



Awareness of Human Rights in India: A survey in the Nagaon District of Assam

¹Author Pranjali Hazarika

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ABSTRACT

Human Rights are very much essential for maintaining human dignity and to live a life with basic liberties. However there are many challenges towards it. UNO and constitutions of various democratic states are trying to protect and promote the human rights for their citizens. But in India we have seen that in spite of all constitutional and legal mechanisms, Human Rights are grossly violated, specially in the part of North East. The hypothetical assumption of the study is that the people here are not aware about the concept of Human Rights in spite of academic efforts in that direction. The field study survey shows how far the common people in India are unaware about the basic perceptions of human rights, how it can affect the Human Rights perspective in India. So this paper is basically an analytical study based on the field survey data.

Keywords:

Human Rights, Constitution, Violations, Awareness, Education, State and Non State, Secessionist Groups.

¹ Corresponding Author : Assistant Professor, A.D.P. College, Assam
Email – hazarikapranjal217@gmail.com , Contact No. 9531058700



INTRODUCTION

Human rights have been a topic of debate since its inception by UNO as the Universal Declaration of Human rights in 1948. Since then these universal perspective of Human rights has been criticized by the supporters of cultural relativist and Marxist. Though we cannot concur that it is universally accepted equally by all the regimes and states, still the significance of Human Rights in improving the life of the people cannot be nullified. Human rights and its Universal declaration of Human rights set a standard for the states to provide the basic rights to the people without which they cannot live a dignified and valued life. It is also seen that throughout history it is the norms of the states to minimize the rights of the people and maximize its own authority. In that case the people are the most vulnerable and become prone to numerous exploitations, suppressions and tortures. The Human rights are the only weapon that limit the absolute authority of the states of whatever nature, and protect the basic rights and liberties of its people.

In our country, after independence from British, the founders of our new Indian constitution did not directly include a chapter of Human rights. Instead they distribute the Human Rights of the Universal Declaration of Human rights into different parts of the constitution to meet the unique requirement of the India in that time. That is why we have the provisions of Human Rights in our Preamble, Fundamental Rights, and Directive principles of State policy along with some extra constitutional provisions. Even after that some statues are added later by the parliament to boost up the Human rights Mechanisms. It includes the Human Rights Act of 1993 and the subsequent formation of National Human Rights Commission in India. To create awareness among the people about these rights, academic courses of Human rights are systematically included in the



school curriculum to impart human rights values. The Sikri committee formed in 1980, by UGC, to consider different ways and means for promoting human rights education. The committee suggested different approaches for different level of education. Emphasis should be given on inculcating human rights values in school curriculum. The Sikri committee was clear view that at colleges and university concepts of Human Rights should be broadly studied and it should be included in the syllabus. Even the graduate students of science, commerce, medicine, should be exposed to Human Right's Education. It also held that in Post Graduate level universities should introduces a diploma course on human rights.

All these mechanisms aim to ensure that Human Rights are properly followed and enjoyed in India. However, it is seen that though these rights are given by constitution, the people in general are not aware about the concept of Human Rights and what actually these rights can offer to them. As a result, in spite of all the institutions and constitutional mechanism, the Human Rights scenario in India is not satisfactory. The people are mostly unaware about the concept of Human Rights in spite of so many efforts. This study intends to showcase how much the people, irrespective of education, unaware of the basic Human Rights scenario and how it affects the functioning of these rights in our country.

OBJECTIVES OF THE STUDY

1. To determine the awareness level of the people regarding the concept of Human Rights
2. To identify which section of people are most aware and which are unaware about this concept.
3. To see how far the present education system is successful in promoting the



awareness of human rights.

LITERATURE REVIEW

Ashish Kumar Das and Prasanta Kumar Mohanty in their work "Human rights in India" try to assess the Human Rights situation in our country, how much the constitutional mechanisms are successful in protecting and promoting human rights, as well as how much the Human Rights education impart the consciousness of the people regarding their rights. They held that in the Indian constitution the chapter on fundamental rights unanimously recognized the basic rights of all individuals. It suggested a mechanism for realizing the cherished goals of the nation and outlined a clear direction for removing all kinds of inequalities from the lives of its people.¹

A. S. Kaushik in his work "Human rights violation" reflected the cases and nature of Human Rights violations and the helplessness of the people while protecting these rights if the state machinery is the party to these violations. He held that India has set up appropriate institutional mechanisms for monitoring violations of the rights of women, including the violence against them.²

K. L. Bhatia in his work "Judicial activism and social change" also discussed the issues pertaining to Human Rights in India and the role of public interest litigations and judicial activism in protecting the Human Rights. He tries to highlight how far judiciary has been trying to protect the Human rights of the people through its PIL and Judicial activism.

