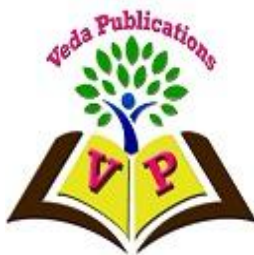


GLOBALIZATION, HUMAN RIGHTS AND THE INDIAN STATE: A CONSIDERATION

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ABSTRACT



Today the human rights discourse is a larger project of democratization. Any nation-state is how much democratic is basically measured by the state of human rights enjoyed by the citizen of that particular nation-state. The process of globalization brought drastic changes in societies in terms of thinking, working and attitude and affected to the old patterns of living. While globalization has enhanced the ability of civil society to function across borders and promote human rights, other actors have gained the power to violate human rights in unforeseen ways. Globalization, on one hand, has brought opportunity to enhance the human rights and on other hand posed serious challenges of grass violation of human rights. The full paper deals with this issue that to what extent globalization is an opportunity for extension of human rights and same time how much this process is violating the human rights in world, in general, and in India particular.

Keywords: *Human Rights, Violation, Globalization.*

INTRODUCTION

Idea of human rights came in central debate since last two decades, but the concept of human rights is as old as human civilization. With very beginning of human society, the rights were reflected through the citizenship. Individuals those who were citizen, can enjoy the rights and a very big number of human were slave and denied from even basic rights, not only in ancient western civilization but in ancient eastern civilization also. After the two famous revolutions, American and French, it has accepted that the rights are for all over humankind not only for a section of society. The notion that humans are rights bearers and being human everyone is entitled for enjoy the rights has emerged. Now it has been accepted that human rights are very much essential for a good and qualitative human life. So, human rights are rights to which individuals are entitled by virtue of being human without any discrimination. Today the human rights discourse is a larger project of democratization. Any nation-state is how much democratic is basically measured by the state of human rights enjoyed by the citizen of that particular nation-state. The process of globalization brought drastic changes in societies in terms of thinking, working and attitude and affected to the old patterns of living. While globalization has enhanced the ability of civil society to function across borders and promote human rights, other actors have gained the power to violate human rights in unforeseen ways. Globalization, on one hand, has brought opportunity to enhance the human rights and on other hand posed serious challenges of grass violation of human rights. The full paper deals with this issue that to what extent globalization is an opportunity for extension of human rights and same time how much this process is violating the human rights in world, in general, and in India particular.

DEFINING GLOBALIZATION

It is too tough task to give a definitive definition of globalization because post cold war scholars frequently used this term for denoting various processes but could not present its proper definition. Thus, globalization is a term in heavy current usage but one whose meaning remains obscure. I do not offer any simple definition here which can cover all aspects of this *Juggernaut*. But in general parlance the globalization process involves the establishment of economic, political, social, and technological links among countries. It is a process of nationalism to cosmopolitanism. Globalization is a process of interaction among the people, companies, and governments of different countries, a process driven by international trade and investment and aided by information technology. Globalization is not new but in recent years, it has become the subject of an impassioned debate between people for and against it. While proponents of globalization believe it is a powerful mechanism through which countries can increase economic development and prosperity for its citizens... (Dubey: 2012: 153-54). Globalization promotes mutual dependence between countries. Globalization involves the creation of linkages or interconnections between nations. It is usually understood as a process in which physical, political, economic, cultural barriers unravelling different regions of the world are reduced or removed, thereby stimulating exchanges of goods, services, money, and people. Removal of these barriers is called liberalization. Globalisation is often measured by the international flows of trade, finance,

investment, and people. It is well known that reductions in the costs of transportation, communications, and technology, as well as market forces have accelerated the pace of globalisation and interdependence between economies and peoples. But this kind of reduction in the casts directly benefited to developed countries and made dependent to developing nations upon them. So, globalization is not global yet. Indeed, globalization is not the same as globalism, which points to aspirations for an end state of affairs wherein values are shared by or pertinent to all the world's five billion people, their environment, their roles as citizens, consumers or producers with an interest in collective action designed to solve common problems. Nor is it universalism—values which embrace all humanity, hypothetically or actually (Rsenau: 1996: 3-4).

