ
- [2] ತಿವಾರಿ.ಎ (2004) ಮಾನವ ಹಕ್ಕುಗಳ ಶಿಕ್ಷಣ: "ಬೋಧನೆ ಮತ್ತು ತರಬೇತಿ ಸಂಸ್ಥೆಗಳ ಪಾತ್ರ" ದಿ ಇಂಡಿಯನ್ ಜನರಲ್ ಆಫ್ ಸೋಶಿಯಲ್ ವರ್ಕ್, ಸಂ.65
- [3] ಎನ್.ಎಚ್.ಆರ್.ಸಿ. (2015) ರಾಷ್ಟ್ರೀಯ ಮಾನವ ಹಕ್ಕುಗಳ ಸುದ್ದಿಪತ್ರ , ಸಂಪುಟ 22, ಸಂ 9 ಪಟ-1
- [4] ದಿ ಹಿಂದೂ (2012) ಮರ್ಡರ್ ಇನ್ ಕ್ಲಾಸರೂಮ್ ಚೆನ್ನೈ : ಸಂಪಾದಕೀಯ ದಿ. ಹಿಂದೂ



## ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಕಾರಣಾತ್ಮಕ ಅಂಶಗಳ ಕುರಿತು ಒಂದು ಸಮಾಜಶಾಸ್ತ್ರೀಯ ಸಾಹಿತ್ಯ ಅವಲೋಕನ

ಬಸವರಾಜು ಮತ್ತು ಡಾ.ಪೂರ್ವಾಚಾರ್.ಎಂ

### ಪೀಠಿಕೆ

ಸಮಾಜವು ಚಲನಾಶೀಲವಾದದ್ದು, ಸಮಾಜದಲ್ಲಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಬದಲಾವಣೆಯ ಒಟ್ಟು ಮೊತ್ತವನ್ನು ಸಾಮಾಜಿಕ ಬದಲಾವಣೆಯನ್ನಬಹುದಾಗಿದೆ. ಈ ಪ್ರಕ್ರಿಯೆಯು ಸಾಮಾಜಿಕ ಸಂಸ್ಥೆಗಳ ಉಗಮದೊಂದಿಗೆ ಮುಂದುವರೆದುಕೊಂಡು ಬಂದಿದೆ. ಆದರೆ, ಇದರಿಂದ ಸಮಾಜದ ಮೇಲಾಗುವ ಪರಿಣಾಮದ ಬಗ್ಗೆ ಭವಿಷ್ಯ ನುಡಿಯಲಾಗುವುದಿಲ್ಲ. ಬದಲಾವಣೆ ಎಂಬುದು ವ್ಯವಸ್ಥೆ, ಅವ್ಯವಸ್ಥೆ, ಹಿತಕರ-ಅಹಿತಕರ ಎಂಬ ಎರಡೂ ಮುಖಗಳನ್ನು ಹೊಂದಿರುತ್ತದೆ. ಕೆಲವೊಮ್ಮೆ ಈ ಅನಿವಾರ್ಯ ನಿಯಮವು ಸಮಾಜವನ್ನು ಒಪ್ಪುವುದೋ ಬಿಡುವುದೋ ಎಂಬ ಸಂದಿಗ್ಧಕ್ಕೆ ಒಳಪಡಿಸುತ್ತದೆ ಇಂತಹ ಪರಿಸ್ಥಿತಿಯನ್ನು ಎದುರಿಸಬೇಕಾದುದು. ವಿವಾಹವೆಂಬ ಸಂಸ್ಥೆಯಲ್ಲಾದ ಬದಲಾವಣೆಯಿಂದ ಇದಕ್ಕೆ ಕಾರಣ. ವಿವಾಹವು ಎಲ್ಲಾ ಸಂಸ್ಥೆಗಳಿಗೂ ಮೂಲ ಸ್ಥಾನದಲ್ಲಿರುವುದು. ವಿವಾಹವು ಕುಟುಂಬದ ಮೂಲಕ ಬದಲಾವಣೆ ತೀವ್ರತೆಯನ್ನು ಇಡೀ ಸಮಾಜದಲ್ಲಿಯೇ ಪ್ರತಿಫಲಿಸಿರುವುದು ಮುಂದಿನ ಚರ್ಚೆಯ ವಿಷಯವಾಗಿದೆ.

ಉದ್ಯೋಗ ಕ್ಷೇತ್ರವು ಹಿರಿದಾಗುತ್ತಿದ್ದಂತೆಯೇ ಆಧುನೀಕರಣದ ಪ್ರಭಾವಕ್ಕೆ ಒಳಗಿಂದ ಅವಿಭಕ್ತ ಕುಟುಂಬದ ಸದಸ್ಯರು ಉದ್ಯೋಗವನ್ನು ಬಯಸಿ ಪಟ್ಟಣಗಳಿಗೆ ವಲಸೆ ಹೋಗಲು ತೊಡಗಿದ್ದು ತದನಂತರ ಅಲ್ಲಿಯೇ ವಿಭಕ್ತ ಕುಟುಂಬವನ್ನು ಪ್ರಾರಂಭಿಸಲು ಮುಂದಾದರು. ಅವಿಭಕ್ತ ಕುಟುಂಬಗಳು ಕ್ಷೀಣಿಸಿ ತೊಡಗಿತು ಇದರಲ್ಲಿ ಪ್ರಮುಖವಾಗಿ ವಿವಾಹ ಕಾರ್ಯವನ್ನು ವ್ಯಕ್ತಿ ಮತ್ತು ಕುಟುಂಬದ ನಡುವೆ ಹಂಚಿಕೊಳ್ಳಲಾಯಿತು. ವೈಯಕ್ತಿಕ ವಿಷಯವಾದ ವಿವಾಹವು ಕುಟುಂಬ, ಜಾತಿ, ಪಂಗಡಗಳು ನಿರ್ಧರಿಸಬೇಕಾದ ವಿಷಯವಲ್ಲ. ಬದಲಿಗೆ ವ್ಯಕ್ತಿಯೇ ನಿರ್ಧಾರ ಕೈಗೊಳ್ಳಬೇಕೆಂಬ ನಿಲುವು ಪ್ರಬಲವಾಗಿ ಬೆಳೆಯುತ್ತ ವಿವಾಹದ ದಿಕ್ಕನ್ನು ಬದಲಾಯಿಸಲು ಕಾರಣವಾಯಿತು. ಅನೇಕ ಹಿಂದಿನ ಕಾಲದಲ್ಲಿನ ವಿವಾಹದ ನಿರ್ಬಂಧಗಳು ತಮ್ಮ ಅಸ್ತಿತ್ವವನ್ನು ಕಳೆದುಕೊಂಡವು ನಂತರದಲ್ಲಿ ವಿವಾಹದಲ್ಲಿ ಹೊರ ಬಾಂಧವ್ಯ ವಿವಾಹಗಳಿಗೆ ಹೆಚ್ಚು ಮನ್ನಣೆ ದೊರೆಯುವುದರೊಂದಿಗೆ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳನ್ನು ತಡೆಯಲು ಹೆಚ್ಚು ಅವಕಾಶ ದೊರೆಯಿತು.

ಸಮಾಜದಲ್ಲಿ ಏಕತೆಯನ್ನು ಕಾಪಾಡಲು ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ನಡೆಯುವುದು ತುಂಬಾ ಉಪಯುಕ್ತಕಾರಿಯಾಗಿದೆ. ಆದ್ದರಿಂದ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹದಿಂದ ಸಮಾಜದ ಮೇಲೆ ಆಗುವ ಪರಿಣಾಮಗಳು ಅವಲೋಕಿಸುವ ಅಧ್ಯಯನವನ್ನು ಒಳಗೊಂಡಿದೆ. ಒಳ ಬಾಂಧವ್ಯ ವಿವಾಹದ ನೀತಿಯ ಪ್ರಕಾರ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳನ್ನು ನಿಷೇಧಿಸಲಾಗಿತ್ತು. ಸಂಪ್ರದಾಯಸ್ಥ ಹಿಂದೂಗಳಲ್ಲಿ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹವನ್ನು ಕನಸಿನಲ್ಲೂ ನೆನೆಸುವಂತಿರಲಿಲ್ಲ. ಸಮಾಜಶಾಸ್ತ್ರಜ್ಞರ ಪ್ರಕಾರ ಪ್ರಾಚೀನ ಭಾರತದಲ್ಲೂ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ಏರ್ಪಟ್ಟಿದ್ದವು. ಮನುಧರ್ಮ ಶಾಸ್ತ್ರಕಾರರು ಅನುಲೋಮ ವಿವಾಹಕ್ಕೆ ಅವಕಾಶಕೊಟ್ಟು ಪ್ರತಿಲೋಮ ವಿವಾಹಕ್ಕೆ ಅವಕಾಶ ಕೊಡಲಿಲ್ಲವೆಂಬ ಒಂದೇ ಆಧಾರದ ಮೇಲೆಯೇ ಪ್ರಾಚೀನ ಭಾರತದಲ್ಲಿಯೂ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ಆಚರಣೆಯಲ್ಲಿದ್ದವೆಂದು ಖಚಿತಪಡಿಸಬಹುದು.

