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Decoding the Elements of Human Rights from the Verses of Ancient Védic Literature and *Dharmaśāstras*

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Abstract: This manuscript aims to provide a nuanced study of the idea of rights and duties prevalent in ancient Védic society through Védic literature and *Dharmaśāstras*. This manuscript delves into the exegesis of the Védas and *Dharmaśāstras* to accomplish this. The archaic Védic literature and *Dharmaśāstra* texts are the origin and backbone of Sanskrit literature. They have a plethora of ideas that, if accepted, could be quite useful for the protection of any person's human rights. In the Védas and *Dharmaśāstras*, rights and duties complement each other, and rights are integrated with duties. According to these texts, rights and duties are correlated and the relationship between rights and duties leads to the core concept of *dhárma* (constitutional laws). *Dhárma* is a systematic Sanskrit concept that includes traditions, obligations, morals, laws, order, and justice. It was a unique concept of *dhárma* that kept checks and balances on sovereign officials and prevented them from becoming autocratic and anarchist. It also provided the common man with a protective shield against the dictatorship of sovereign officials. Ordinary citizens had more privileges and fewer responsibilities relative to the state's highest officials. The greater the authority, the less his privileges were, and the more extensive his responsibilities became. This research is an exegetical analysis of ancient Indian Védic and later Védic literature and is primarily aimed at deciphering some of the essential ideas about rights found in these texts, which are akin to contemporary human rights. It endeavours to discern and explain the tenets of human rights obnubilated in the pristine mantras of the ancient Védic and Smṛti texts of India. The essay further attempts to add a much-needed non-western perspective to the historiography of human rights.

Keywords: *dhárma*; *Dharmaśāstras*; duties; Hinduism; human rights; India; Védic literature

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1. Introduction

Sanatana Dhárma or modern *Hindu* philosophy, does not apply to any single faith, but instead to the spectrum of various faiths, including Vaishnavism, which considers Vishnu to be the supreme deity, Shaivism, which considers Shiva to be the supreme deity, and Shaktism, which considers Shakti to be the supreme deity. According to Charles Eliot, *Sanatana Dhárma* or modern *Hinduism* has not been formed, but it has evolved. It's a forest, not a building (Eliot 2004). Likewise, K. M. Sen points out, "*Hinduism* is much like a tree that has slowly evolved than a structure that has been built by a great architect at a certain point of time. It incorporates within itself the roots of other civilizations, and the body of Hindu philosophy, therefore, provides as much diversity as the Indian nation itself" (Sen 2005). However, the terms '*Hindu*' and '*Hinduism*' are not indigenous to India and have peregrine inchoation (Rosen 2006). Hinduism is more homogeneous as a mode of life or a code of conduct, which regulates a man's work and activities as a member of society and as an individual. There are numerous manuscripts and historical literature associated with

Hinduism's various traditions, the most prominent of which are the Védic Literature and Smṛti texts. Quite often, human rights activists consider faith as a threat rather than an ally. While faith poses significant challenges, it also gives the human rights movement hope for change, together with enhanced influence. As Larry Cox indites, it is unfortunate to believe that human rights and religion are always at odds, particularly because universal standards of morality and dignity are the cornerstone of many religious traditions (Cox 2014). Similarly, in the case of human rights and Hinduism, it is often maintained, that it is derisive to human and civil rights, that if the only possible connection among them is one of equipollently extreme dissent, that the structure of the caste system on which Hinduism is predicated leaves little room for equality on which human rights are predicated. However, such a view appears to be so skewed that it is erroneous. This could involve some validity in particular situations, but it does not overshadow the broader fact that *Sanatana Dhárma* is thoroughly welcoming to human rights. According to the Advaita Védānta theory, the bond of universal brotherhood between all human beings is profoundly engendered, and no laws are necessary for it (Bokil 2001, p. 31). Even though no single religion could be declared as the source of human rights, the human liberation movements are mostly religiously inspired (Patel 2005). This manuscript integrates a much-needed non-western perspective into the historiography of human rights. This study is an exegetical work of the Indian Védic literature and the Smṛti texts and mainly aims to decipher some of the significant ideas of rights innate in these texts that are close to contemporary modern rights. This manuscript adds to the historiography of human rights a much-needed non-western perspective. This research is an exegesis of Indian Védic and Dharmasāstra literature, with the primary goal of deciphering some of the key principles of rights implicit in these books that are akin to present modern rights. Due to practical limits, this study is limited to examining the tenets of rights found in Védic and Dharmasāstra literature and excludes the texts' critical parts. The first section of the manuscript focuses on the history of Védic literature and Dharmasāstra, as well as a literature review; the second section focuses on the interpretation of various rights-related exegesis of the selected texts; and the third and final section focuses on the conclusion.

