

# HUMAN RIGHTS IN HINDUISM

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## ABSTRAK

*Konsep Hak Asasi Manusia dalam Agama Hindu sampai sekarang masih menjadi perdebatan. Hal ini disebabkan oleh adanya system kasta yang menjadi salah satu ajaran penting dalam agama Hindu yang mendapat legitimasi keagamaan seperti yang terdapat dalam Undang-Undang Manu. Undang-undang ini menegaskan bahwa apa pun yang dilakukan oleh umat Hindu berdasarkan kasta (Varna) yang mereka miliki adalah salah satu bentuk tugas (dharma) sebagai salah satu jalan untuk mengabdikan kepada Tuhan. Sedangkan di sisi lain, Sistem Kasta dipandang cenderung membuat hirarki social dimana hal tersebut telah membatasi hak-hak asasi manusia yang dimiliki oleh setiap individu di dunia ini.*

*Kata Kunci : Hak Asasi Manusia, Kasta, Hindu.*

## Introduction

Talking about Human rights in Hinduism can't be separated from its concept of caste system. Caste system was always assumed that it limits and breaks the Human rights which are belong to all human being in his life. For Hindu people, making a relation between caste system and human rights is misleading. This concept for them does not have relation to caste system. Caste System which has legalization from Hindu *Scriptures* emphasizes that what Hindus do or have with their *varna* (caste) is duties (*dharma*)<sup>2</sup> as a way to obedience to the God.

Hinduism by its caste system which consists of *Brahmins* (priests), *kshatriyas* (rule justly and protect society or warrior), *vaishyas* (artisans and traders), *shudras* (workers), and *chandalas* (despised untouchables, street sweeping and carrying dead bodies) believes that it

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<sup>2</sup> Term *Dharma* (from the root *dhr*, "to sustain, to uphold") is used to ethics and moral behavior in general and to the Hindu Religion as the *sanatana dharma*- the eternal *dharma*. The Monier- William Sanskrit-English dictionary gives about seventeen meanings for *dharma*, including religion, the customary observance of a caste or sect, law usage, moral merit, righteousness, duty, and justice, which shows the wide range of the concept and practice of *dharma*. See Harold Coward. *Human Rights and the World Major Religions; Hindu Tradition*. 4<sup>th</sup> Vols. USA: Preager Publisher, 2005. 31

has benefit for people. For Hindus the caste system is first described in their scriptures like *Rgveda* and *Dharmasastras* and it means that it is teaching of God. The practice of caste connects logically with the notion of *karma* and rebirth. The *Karma* that one has created for oneself by one's freely chosen actions and thoughts in previous lives the caste group one is born into in this life. One's birth in this life is not equal with everyone else, but is just one's *karma*. For Hinduism equality is achieved at the end, whereas for the UN Declaration, it is a right or status conferred at the beginning. Equality for Hinduism is not given at birth, but is earned by responsible effort over many lifetimes. So, we can say that the caste system is duties (*dharma*) that must be obeyed by Hindus to reach the *Moksa*.

Kana Mitra, a philosopher of religion at Villanova University, as quoted by Coward in "The Fourth Volume of Human Rights and The World's Major Religions: The Hindu Tradition", says that "*the caste system seems to be wholly incompatible with the idea of human right*". Hinduism, says Mitra, emphasized the duties of humans rather than their rights. However, duties and rights are interrelated so it is perhaps possible to deduce ideas about right from Hindu thinking about the duties (*dharma*).<sup>3</sup>

Based on the statement as described above, my intention in this paper, then, is to examine or inquiry more detailed about the concept of human right in Hinduism through seeing the Hinduism scriptures like *Veda* and *Dharmasastras*. It means that the purpose of this paper is to see and explore how the concept of human rights which has been declared by United Nation is in Hinduism perspective.

In this paper I will start with description on History and Philosophy of Human Right, The Concept of Nature of Human Right, The Development of Human Right, and Human Right and United Nation. It is important to see the context of birth of human right and what benefit can be gained from Human rights for Human being and to see the reason why Hinduism views that human rights is incompatible with its teaching, caste system. After that I will describe some Hindu scriptures based opinions from some Hindus or some scholars who are expert in Hinduism talking about caste system and related it to issues of Human right in Hinduism perspective.

