

# **Concepts of Human Rights and Equality: the Hindu perspective**

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## **Abstract**

Concepts such as Human Rights and equality are highly complex and are dependent on a number of variables. These include historical development of the society in question, cultural and behavioural norms dictated by the society, and religious thought of the time. Hinduism presents a particularly complex case. The possible reasons for this complexity are:

- The religion is non-prophetic.
- It is a way of living rather than being a religious monolith.
- Hindu society consists of a bewildering mixture of races, languages and cultures.
- Although it is the main religion in India, Hinduism has interacted smoothly with other faiths of Indian origin such as Jainism, Buddhism, Sikhism and tribal religion.

My paper today will briefly examine the background of Indian culture, existing norms, various reform movements that have challenged the orthodoxy and the efforts by various government agencies and social reformers to reduce inequality, particularly after India obtained independence in 1947.

In order to discuss the concepts of 'Human Rights and Equality' according to Hindu religion, one has to understand its nature and development first. Hinduism is one of the oldest of world religions. However, in spite of its historicity, modern communication techniques in the world today, and the oft-quoted axiom, 'the world is becoming smaller', it is one of the least understood religions in the world. There are several reasons for this:

- Firstly, Hinduism is not prophetic, but instead consists of the collection of the teachings of hundreds of seers over many thousands of years. Even the name Hindu is a misnomer. All that the name means is, 'People living on the banks of the Sindhu (Indus) river'<sup>1</sup>. Even the Indian Constitution had difficulty defining Hinduism and has not done so.
- One can easily understand that being non-prophetic, Hinduism is very complex and exhibits a bewildering array of teachings. There is no Pope equivalent in Hinduism and there is no hierarchical order that could apply to every Hindu. We all know that even prophetic religions have their fair share of differences within their own faiths. With the background discussed above, it is no wonder that Hinduism has a multiplicity of sects and sub-sects within.
- The advantage of this is that it is less dogmatic and very inclusive. It is perhaps the most inclusive religion practised today. The negative side is that it often appears unwieldy. Anything can thus be a part of Hinduism: monotheism, monism, pantheism, atheism, henotheism and polytheism are all parts of Hinduism, one way or another.
- India has around 27 main languages and over 600 dialects. It also has multiple ethnicities. Although Hindi is the national language, it does not necessarily hold

much sway in southern parts of India. (Indian) English is often the means of communication.

- The Indian Constitution prohibits the teaching of religions in public schools, only private schools are allowed to do so. Islamic Madrasas and Missionary schools do take care of their respective religions by conducting compulsory classes in religion. It is however unfortunate that Hinduism has not embraced the need for such education for their children, even in a small way.
- As a result of all of this, a majority of Hindus do not know what Hinduism stands for or what it consists of. I have acted as a Hindu priest in Australia for over 40 years. When families want me to conduct a particular ritual for them, they generally know little about the background of the ritual or the reason for performing it. They perform rituals simply because they find doing so comforting. It satisfies their need for preserving their heritage and they feel part of the Hindu community abroad.
- The majority of Hindu scriptures are available only in the Sanskrit language and most of the population simply does not know this ancient language. The reason is very simple: knowledge of a dead language such as Sanskrit cannot provide one with a good means of living, like 'I.T.' does! One is of course aware that the majority of Hindu migrant to Australia are 'I.T.' professionals!
- I personally would like to define Hinduism simply as a non-violent path to salvation selected by over a billion plus people in the world, which inculcates values such as non-violence, equality, acceptance, tolerance and understanding. Hindus believe in one ultimate god, but to us, he/she takes many human forms to suit our individual needs.
- For the same reason, Hindus are very willing to accommodate other religions as well. Hinduism doesn't just tolerate; it accepts every religion. It actually celebrates diversity. That is why the 'Rigveda', perhaps the most important scripture for Hindus, says: 'Ekam sad, viprah bahudha vadanti'. Translated, it says, 'Truth is one. The wise call it by different names.'<sup>2</sup> Every religion, and a variety of methods of reaching God, therefore, have a place in the world according to Hindu thought.
- Hinduism is also the only practising religion today where goddesses have equal sway. It considers that the ultimate and perfect synthesis of living things is the complete equality and fusion of male and female. Every god has his 'shakti'.<sup>3</sup> Without her, he is totally powerless. Shaktis invoked by their respective gods can, at times, unite to produce a Mahashakti (literally 'Great Shakti'), who is often charged with destroying the evil (viz. a demon). Gods cannot do so on their own. The god Shiva and his wife Parvati are thought of as parents of the world in Hinduism and hence their iconography shows them as a half man and a half woman fused together. Called the Ardhanareeshwara, they are *the* perfect couple.