ಪ್ರಾಚೀನ ಭಾರತದಲ್ಲಿ ಅನುಲೋಮ ಮತ್ತು ಪ್ರತಿಲೋಮ ಎಂಬ ಎರಡು ಬಗೆಯ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳಿದ್ದವು. ಪ್ರಾಚೀನ ಭಾರತದಲ್ಲಿ ಪ್ರತಿಲೋಮ ವಿವಾಹವು





ರೂಢಿಯಲ್ಲಿತ್ತು. ಮನುಧರ್ಮಶಾಸ್ತ್ರಕಾರನು ಪ್ರತಿಲೋಮವನ್ನು ತುಂಬಾ ತೀಕ್ಷ್ಣವಾಗಿ ಖಂಡಿಸಿದ್ದಾನೆ. ಪ್ರತಿಲೋಮ ವಿವಾಹ ಸಂಖ್ಯೆಯ ಬಹಳ ವಿರಳ, ಬ್ರಾಹ್ಮಣನಾದ ಕುಕುಸ್ವಮನು ತನ್ನ ಮಗಳನ್ನು ಗುಪ್ತರಾಜರುಗಳ ಕೊಟ್ಟು ವಿವಾಹ ಮಾಡಿದನು. ಕ್ಷತ್ರಿಯರು ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳನ್ನು ಆಚರಿಸುತ್ತಿದ್ದರು.

ರಾಜರು ತಮ್ಮ ಮಗಳು ಪ್ರಾಪ್ತ ವಯಸ್ಕಳಾದಾಗ ಸ್ವಯಂವರವನ್ನು ಏರ್ಪಡಿಸುತ್ತಿದ್ದರು. ಸ್ವಯಂವರದಲ್ಲಿ ಪಾಲ್ಗೊಂಡ ವರಗಳಲ್ಲಿ ತನಗೆ ಇಷ್ಟವಾದ ವರನನ್ನು ಆಕೆ ವರಿಸಬಹುದಾಗಿತ್ತು. ಮೊಘಲರ ಸಾಮ್ರಾಟರು ರಜಪೂತ ರಾಜಕುಮಾರಿಯರನ್ನು ವಿವಾಹವಾಗುತ್ತಿದ್ದರು. ಹಿಂದೂ ಮುಸ್ಲಿಮರಲ್ಲಿ ಹಿಂದೂ-ಕ್ರೈಸ್ತರಲ್ಲಿ ವಿವಾಹಗಳೇರ್ಪಟ್ಟವು. ಬ್ರಹ್ಮ ಸಮಾಜದ ನೇತಾರ ರಾಜರಾಮ್ ಮೋಹನ್‌ರಾಯ್ ಮತ್ತು ಆರ್ಯ ಸಮಾಜದ ಸ್ವಾಮಿ ದಯಾನಂದ ಸರಸ್ವತಿ ಇವರು ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳಿಗೆ ಪ್ರೋತ್ಸಾಹವಿತ್ತು.

20ನೇ ಶತಮಾನದಲ್ಲಿ ಜಾತಿಯ ಬಿಗುಮಾನ ಮತ್ತು ವಿವಾಹದ ಸಂಬಂಧಗಳು ಸಡಿಲಗೊಳ್ಳುತ್ತವೆ. ಉನ್ನತ ಶಿಕ್ಷಣ, ಸ್ತ್ರೀಯ ಶಿಕ್ಷಣ, ಆರ್ಥಿಕ ಸ್ವಾತಂತ್ರ್ಯ, ವ್ಯಕ್ತಿ ಸ್ವಾತಂತ್ರ್ಯ, ಪಾಶ್ಚಾತ್ಯ, ಸಂಸ್ಕೃತಿಗಳ ಪ್ರಭಾವ ಕೈಗಾರಿಕರಣ, ಪ್ರಜಾಪ್ರಭುತ್ವ ಮುಂತಾದ ಅಂಶಗಳು ಜಾತಿಯ ಕಪಿಮುಷ್ಠಿಯನ್ನು ಸಡಿಲಗೊಳಿಸಿ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳಿಗೆ ಮಾರ್ಗ ಸುಗಮಗೊಳಿಸಿವೆ.

### ಅಂತರ್ಜಾತಿ ವಿವಾಹದ ಪರಿಕಲ್ಪನೆ

ಭಾರತೀಯ ಸಮಾಜದಲ್ಲಿ ಸ್ತ್ರೀ-ಪುರುಷರ ಸಂಬಂಧಗಳು ಸಾಮಾಜಿಕ ಕಾರಣಗಳ ಜೊತೆಗೆ ಆಧುನಿಕ ಕಾಲದ ಬದುಕಿನ ಕ್ರಮಗಳ ಸಹ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ಹೆಚ್ಚಾಗಲು ಕಾರಣವಾಗಿದೆ.

ಸಾಂಪ್ರದಾಯಿಕ ವಿವಾಹ ಪದ್ಧತಿಯ ರೂಪದಲ್ಲಿ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ಏರ್ಪಟ್ಟು ವೈಯಕ್ತಿಕ ಪ್ರೇಮಾಸಕ್ತಿ ಹಾಗೂ ಆದರ್ಶದ ಹಿನ್ನೆಲೆಯ ಸುಧಾರಣದಾರರ ಮೂಲದಿಂದ ಜಾತಿ ಕಟ್ಟಲೆಗಳಲ್ಲಿ ಮುರಿಯುವಂತಹ ಸಾಮಾಜಿಕ ಕಾರಣಗಳಿಗಾಗಿ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳು ನೆಲೆಗೊಂಡಿರುವುದನ್ನು ಕಾಣಬಹುದು. ಈ ಅಂಶಗಳ ಜೊತೆಗೆ ಇನ್ನೀತರ ಹಲವಾರು ಸಂಗತಿಗಳು ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳ ಏರ್ಪಡುವಿಕೆಗೆ ಕಾರಣವಾಗಿದ್ದು ಸ್ವಾತಂತ್ರ್ಯನಂತರದ ಬದುಕಿನಲ್ಲುಂಟಾದ ಪಲ್ಲಟ ಆಧುನಿಕತೆಯ ವರ್ಗದ ಜಾಗೃತಿ ಸಂಗತಿಗಳು ಸ್ತ್ರೀ ಶಿಕ್ಷಣ ಮೀಸಲಾತಿ ಸಮಾನತೆ ಪರವಾಗಿ ನಿರಂತರವಾಗಿ ಕಾಳಜಿವಹಿಸುತ್ತಿರುವ ವ್ಯಕ್ತಿಗಳ ಸಂಘ ಸಂಸ್ಥೆಗಳ ಸಾಂಸ್ಥಿಕ ಪ್ರಯತ್ನದಿಂದ ಇಂತಹ ಹಲವು ಸಂಗತಿಗಳ ಜೊತೆಗೆ ಬದುಕನ್ನು ತಮ್ಮದೇ ಆದ ದೃಷ್ಟಿಕೋನದಲ್ಲಿ ಕಟ್ಟಿಕೊಳ್ಳಬೇಕೆಂಬ ಆಪೇಕ್ಷೆ ಹಾಗೂ ಈ ರೀತಿಯ ಹತ್ತು ಹಲವು ಪ್ರೇರಕ ಸಂಗತಿಗಳು ಆಧುನಿಕ ಯುಗದಲ್ಲಿ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳು ಏರ್ಪಡುವುದಕ್ಕೆ ಕಾರಣವಾಗಿದೆ ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳನ್ನು ಕುರಿತು ಸಮಾಜಶಾಸ್ತ್ರೀಯ ನೆಲೆಯಲ್ಲಿ ಆಸಕ್ತಿ ಹುಟ್ಟಿಸುವ ಅಧ್ಯಯನವಾಗಿದೆ. ಪಾಶ್ಚಾತ್ಯ ಸಂಸ್ಕೃತಿಯ ಇಲ್ಲಾ ಪ್ರಭಾವಗಳನ್ನು ಕ್ಷಿಪ್ರಗತಿಯಲ್ಲಿ ತನ್ನದಾಗಿಸಿಕೊಂಡು ಆತ್ಯಾಧುನಿಕತೆಯ ಹೆಸರಿನಡಿ ಆತಂಕ ಸೃಷ್ಟಿಸುವ ವೇಗದೊಡನೆ ಚಲನೆ ಹೊಂದುತ್ತಿರುವ ಸಮಕಾಲೀನ ಸಮಾಜದಲ್ಲಿ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳು ಪಡೆದುಕೊಂಡಿರುವ ಸ್ವರೂಪವನ್ನು ಈ ಕೆಳಗಿನಂತೆ ಗುರುತಿಸಿಕೊಳ್ಳಬಹುದು.