In order to investigate the Hinduism perspective on Human Right, I examined some Hindu scriptures and writings in academic papers published in some books. Each data that I found in those books are identified, highlighted, interpreted, and then analyzed to get the result or conclusion to answer the research questions.

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<sup>3</sup> Harold Coward. *Human Rights and the World Major Religions; Hindu Tradition*. 4<sup>th</sup> Vols. USA: Preager Publisher, 2005. 43.

Because of its focus on seeing how Hinduism scriptures talking about Human rights, this paper does not undertake a detailed analysis of the complex of other Human rights issues which have happened in society. Application the concept of human right in country in which Hindu people is dominant, like India is taken just to support the texts that exist in Hinduism scriptures or to see how the caste system plays in India society. Because, through looking at the India's people lives the Hinduism scriptures on Human right can be understood and interpreted to achieve the conclusion of this paper.

This paper is designed just for a short research on human right in Hinduism Scriptures. As an *outsider*, I realized that what will be resulted from this research is not like the results come from an *insider*. So, if we talking about the concept of Human right in Hinduism Perspective with using its scriptures, there are many things can be explored further more. The careful analysis to concept of caste system that it was believed by different Hindu society or country like India and Bali and then compare both of them in their understanding on caste system might be a valuable thing in this work.

#### *A Brief History and Development of Human Rights*

Human Rights are natural rights that are given directly by God. Accordingly, no power in the world can pull it out. Even so it does not mean the rights that can be done arbitrarily. Because when someone does something that can be categorized to violate the rights of others, he must be accountable for his actions.

In essence the Human Rights consists of two most fundamental rights, is the right of equality and liberty rights. From both of them is born like other human rights. In other word without both of these fundamental rights, other human rights will be difficult to enforced. Given the importance of the internalization process of understanding on human rights for everyone, a historical approach started from the emergence of the concept of Human Rights to the current development needs to be known by everyone to assert the existence of his human rights and the other people rights.

The idea of human dignity is as old as the history of humankind and exists in various cultures and religions. For example, For example, the high value accorded to the human being can be seen in the African philosophy of "*ubuntu*" or the protection of foreigners in Islam. The "*golden rule*" that one should treat others as one would like to be treated oneself,

exists in all major religions. The same is true for the society's responsibility to take care of its poor and for the fundamental notions of social justice.<sup>4</sup>

Generally, most scholars believe that the birth of human rights begins with the birth of Magna Charta in 1215 in England. Magna Charta, for instance asserted that the king had absolute power (the king who created the law, but he himself is not bound by law), must be restricted his power and began to be held accountable in public. Since it was born the doctrine of the king is not above the law and began to be responsible to the law. if the king violated the law he must be prosecuted and his policies should be accounted in the parliament. Hence the birth of Magna Charta can be regarded as embryo for the birth of a constitutional monarchy that the point is that the king's power is only a symbol.<sup>5</sup>

After Magna Charta, *Bill of Rights* in England in 1689 comes in more concrete development. At that time known an adage that says is *that human beings are equal before the law*. This adage then encourages the emergence of law and democracy. *Bill of Rights* emphasizes the principle of equality. This emphasis is based on core principles of human rights defender who always struggle for equal rights since the right of freedom cannot be obtained without any right to equality. For that purpose, there are various theories related to the rights of equality, such as Roesseau's theory (his theory about the social contract / covenant community), Montesquieu's theory with his *Trias Politica* which teaches the separation of powers to prevent tyranny, John Locke in England and Thomas Jefferson in America who introduce the basic rights of freedom and equality in society.

The development of further human rights was marked by the emergence of the American Declaration of Independence in 1776 which has a major role in the history of humankind. The declaration does not only helped the Americans to achieve Independence from the rule of the Home King i.e. King George III, but Also inspired the French to undertake a similar revolt to Achieve Freedom. The declaration which was inspired by the theories of Montesquieu and Roesseau reinforce the statement that humans are free since in the womb, so it is not logical if after birth, they should be handcuffed.

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<sup>4</sup> Wolfgang Benedek. *Understanding Human Rights: Manual on Human Rights Education*. Wien:Graz, 2006. 29.