It is with this bewildering and confusing background that I start my discussion dealing with the idea of Hinduism and human rights. I would also like to include, albeit briefly, a mention of three major religions that came out of India, namely Buddhism, Jainism and Sikhism. There have been a very large number of exchanges between these religions and Hinduism, and I believe that these have benefitted each and made them richer. Buddhists and Jains took the principle of non-violence (ahimsa) to the extreme and have tried to live by it. Universal brotherhood and the equality of all human beings are the strongest beliefs of Sikhism.

Before the name Hinduism came into vogue, greater India was governed by the 'Sanatana Dharma' or 'eternal religion' (literally 'righteousness forever'). The society of the time consisted of a mixture of Aryans, Dravidians<sup>4</sup> and local tribes. The invading nomadic Aryans conquered a large portion of the country and established a hierarchical order of people according to their profession. Called the 'Varna Theory', this order separated people into Brahmins (priests and teachers), Kshatriyas (warriors and land holders), Vaishyas (business people) and Shudras (people who did menial tasks). Although this was originally a system used for the smooth running of the society, in which a change from one Varna to another was possible and often practised, it eventually degenerated into a system of 'entrenched structured inequality'. While the system ensured employment for everyone and smooth running of the society of the time, the higher echelons of Hindu society have a lot to answer for, in establishing an institution where humans became unequal simply due to their being born in the wrong group. The system was named 'caste system' by the British. Thankfully, discrimination on the basis of caste was abolished in the Indian Constitution. The system is slowly but surely disappearing, mainly in the cities. There has also been positive discrimination for the lower castes enshrined in the Constitution.

Well-known theologians and Dharma experts have always maintained that the caste system was not what it degraded into. Thus, the Adi-Shankaracharya<sup>5</sup> proclaimed:

*All are Shudras (menial working class without knowledge) by birth. By his righteous behaviour, a man becomes a dvija:<sup>6</sup> twice born. By his studies into Shastras, he becomes a Vipra.<sup>7</sup> Only those who obtain the knowledge of brahman—the ultimate it, should be called Brahmins.*

The Vanaparva of the Mahabharata<sup>8</sup> categorically rejects the idea of any caste being superior to others. It says: He, in whom the quality of truth, munificence, forgiveness, gentleness, abstinence from cruel deeds, contemplation and benevolence are present, is called a Brahmin. A man is not a Shudra by being born one, nor he is a Brahmin by being born one.

The Indian Constitution was drafted largely by Dr. B.R. Ambedkar, himself an untouchable. He abolished untouchability and affirmed individual civil and political rights. Legislation was passed to reserve places (positive discrimination) for the untouchables in government employment and in the schools, and this is still the case. The Indian Constitution is highly impressive and has more rights than the American Bill of Rights. It includes the right to equality, the right to freedom, the right to freedom of religion, the right to culture and education, the right to property and the right against exploitation.

In studying Hinduism, one also has to take into account three concepts, which are all foreign to Abrahamic religions. These are: Dharma, Karma and Re-incarnation.

Dharma carries a variety of meanings, but the one that fits well in the current setting is that:

*Dharma is the code of conduct and duty of an individual depending upon his or her station in life.*

For a king, his main Dharma is to look after his subjects. A teacher must do his or her best to impart knowledge to their students. A householder must protect, feed and care for his family. He must always welcome guests and give food to them, as well as to the poor. He must also be a good neighbour. A couple must be honest to each other and look after and love each other.