N. Sanajaoba in his edited work "Human rights" offer the conceptual framework of the Human Rights and its various dimensions of it in India including the child rights, PIL, judicial responses, ruling elites. He admits that human rights flourish more in functional



democracies rather than in paper democracies.³ He is critical in his perspective of present human rights scenario in India. Similarly Ashine Roy in her book also held that human rights of the vulnerable sections must be properly protected, otherwise they will exist only in the paper. The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by government. The lack of appropriate recourse mechanisms at the national and international level compounds the problem.⁴

Mahapatra in his work "Human Rights in India" raise another perspective in this regard. He held that the constitution of India fully realize the fact that it is not possible for a welfare state to perform various functions without placing any curbs on the individual freedom.⁵

But these studies cover the violation parts, and no systematic survey and data analysis was done to assess the level of awareness of the people regarding the Human Rights. Sankara Sen in his work "Human rights in a developmental society" discusses about the Sikri committee report in promoting human rights education in India. The Sikri committee formed in 1980, by UGC, to consider different ways and means for promoting Human Rights Education. The committee suggested different approaches for different level of education. Emphasis should be given on inculcating human rights values in school curriculum. The committee was clear view that at colleges and university, concepts of human rights should be broadly studied and it should be included in the syllabus. Even the graduate students of science, commerce, medicine, should be exposed to Human Right's education; the post graduate level universities should also introduce a diploma course on Human Rights.⁶ However, in spite of such efforts, constitutionally and academically, the level of awareness among the people regarding the human rights is not satisfactory and my study is intended to cover this



dimension.

S.K. Sarmah in his work "World Crisis in Human Rights" tried to explain theoretically the crisis of human rights at present. He put forward the concept of Three Tyrannies while discussing the present crisis of human rights in the world. According to him these three tyrannies as Presentism, Culturalism, and positivism collectively posit danger to the realization of universal conception of human rights around the world.⁷

METHODOLOGY

The study is based on a questionnaire survey method. Data are collected from primary sources. The investigator selected Nagaon district of Assam for the survey because it has the history of violent protest and revolutionary legacy since British period. After the annexation of British in 1826 through the Yandabu Accord, the Phulughuri area of Nagaon district was the place where for the first time peasant revolted against the growing tax impositions by the British. During the freedom movement under the Congress Party, the contribution of this area is significant.

After independence the area also witness violent situation off and on. In fact, the Human rights issue has been a sensitive issue in the entire North East India. The nation and state building project of India faces daunting challenge in North East India.⁸ During the Assam Movement (1979-1985), the Nellie massacre happened in the District. Later during the Insurgency period (1987-1992) by ULFA and subsequent Presidents Rule several army operations like Operation Bajarang, Operation Rhino, Unified Command etc. conducted in this District to suppress the ULFA movement. A lot of people were killed or kidnapped; a lot of people are tortured by both the insurgency group as well as the Indian security forces. Considering this history of conflict and violation of Human Rights, the district is selected as area of study.

Nagaon District has seven government administrative circles and each circle has several

villages under its jurisdiction. To make our study inclusive, we take three villages randomly from the village list of all these seven blocks. By this way, we selected 21 villages for my survey.

The investigator collected the voters list of these 21 villages. Out of the voters list of each village, we randomly selected 10 people for our questionnaire survey. We meet them personally, and in on two cases, due to the absence of the selected person, we took the interview of next kin from the same family.