<sup>5</sup> The history of human rights in this paper described briefly and might be considered as a summary of some books talking about its history comprehensively. Thus, to see furthermore about the history and the development the idea of human rights see K. Lee Lerner, Brenda Wilmoth Lerner, and Adrienne Wilmoth Lerner. *Human and Civil Rights: Essential Primary Sources*. USA: Thomson Gale, 2006. See also Richard A. Bauman. *Human rights in ancient Rome*. London: Routledge. 2000. And see also Wolfgang Benedek. *Understanding Human Rights: Manual on Human Rights Education*. Wien:Graz, 2006. And Andrew Clapham. *Human Rights: A Very Short Introduction*. USA: Oxford University Press, 2007.

Subsequently in 1789 The French Declaration was born, where the rights of liberty and equality are detailed in what is called *The Rule of Law*. *The rule of law* regulates the application of law in society by asserting that there should be no arrests and arbitrary detention, including arrest without valid reasons and detained without a warrant issued by legitimate authorities. This rule also contains one rule known *presumption of innocence*, that is, people who were arrested and later detained and accused of, right to be presumed innocent until there is legal court decision that declared he was innocent. Besides that this rule also confirmed that humankind has freedom of expression, freedom of religion, the right of property, and other basic rights. So, in the French Declaration has covered all rights, including rights that guarantee the growth of democracy and the state based on law that its fundamental principle was set down before.

Discussing on human rights in modern times cannot be separated from the *Four Freedoms*, a formulation of worldwide social and political objectives by U.S. President Franklin D. Roosevelt in the State of the Union message he delivered to Congress on January 6, 1941. Roosevelt stated these freedoms to be the freedom of speech and expression, the freedom of every person to worship God in his own way, the freedom from want, and the freedom from fear.<sup>6</sup>

All these rights after World War II (after Hitler exterminate millions of human beings) are used as the formula of universal human rights which was later known as The Universal Declaration of Human Rights which was created by the United Nations in 1948. Among the fundamental human rights affirmed in this Declaration are the dignity and worth the person, the equal rights of men and women, and the right to life, liberty, and security. Fundamental freedoms to be safeguarded include freedom from slavery, torture, degrading treatment, discrimination, arbitrary arrest, and arbitrary interference with one's privacy, family, home, or correspondence. There is to be freedom of thought, expression, and the choice and practice of religion.<sup>7</sup>

## The Concept of Human Right in Hinduism

### *The Caste System and Varna*

Talking about human rights in the Hindu perspective indirectly will be brought to the discussion of the caste system in Hindu religion. This is caused by the assumption states that

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<sup>6</sup> See <http://www.britannica.com/EBchecked/topic/214927/Four-Freedoms>, accessed at January 10, 2011.

<sup>7</sup> For the full edition of the Universal Declaration of Human Rights can be accessed at <http://www.un.org/en/documents/udhr/index.shtml>.

the caste system has indirectly made the social hierarchy that in practice it has carried out many violations against human rights. Therefore, before we discuss more about human rights in Hindu perspective, in this chapter first I explain the concept of caste system in the Hindu religion based on the understanding that comes from the Hindu people whose opinions are based on the scriptures.

The word 'caste' is derived from Portuguese *casta*: 'pure, clean', designating purity of descent.<sup>8</sup> Whereas the terminology, caste is defined as follows:<sup>9</sup>

1. Mr. Senart, a French authority, defines a caste as "*a close corporation, in theory at any rate rigorously hereditary: equipped with a certain traditional and independent organization, including a chief and a council, meeting on occasion in assemblies of more or less plenary authority and joining together at certain festivals: bound together by common occupations, which relate more particularly to marriage and to food and to questions of ceremonial pollution, and ruling its members by the exercise of jurisdiction, the extent of which varies, but which succeeds in making the authority of the community more felt by the sanction of detain penalties and, above all, by final irrevocable exclusion from the group*".
2. Mr. Nesfield defines a caste as "*a class of the community which disowns any connection with any other class and can neither intermarry nor eat nor drink with any but persons of their own community*".
3. According to Sir H. Risley, "*a caste may be defined as a collection of families or groups of families bearing a common name which usually denotes or is associated with specific occupation, claiming common descent from a mythical ancestor, human or divine, professing to follow the same professional callings and are regarded by those who are competent to give an opinion as forming a single homogeneous community*".
4. Dr. Ketkar defines caste as "*a social group having two characteristics: (i) membership is confined to those who are born of members and includes all persons so born; (ii) the members are forbidden by an inexorable social law to marry outside the group*".

Based on the definitions of caste given by some scholars above, I see that it is a system that puts the difference of social hierarchy based on class, occupation and or job held

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<sup>8</sup> Klostermaier, Klaus K., *A Concise Encyclopedia of Hinduism*. England: Oneworld Oxford, 1998. 48. Print.