The word 'Karma' is loosely defined as 'the fruit of one's good and bad actions.' Christianity believes that the Father in heaven created us all as an image of himself and gave each one of us absolute rights of equality. The Hindu view is more complex. God did create us but unlike in Christianity, people take birth on this earth because of our Karma. When one's residual Karma—good or bad—is extinguished, Hindus reach salvation and coalesce with the ultimate 'It', called *Brahman*, never to be born again, and attain Moksha. This is true of every living thing. Human life is not necessarily the highest in the hierarchy according to Hinduism. Animals, if their Karma is good and if they have behaved according to their Dharma, will also reach Moksha. There is a famous myth of Lord Vishnu saving an elephant from a crocodile and reaching Moksha because he practised severe penance (Gajendramoksha).<sup>9</sup>

Until one has extinguished one's Karma, one must take birth on this planet again and again in a form depending on the sum of one's deeds in previous births. One must go through these cycles of 'Re-incarnation' to extinguish any residual Karma.

One has to take into account this rather long and complex background history of the country and of the development of Hindu religion before one embarks on discussing our current theme: the concepts of 'Human rights and equality' in Hindu religion.

One of the major differences between Hinduism and prophetic religions is the firm belief in Hinduism that each living entity has a part of God that lives *within* it. Called the *Atman* (the soul), this entity coalesces with the ultimate called the *Brahman* or *Paramatman* (the ultimate it) at the demise of a living being.

In theory, no religion is against the equality of mankind. In fact, most religions have strived to uphold human rights and the equality of all humans. However, it has often been said by non-Hindus that it is difficult to envision a universal principle of equality within Hindu thought, when the religion helps maintain the caste system. The system was clearly a violation of human rights law because it subscribed to the idea of structured inequality. One has to remember, however, that the original idea was to ensure a smooth running of the society and employment for all. Thus, more than the Hindu religion itself, the societal structure and the intransigence of the upper castes is what contributed to the continuation of the caste system.

On the other hand, Hindu philosophy never agreed with the concept of the caste system. Thus, according to Vedantic philosophy, there is an inherent equality in all and there is unity and equality in diversity, in view of the fact that every living thing has a soul. Theistic Hinduism upholds human equality on the basis that all are God's children.

Let me now come to how Hinduism has dealt with the main topics of the present discussion. These are:

1. The idea of human rights
2. The equality of all beings with special reference to women
3. The concept of non-violence (Ahimsa)
4. Tolerance
5. Happiness

## **Human Rights**

What we now call 'human rights' can easily be identified in a range of Hindu scriptures from the philosophical to the popular.

The UDHR has stated that 'all human beings are born free and equal in dignity and rights ... They should act towards each other in a spirit of brotherhood.' It therefore

talks of the intrinsic value of each human being. Humans obtain these rights simply by virtue of being born human. The Judeo-Christian tradition starts with the idea of the creation of man in the image of God and is thus absolute.<sup>10</sup>

Hinduism, on the other hand, is concerned more with duties than absolute rights. Human rights are thus not inherent but rather to be worked towards the fulfillment of one's duties. Karma is therefore the highest duty in Hindu tradition. When one has fulfilled his/her Karma, only then will he be entitled to rights as an individual. As Mahatma Gandhi put it, 'all rights to be deserved and preserved come from duty well done'.

The earliest mention of human rights in Hinduism dates back to the Rigveda and other Vedas composed over 4000 years ago. The *Shwetashwatara Upanishad* (ca. 100 BCE), embedded in the Yajurveda, declares that the human race in its entirety is born out of God, and with righteous behaviour they will all reach immortality. It says:

*amṛtasya putrah*

(translation: We are all born out of ambrosia and hence immortals.)

It also contains the oft-quoted Hindu prayer which seeks lasting happiness without any sorrow for everyone from God.

*sarvetra sukhinah santu | sarve santu niramayah |*

*sarve bhadrani pashyantu | ma kaschit dukkhamapnuyat ||*

(translation: Let everyone be happy and contented. Let everyone be healthy and free from diseases. Let everyone see auspicious things. Let no one be unhappy.)

The *Taittiriya Upanishad* (ca.600 BCE) seeks happiness for the entirety of mankind:

*Sahanavavatu sahanau bhunaktu sahaviryam karavavaih |*

*Tejasvinavadhitamastu ma vidvishavahai ||*

(translation: Together, may we go further in our studies. Together, may we relish our studies. Together, may we perform our studies with vigour and with deep concentration. May what has been studied by us be filled with the brilliance of understanding, leading to knowledge. May it not give rise to hostility due to a lack of understanding. Om Peace, Peace, Peace.