- ಸಮಾಜದ ಮುಖ್ಯವಾಹಿನಿಯು ಸಾಂಪ್ರದಾಯಿಕ ವಿವಾಹ ಪದ್ಧತಿಯನ್ನೇ ಬಹುತೇಕ ಒಪ್ಪಿ ಈಗಲೂ ಅದನ್ನೇ ಮುನ್ನಡೆಸುತ್ತಿದ್ದು ಇದರ ಮಧ್ಯೆಲ್ಲಿ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳಿಗೆ ಸಮಾಜದ ಅಂತಿಕ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ಇದೆ





• ವಿಶೇಷವಾಗಿ ಹಿಂದೂಗಳಲ್ಲಿ ಸ್ವಗೋತ್ರ ವಿಭಿನ್ನ ಉಪ ಪಂಗಡಗಳ ಮಧ್ಯೆ ಏರ್ಪಡುವ ವಿವಾಹಗಳ ಸಂಖ್ಯೆಯೇ ಹೆಚ್ಚಿದ್ದು ಹೆಚ್ಚಾಗಿ ನಗರದ ಶಿಕ್ಷಣ ವರ್ಗದ ಪೋಷಕರು ಮಾತ್ರ ಪರಿಸ್ಥಿತಿಗಳ ಅನುಗುಣವಾಗಿ ಅಂತರ್ಜಾತಿ ವಿವಾಹ ಸಂಬಂಧಗಳಿಗೆ ಸಹಕರಿಸುತ್ತಿರುವುದು ಕಂಡು ಬರುವ ಸಂಗತಿಯಾದರೂ ಇತ್ತೀಚಿನ ಗ್ರಾಮೀಣ ಭಾಗಗಳಲ್ಲೂ ನಿಧಾನಗತಿಯ ಸಂಚಲನೆ ಪಡೆದಿದೆ.

• ನಗರ ಹಾಗೂ ಗ್ರಾಮೀಣ ಭಾರತದ ಅಶಿಕ್ಷಿತ ಕೂಲಿ ಕಾರ್ಮಿಕ ವರ್ಗ ಮತ್ತು ಕೆಲ ಸಮುದಾಯದ ಗಂಡು ಹೆಣ್ಣುಗಳ ಪ್ರೇಮ ಕಾಮದ ನೆಲೆಯಲ್ಲಿ ವಿವಾಹವನ್ನು ಏರ್ಪಡಿಸಿಕೊಳ್ಳುವ ಪ್ರಕ್ರಿಯೆ ಸಹ ಒಂದೆಡೆ ನಿರಂತರವಾಗಿ ನಡೆಯುತ್ತಿದೆ ದುರಂತವೆಂದರೆ ಇಂತಹ ಸಂಬಂಧಗಳು ಬಹುಬೇಗನೆ ಮುರಿದು ಬಿದ್ದು ಕೆಲವು ಅಪರಾಧಿಕ ಕೃತ್ಯಗಳಲ್ಲಿ ಅಂತಸ್ತವಾಗುವ ಸಂದರ್ಭಗಳು ಹೆಚ್ಚಿವೆ ಆದಾಗ್ಯೂ ಇಂತಹ ಅಸಂಪ್ರದಾಯಿಕ ವಿವಾಹಗಳನ್ನು ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ವರ್ಗದ ಸಮಾಜವು ಮಾನ್ಯ ಮಾಡುವ ಸ್ಥಿತಿಯಲ್ಲಿದೆ.

ಜಾತಿ ನಿಷ್ಪತ್ತಿಯ ಕಟ್ಟು ಪಾಡುಗಳನ್ನು ಉದ್ದೇಶ ಪೂರ್ವಕವಾಗಿ ಒಡೆದು ತಾವು ಕ್ರಾಂತಿಕಾರಿಗಳೆಂಬ ಉದ್ದೋಪದ ನಡುವೆ ಸಂಭ್ರಮಿಸಬೇಕೆಂಬ ಆದರ್ಶಕೃತ ಮೂಲ ಮನವ ಸಂಗತಿಗಳು ಇಂದಿನ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳನ್ನು ಹೆಚ್ಚಾಗಿ ರುಪಿಸಿದೆ ಪರಸ್ಪರ ಆಕರ್ಷಣೆ, ಪೇಮಕಾಮ, ವಿಧ್ಯಾಭ್ಯಾಸ, ಉದ್ಯೋಗದ ಹಿತತಾಸಕ್ತಿ ವ್ಯಕ್ತಿ ನಷ್ಟರತೆಯ ಪ್ರಶ್ನೆಗಳು ವೈಜ್ಞಾನಿಕ ಸತ್ಯಗಳಡಿಯಲ್ಲಿ ಚರ್ಚೆಗೊಳಪಡುತ್ತಿರುವುದು ಹಳೆಯ ತಲೆಮಾರು ಕಾಲಕ್ರಮೇಣ ಕಣ್ಮರೆಯಾಗುತ್ತಿರುವುದು ಅಥವಾ ಆಧುನಿಕತೆಯ ನಾಗಾಲೋಟವನ್ನು ಭಯ ಮಿಶ್ರಿತ ತಟಸ್ಥತೆಯಿಂದ ಹಳೆಯ ತಲೆಮಾರು ನೋಡುತ್ತಿರುವುದು ಇಂತಹ ಈ ಹೊತ್ತಿಗೆ ಮುಖ್ಯವೆಂದೆನಿಸುವ ಅನೇಕ ಸಂಗತಿಗಳು ಅಂತರ್ಜಾತಿಯ ವಿವಾಹಗಳು ಏರ್ಪಡಲು ಕಾರಣವಾಗಿರುವ ಅಂಶವಾಗಿವೆ

## ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಕಾರಣಗಳು

### □ ಪ್ರೀತಿ ಮತ್ತು ವಾತ್ಸಲ್ಯ :

ಅಂತರ್ಜಾತಿ ವಿವಾಹ ನಡೆಯುವುದು ಕುಟುಂಬದ ಹಿರಿಯರಿಗೆ ಕಲ್ಪನೆಗೂ ಊಹಿಸಲೂ ಸಾಧ್ಯವಿಲ್ಲ. ಏಕೆಂದರೆ ಪೋಷಕರು ತಮ್ಮ ಮಗನಿಗೆ ಮತ್ತು ಮಗಳಿಗೆ ಮದುವೆಯನ್ನು ಸಾಂಪ್ರದಾಯಿಕವಾಗಿ ಮಾಡಲು ಬಯಸುತ್ತಾರೆ ಆದರೆ ತಮ್ಮ ಮಕ್ಕಳು ಪ್ರೀತಿ ಮತ್ತು ಆಕರ್ಷಣೆಗೆ ಒಳಗಾಗಿ ಪ್ರೀತಿ ಮಾಡುತ್ತಿರುವ ಪ್ರೇಮಿಗಳು ಮಾತ್ರ ಯಾವುದೇ ಸಮಸ್ಯೆಗಳು ಬಂದರೂ ಕೂಡ ಎದುರಿಸಲು ದೈರ್ಯದಿಂದ ಸಿದ್ಧರಿರುತ್ತಾರೆ. ಏಕೆಂದರೆ ಪರಸ್ಪರ ಆಳವಾದ ಪ್ರೀತಿ. ಅವರು ಅಂತಹ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಜಾತಿ ಆಧಾರಿತ ಶ್ರೇಷ್ಠತೆ ಮತ್ತು ಕೀಳರಿಮೆಯನ್ನು ನಿರ್ಲಕ್ಷಿಸುತ್ತಾರೆ. ಆದ್ದರಿಂದ ಪ್ರೀತಿ ಮತ್ತು ಆಕರ್ಷಣೆಯ ಭಾವನೆಯು ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಪ್ರೇರಕವಾಗಿದೆ ಪ್ರೀತಿಯ ಆಕರ್ಷಣೆಯು ಅಂತರ್ಜಾತಿ ವಿವಾಹದ ಒಂದು ಪ್ರಮುಖ ಹಂತವಾಗಿದೆ.

### □ ಯುವಕರ ಪ್ರಾಮಾಣಿಕತೆ ಮತ್ತು ಉತ್ತಮ ನೈತಿಕತೆಯ ಪಾತ್ರ

ಪ್ರಾಮಾಣಿಕತೆ ಹುಡುಗನೊಂದಿಗೆ ಮದುವೆ ಆದ ಹುಡುಗಿ ಅವಳು ತಮ್ಮ ಹುಡುಗನ ನೈತಿಕ ಸ್ವಭಾವದಿಂದ ಹೆಚ್ಚು ಪ್ರಭಾವಿತರಾಗಿ ಅವರು ಪ್ರೀತಿಸುತ್ತಾರೆ ಅವರ ಕುಟುಂಬದ ಸದಸ್ಯರು ಆಯ್ಕೆ ಮಾಡಿದ ಹುಡುಗನು ಗಂಡನ್ನಾಗಿರುತ್ತನೋ ಇಲ್ಲವೋ ಎಂದು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಉತ್ತಮ ನೈತಿಕ ಸ್ವಭಾವವನ್ನು ಹೊಂದಿರುವರೋ ಎಂದು ಅವರಿಗೆ ಖಾತರಿ ನೀಡಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ ಅಥವಾ ಅವರು ನೋಡಿರದ, ಭೇಟಿಯಾಗದ ವ್ಯಕ್ತಿಯ ಪಾತ್ರವನ್ನು



ಊಹಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ ಆದ್ದರಿಂದ ತಾನು ಪ್ರೀತಿಸುವ ಹುಡುಗನ ಒಳ್ಳೆಯ ನೈತಿಕ ಗುಣ, ಪ್ರಾಮಾಣಿಕತೆ ಬಗ್ಗೆ ಹುಡುಗಿಯರು ಹೆಚ್ಚು ಪ್ರಭಾವಿತರಾಗಿರುತ್ತಾರೆ.

## □ ವಯಸ್ಸಿನ ಅಂಶಗಳು

ಯುವಕ-ಯುವತಿಯರು ತಮ್ಮ ಹದಿಹರೆಯದ ವಯಸ್ಸಿನಲ್ಲಿ ಪ್ರೀತಿಯಲ್ಲಿ ಸಿಲುಕಿರುತ್ತಾರೆ, ಹದಿಹರೆಯದ ವಯಸ್ಸು ವಿರುದ್ಧ ಲಿಂಗದ ಆಕರ್ಷಣೆಯಿಂದ ಹದಿಹರೆಯದವರಿಗೆ ಯಾವುದೇ ಕುಟುಂಬ ಮತ್ತು ಸಾಮಾಜಿಕ ಹೊರೆ ಇರುವುದಿಲ್ಲ. ಅವರ ಭಾವನಾತ್ಮಕ ಸಿದ್ಧಾಂತವು ಆದರ್ಶದ ಬದಲಾಗಿ ಪ್ರಾಯೋಗಿಕವಾಗಿರುತ್ತದೆ ಮತ್ತು ಸ್ವಯಂ ಚಿಂತನೆಯು ತಮ್ಮ ಸ್ನೇಹಿತರೊಂದಿಗಿನ ಸಂಬಂಧದ ಕಡೆಗೆ ಚಲಿಸುತ್ತಿದೆ. ಇದು ತದನಂತರ ಅಂತರ್ಜಾತಿ ವಿವಾಹದ ಕೈಗೊಳ್ಳಲು ಕಾರಣವಾಗುತ್ತದೆ.

## □ ಜಾತಿ ವ್ಯವಸ್ಥೆ ಮತ್ತು ಸಾಂಪ್ರದಾಯಿಕ ಆಚರಣೆಗಳು ಇಷ್ಟವಿಲ್ಲದಿರುವುದು

ಜಾತಿ ವ್ಯವಸ್ಥೆ ಸಾಂಪ್ರದಾಯಿಕ ಆಚರಣೆಗಳನ್ನು ಇಷ್ಟ ಪಡುವುದಿಲ್ಲ ವೆಂತ್ರು ಉನ್ನತ ಜಾತಿಯ ಹುಡುಗರು ಮತ್ತು ಹುಡುಗಿಯರು ತಮ್ಮ ಪೋಷಕರು ಅನುಸರಿಸುವ ಧಾರ್ಮಿಕ ಆಚರಣೆಗಳನ್ನು ಇಷ್ಟಪಡುವುದಿಲ್ಲ ವಿಶೇಷವೆಂದರೆ ಕೋಳಿ ಮಾಂಸ, ಗೋ ಮಾಂಸ, ಹಂದಿ ಮಾಂಸ, ಇತ್ಯಾದಿಗಳನ್ನು ತಿನ್ನಲು ಅನುಮತಿ ಇಲ್ಲದಂತಹ ಆಹಾರದ ಮೇಲಿನ ನಿರ್ಬಂಧವನ್ನು ಇಷ್ಟಪಡದ ಹುಡುಗಿಯರು ವೆಂತ್ರು ಹುಡುಗರು ಇತರ ಜಾತಿಯೊಂದಿಗೆ ಸಂಬಂಧವನ್ನು ಮಾಡಿಕೊಂಡರು. ಅವರು ಪವಿತ್ರ ಧಾರವನ್ನು(ಜನ್ಯ) ದೈನಂದಿನ ಪೂಜೆ ಮತ್ತು ಆಚರಣೆಯನ್ನು ಅನುಸರಿಸುವುದನ್ನು ತಪ್ಪಿಸಿದ್ದರು.

## □ ವೈಯುಕ್ತಿಕ ಸಮಸ್ಯೆಗಳು

ಕೆಲವು ದಂಪತಿಗಳು ಕುಟುಂಬದಲ್ಲಿ ಉದ್ವಿಗ್ನತೆ, ಪೋಷಕರಿಂದ ಸರಿಯಾದ ಆರೈಕೆಯಲ್ಲಿ, ಮೊದಲ ಸಂಗಾತಿಯ ಪ್ರತ್ಯೇಕತೆ, ಸಾವು, ವೃದ್ಧಾಪ್ಯ, ದೈಹಿಕ ಮತ್ತು ಮಾನಸಿಕ ಸಮಸ್ಯೆಗಳು. ಗರ್ಭಧಾರಣೆ ಇತ್ಯಾದಿ ಹಾಗೂ ಇಷ್ಟವಿಲ್ಲದಂತಹ ವೈಯುಕ್ತಿಕ ಸಮಸ್ಯೆಯಿಂದಾಗಿ ಅವರು ತಮ್ಮ ಜಾತಿ ಮತ್ತು ಧರ್ಮವಿಲ್ಲದೆ ವಿವಾಹವಾಗುವುದು ಪ್ರಸ್ತುತದಲ್ಲಿ ಕಾಣಬಹುದು.