<sup>9</sup> These definitions are quoted from Ambedkar. "Castes in India; Their Mechanism, Genesis and Development." Anthropology seminar. The Colombia University, USA. 9<sup>th</sup> May 1916. Lecture.

by someone which it was obtained heredity. It will cause the discrimination in society that it is not suitable to the teachings of all religions in the world. Furthermore, according to Indonesian Hindu organization (*Parisada Hindu Dharma Indonesia*), the concept of caste system is essentially unknown in Hindu religion and the word is not contained in the *Veda* or another scriptures.<sup>10</sup> In case of “social class” In Hindu scriptures there is only known the term of *varna*. The concept of *Varna* is very different from the concept of caste as it is widely understood today. *Varna* system is the division of labor or duty to manage a social life according to one's talent and expertise which in Hindu term known as *dharma*. Therefore, *Varna* is not obtained through heredity, but it is achieved with individual's effort and creativity which have been determined by God.<sup>11</sup>

Consequently, if caste system tends to make social discrimination based on social status had by certain groups, *Varna* aimed to make a society more regular through practicing the duties belong to each person based on the *Varna* they have.

So, according to *Parisada Hindu Dharma Indonesia*, an understanding that equal between caste and *varna* is a big wrong understanding which indirectly led Hindu teaching to legitimize of social discrimination that is contrary to the main teachings of all religions.<sup>12</sup>

According to the *Veda* Hindu society has been characterized by *varna* divisions from time immemorial. The four classes (*catur varæa*) mentioned in the *Veda*, namely Brahmanas (teachers), Ksatriyas (soldiers), Vaiyyas (traders) and Yüdras (servants) are subdivided into a great multitude of *jätis*, ‘birthgroups’, or castes proper.<sup>13</sup>

These four of *varna* is created by God and it is laid down in Hindu Scriptures, like *Bhagavad-Gita*,<sup>14</sup> *Rgveda*,<sup>15</sup> and *Laws of Manu*.<sup>16</sup>

In the *Bhagavad-Gita*, Sri Krishna says,

*“The four divisions of society (the wise, the soldier, the merchant, the labourer) were created by Me, according to the natural distribution of Qualities and instincts. I am*

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<sup>10</sup> See at [http://www.parisada.org/index.php?Itemid=28&id=26&option=com\\_content&task=view](http://www.parisada.org/index.php?Itemid=28&id=26&option=com_content&task=view), accessed at 5 January, 2011. Further discussion on term *Varna* which is different from term caste, see Radhakrishnan. *Hindu Dharma; Pandangan Hidup Hindu*. Denpasar: PT Pustaka Manikgeni, 2002. 84-116.

<sup>11</sup> Ibid

<sup>12</sup> Ibid.

<sup>13</sup> Wangu Madhu Bazaz. *World Religion; Hinduism*. 4 th ed. New York: Chelsea House, 2006. 114-117. Print. And also see Harold Coward. *Human Rights and the World Major Religions; Hindu Tradition*. 4<sup>th</sup> Vols. USA: Preager Publisher, 2005. 3-4.

<sup>14</sup> The *Bhagavad Gita* used in this paper is *The Bhagavad Gita* in English version translated by Shri Purohit Swami.

<sup>15</sup> *Rgveda* used in this paper is *Rgveda* in English version translated by Ralph T.H. Griffith, 1896.

<sup>16</sup> This *Laws of Manu* is adopted from Harold Coward, p. 211-213 and see also at <http://www.sacred-texts.com/hin/manu/manu02.htm>, *The Laws Of Manu* translated by George Bühler.

*the author of them, though I Myself do no action, and am changeless.*"(Bhagavad Gita 4.13)

Furthermore, said,

*"O Arjuna! The duties of spiritual teachers, the soldiers, the traders and the servants have all been fixed according to the dominant Quality in their nature."* (Bhagavad Gita 18:41).