The proponents of globalization have staunch belief in its process and argued that the economic development and prosperity can come in countries through this. But present scenario is different or far from their dreams. The determinants and process of globalization are under question in developing nations. It's negative impact on environment, culture, socio-economic condition and human rights are well known phenomena.

IMPACT OF GLOBALIZATION ON HUMAN RIGHTS

The international human rights cause began with the United Nations Charter and the Universal Declaration of Human Rights over a half-century ago. Since then, a bunch of international law for betterment of humans has been accepted by the states including developing countries. Within last two decades the human rights discourse has been major concern of policy makers, NGOs, global politics as well as the states. These concerns are the reflections of the way –paradigm shift has taken place in the realm of politics, as well as the realm of economy (Assadi: 2011: 377-86). This is because of the fact that today human rights has become the barometer to know that any state is how much democratic. That's why this debate is, human rights protection, become more relevant than ever. Are democracy and human rights related? Yes of course. In fact it is proved by scholars, like Amartya Sen and others, that human rights are more preserve in democracy rather than any other form of government. In democracy, individual have rights to develop his or her personality as he or she wish. But the globalization affected to this proved premise. Globalization process confronts threats and opportunities in the way of human rights. Globalization brought new tools and technology by which human life became easier. Due to information technology the flow of knowledge created a strong civil society with ability to work across the border and promote the human rights. The human rights discourse became an issue of global debate with globalization. Undoubtedly the process of globalization played an important role to develop consciousness about the human rights protection. Global media and internet made human rights universal and made people aware about it. Some new human rights such as right to information, right to education, right to food, right to employment etc are the result of global attachment. Today's market driven economy generated new rights such as right to enter, right to bargain, right to alternatives, right to exit, right to choose (Assadi: 2011: 377-86). Thus, globalization has extended the sphere of human rights.

But it is only one sided truth, there are other sides too. There is no single way that the globalization is entering into the private sphere of citizen (Giddens: 2000). It is true that due to globalization large number of population became displaced and has lost their livelihood. The emphasis on competitiveness and economic development has had especially negative effects on such vulnerable groups as migrant workers, indigenous peoples and migrant women. Globalization has been cited as a contributing factor in violations of the right to life, the right to protection of health, the right to safe and healthy working conditions and freedom of association in many countries. The competitive pressures of the new international economy have had negative effects on the rights of workers. Low labour costs and low labour standards are important elements in the choice of location of branches or subsidiaries of transnational corporations or choice of suppliers for industrial development. The state has little or no incentive to improve working conditions. The violation of the rights of the indigenous has been taking place for centuries. The recent emphasis on economic development and international competitiveness has resulted in new onslaughts on their rights. The link between the rights of indigenous people and globalization is contrary. Natural resources are found throughout the world on indigenous lands, and prospectors and entrepreneurs have been permitted to encroach on them in the name of economic development. Indigenous rights in all over world are under threat. Globalization violating cultural rights of local people and actually imposing own culture upon them. The process of globalization effected to environment too. Due to high level of industrialization, the environment has increasingly decreased. High pace of deforestation violate human rights of indigenous people. Another thing has taken place that is consumer culture, is also a product of globalization. The agricultural sector has come under increasing threat with the patent regimes that the globalization has introduced. Patent regimes have taken away the right to produce, sell and exchange the seeds (Assadi: 2011: 377-86).

