



# INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

## AN ANALYTICAL STUDY ON NEW DIMENSIONS OF HUMAN RIGHTS IN DIFFERENT GENERATIONS

<sup>1</sup>Dr. Jahangir Alam,

<sup>1</sup>Assistant professor

<sup>1</sup>Department of Political Science,

<sup>1</sup>Marwari College, Ranchi, Ranchi, India

**Abstract:** The concept of human rights focuses on protecting the basic rights and interests of a person as a human being, without which one cannot live like a human being. These rights mainly include the right to life of the individual, right to freedom, right to equality, right to justice, right to education, right to health etc. Although the concept of human rights is modern, but its roots are associated with ancient traditions and philosophies. Which played an important role in shaping the concept of modern human rights. After two world wars in the 20<sup>th</sup> century, the Universal Declaration of Human Rights (UDHR) was adopted by the world community in 1948 and withit human rights were universally recognized at the global level. In modern era human rights concept has gradually expanded over different generations. Each generation has expanded the scope and depth of human rights based on the previous generation. This article will review the new dimensions of human rights developed in different generation.

**Key words:-** Human Rights, Human being, Right to life, Right to freedom, Right to equality, Right to justice, Right to education, Right to health, Universal Declaration of Human Rights.

### I. MEANING OF HUMAN RIGHTS

Human rights are the moral principles or norms that describe certain standards of human behavior. They are protected by laws at national and international levels and ensure that people can live with dignity, freedom, equality, justice, and peace. These rights include: The right to life, The right to freedom of speech, The right to education, The right to work, the right to be free from torture, The right to equality before the law, The right to privacy, etc.

Human rights are fundamental rights and freedoms that belong to every person simply by virtue of being human. Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.<sup>1</sup> These rights are based on shared values of dignity, equality, and respect and are protected by international law and national constitutions, guaranteeing individuals the right to life, liberty, education, and freedom from torture, among many others.

### II. SOME BASIC FEATURES OF HUMAN RIGHTS

- Universal - They apply to all people regardless of race, gender, nationality, ethnicity, language, religion, or any other status.
- Connected with human dignity
- Inalienable - They cannot be taken away, though they can sometimes be restricted (e.g., during a legal process).
- Indivisible and Interdependent - All rights are equally important and related; the fulfillment of one often depends on the fulfillment of others and etc.

### III. Universal Declaration of Human Rights (UDHR)

An important document in the history of human rights is the Universal Declaration of Human Rights (UDHR). In order to give concrete form to the provisions related to human rights in the United Nations Charter, the United Nations General Assembly decided to prepare an international draft of human rights. For this reason, the Human Rights Commission was established in February 1946 by the Economic and Social Council of the United Nations General Assembly. After about 30 months of tireless work by this commission, some more drafts were prepared along with the Universal Declaration, which was adopted by the United Nations General Assembly as the Universal Declaration of Human Rights on 10 December 1948. Since then, this day is celebrated as International Human Rights Day. This historic event has its own special significance at the international level. The Universal Declaration of Human Rights, which was prepared by representatives from all over the world with different legal and cultural backgrounds, is a common benchmark for success for all people and all countries. It sets forth for the first time the principles of universal protection for fundamental human rights. Since its adoption in 1948, the UDHR has been translated into more than 500

languages – the most translated document in the world – and has inspired the constitutions of many newly independent States and many new democracies.<sup>2</sup> In December 1966, the UN General Assembly adopted two international treaties that would further shape international human rights: the International Covenant on Economic Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR). These are often referred to as “the International Covenants.” Together, the UDHR and these two Covenants are known as the International Bill of Human Rights.<sup>3</sup>

The Universal Declaration of Human Rights 1948 has a preamble and a total of 30 articles related to civil, political, economic, social and cultural rights. Its preamble expresses faith in human rights, dignity of the individual and equal rights of men and women and resolves that efforts will be made to improve the social life of all people as much as possible.

In addition, in 1976 the International Covenant on Economic, Social, and Cultural Rights came into effect. The International Covenant on Civil and Political Rights and its First Optional Protocol entered into force in 1976 and the Second Optional Protocol came into force in 1991. These are composition of international bill of human rights include with Universal Declaration of Human Rights 1948.