Rgveda, for instance, states;

*When they formed Purusha, into how many parts did they divide him? What was his mouth? What were his arms? What were called his thighs and feet? The Brahman was his mouth; the Rajanya was made his arms; that which was the Vaishya was his thighs; the Shudra sprang from his feet. (Rig Veda, 10: 90).*

And in the *laws of manu*, there are some verses talking about the creation of *varna* and duties of each of them. They are, <sup>17</sup>

*1. The great sages approached Manu, who was seated with a collected mind, and, having duly worshipped him, spoke as follows:*

*2. 'Deign, divine one, to declare to us precisely and in due order the sacred laws of each of the (four chief) castes (varna) and of the intermediate ones.*

*3. 'For thou, O Lord, alone knowest the purport, (i.e.) the rites, and the knowledge of the soul, (taught) in this whole ordinance of the Self-existent (Svayambhu), which is unknowable and unfathomable.'*

*4. He, whose power is measureless, being thus asked by the high-minded great sages, duly honoured them, and answered, 'Listen!'*

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<sup>17</sup> Ibid.



5. *This (universe) existed in the shape of Darkness, unperceived, destitute of distinctive marks, unattainable by reasoning, unknowable, wholly immersed, as it were, in deep sleep.*

6. *Then the divine Self-existent (Svayambhu, himself) indiscernible, (but) making (all) this, the great elements and the rest, discernible, appeared with irresistible (creative) power, dispelling the darkness.*

7. *He who can be perceived by the internal organ (alone), who is subtile, indiscernible, and eternal, who contains all created beings and is inconceivable, shone forth of his own (will).*

8. *He, desiring to produce beings of many kinds from his own body, first with a thought created the waters, and placed his seed in them.*

9. *That (seed) became a golden egg, in brilliancy equal to the sun; in that (egg) he himself was born as Brahman, the progenitor of the whole world.*

10. *The waters are called narah, (for) the waters are, indeed, the offspring of Nara; as they were his first residence (ayana), he thence is named Narayana.*

11. *From that (first) cause, which is indiscernible, eternal, and both real and unreal, was produced that male (Purusha), who is famed in this world (under the appellation of) Brahman.*

12. *The divine one resided in that egg during a whole year, then he himself by his thought (alone) divided it into two halves;*

13. *And out of those two halves he formed heaven and earth, between them the middle sphere, the eight points of the horizon, and the eternal abode of the waters.*

14. *From himself (atmanah) he also drew forth the mind, which is both real and unreal, likewise from the mind egoism, which possesses the function of self-consciousness (and is) lordly;*

15. Moreover, the great one, the soul, and all (products) affected by the three qualities, and, in their order, the five organs which perceive the objects of sensation.

16. But, joining minute particles even of those six, which possess measureless power, with particles of himself, he created all beings.

87. But in order to protect this universe He, the most resplendent one, assigned separate (duties and) occupations to those who sprang from his mouth, arms, thighs, and feet.

88. To Brahmanas he assigned teaching and studying (the Veda), sacrificing for their own benefit and for others, giving and accepting (of alms).

89. The Kshatriya he commanded to protect the people, to bestow gifts, to offer sacrifices, to study (the Veda), and to abstain from attaching himself to sensual pleasures;

90. The Vaisya to tend cattle, to bestow gifts, to offer sacrifices, to study (the Veda), to trade, to lend money, and to cultivate land.

91. One occupation only the lord prescribed to the Sudra, to serve meekly even these (other) three castes.

92. Man is stated to be purer above the navel (than below); hence the Self-existent (Svayambhu) has declared the purest (part) of him (to be) his mouth.

93. As the Brahmana sprang from (Brahman's) mouth, as he was the first-born, and as he possesses the Veda, he is by right the lord of this whole creation.

94. For the Self-existent (Svayambhu), having performed austerities, produced him first from his own mouth, in order that the offerings might be conveyed to the gods and manes and that this universe might be preserved.

95. *What created being can surpass him, through whose mouth the gods continually consume the sacrificial viands and the manes the offerings to the dead?*

96. *Of created beings the most excellent are said to be those which are animated; of the animated, those which subsist by intelligence; of the intelligent, mankind; and of men, the Brahmanas;*

97. *Of Brahmanas, those learned (in the Veda); of the learned, those who recognise (the necessity and the manner of performing the prescribed duties); of those who possess this knowledge, those who perform them; of the performers, those who know the Brahman.*

98. *The very birth of a Brahmana is an eternal incarnation of the sacred law; for he is born to (fulfil) the sacred law, and becomes one with Brahman.*

Based on verses of the Vedas as quoted above, the functions of human society which is drawn in four divisions of *Varna* is similar to the human body itself. Someone can live normally if their physical body like head, hands, thighs and legs can function well.

