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Editorial

Human Rights: Knots and Webs

the Editor

Defense of human rights in modern society is every citizen's sacred duty, assuring at least a minimum of humane treatment of the impoverished, the unprotected and the unempowered--of which India has her share and someone else's. But while Hindus go forward in its cause, we must be careful to not accept, unexamined, the proffered and proliferating terms and definitions. It would be easy for India, struggling with so many human rights issues--regarding children, the poor, women, search and seizure, prisoners, tribals, harijans and refugees--to adopt the pre-packaged Western view, presuming it to be the only valid interpretation. We must urge one another not to take that indolent path, but instead to formulate our own understanding and offer our heritage's alternative. The meaning and depth of global human rights will be enriched by our efforts.

The Declaration of Human Rights adopted by the United Nations is essentially a Western decree. The Muslims don't like it, the Chinese don't like it and yet Hindus are saying, "What's wrong with it?" While such rights have historically been a social and political discussion, religion can and should play a

key role in the future. The question then naturally arises: what is the Hindu perspective on human rights?

We have to confess that we don't really know yet. Not because such matters did not concern the sages of yore, but because the contemporary dialog centers around recent and incomplete assumptions about humanness. We do know that our comprehension in this, as in other matters, is not the same as the Western notion. Human rights in the West is an affirmation of the ethos of individuality. It's based on protecting people from institutions and from other people, even from society itself. Those in the West (dare we speak of the all-pervasive westocentrism which arrogantly--and dangerously--presumes to impose its ways and interpretations on everyone else?) wrongly think that the concept of human rights is universal, equally valid in every culture and time. It is not.

The Hinduism Today staff encountered this first-hand years ago while visiting the Hindu community in Singapore. The laws in this 30-year-old nation are interpreted in the West as cruel and unusual punishment; the 1994 caning of an American teenager who vandalized automobiles provoked an outcry in the US. But when you are there, on the streets and with the people, you realize that those strict punishments for crimes make for a safe and secure society. In Singapore you never worry about meeting muggers or drug dealers on the corner, for any drug possession brings the death penalty. You never wonder if someone is carrying a gun, for that too can prove fatal to the transgressor. Nor are pornography or vandalism or even religious intimidation rampant--the harsh punishments assure these are rare in that little nation. So millions are given

a safe life, freed of the fears and genuine threats so common in other societies. Singapore leaders, sometimes accused of draconian laws and human rights violations, simply smile and point to the greater crimes levied on citizens in nations that stress the rights of the individual above those of society (the US is, perhaps not coincidentally, the strongest voice for human rights and the nation with the most prisoners and violent crimes). In Singapore, the whole comes first, the part is subordinate in its demand for rights. They have a point. Almost any healthy family or business is similarly arranged in its priorities.

That is not to say that all nations should be like Singapore. They should not. Only that each nation and culture deals with rights and duties differently, in its own context, directed by its own secular ideals, religious laws and principles. There is not a one divinely ordained way to protect human beings. By protecting society against errant individuals, there will be less suffering in the long run more human dignity, the stated centerpiece of human rights.

Formal human rights become necessary only amid the failure of society to provide a dharmically-based structure. You only need laws against mugging when muggers appear. Human rights, in sum, is a legal device for the protection of smaller numbers of people (whether a minority or an individual) faced with greater numbers and more powerful or hurtful people. Most thoughtful folks would agree that protection of the dignity of the human person is important.

But what is that "person?" Is "person" always synonymous with

"individual?" Many in the East would say no. They might say, as theologian Raimon Panikkar does, "The person should be distinguished from the individual. The individual is just an abstraction, i.e., a selection of a few aspects of the person for practical purposes. My person, on the other hand, is also in 'my' parents, children, friends, foes, ancestors and successors. 'My' person is also in 'my' ideas and feelings and in 'my' belongings. If you hurt 'me,' you are equally damaging my whole clan, and possibly yourself as well. Rights cannot be individualized in this way.... Rights cannot be abstracted from duties; the two are correlated....An individual is an isolated knot; a person is the entire fabric around that knot, woven from the total fabric of the real. The limits to a person are not fixed; they depend utterly on his or her personality. Certainly without the knots the net would collapse; but without the net, the knots would not even exist."

Hmmm! Perhaps human rights only exist in the context of cosmic rights, tribal rights and even God's rights. Does He not have rights which may be offended by our insistence on individual protection? What if by eliminating some social individual suffering we are infringing on His right to teach us a lesson by that experience? Maybe it could be said that people have the right to their allotment of karma. The most basic right of all may well not be the assurances of safety, freedom and dignity (though we all want these in abundance), but the right to evolve spiritually. In the greater scheme of things, this may actually require us to encounter and comprehend injustice and pain. The primordial, ultimate and most universal human right could well be to experience the fullness of consciousness in our passage toward Self Realization.

So how does all this translate into the Indian and Hindu experience? If we set out to find the classical Hindu near-parallel to human rights, we stumble immediately on the law of dharma. Dharma has no equivalent in English. It is multi-faceted. It is the sustaining order of things, the divine law all about us, the way of righteousness. Of the four dharmas--universal (rita), social (varna), human (ashrama) and individual (sva)--individual dharma is most parallel to Western human rights. But what about the other three: universal, social and human? There are rights at all of these levels.

Indian spirituality would extend the range of human rights. It would stress more the need for protecting human relationships. Other living creatures would be granted rights, and we would extend to all sentient beings many of the same protections we demand for ourselves. This comes under the aegis of rita dharma. Hinduism concurs with other religious traditions that rights are the other side of duties. This is varna and ashrama dharma. Hinduism would further propose that it is the wholistic and harmonious working of the entire cosmos that is foremost, that the rights of one species are not absolutes that can exist apart from our alliance with the many other beings in this universe.

There is no better way to end this month than with a further quote from our friend Raimon Panikkar: "Playing on the metaphor of the knots (individuality) and the net (personhood), we could probably affirm that traditional cultures have stressed the net (kinship, hierarchical structure of society, the function to be performed, the role of each part in relation to the whole), so that often the knot has been suffocated and not allowed sufficient free space for its own self-identity. On the

other hand, modernity stresses the knots (individual free will to choose any option, the idiosyncracies of everyone, the atomization of society) so that often the knot has been lost in loneliness, alienated by its own social mobility and wounded (or killed) in competition with other more powerful knots. Perhaps the notion of personhood as the interplay between the knots and the net, as well as the realization that freedom is not just the capacity to choose between given options but also the power to create options, could provide a starting point for the proposed mutual fecundation. If many traditional cultures are centered on God, and some other cultures are basically cosmocentric, the [western] culture which has come up with the notion of Human Rights is decisively anthropocentric. Perhaps we may now be prepared for a cosmotheandric vision of reality in which the Divine, the Human and the Cosmic are integrated into a whole, more or less harmonious according to the performance of our truly human rights."