□ ಬಾಹ್ಯ ಅಂಶಗಳು ವೈಯುಕ್ತಿಕ ಕಾರಣಕ್ಕಿಂತ ಭಿನ್ನವಾಗಿ ಬಾಹ್ಯ ಅಂಶಗಳು ಕೂಡ ಅಂತರ್ಜಾತಿಯ ವಿವಾಹದ ಮೇಲೆ ಪ್ರಮುಖ ಪ್ರಭಾವ ಬೀರಿದೆ. ಅಂತರ್ಜಾತಿ ವಿವಾಹವಾಗಲು ಜನರನ್ನು ಪ್ರೇರೇಪಿಸುವುದಕ್ಕೆ ಪರೋಕ್ಷವಾದ ಪಾತ್ರವನ್ನು ವಹಿಸುತ್ತಿದೆ ಆಸ್ತಿಯ ವಿಷಯದಿಂದಾಗಿ ಅದೇ ಶ್ರೇಣಿಯ ಗುಂಪುಗಳಲ್ಲಿ ವಿವಾಹದ ವ್ಯವಸ್ಥೆಯು ಪ್ರಾಚೀನ ಕಾಲದಿಂದಲೂ ಆಚರಣೆಯಲ್ಲಿತ್ತು. ಬಂಡವಾಳಶಾಹಿ ಮತ್ತು ಉತ್ಪಾದನ ವಿಧಾನ ಮದುವೆಗಳ ಸ್ವರೂಪವನ್ನು ಬದಲಾಯಿಸಿತು ಈಗ ಜನರು ಪ್ರೇಮ ವಿವಾಹದೊಂದಿಗೆ ಹೆಚ್ಚು ಹಾಯಾಗಿರಲು ಪ್ರಾರಂಭಿಸಿದ್ದಾರೆ.

## □ ಆಧುನಿಕ ಮತ್ತು ಪಾಶ್ಚಾತ್ಯೀಕರಣ

ಆಧುನಿಕ ಮತ್ತು ಪಾಶ್ಚಾತ್ಯೀಕರಣವು ಜನರ ಸಂಸ್ಕೃತಿ ಮತ್ತು ಜೀವನ ಶೈಲಿಯ ಮೇಲೆ ಪ್ರಭಾವ ಬೀರಿದೆ. ವಿಶೇಷವಾಗಿ ಹೊಸ ತಲೆಮಾರಿನವರು ಪಾಶ್ಚಿಮಾತ್ಯ ಸಂಸ್ಕೃತಿಗೆ ಮರುಳಾಗಿ ಉಡುಗೆ ತೊಡಿಗೆ, ಸಂಗೀತ ಕೇಳುವುದು, ಆಹಾರ ಪದ್ಧತಿ, ಮತ್ತು ಸಹಾ ಭೋಜನ, ಮತ್ತು ಹುಡುಗರು ಹುಡುಗಿಯರನ್ನು ಸ್ನೇಹಿತರನ್ನಾಗಿ ಮಾಡಿಕೊಳ್ಳುವುದು ಮುಂತಾದವುಗಳನ್ನು ಆಳವಡಿಸಿಕೊಂಡಿದ್ದಾರೆ. ಪಾಶ್ಚಾತ್ಯೀಕರಣವು ಜನರ ಆಲೋಚನಾ ವಿಧಾನದ ಮೇಲೆ ಪ್ರಭಾವ ಬೀರಿದೆ ಮತ್ತು ಅವರು ತಮ್ಮ



ಸಾಂಪ್ರದಾಯಿಕ ನಂಬಿಕೆ ಮತ್ತು ಅಭ್ಯಾಸವನ್ನು ಇಷ್ಟಪಡುವುದಿಲ್ಲ ಈ ಕಾರಣದಿಂದಾಗಿ ತಮ್ಮ ಜೀವನ ಸಂಗಾತಿಗಳನ್ನು ಆಸಕ್ತಿಯ ಪ್ರಕಾರ ಆಯ್ಕೆ ಮಾಡಲು ಸ್ವಾತಂತ್ರ್ಯರು ಎಂದು ಪರಿಗಣಿಸುತ್ತಾರೆ.

□ **ಜಾತಿ ಆಧಾರಿತ ಉದ್ಯೋಗ**

ಜಾತಿ ಆಧಾರಿತ ಉದ್ಯೋಗವು ಬದುಕುಳಿಯುವ ಸಾಧನಗಳಲ್ಲಿ ಒಂದಾಗಿದ್ದು ಈಗ ಅವರು ತಮ್ಮ ಸಾಂಪ್ರದಾಯಿಕ ಉದ್ಯೋಗವನ್ನು ಆದಾಯ ಮತ್ತು ಕಾರ್ಮಿಕರ ನಡುವಿನ ಜಾತಿ ವಿವಾಹದ ನಡುವೆ ಧಾರ್ಮಿಕ ವಿವಾಹ ಶೋಷಣೆಯಿಂದ ಬಿಡುಗಡೆ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಭಾರತೀಯ ಸಮಾಜದಲ್ಲಿ ಉದ್ಯೋಗವೂ ಸೃಷ್ಟಿಯಾಗುತ್ತಿರುವುದು ಪ್ರತಿಷ್ಠೆಯ ವಿಷಯವಾಗಿದೆ. ಇನ್ನೂ ಅವರು ಭಾರತೀಯ ಸಂಸ್ಕೃತಿಯ ಪ್ರಕಾರ ತಮ್ಮ ಜಾತಿ ಆಧಾರಿತ ಹೆಚ್ಚುವರಿ ಉದ್ಯೋಗದಿಂದ ಮೆಚ್ಚುಗೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳುತ್ತಾರೆ ಜಾತಿ ಆಧಾರಿತ ವೃತ್ತಿಯನ್ನು ಒಳ್ಳೆಗೊಳ್ಳದವರಿಗೆ ಉದ್ಯೋಗವು ವಿತ್ತಿಯ ಮಾರುಕಟ್ಟೆ ವ್ಯವಸ್ಥೆಯನ್ನು ಆಧಾರಿಸಿದೆ ಎಂದು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳಬಹುದಾಗಿದೆ.

□ **ಶಿಕ್ಷಣ ಮತ್ತು ಆರ್ಥಿಕ ಸ್ಥಿತಿಯಲ್ಲಿ ಸುಧಾರಣೆ**

ಉನ್ನತ ಜಾತಿ ಕೆಲಜಾತಿಯ ನಡುವೆ ದೊಡ್ಡ ಅಂತರ ಅವರು ತಮ್ಮ ಉದ್ಯೋಗವನ್ನು ತ್ಯಜಿಸಿದಾಗ ಅಲ್ಲಿ ಮ್ಯಾನೇಜರ್ ಮತ್ತು ಸೇವಕನಂತಹ ಸಂಬಂಧವೂ ಸಹ ಇರುತ್ತದೆ ಇದು ಉನ್ನತ ಜಾತಿ ಮತ್ತು ಕೆಲ ಜಾತಿಯ ಯುವಕರಲ್ಲಿ ಸಮಾನತೆಯ ಭಾವನೆಯನ್ನು ತರುತ್ತದೆ ಇದು ಅವರನ್ನು ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಪ್ರೇರೇಪಿಸುತ್ತದೆ ಶಿಕ್ಷಣ ಮತ್ತು ಆರ್ಥಿಕ ಸ್ಥಿತಿಯಲ್ಲಿ ಸುಧಾರಣೆ ಹಿಂದಿನ ದಿನಗಳಲ್ಲಿ ಹೋಲಿಸಿದರೆ ಆರ್ಥಿಕ ಸ್ಥಿತಿ ಹೆಚ್ಚುತ್ತಿದೆ. ಆಗ ಶಾಲೆ ಮತ್ತು ಕಾಲೇಜುಗಳಲ್ಲಿನ ದಾಖಲಾತಿಯಿಂದಾಗಿ ಕೆಲಜಾತಿಯ ಜನರು ಉನ್ನತ ವರ್ಗದವರೊಂದಿಗೆ ವರ್ತಿಸುವುದು ಮತ್ತು ಅವರೊಂದಿಗೆ ಸ್ನೇಹ ಬೆಳೆಸಬಹುದು ಹೆಚ್ಚುವರಿಯಾಗಿ ಶಿಕ್ಷಣ ಪಡೆದ ಜನರು ಇತರ ಜಾತಿಯೊಂದಿಗೆ ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಹೆಚ್ಚಿನ ಆಧ್ಯತೆಯನ್ನು ನೀಡುತ್ತಾರೆ ಆದ್ದರಿಂದ ಶಿಕ್ಷಣವು ಅಂತರ್ಜಾತಿ ವಿವಾಹದ ಪ್ರಮುಖ ಬಾಹ್ಯ ಅಂಶವಾಗಿದೆ.