According to the Vedas (Bhagavad Gita 4.13), someone who enters the social class (*varna*) is determined by: *Guna* (nature /behavior/ features) and *Karma* which was attached to his personal. *Veda* provides that a person who entered *varna* (social class), were not allowed to do some works or activities of other people *varna*. It's called professionalism.<sup>18</sup> The *Varna* is intended to please God and to purify the human self. This is indicated by the verses of Veda like in the Vishnu-Purana.<sup>19</sup> In the Vishnu- Purana this function of *Varna* mentioned as follow:

*“...The supreme Vishnu is propitiated by a man who observes the institutions of caste, order, and purificatory practices: no other path is the way to please him. He who offers sacrifices, sacrifices to him; he who murmurs prayer, prays to him; he who injures living creatures, injures him; for Hari is all beings. Janárdana therefore is*

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<sup>18</sup> Radhakrishnan. *Hindu Dharma; Pandangan Hidup Hindu...* 100.

<sup>19</sup> Vishnu-Purana used in this paper is *Vishnu-Purana* in English version translated by H. H. Wilson, 1840.

*propitiated by him who is attentive to established observances, and follows the duties prescribed for his caste. The Brahman, the Kshatriya, the Vaiśya, and the Śúdra, who attends to the rules enjoined his caste, best worships Vishnú.”* (Vishnu-Purana 3.8.9).

Veda as mentioned in the Bhagavata Purana 11:17:21 binds human beings with the general duty which each *Brahmin, Kshatriya, Sudra, and Vaisya* must obey the following principles of *dharma*; (a) non violence or non-injury (*ahimsa*), (b) truthfulness (*Satyam*), (c) No stealing / corruption (*asteyam*), (d) doing for the welfare of all other creatures (*bhuta priyahitehaca*), and (e) Free from anger and greed (*akama krodhalobhasa*).<sup>20</sup>

These five things are called well-duty universal, because these behaviors must be respected and recommended to be done by every human being either they are in socialist society, communist, capitalist, atheistic, materialistic society, and so on.

### *Human Rights in Hinduism*

The purpose of human rights as argued by Ignatieff is to protect human agency and therefore to protect human agent against abuse and oppression.<sup>21</sup> For that purpose then was born varieties of covenants to safeguard those rights to achieve the harmony life in society.

Human rights which aimed to maintain the natural right of every individual which was taken from birth as it is protected by the universal declaration on human rights in Hindu perspective is a matter that must be protected and respected by every human being. In Hindu tradition this is can be seen from its doctrine of *Ahimsa*, one of main *Yama* (universal moral duty) in Hindu teachings.

*Ahimsa* is a Sanskrit meaning ‘nonviolence’ or ‘non-injury’.<sup>22</sup> The term *ahimsa* appears for the first time in the *Taittiriya Samhita* (T.S.) of the Black Yajurveda (T.S. 5.2.8.7), where it refers to non-injury to the sacrificer himself. It occurs several times in the Shatapatha Brahmana in the sense of "non-injury" without a moral connotation. The earliest reference to the idea of nonviolence to animals (*pashu-ahimsa*), apparently in a moral sense, is in the Kapisthala Katha Samhita of the Black Yajurveda (KapS 31.11), which may have been written in about the 8th century B.C.E. The *Chandogya Upanishad* (C.U.), dated to the eighth or seventh century B.C.E., one of the oldest Upanishads, has the earliest evidence for

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<sup>20</sup> John L. Esposito, Darrell J. Fasching, and Todd Lewis. *Religion and Globalization*. New York: Oxford University Press, 2008. 299-302., see also Harold Coward. *Human Rights and the World Major Religions; Hindu Tradition....*31-59.

<sup>21</sup> Micheal Ignatieff. *Human Rights as Politics and Idolatry*. USA: Princeton University Press, 2001. ix

<sup>22</sup> Lindsay Jones. *Encyclopedia of Religion*. 1<sup>st</sup> Vols. 2<sup>nd</sup> ed. USA: Thomson Gale, 2005. 197. See also Klostermaier, Klaus K., *A Concise Encyclopedia of Hinduism....* 29.