#### IV. THE GENERATIONS OF HUMAN RIGHTS

Many authors identify three generations in the history of human rights. The notion of human rights has evolved over time to embrace diverse rights as following –

- First generation of human rights (Civil and Political Rights)
- Second generation of human rights (Economic, Social and Cultural Rights)
- Third generation of human rights (Collective Rights)

The concept of three generations of human rights was first presented in an essay for the UNESCO Courier in November 1977 by Karel Vasak, UNESCO's legal advisor and renowned human rights expert.<sup>4</sup>

##### IV. a) The First Generation of Human Rights

First generation of human rights are primarily in nature of civil and political rights of individual. Civil and political rights are a type of rights that protect individuals freedom from infringement by state or governments, social organizations and other individuals. They serve to protect the individual from exploitation or excesses of the state. They basically include guarantee of security, property, and political involvement as the right to life, right to equality, freedom of speech or expression, freedom of religion, right to property, voting right, etc.

First generation human rights originated and evolved gradually historically in England, the United States of America and France. The Magna Carta of 1215 and the rights of Englishmen, which were outlined in the English Bill of Rights in 1689 are the origins of some of above rights. Magna Carta (1215) was a document signed by King John of England concerning the rights of the English people, which limited the power of the king and established certain rights for the English people. It is considered an important document in the history of England and the base of modern democracy.

The Declaration of the Rights of Man and of the Citizen in France in 1789 and the United States Bill of Rights in 1791 both established a more comprehensive set of first-generation human rights. Many experts regard the English Bill of Rights as the primary law that set the stage for a constitutional monarchy in England. It's also credited as being an inspiration for the U.S. Bill of Rights (1791). The Declaration of the Rights of Man and of the Citizen, adopted in 1789, by France's National Assembly, represents one of the basic charters of human liberties, containing the principles that inspired the French Revolution.<sup>5</sup>

First generation rights emerged as an idea in the 17th and 18th centuries, mainly due to political concerns. It became clear that there are certain things that the all-powerful state should not do, and that individuals should have some say over the laws that affect them. Civil rights guarantee certain things to the individual such as the right to equality and freedom, right to practice religion, right against persecution, etc. and also allow individuals to exercise their own faith and beliefs. Legal rights can generally be classified as 'civil' rights. They provide procedural protections for people in dealing with the legal and political systems, such as protection from arbitrary arrest and imprisonment, right to be presumed innocent until proven guilty in a court of law, right to appeal, etc. Political rights are needed to participate in community and social life, such as the right to vote and join political parties, freely assemble and attend meetings, express one's opinions, etc. The first generation of rights is generally about the person against political power and typically, maintains the originality of the human. This has been considered in article 2 to 21 of the Universal Declaration of Human Rights.<sup>6</sup>

##### IV. b) The Second Generation of Human Rights

The human rights of the second generation are understood to include socio-economic rights, as well as rights to education, rights to welfare, rights to leisure etc. Economic social and cultural rights (ESCR) include the rights to adequate food, to adequate housing, to education, to health, to social security, to take part in cultural life, to water and sanitation, and to work.<sup>7</sup> These rights cover the fundamental needs of life as well as how individuals coexist and work together, That are founded on the principles of equality and assured access to opportunities, services, and basic social and economic commodities. Second-generation human rights became a topic of international discussion due to the effects of early industrialization and the rise of the working class in various parts of the world. These sparked fresh expectations and perspectives on what it meant to live a dignified life. People came to understand that human dignity calls for more than the bare minimum of non-interference that the civil and political rights provisions suggested.

The rights required to fully participate in society are known as social rights. Which include, at least, the right to education and the right to found and maintain a family but it also includes many rights that are often considered civil rights, such as the right to recreation, the right to health, the right to privacy, and the right to freedom from discrimination.

All human rights, whether civil and political—or economic, social and cultural—are interlinked. For example, individuals who cannot read or write often have a harder time in realizing their full potentials than those who can to find work or to take part in political activity. Malnutrition and hunger are less likely to occur where individuals can effectively exercise their right to vote and influence Government priorities.<sup>8</sup> Economic rights ensure people can avail their basic needs and fully participate in society. They include the right to work, right to fair wages, right to social security, right to form and join trade unions, right to an adequate standard of living, right to adequate housing, right to education, right to health etc. Economic rights acknowledge that human dignity requires a certain minimal degree of material security.

Cultural rights give people the ability to access and participate in their culture. These Rights refer to a community's cultural "way of life" and defend the freedom to create and express community's identity, values, and ideas. They include the right freely to participate in the cultural life of the community and, possibly, also the right to education. Cultural rights are essential for minority communities within a society to preserve their distinctive culture.