□ **ವಲಸೆ ಮತ್ತು ಹೊಸ ಸಾಮಾಜಿಕ ಸಂಬಂಧ**

ಅಂತರ್ಜಾತಿ ವಿವಾಹಕ್ಕೆ ಜನರ ವಲಸೆಯು ಸಹ ನಿರ್ಣಾಯಕ ಪಾತ್ರ ವಹಿಸುತ್ತಿದೆ ಗ್ರಾಮೀಣ ಭಾಗದಿಂದ ಬಂದ ಜನರು ಸ್ಥಳೀಯ ಜನರೊಂದಿಗೆ ಉತ್ತಮ ಸಂಬಂಧವನ್ನು ಬೆಳೆಸಿಕೊಳ್ಳಬೇಕು ವಿದೇಶದಲ್ಲಿ ಕೆಲಸ ಮಾಡುವವರಿಗೆ ಜಾತಿ ವ್ಯವಸ್ಥೆಯ ಭಾವನೆಯಿಲ್ಲ. ಹೆಚ್ಚುವರಿಯಾಗಿ ಅವರು ವಿದೇಶದ ಭಾವನೆಗಳ ಕಾರಣದಿಂದ ಅಂತರ್ಜಾತಿ ವಿವಾಹವಾಗಲು ಬಯಸುತ್ತಾರೆ.

**ಉಪಸಂಹಾರ :-**

ಒಟ್ಟಾರೆಯಾಗಿ ಹೇಳುವುದಾದರೆ ಅಂತರ್ಜಾತಿ ವಿವಾಹವನ್ನು ಸಮಕಾಲೀನ ಸಮಾಜದ ಅತ್ಯಂತ ಸಹಜವಾಗಿ ಗ್ರಹಿಸಿದೆ ಸಾಮಾಜಿಕ ಬದುಕಿನ ಹಾದಿ ಸಾಗಿದಂತೆ ವಿವಾಹವನ್ನು ಅರ್ಥೈಸುವ ದೃಷ್ಟಿಕೋನಗಳು ಹಲವು ಸ್ವರೂಪವನ್ನು ಪಡೆದುಕೊಂಡಿದೆ. ಸ್ತ್ರೀ-ಪುರುಷರು ತಮ್ಮ ನಿರ್ಧಾರಗಳನ್ನು ಸಾಮಾಜಿಕ ನೈತಿಕ ಚೌಕಟ್ಟಿನ ವ್ಯವಸ್ಥೆಯ ಒಳಗಡೆ ಹಾಗೂ ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳು ಆಧುನಿಕ ಕಾಲದಲ್ಲಿ ಬೆಳೆದು ಬಂದಿರುವುದು ಇತಿಹಾಸ ಸಮಕಾಲೀನ ಸಂದರ್ಭಗಳಲ್ಲಿ ಏರ್ಪಡಲು ಅನೇಕ ಸಂಗತಿಗಳು ಕಾರಣವಾಗಿವೆ. ಅಂತರ್ಜಾತಿ ವಿವಾಹವಾಗಲು ಬಯಸುವಂತಹ ಯುವಕ-ಯುವತಿಯರಿಗೆ ಪ್ರೀತಿ-ಪ್ರೇಮ ಅತಿ ಮುಖ್ಯ. ಒಬ್ಬರನ್ನೊಬ್ಬರು ಪ್ರೀತಿಸುವುದು ಮತ್ತು ಉತ್ತಮ ಪರಸ್ಪರ ತಿಳುವಳಿಕೆಯನ್ನು ಹೊಂದಿದರೆ ಮದುವೆಗೆ ಮುಂದುವರೆಯಬೇಕು ಅಂತರ್ಜಾತಿ ವಿವಾಹಗಳು



ಭಾರತೀಯರ ಮನಸ್ಥಿತಿಯನ್ನು ಬಹಳಷ್ಟು ರೀತಿಯಲ್ಲಿ ಬದಲಾಯಿಸಿ ಜಾತಿಮುಕ್ತ ರಾಷ್ಟ್ರವಾಗಿಸಲು ಪ್ರಯತ್ನಿಸಿದೆ.

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कहा जाता है 'साहित्य, समाज का दर्पण है'। चूँकि व्यक्ति या लेखक भी उस समाज का एक अभिन्न अंग होता है इसलिए किसी व्यक्ति विशेष के साहित्य को समग्रता से जानने के लिए उस के जीवन-वृत्त को जानना अति आवश्यक है। प्रेमचन्द ने अपने जीवन के विभिन्न अनुभवों और समाज की प्रत्येक छोटी बड़ी घटना का गहरी सूक्ष्मता के साथ अवलोकन किया और उसे मनोवैज्ञानिक और यथार्थ के धरातल पर विश्लेषण करते हुए अपने साहित्य में अनुस्यूत किया। उनके अपने अनुभवों की ही यह पूंजी हमारे समक्ष साहित्य के रूप में साक्षात् होती है। एक ओर जहाँ प्रेमचन्द के साहित्य में स्वतन्त्रता को पाने की देशवासियों की ललक दृष्टिगत होती है वहीं दूसरी ओर वे उस स्वतंत्र भारत की कल्पना करते समय अधिकार, उन्हें सुविधा सम्पन्न तथा शोषण करने वाले उच्च वर्गों के चंगुल से मुक्ति दिलाने और उनके अधिकारों के प्रबल पक्षधर प्रतीत होते हैं। उनका सम्पूर्ण साहित्य मानव अधिकारों के लिए दलित, शोषित, निम्न वर्गों का निरंतर संघर्ष परिलक्षित होता है। किसी व्यक्ति के साहित्य को यदि बारीकी से समझना हो, तो प्रथमतः समग्रता से उसके सम्पूर्ण साहित्य पर दृष्टि डालनी होगी और साथ ही साथ उसके जीवन यात्रा को भी देख लेना उचित होगा।

एक मायने में इस पर विवाद हो सकता है कि जीवन यात्रा का साहित्य से कोई नाता है अथवा नहीं, इसमें कोई संदेह नहीं कि अभी हमारे पास किसी व्यक्ति के साहित्य और उसके जीवन यात्रा के अलावा कोई और विकल्प नहीं है, जिससे की उसका मूल्यांकन किया जा सके। अतः उपरोक्त कथन हमारे लिए साहित्यिक मीमांसा हेतु अपरिहार्य हैं। प्रेमचन्द की जीवनी मुख्यतः दो लोगों ने लिखी है एक तो मदन गोपाल जी की अंग्रेजी में लिखी हुई तथा दूसरी उनकी पुत्री द्वारा लिखी गई 'कलम का सिपाही' है। यदि प्रेमचन्द के ही शब्दों को लें तो उन्होंने कहीं कहा है कि 'उनकी जिन्दगी तो समतल-सपाट मैदान की तरह है।' उनके कहने का आशय यह लगाया जा सकता है कि उनकी जिन्दगी कहीं से भी किसी भी कोण से तवज्जो लायक नहीं है, एकदम साधारण है। परन्तु उनके सम्पूर्ण साहित्य अथवा जीवन को देखते हुए यह कहा जा सकता है कि यह उनकी विनम्रता अथवा सकोंच ही है, जिसमें उनकी सत्यता, विनम्रता एवं संकोच के बादल से ढक सी गई है, कारण इतने गहन साहित्य का प्रणेता, जिसने जिदंगी में इतने उतार-चढ़ाव देखे हों व सपाट और समतल नहीं हो सकता। हाँ के मायने में सपाट और समतल होना उस खेत की तरह है जिसमें बीज बोने से पहले, झाड़-झंकार, ऊँच-नीच को झाड़-बुहार खोद कर समतल तैयार किया गया है-अच्छी फसल की पैदावार के लिए। बहरलाल, प्रेमचन्द सन 1881 ई. में एक साधारण परिवार में पैदा हुए। पिता डाकखाने में मुंशी थे। घर की आर्थिक स्थिति अच्छी नहीं थी। प्रेमचन्द जब 9वीं कक्षा में पढ़ रहे थे तभी उनके पिता का देहावसान हो गया। इस वक्त इनका विवाह भी हो चुका था, तथा पत्नी के अलावा उन पर विमाता और उनके दो बच्चों के भरण-पोषण की भी जिम्मेदारी थी। घर-परिवार की जिम्मेदारियों को चलाते हुए सन 1910 ई. में प्रेमचन्द ने इंटर की परीक्षा उत्तीर्ण कर ली। इसके अतिरिक्त मुदरिसी के साथ-साथ बी.ए. की डिग्री भी हासिल कर ली थी। बी.ए. पास कर लेने के पश्चात