DATA ANALYSIS, INTERPRETATION AND FINDINGS

Educational Qualification of the Respondent

MA	6%
BA	27%
HSLC	40%
L.P.	10%
Illiterate	17%

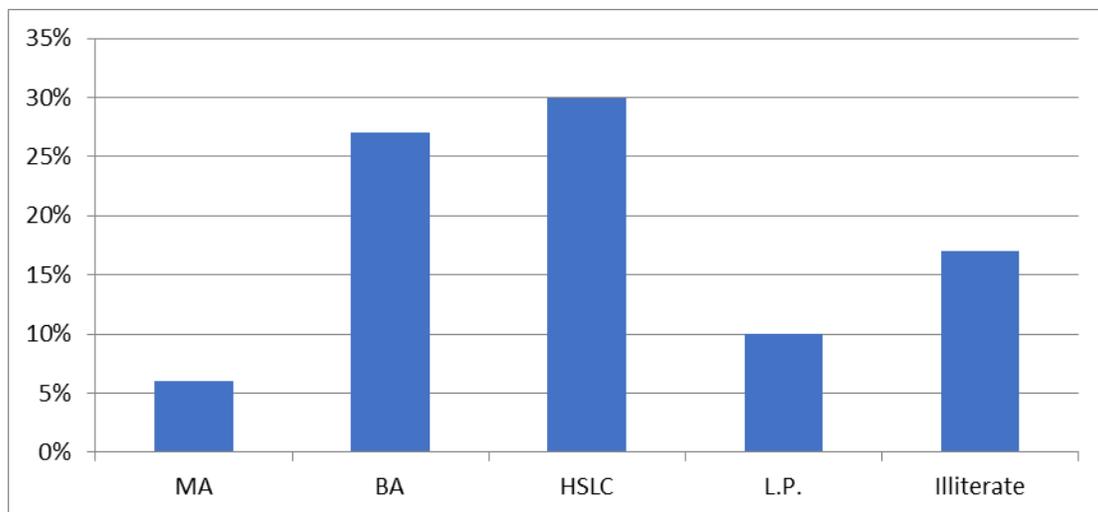


Figure-1, data source- field survey, 2022

Male-Female Ratio of the Respondent

Male	Female
57%	43%

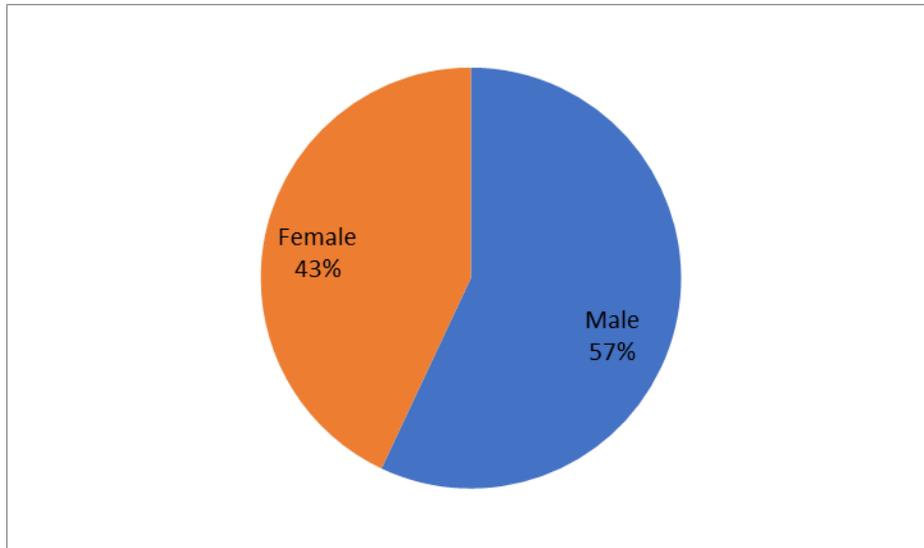


Figure-2 , Data source- field survey, 2022

Age group of the respondents

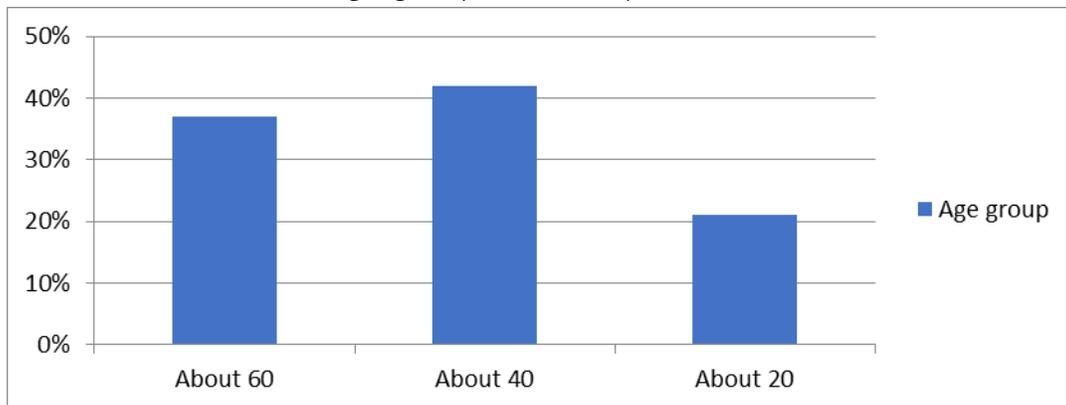


Figure-3, Data source- field survey, 2022

The first query:

How many people hear the term Human Rights?