#### IV. c) The Third Generation of Human Rights

The third generation of rights is based on the principle of solidarity and includes collective rights of people or society, such as the right to peace, sustainable development, or a healthy environment. The establishment of the third generation is the result of new needs of human. The developing human, international, social procedure and moralizing the international rights and human rights and also weaknesses of the first and second generations led to appearance of the third generation of human rights. The rights of third generation or unity rights do not talk about human; but put emphasis on the universal citizen.<sup>9</sup>

The third generation of rights includes such as a right to national self-determination, a clean environment, and the rights of indigenous minorities. Despite only being born in the final two decades of the 20th century, this generation of rights represents a substantial advancement in the theory of human rights. In a large part of the world there has been little progress in respecting human rights, the reasons behind which include extreme poverty, conflicts, and ecological and natural disasters. Because of this, many believe that a new category of human rights should be recognized. These rights would guarantee societies, especially in developing countries, the right conditions to be able to provide the already recognized rights of the first and second generation. The rights to development, peace, a healthy environment, communication and humanitarian assistance are specific rights that are often included in the category of third-generation rights. However, there is disagreement over this new class of rights. The notion that collective rights are "human" rights is disputed by some scholars. By definition, human rights belong to people and specify a sphere of individual interest that should be given priority over the interests of society or social organizations. Collective rights, on the other hand, belong to entire states or even communities.

In a nutshell, the first generation of human rights are linked to civil and political rights like equality before the law, the right to life, the freedom of opinion, freedom of expression, personal property ownership, equal access to the public, citizen control over the government, and the right to personal security in regard to justice, among other things.

The second generation of human rights emphasises socioeconomic and cultural rights such the freedom of association, the right to work, the right to education, the right to health insurance, the right to old age and disability insurance (social insurance), etc.

The third generation of human rights are rights known as "solidarity rights", which are rights that can be maintained collectively rather than individually. Examples of these rights include the right to development, the right to peace, environmental rights, and the rights of ethnic, religious, linguistic minorities, etc.

#### IV. d) The Fourth Generation of Human Rights

The fourth generation of human rights addresses new difficulties and opportunities that have developed owing to technical breakthroughs and social changes.

In this category are included the so called "rights related to genetic engineering", rights which are on the doctrinal debate in what regards their recognition or prohibition of certain activities<sup>10</sup>.

We could put in the same category the so called rights of future generations, as well as rights that can not belong to an individual nor to social groups, including nations, they belong only to humanity as a whole. The rights of humanity would treat the common assets of the whole humanity<sup>11</sup>.

The fourth generation of human rights is a dynamic concept that goes beyond traditional frameworks to address emerging issues such as technology, environmental sustainability, and global interdependence. Unlike the previous generations, which focused on civil and political rights (first generation), economic, social, and cultural rights (second generation), and collective rights such as development and a healthy environment (third generation), the fourth generation includes:

1. **Digital Rights:** These comprise the freedom to access and engage in the digital world, as well as the right to privacy in the digital age and protection from digital surveillance. As technology advances quickly, it becomes more crucial than ever to protect people's online privacy and freedom.
2. **Bioethics and Genetic Rights:** With advances in genetics and biotechnology, there are growing concerns about genetic privacy, discrimination based on genetic information, and ethical considerations in genetic modification. These rights include the right to genetic privacy and informed consent for genetic testing and biotechnological interventions.
3. **Rights Related to Artificial Intelligence:** With the development of AI technology, new rights pertaining to algorithmic biases, ethical application of AI, and the effects of AI on employment and individual autonomy are becoming apparent. One of the main concerns is making sure AI technologies are used clearly and responsibly.
4. **Rights to Cultural and Technological Participation:** This involves the right to access and participate in cultural and technical progress. As technology becomes an integral aspect of cultural expression and involvement, providing fair access and representation in these areas becomes increasingly important.
5. **Sustainable Development and Environmental Justice:** This feature, while connected to third-generation rights, concentrates on more particular rights associated with tackling the global issues of resource depletion, climate change, and environmental justice, guaranteeing that future generations have the right to a sustainable environment as well.

These fourth-generation rights frequently necessitate new legal frameworks and international collaboration to handle the complex difficulties created by modern technology and global interconnection. They reflect a growing view of human rights in light of societal and technical progress.

## V. Conclusion

The first generation of human rights emphasizes civil and political rights also protecting individuals from state abuses. While the second generation of human rights focuses on economic, social, and cultural rights, ensuring access to basic needs and opportunities for all. The third generation highlights collective or solidarity rights, such as environmental protection and self-determination. At last, the fourth generation, emerging in the digital age, addressing new challenges like technological advancement, bioethics, and data privacy. These generations of human rights reflect the dynamic nature of human rights, it show that how our understanding evolves with the society changes of what it means to live with dignity and equality.

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