संयुक्त प्रान्त के शिक्षा विभाग में मुलाजिम हुए और डिप्टी इंस्पेक्टर ऑफ़ स्कूल्स' के पद तक पहुँचे। यहाँ यह बता देना आवश्यक जान पड़ता है कि नौकरी के दौरान जगह-जगह उनके तबादले हुए जिसका एक लाभ हुआ कि उन्हें तरह-तरह की जगहों और तरह-तरह के लोगों के अनुभव मिले। अनुभवों की यह पूंजी उनके साहित्य में बड़ी संजीदगी से दिखाई पड़ती है।

इस पूरे दौर में उनकी जिन्दगी में और भी उतार-चढ़ाव आये। पत्नी की मृत्यु बाल-विधवा शिवरानी से विवाह, श्रीपत, अमृत दो पुत्रों तथा बेटी कमला का जन्म, इसके अतिरिक्त बीच में ही नौकरी से इस्तीफा, इत्यादि-इत्यादि। इन सब घटनाओं में जो सबसे महत्वपूर्ण बात है वह कार्य जो मैट्रिकुलेशन के आस-पास शुरू हुआ था, तब तक बंद न हुआ जब तक उनकी मृत्यु न आई। प्रेमचन्द की मृत्यु 1936 ई. में हुई। प्रेमचन्द का सम्पूर्ण साहित्य मावन केन्द्रित है, इस लिहाज से यदि उनके साहित्य का अवलोकन किया जाए तो प्रेमचन्द और उनका मानव, प्रेमचन्द के जन्म सन 1881 ई. से लेकर उनकी मृत्यु 1936 ई. तक के मानव संबन्धित यथार्थवादी साहित्य का एक जीवंत दस्तावेज है।

उनका पहला प्रकाशित कहानी-संकलन सोजे-वतन, देशभक्ति की कहानियों का संकलन है। उनका यह कहानी संग्रह तत्कालीन ब्रिटिश सरकार द्वारा जब्त कर लिया गया था तथा उनका अंतिम कहानी संग्रह 'समर-यात्रा' शीर्षक से प्रकाशित हुआ। प्रथम कहानी-संकलन की ही तर्ज पर इस अंतिम कहानी संग्रह में संकलित कहानियाँ भी भारत के स्वाधीनता-संग्राम से ही जुड़ी हुई हैं।

उपरोक्त कथन के आधार पर यह बात जाहिर होती है कि मानव अधिकार के बुनियादी तत्वों अर्थात् स्वतन्त्रता की कशमकश प्रेमचन्द में कूट-कूटकर भरी हुई थी और यह अंग्रेजी सियासत के विरुद्ध पूरे मुस्तैदी के साथ कलम के जरिये अहिंसात्मक क्रांति थी। इस संदर्भ में यहाँ यह कह देना अतिशयोक्ति न होगा कि कहानी के माध्यम से वह केवल स्वाधीनता संग्राम के लेखक ही नहीं, उसके उपज भी थे। भारतीय स्वाधीनता संग्राम के विविध पक्षों तथा उसके विविध आयामों से अपरिचित व्यक्ति मात्र उनके उपन्यासों एवं कहानियों के माध्यम से स्वाधीनता आंदोलन तथा उसके विभिन्न पहलुओं की जानकारी हासिल कर सकता है।

ऐसा कहा जाता है कि प्रेमचन्द अपने आरंभिक दौर में कांग्रेस में गर्म दल के प्रवक्ता, बालगंगाधर तिलक के उग्र-राष्ट्रवाद के पक्षधर थे किन्तु कालान्तर में गांधी जी दक्षिण अफ्रीका से लौटने के बाद उनके चलाए गए राष्ट्रीय आंदोलनों से वह काफी प्रभावित हुए जिसके फलस्वरूप उनके लेखन में सांप्रदायिक एकता, स्त्री-उत्थान तथा हरिजन जैसे तत्वों का भी समावेश हुआ।

यहाँ यह बात भी विचारणीय है कि प्रेमचन्द तत्कालीन उस स्वतन्त्रता प्राप्ति से संबंधित उन तमाम विचारों से सहमत होते हुए भी स्वाधीनता आंदोलन के परिप्रेक्ष्य में थोड़े अलग दिखाई पड़ते हैं। वे स्वयं 'जागरण' जैसे पात्रों के माध्यम से स्वाधीनता आंदोलन के स्वरूप और चरित्र के गुणात्मक बदलाव की बात कर रहे थे। उन्हें इस बात की कसक थी कि अपने वर्ग चरित्र के चलते राष्ट्रीय आंदोलन का मुख्य नेतृत्व किस तरह किसान-मजदूर और साधारण जनता की जिन्दगी स्तर पर, राजनितिक सत्ता हस्तांतरण पर केन्द्रित कर राजनितिक सत्ता भर हथियाना चाहता है। इस मायने में प्रेमचन्द स्वतंत्रता के यथार्थ की बात तो बड़ी शिद्धत से दोहरा रहे थे। बार-बार अपने लेखों में यही कहते नजर आते हैं कि स्वाधीनता





का आंदोलन केवल साम्राज्यवाद विरोध के मोर्चे पर ही न लड़ा जाए, वह सामन्तवाद और पूंजीवाद-विरोध के मोर्चे पर भी समांतर लड़ा जाए। अगर यह लड़ाई इस तरह नहीं लड़ी गई तो भारत को सच्चे मायनों में स्वंत्रता नहीं मिलेगी।

यह सत्य है कि जिस आजादी की परिकल्पना प्रेमचन्द ने की थी वह उनके जीवनकाल में क्या? अब भी सरकार को नहीं दिखती। इस मायने में भारत राजनितिक तौर पर आजाद तो जरूर हुआ पर जिस सत्य की इच्छा प्रेमचन्द की साधारण जनता, किसान-मजदूर, स्त्री, हरिजन इत्यादि को लेकर थी वह बाद में और भी जटिल होती चली गई। इस बात की प्रमाणिकता 'गबन' उपन्यास के पात्र देवीदीन खटिक की वाणी में देखी जा सकती है। वह अपने दो बेटों को आजादी की लड़ाई में गंवा चूका है।

आंदोलन के नेतावर्ग की आगामी जिन्दगी पर जो वह टिप्पणी करता है, महत्वपूर्ण है कि आजादी के बाद आप बड़े-बड़े बंगलों में रहोगे, हलवा-पुड़ी खाओगे, मजे उड़ाओगे, आज हमारी आँखों का सच बन चुकी है। समाज भी असमानता से व्याप्त है, घोर गरीबी और घोर अमीरी है। किसान, मजदूर, स्त्री, हरिजन, सब आज अपने अधिकारों के लिए लड़ रहे हैं।

अभी तक चले आ रहे सम्पूर्ण लेख में जिस बात पर हमें केन्द्रित होना है उस पर भी अब थोड़ा विचार कर लेना आवश्यक जान पड़ता है। मानवाधिकार को लेकर प्रेमचन्द की परिकल्पना समग्र रूप से सत्य और यथार्थ पर ही अवलम्बित है। उनके साहित्य में अगर भारत के स्वाधीनता आंदोलन की बात कही गई है तो वह महज राजनैतिक स्वतन्त्रता की बात नहीं है अपितु उस स्वंत्रता की बात है जहाँ मानव-मानव की बात आती है। भारत तत्कालीन समय में जहाँ एक ओर गोरों के कारण अभिशप्त था, वहीं भारत की अधिसंख्य जनता देश के तमाम ऊँचे तबकों पर बैठे जमींदारों, सेठों साहूकारों से भी त्रस्त थी।