Yes	63%
No	35%
Can't say	2%

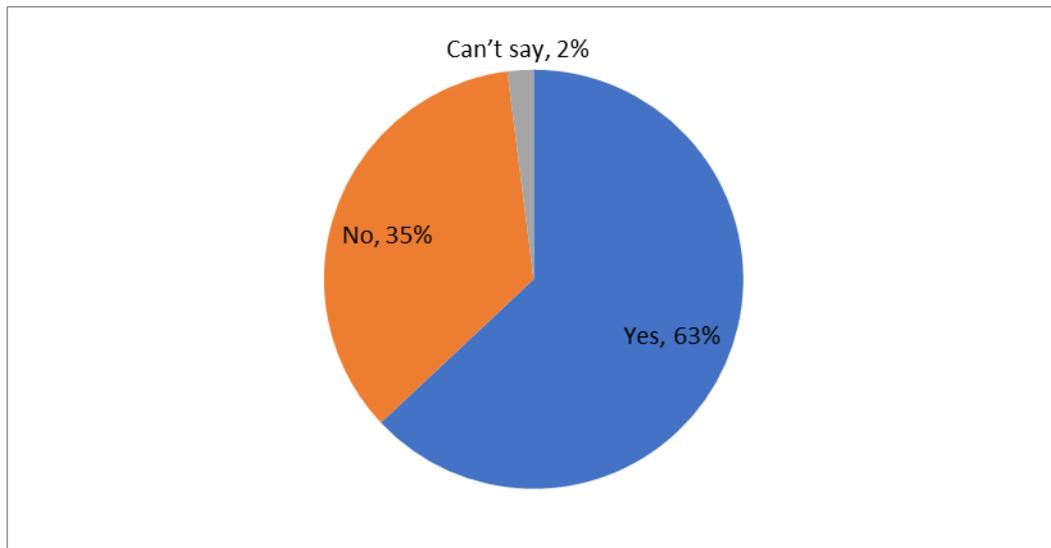


Figure-4, Data Source- field survey, 2022

In the first criteria we try to ascertain how many people hear the term human rights. Out of all the respondents we have found that 63% people have verified to have heard the term human rights, while 35% people said they did not hear the term human rights, while 2% people refuse to answer that. We also try to figure out of 35% who did not hear the term human rights how many are educated or uneducated.