The Atharvaveda declares:

All have equal rights of food and water. The yoke of the chariot of life is placed equally on the shoulders of all. All should live together with harmony supporting one another like the spokes of a wheel of the chariot connecting its rim and hub.

Let all the people think and act in unison. Let them perform their duties in a democratic way. Let them all worship together. Let all of their minds act in the same way so as to produce cohesion and unity in their group.<sup>11</sup>

An almost identical Sukta<sup>12</sup> with the same name can be found in the Rgveda as well.<sup>13</sup> It says:

Walk together in harmony, speak in harmony.  
Let your minds be of one accord,  
As the gods of old, being of one mind,  
Accepted the share of sacrifice, so may you share your belongings.  
May your counsel be common, your assembly united,  
Common the mind, and the thoughts united.

A common purpose do I lay before you,  
And worship with your common oblation.

Let your aims be common,  
And your hearts of one accord,  
And all of you be of one mind,  
As you may live well together.

## **Tolerance**

The very nature of Hindu religion is conducive to religious tolerance. All traditions that help an individual to lift his soul to the Supreme Being are held up as worthy of tolerance. Thus, in the *Bhagvat Geeta*, Lord Krishna says to Arjuna: 'Whoever approaches me in whatever manner, I accept him. All paths lead to me'.

Within the Judeo-Christian tradition, the idea of human rights can be explained by the creation of human life by God. All are created equal and free, responsible human beings. In Hinduism, all are equal because the same *atman*, part of the divine, is present in all. Also, all are free to attain the highest spiritual goal of Moksha.

Hinduism does not recognize humans as mere material beings. Its understanding of human identity is more ethical-spiritual. That is why a sense of immortality and divinity is attributed to all humans in Hindu classical thought.<sup>14</sup> The *Rigveda* says:

*ajyesthaso akanisthasa yete |*  
*sambhataro vavrudhuh soubhagyaya ||*<sup>15</sup>

(translation: No one is superior or inferior. We are all brothers and should strive in the interests of all.)

It says further:

*samani va aakotihni samana hridayanivah |*  
*samanamastu vo mano yatha susahasati ||*

(translation: Let there be firmness in your resolutions, hearts and minds; let the determination to live with mutual cooperation be firm in you all.)<sup>16</sup>

## **The equality of all beings**

Hinduism, Buddhism and Jainism have taught us that the concept of equality needs to be applied to every living being. However, our entire society these days is based on non-equality. Because of the competitive structure of world economies, we are expected to learn to be 'more equal' than others. No country is an exception to this rule.

Having abolished the caste system in 1947, India has done its best to introduce equality amongst her people and between men and women. Women got voting rights in India in 1947, long before many developed nations introduced them.

The Manusmriti (200 BCE) declares:

*yatra naryastu pujoyante ramante tatra devatahi*

(translation: Divinity blossoms where women are worshipped.)

Even at the time of the 'Manusmriti', if a husband died or deserted a woman, she was allowed to marry another.<sup>17</sup> H.H. Wilson, a well-known Indian historian, has said that 'it may be confidently asserted that in no nation of antiquity were women held in so much of esteem as amongst Hindus'.

When one enters the Parliament building in Delhi, one comes face to face with the verse<sup>18</sup>:

*ayam nijah paroveti ganana laghu chetasaam |*

*udara charitaanam tu vasudhaiva kutimbakam || Maha-upanishad*

(translation: Small and narrow-minded people look at the reality in terms of 'this is yours and this is mine. For those with higher consciousness, the whole world is the family'.)

### **The Right of Happiness**

The well-known Indian philosopher and economist, Chanakya (2<sup>nd</sup> century BCE), wrote a manual on economics. He enjoined the king to ensure that the rights of all of his subjects were protected.<sup>19</sup> He declared: 'In the happiness of his subjects lies the happiness of the king. Their welfare is his welfare. The king shall not consider whatever pleases him is good. Whatever pleases his subjects is what is good for him'.

Two other oft-recited quotes from the Kathopanishad (1400 BCE) are:<sup>20</sup>

*Om! sahanavavatu sahanau bhunaktu, sahaveeryam karavavahaih |*

*tejaswina vadheetamastu, ma vidvishavahaih ||*

(translation: May He protect us together, May He nourish us together

May we work together with greater energy. May our study be vigorous and effective. May we not hate anyone. Let there be peace all over.)