प्रेमचन्द के साहित्य में सामाजिक जीवन के यथार्थ और साधारण जनता के जीवन-सन्दर्भों में समान मानव अधिकार की पहल को लेकर, किसान, स्त्री एवं हरिजन के संबंध में उनकी चिंता प्रमुख है। यह बात उल्लेखीय है कि प्रेमचन्द के समय में दिये गये उपरोक्त सन्दर्भों में निहित उनकी दृष्टि समग्र रूप से उस समय हो रहे घटनाओं के परिपेक्ष्य में है। कहना न होगा कि प्रेमचन्द जिस मानव-मानस की बात उजागर तथा (चाहे वह शोषित करने वाले व्यक्ति के विषय में अथवा जो शोषण कर हर है उसके विषय में) क्रोध करना चाहते हैं वह दरअसल तत्कालीन घटनाओं का सहारा लेते हुए हमेशा से चले आ रहे मानवाधिकार के हनन के विषय की ओर इशारा करते हैं।

प्रेमचन्द जिस किसान की बात अपनी कहानियों और उपन्यासों में लाते हैं वे धनी किसान नहीं हैं, छोटी जाती अथवा छोटे-पूँजी के किसान हैं और दरअसल जीवन की यही विचित्र बिडम्बना है कि मानव संबंधित किसी भी क्षेत्र का छोटे वर्ग के साथ ही शोषण की प्रक्रिया अधिकांशतः जुड़ी रहती है।

प्रेमचन्द के साहित्य में जो सबसे महत्वपूर्ण बात सामने आती है वह यह कि जहाँ वह एक तरफ शोषण के विरुद्ध अपनी कलम चलाते हैं, वहीं दूसरी तरफ शोषित वर्गों की तमाम कमजोरियों को भी नजर अंदाज नहीं करते। इस लिहाज से हम उनके साहित्य के किसान पात्रों के चरित्रों पर अगर नजर दौड़ाए तो हम देख सकते हैं कि छोटी हो, दुखी हो सब बाहरी सन्दर्भों के साथ प्रतिबद्धता तथा रुढ़िवाद के कारण भी



अभिशाप्त होते हैं। 'पूस की रात' का हल्कू अपने आलस्य के चलते अपनी फसल का विनाश देखता है और इसी से मिलती-जुलती स्थिति 'मुक्ति मार्ग' के उन पात्रों की भी है, जो अपनी व्यक्तिगत ईर्ष्या, द्वेष के चलते अपना विनाश देखते हैं।

मानवाधिकार के हनन अथवा उसके प्रायोजित स्वरूप के यथार्थ का मनोविज्ञान से बड़ा गहरा संबंध है। प्रेमचन्द, इन दोनों तथ्यों को बखूबी समझते थे। दरअसल मानवाधिकार के हनन की जो घटनाएं घटती हैं, मुख्यतया दो वर्गों में विभाजित की जा सकती हैं। एक वह जो किसी के द्वारा प्रायोजित रूप में प्रयोग में लायी जाती है, जैसे-हत्या, लूट, बलात्कार इत्यादि-इत्यादि। दूसरी वह जो सामाजिक व्यवस्था के हाथ उपजी हुई होती हैं उसमें हम शोषण, छुआ-छुत इत्यादि को रख सकते हैं।

शोषण, छुआछूत की प्रक्रिया समाज में एक तो खराब मानसिकता का परिणाम हो सकती है। अतः इसलिए वह फलती-फूलती हैं और दूसरी ओर, जिन पर इस तरह के शोषण हो रहे होते हैं उनका उस पर संघटित रूप से विरोध न करने के कारण भी हो सकते हैं। यह एक पक्ष है मानवाधिकार के हनन का। कुल मिला-जुलाकर मानवाधिकार समाज के परिपेक्ष्य में उनके अधिकारों के हनन के खिलाफ होने की प्रक्रिया में नहीं है, अपितु मानवाधिकार का क्षेत्र व्यक्ति के उन तमाम, गुणों के विकास से भी संबंधित है जिसमें कि समाज प्राकृतिक रूप से अपने विवेक, चातुर्य एवं कार्य प्रवीणता के जरिये, वे तमाम दुर्घटनाएँ खड़ी हो सकती हैं जिससे कि मानवाधिकारों के हनन की संख्या में वृद्धि न हो और यही संकेत प्रेमचंद ने किसानों के माध्यम से कहना चाहा है, जिसे हम मानवाधिकार के संबंध में देख सकते हैं।



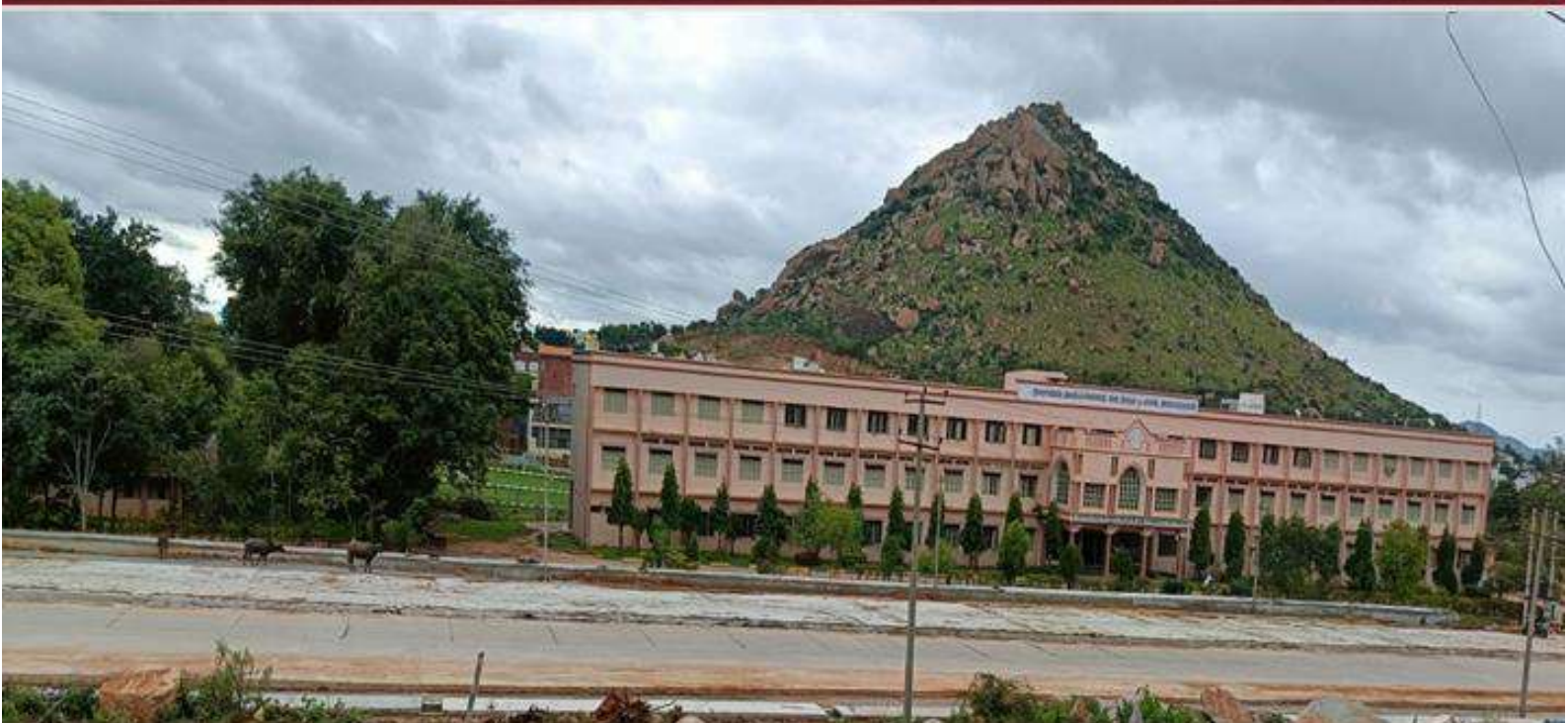
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