From Male-Female perspective out of the yes respondent we found that

Male (Yes)	53%
Female (Yes)	47%

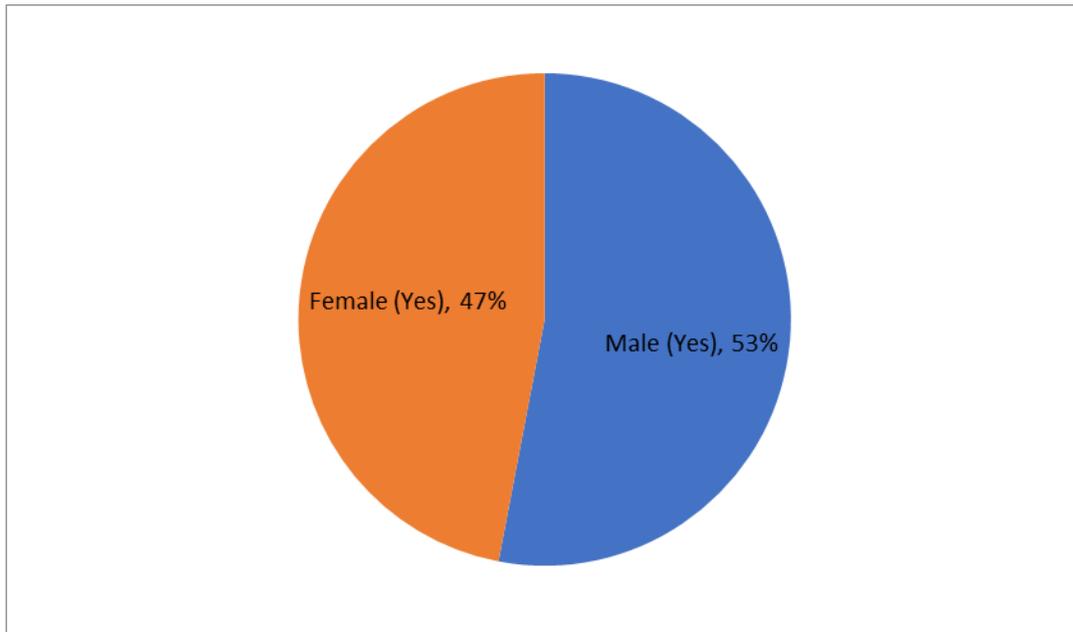


Figure-5, Data source- Filed Survey, 2022

When we try to inquire how many educated people did not hear the term Human Rights. We have found that 13% educated people out of total respondent say No. When we analyse their educational qualification we found the following:

Primary educated	96%
School Drop out	4%

Educational qualification of respondents who do not hear the term Human Rights,

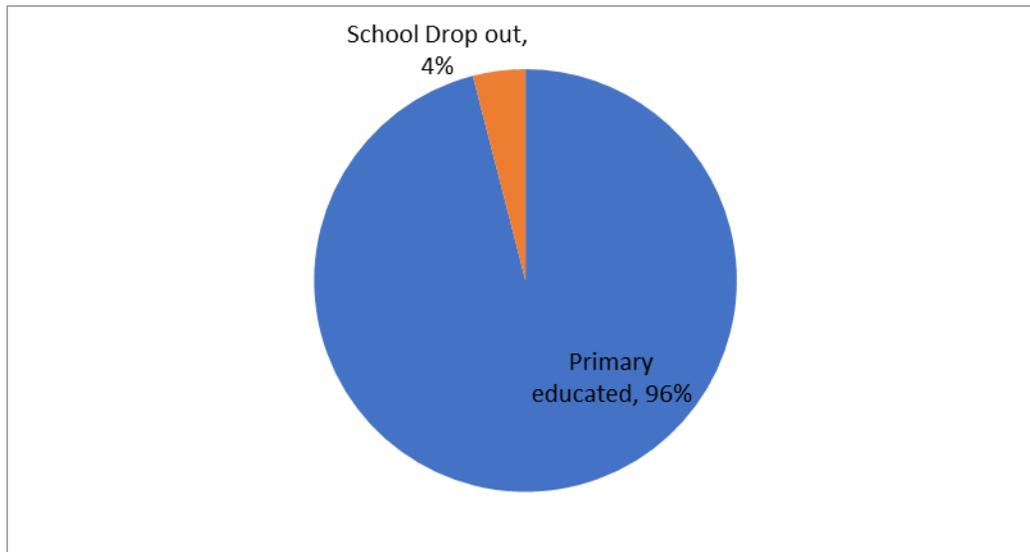


Figure-6, Data Source- Filed Survey, 2022

Here we have found that through some portions of educated people do not hear the term human rights , we have found that 96% people among the ignorant group is basically having primary education only and they are not enrolled in the High school education system. And we also found that the primary education do not provide any concept regarding Human rights. And the remaining portions of the people who also do not know about human rights (4%) also fall within the school dropout.

2nd Query:

In the second query of the questionnaire we try to inquire about their basic understanding and concept regarding Human Rights. So, we ask them in the questionnaire:

What according to them are Human Rights? We gave them five options :

- (a) Human Rights are the rights of the citizens.
- (b) Human Rights are the rights of all the people irrespective of any discrimination.
- (c) It is the right of the Government employees.
- (d) It is the rights of the males.
- (e) Can't say.

In our inquiry, we have found the following data :

(a) Human Rights are the rights of the citizens.	32%
(b) Human Rights are the rights of all the people irrespective of any discrimination.	28%
(c) It is the right of the Government employees.	18%
(d) It is the rights of the males.	6%
(e) Can't say.	16%