And:

*sarvetra sukhinah santu sarve santu niramayah |*

*sarve bhadrani pashyantu ma kaschit dukkhamapnuyaat ||*

(translation: May everyone be happy. May everyone be healthy and free from diseases. May everyone see auspicious things. May no one be unhappy.)

### **Ahimsa: non-violence**

In the Vanaparva chapter of the Mahabharata (3000 BCE): one finds the following quote made famous by Gandhi.

अहिंसा परमो धर्मः ।

The entire verse is:

अहिंसा सत्यवचनं सर्वभूतहितं परम् ।

अहिंसा परमो धर्मः स च सत्ये परतिष्ठितः ।

सत्ये कृत्वा परतिष्ठां तु परवर्तन्ते परवृत्तयः ॥

(translation: Virtuous conduct is indicated by speaking the truth, caring for all beings, observing complete non-violence, forbearance, purity and straight-forwardness.)

Mahatma Gandhi was known for his pursuit of non-violence. It was this great tool of his that eventually gave India her freedom.

I shall conclude here. I hope I have shown some fundamental aspects of Hinduism which prove beyond doubt that human rights and equality have always been central to Hindu thought, and they shall continue to be.

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- <sup>1</sup> The Greeks seem to have coined the term Hindu around 4000 BCE to denote people who lived on the banks of the Sindhu river. Travellers from the Middle East including the Iranians used this term as well. In ancient Iranian, the letters S and H are interchangeable and that is thought to be the origin of the word Hindu (in place of Sindhu).
  - <sup>2</sup> The Rigveda: 1.164.46. The Rigveda is thought to have been composed around 1500 BCE.
  - <sup>3</sup> The Sanskrit word Shakti translates as 'strength'. It is often used to describe a goddess.
  - <sup>4</sup> Dravidians are traditionally those people who come from the South of India and subscribe largely to Shaivism, the worship of Shiva and the deities in his pantheon.
  - <sup>5</sup> The first (Adi) Shankaracharya (about 700 C.E.) was one of the greatest of Hindu theologians who was a Shiva worshipper and established four seats in the four corners of India for the study and spread of Hinduism, in particular, Shaivism.
  - <sup>6</sup> A dwija is a person who is born twice according to Hindu thought. A child, until about the age of eight, was not considered to be an initiated Hindu. His entree into Hinduism happened at the initiation ceremony called the 'Maunjeebandhan' where he was given a sacred thread, given the most sacred Gayatri mantra and was then sent to a teacher's abode to learn scriptures and other necessities that his Varna demanded.
  - <sup>7</sup> A brahmin who has studied the Shastras, performed the requisite training and conducted many rituals is a Vipra.
  - <sup>8</sup> The Mahabharata, considered to be the longest poem ever written, was composed between the eighth and ninth century BCE. In addition to the description about an epic struggle between two groups of cousins, it also contains a large amount of philosophy and theology. The Vanaparva is one of the 18 books of the epic.
  - <sup>9</sup> Gajendramoksha is a tale from the Bhagavatapurana, one of the religious texts of Hinduism, where Lord Vishnu appears on earth to save his ardent devotee, an elephant from a crocodile.
  - <sup>10</sup> See Dipti Patel: <https://www.nottingham.ac.uk> > hrlc > publications > hrlcommentary2005.
  - <sup>11</sup> The Atharvaveda, *Samjnana Suktam*. 6.64.1
  - <sup>12</sup> A sukta is an aphorism.
  - <sup>13</sup> The *Rgveda*, *Samjnana Sukta* X.191.2-4.
  - <sup>14</sup> Ram Madhav, Paper presented at the International Conference on Human Dignity and Human Rights, Geneva, May 2008.
  - <sup>15</sup> The *Rigveda*: 5, 60,5.
  - <sup>16</sup> The *Rigveda*: 10, 191,4
  - <sup>17</sup> Manusmriti, Ch. V, Verse 168 and Ch. IX, Verse 76. The Smritis are Hindu works on the code of conduct expected of an individual as a responsible member of the society.
  - <sup>18</sup> Maha Upanishad: 6.71-75. This is one of the minor Upanishadas in Vaishnavism.
  - <sup>19</sup> See Ref. 13 above.
  - <sup>20</sup> Kathopanishad 2:6:19.