GLOBALIZATION AND CHALLENGES TO HUMAN RIGHTS IN INDIA

Globalization has posed so many challenges in the way of human rights in all over world. India is also facing the challenges of globalization in terms of human rights violation. Due to liberalization, privatization and globalization the human rights of workers, women, children and tribal are under question. Large number of displacement of tribal people, exploitation of works, low rate of wages, worst work condition, women and child trafficking, environment degradation and polluted rivers are some issues which can recognised as human rights violation in our country. Human rights issues that arise include displacement, the poverty of rehabilitation, and often, the impossibility of rehabilitation, the impoverishment that results from displacement, the non-reckoning of cultural and community identity and of rights, what constitutes development has come into severe question in country. Due to these issues, the several violent and non-violent protests have risen. The Land Acquisition Act 1894 has been at the centre of protests. Maoist insurgents, a violent protest, operate in 10 states and claim to fight for the rights of the marginalized tribal, Dalit, and landless communities. Governance has often been weak in regions where the Maoists have found popular support, with economic development- related corruption and illegal mining severely

limiting the revenue available for public services and infrastructure in many of the areas. With government oversight and regulation of the mining sector often wholly ineffective, irresponsible mine operators also pollute vital water supplies, destroy farmland, wreck roads and other public infrastructure, and create other serious health and environmental hazards.

Globalization posed major challenges to tribal rights in India. Despite of protective legislation, the tribal people's rights over land, in the country, are under question. After 1991, the globalization demanded for an open market economy in India and resulted the nature of the state has been changed; now it became a protective state with limited welfare nature. The process of alienation of tribal land has accelerated by this period and due to this, their livelihood is under threat. One major problem raised due to industrialization is the conversion of agricultural land for non-agricultural purposes. "The people most affected due to conversion are the tribals and other marginalized groups whose livelihoods are dependent on agriculture. Apart from large-scale conversion of their agriculture land, there are far more families that work as agricultural labourers whose livelihoods are threatened. Tribals and other groups already displaced still have not been provided any or adequate compensation. An estimated 40 million people (of which nearly 40 percent are tribals and 25 per cent dalits) have lost their land since 1950 on account of displacement due to large development projects. They still await compensation and rehabilitation. This situation is aggravating due to addition of more number of people in this 'inhumane' category every year. These people are immensely dissatisfied with government's apathy towards them" (Government of India: 2009).

Human rights of the Indian farmers are under threat. It is estimated that more than a quarter of a million Indian farmers have committed suicide in the last 16 years—the largest wave of recorded suicides in human history. A great number of those affected are cash crop farmers and cotton farmers in particular. In 2009 alone, the most recent year for which official figures are available, 17,638 farmers committed suicide—that's one farmer every 30 minutes. While striking on their own, these figures considerably underestimate the actual number of farmer suicides taking place. Women, for example, are often excluded from farmer suicide statistics because most do not have title to land—a common prerequisite for being recognized as a farmer in official statistics and programs (CHRGJ: 2011). The farmers suicide is due to the new forms of capitalist development that the globalization initiated in the sphere of agriculture. New patent law and hybrid seeds further aggravated this crisis and it is estimated that in India more than two lakh farmers have committed to suicide between 1900s and 2000s.

CONCLUSION

Globalization has its supporters and critics. Undoubtedly the globalization enhanced the theoretical debate about human rights and also extent it at large. In the post globalized world, the human rights discourse is in centre and some new rights have demanded by NGOs and other human agencies. But at operational level, globalization posed several challenges in all over world. Like most other countries, in India also there is widespread violation of human rights though the nature of violations is varied. Extensive societal violence and

discrimination against women; forced prostitution; child prostitution and female infanticide; trafficking in women and children; discrimination against persons with disabilities; serious discrimination and violence against the Scheduled Castes and Tribes; widespread inter-caste and communal violence; religiously motivated violence against minorities and widespread exploitation of indentured, bonded and child labour are some instances of human rights violations in India.

Globalization enhanced the understanding about human rights and also helped to develop the capable civil society which can ably protect to human rights. But unfortunately its process violated human rights at large scale. In fact, globalization as a concept is neither pro human rights nor anti human rights, it could offer opportunities for promotion of human rights as well as challenges to human rights. Actually it is as a monster and need to control it. In the controlled way with human face, it will be boon for humanity.

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