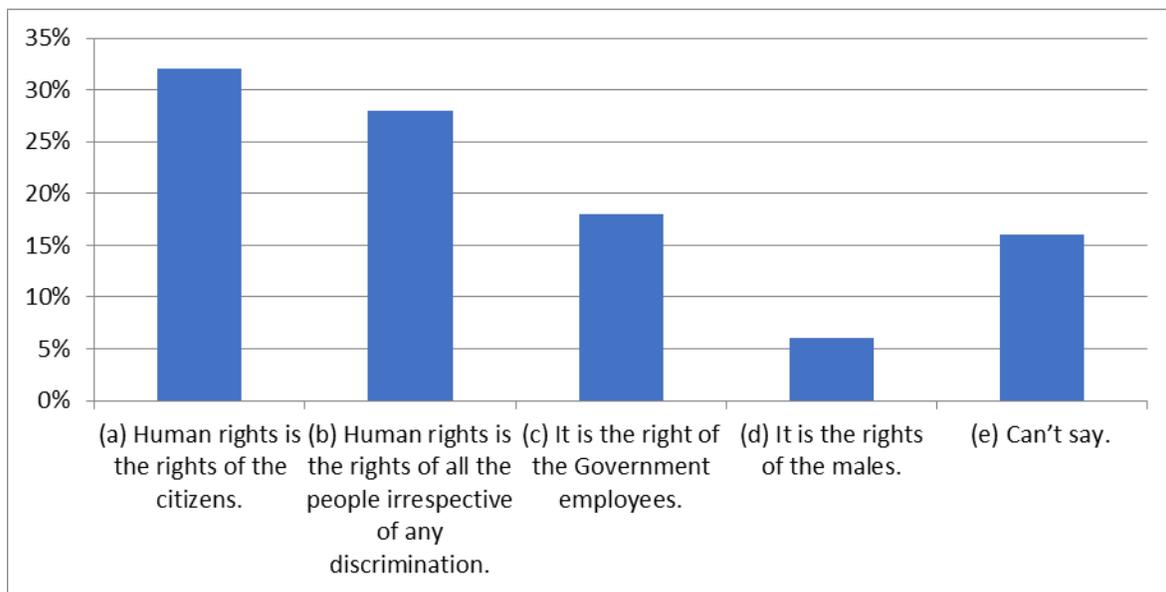


Figure-7, Date source- Field Survey, 2022

In these sphere we try to enquire about the conceptual clarity of the people regarding the concept of human rights who said to have heard the term Human Rights. Out of all the respondents who said they have heard Human rights, only 28% people are able to give the right definition and meaning of the term. The remaining people have given wrong interpretation of the term. So we can confer that among the people the awareness and clarity level of human rights is not so high. People are carrying vague perspective about human rights, although they have heard the term of human rights.

3rd Query :

In the third query we asked the following questions :

Do you think that women should be given equal rights compare to men?

In this question we got the following answer:

Yes	85%
No	10%
Can't say	5%

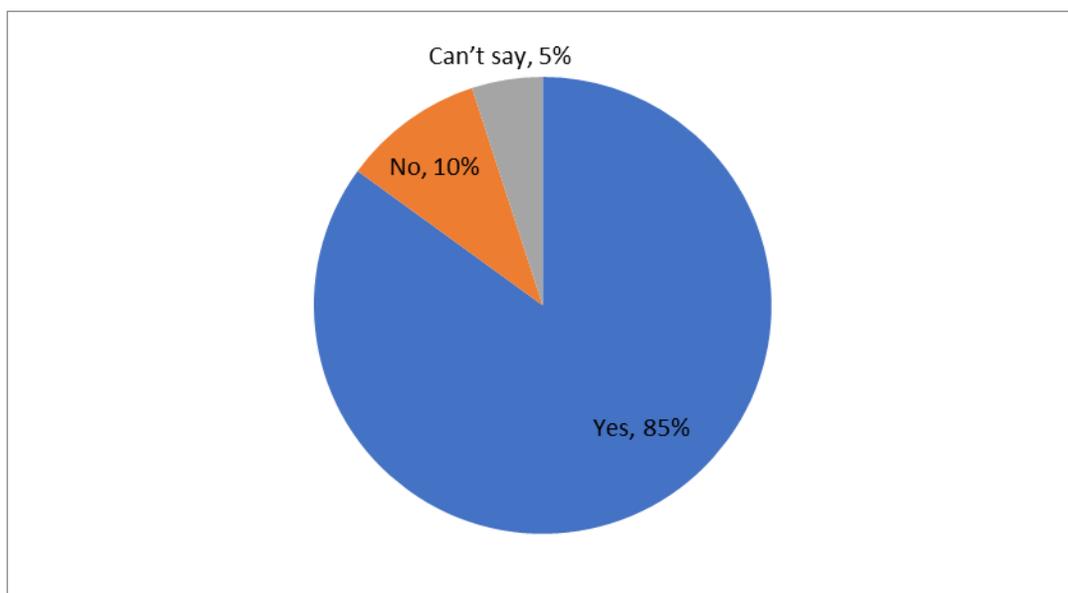


Figure-8 , Data Source- Filed Survey, 2022

Interestingly we have found that gender equality of human rights is not strong among the common people. Out of all the respondents who claimed to have known about human rights, 85% agreed to the idea that women should be given equal rights compare to men. Only 10 % respondents oppose that idea, signifying that some portions still carry a patriarchal narrow mindset regarding women status in society, while remaining 5% opted to stay neutral.