the use of the word *ahimsa* in the sense familiar in Hinduism (a code of conduct). It bars violence against "all creatures" (*sarva-bhuta*) except at the "holy places" (*tirtha*) where ritual sacrifice was performed, and the practitioner of *ahimsa* is said to escape from the cycle of reincarnation (C.U. 8.15.1). It also names *ahimsa* as one of five essential virtues (C.U. 3.17.4),<sup>23</sup> that are *ahimsa*(non violence), *Satyam*(truthfulness) , *asteyam*( non-stealing), *bhuta priyahitehaca* (charity), and *akama krodhalobhasa* (freedom from anger) .<sup>24</sup>

In Shatapatha Brahmana<sup>25</sup> this concept drawn with some verses as follows:

*'O Agni, be thou accessible unto us, even as a father is to his son! lead us unto well-being!'*--whereby he says, *'As a father is easy of access to his son, and the latter in no wise injures him, so be thou easy of access to us, and may we in no wise injure thee!'* (2.3.4.30)

*Let him offer it to the 'self-strong' (Maruts); since they gained that share for themselves. [If], however, they (the priests) do not find an invitatory and an offering prayer (addressed) to the 'self-strong' (Maruts) let it be (offered) simply to the Maruts. It is offered for the safety of creatures: hence it is offered to the Maruts.* (2.5.1.14)

*They are fastened with halters of reed-grass to guard (Agni) against injury ;--Agni went away from the gods; he entered into a reed, whence it is hollow, and whence inside it is, as it were, smoke-tinged: (thus) that, the reed, is Agni's womb, and Agni is these cattle; and the womb does not injure the child. For it is from a womb that he who is born is born: 'from the womb he (Agni) shall be born when he is born,' thus he thinks.* (6.3.1.26)

*'A spade thou art, '--for a spade it is: he thus takes it by means of the truth;--'A woman thou art!'*--the spade is a thunderbolt, and the woman is a female, and a female injures no one: he thus appeases it so as not to do any injury. *'By thee may we be able to dig out Agni in the seat!' the seat no doubt is this (spot): thus, 'By thee may we be able to dig out Agni in this seat (place). '--'By the Gagatî metre, Aṅgiras-like!' he thus*

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<sup>23</sup> Adopted from [http://www.newworldencyclopedia.org/entry/Ahimsa#cite\\_note-8](http://www.newworldencyclopedia.org/entry/Ahimsa#cite_note-8) accessed at January 5, 2011.

<sup>24</sup> Klostermaier, Klaus K., *A Concise Encyclopedia of Hinduism*...212.

<sup>25</sup> Shatapatha Brahmana used in this paper is *Shatapatha Brahmana* in English version translated by Julius Eggeling 1882.

*takes it up by means of the Gagatî metre, and lays the Gagatî metre into it. (6.3.1.39)*

From these verses of Veda that states on ways to behave to other creatures including plants, animals, and human being, we can see that the concept of human rights in Hindu tradition had existed for centuries before the declaration of Human Rights held by United Nation. Through looking at this evidence of scriptures, I think no reasons to say that Hindu doesn't teach the human rights like what most people assumed about that.

### Conclusion

The existence of *varna* system in social life according to Hindu has no relation to issues of human rights. *Varna* or 'caste' is Hindus duties or *dharma* toward this life based on God given Karma to them. *Varna* is responsibility as a servant of God in doing the duties of social in accordance with the expertise given by God before man was born. Therefore, linking human rights issues to the duties which is manifested in the form of *Varna* in social life is an issue which is basically not derived from Hindu teachings but influenced by the typology of colonial thinking that aims to mislead the understanding of concept of *Varna* in Hindu teachings.

Therefore, when every time we want to discuss on Human rights issue in Hindu perspective and we always associated it to the *Varna* system, it means that we have fallen to the paradox thing. Human rights issue always prioritize the fulfillment of the rights possessed by human being without pay more attentions to the obligation and duties, while *Varna* as a *dharma* always put obligation or duties to be performed by human beings as a form of devotion to God without thinking of the importance of rights that will be received.

From the description on human rights and understanding of the 'caste system' or *Varna* system in Hindu tradition and how to put this understanding in this modern era, I conclude that the Hindu religion as the other world religions does appreciate the human rights as declared by the UN.

This appreciation can be seen from the doctrine of *ahimsa* that teaches how the human being respect to all creatures from plants, animals to humankind as the most perfect creatures. The appreciation of human rights in Hindu does not merely come from the Hindu theologian thoughts but it was written in Hindu scriptures that have existed for centuries before the birth of concept of human rights which we know today.[]

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