4th Query :

In the fourth query we asked the following questions:

Who protect Human Rights?

In this question, with the given options we got the following data:

(a) State or Government	42%
(b) Individuals	5%
(c) Liberation Organizations	12%
(d) Civil Society	20%
(e) All of above	11%
(f) Can't Say	10%

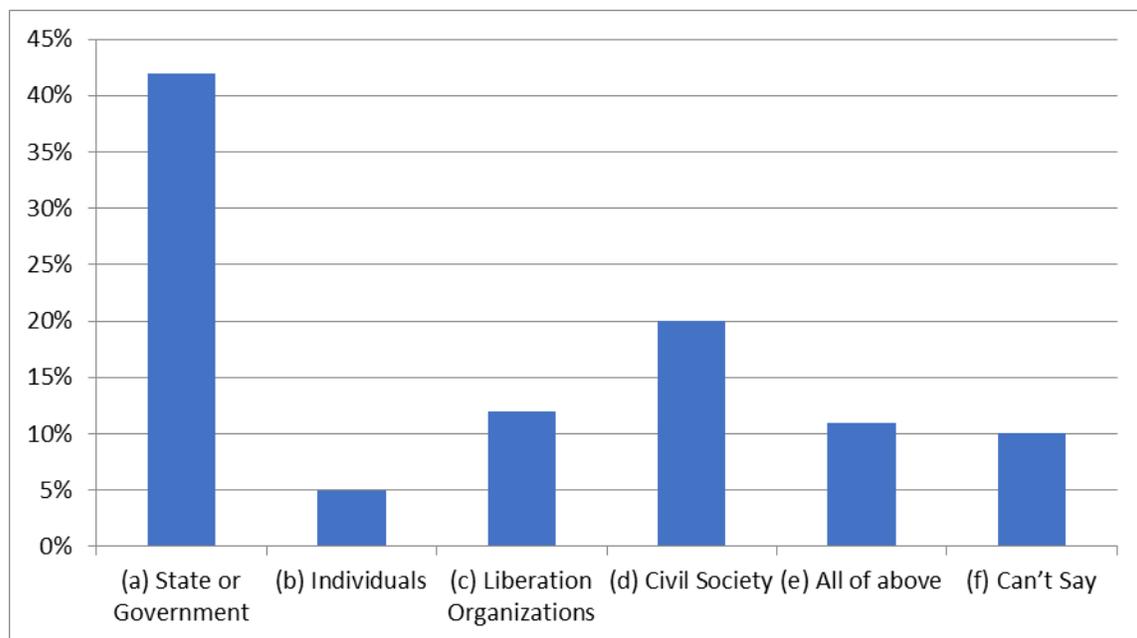


Figure-9 , Data Source- Field Survey, 2022

In this criterion we try to check who the people think can protect human rights. Majority of people (42%) people held that it is duty of the state and government to protect human rights. Interestingly some portions of people also state that Liberation organizations (12%) and civil society groups (20%) are responsible for protecting human rights. However only 11% respondents have the clear perspective that human rights protection should involve all the actors- the state, the individual, the liberation groups, civil society groups. We can confer that the proper conception of human

rights is still very little among the people. Majority of people do have some knowledge or at least hear or use the term the term human rights. But they lack proper conceptual clarity about the term. In our survey it is found that 89% of total people have no proper concept about who should protect human rights.

5th Query :

In the fifth query we asked the following questions :

Do you think the Indian Constitution provide enough safe guard and mechanisms to protect the Human Rights?

In this query, with the given options we got the following data:

Yes	63%
No	22%
Can't Say	25%

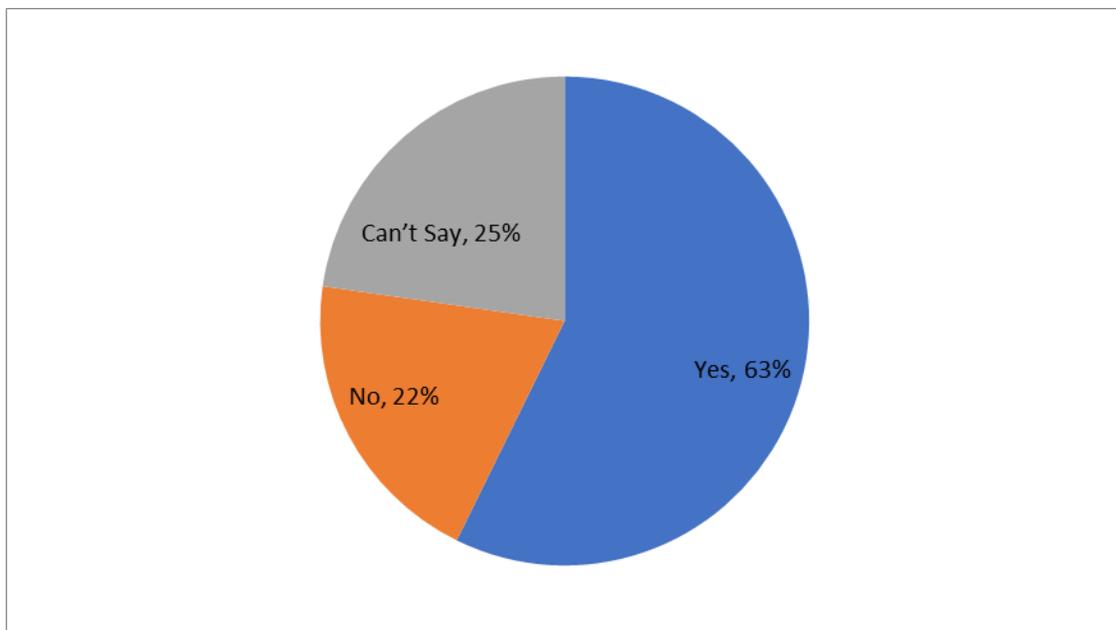


Chart 10, Data source- Field Survey, 2022

In this criterion we try to examine people's views regarding then Indian constitution and how people think about the mechanisms that the Indian constitution provides for the



protection of human rights. We have found that out of all the respondents 65% held that constitution provide enough mechanisms for the protection of human rights. That is just above majority. 22% clearly said they don't think Indian constitution provides enough mechanism, and 25% have no idea about the question. Out of this data we can confer that majority of people are happy and think the constitution has done enough to protect human rights.

CONCLUSION

From the above data we can get a clear picture of how far in India the common people are not aware about the basic human rights. Even the educated people, we have seen that the numbers of people who have clear knowledge about the Human rights are not satisfactory. The drop out in schools and primary level is a major reason that we have found from our survey for this ignorance. Moreover the common people still believe that Human rights are the rights of the citizen only, not of all the people residing in the country. This shows the failure of Human rights education in creating general and scientific awareness among the young generations about the common perceptions of Human rights. And interestingly, a section of people, (10 percent in my survey) still believe that women should not be given equal rights with Man. It indicates that the patriarchal mindset and male chauvinism still exist among the people of India, and it require more institutional , and educational reforms to sensitize the people about the gender justice and empowering the position of women. In rural areas, still, women are largely treated as an inferior class, compare to man, and the exploitation of women are very much there due to this male superiority perception. It needs to be eradicated for the proper promotion of human rights jurisprudence in India.

Similarly people's conception regarding the protection machinery of Human rights is also vague. Maximum number of people regard that it the duty of the state machinery



to protect and promote this human rights, and others have nothing to do with it. In my survey it is found that only a few percentage of people (11%) truly consider that human rights must be protected by all the stake holders including the state, individuals, liberation organizations, civil society groups etc. people s perception that the Non state actors also responsible for the protection of Human rights is not clear in India among the common people.

And lastly we have also found that though majority of people show satisfaction about the constitutional safeguards and mechanisms for the protection of human rights, but a section of people (22%) of them clearly refuse to accept that the constitutional is successful in this regard. This is the question raised by the secessionist forces in north east that the constitution of India has failed them and they cannot obey this constitution. The demand for separate constitution in Nagaland is an example in this regard. Similarly a good number of people (25%) show ignorance about this query, which again reflects the lack of awareness of the people regarding the human rights situation's, whether they like it or dislike.

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