Heritage of Védic Literature

Historians have verbally expressed that Indian literature influenced the history of world literature as it spread to far East Asia, Central Asia, Greece, and Europe (Winternitz 1975). In this aspect, Védic literature deserves an outstanding place in the history of world literature. According to Max Muller, "In the history of the world, the Vēda fills a gap which no literary work in any other language could fill. It carries us back to times in which we have no records anywhere and gives us the very words of a generation of men of whom otherwise we could only get the vaguest estimate by means of conjecture and inferences. As long as man perpetuates his interest in the history of his race, and as long as we accumulate in the libraries and museums the relics of former ages, the first place in that long row of books which contains the records of the Aryāna branch of mankind, will belong sempiternally to the Rig Vēda." (Muller et al. 1968, p. 63). Thus, it is conspicuous that Védic literature plays a consequential role in Indian history.

According to Clayton, the denomination 'Vēda' derives from the Sanskrit word 'Vid', meaning 'to know', an inchoation that can withal be found in the Latin word 'Videre' meaning 'to see' (Clayton 1980, p. 25). Hence, the term *Vēda* means erudition (knowledge). Védic Literature is the oldest documentation engendered by mankind and is the root of the early history of the Indo-Aryāna race. One of the significant features of the Vēdas is the claim of '*apauruṣeyatva*'¹ which implies that '*no human being*' has been responsible for its existence. In other words, the Vēdas were revealed to the ancient Sages by God himself, and these sagacious men deliberately composed the Vēdas so that this cognizance could be transmitted from generation to generation. The seers to whom the Védic hymns were revealed by God were called *Mantradrashtas*.² Nevertheless, the references to the *apauruṣeyatva* of Vēdas in themselves are minimal, and not especially clear or convincing.

It is mostly in later ancillary literature that the *apauruṣeyatva* becomes the commencement point of the Védic exegesis (Dandekar 2000). It is claimed that the Véda was not written down and read, but rather recited and perceived aurally. It was indubitably this that sanctioned the Védic texts to be maintained in perfect condition. According to Winternitz, the history of Indian literature is nothing but one great chapter, one of the most brilliant and most important chapters in the history of human minds . . . and the Véda stands at the head of Indian Literature not only because of its age, but because only one who has gained an insight into Védic literature, could ever understand the intellectual and spiritual life and culture of India (Winternitz 1977). The stratum of Védic literature includes Śruti (texts which have been auricularly discerned and are aeonian and indisputable) and Smṛti (texts which are supplementary to Śruti texts and are recollected and have visually perceived many transmutations over time). The Śruti literature comprises the védas, brāhmaṇas (the prose texts to explicate the hymns of Védas), āraṇyaka (constitute the theory underlying the religious sacrifice in the Védas) and upaniṣads (the philosophical texts which are also called *Védānta*). The Smṛti literature comprises *védāṅgas* (six secondary disciplines linked to Védas such as *śikṣā*, i.e., phonetics; *kalpa* i.e., rituals; *jyotiṣa* i.e., astrology; *nirukta* i.e., etymology; *vyākaraṇa* i.e., grammar; and *chanda* i.e., védic meter), *epic* (two great poems such as *Rāmāyana* and *Mahabhārata*), *upavédas* (applied knowledge such as *āyurvéda* i.e., study of medicine; *dhanurvéda* i.e., study of archery and warfare techniques; *gandharvavéda* i.e., study of music and dance; and *sthāpatyavéda* i.e., study of architecture), *purāṇas* (contain stories about the creation of the world, from conception to death, as well as genealogies of kings, warriors, sages, and gods) and *shatdarshan* or *upāṅga* (constitute six(6) schools of védic philosophy namely *sāṃkhya*, *yoga*, *nyāya sūtra*, *vaiśeṣika*, *purva mīmāṃsā*, and *uttar mīmāṃsā*) (Coward 2016).

Dharmaśāstras or Righteous Science, are the collections of rules of life. They are ancient Hindu jurisprudence texts that have had a very significant impact on Indian culture. There are many Dharmaśāstras, ranging in number from 18 to around 100, each with different and often contradictory viewpoints. Each of these texts has multiple versions and is based on Dharmasūtra texts from the first millennium BC that emerged from Védic era Kalpa (Védāṅga) studies. These texts, written after the Dharmasūtra, use metered verse and are much more elaborate in nature than the Dharmasūtras. The following are the texts that have survived from the Dharmaśāstras:

- Manu Smṛti is the most well-known and earliest metrical work in Hinduism's Dharmaśāstras textual tradition. It was composed by Manu around the 2nd–3rd century AD.
- *Yājñavalkya Smṛti* was composed around the 4th–5th century AD. Due to its superior vocabulary and degree of complexity, the *Yājñavalkya Smṛti* (fourth to fifth centuries CE) has been dubbed the “best written” and “most cohesive” text in the Dharmaśāstra tradition. As a legal theory book, it has been as popular as Manu Smṛti.
- Nārada Smṛti was written around the 5th to 6th century A.D. and has been dubbed as the “juridical text par excellence” because it is the only Dharmaśāstras text that focuses exclusively on legal issues, ignoring righteous behaviour and penance.
- The Viṣṇu Smṛti was composed much later around the 7th century AD and does not explicitly address the means of understanding dhárma, instead it concentrates on the bhakti tradition.

2. Rights Mentioned in Védic Literature

Religion has always played a crucial role in the advancement of human rights, particularly in the advancement of human dignity (Harees 2012). This notion is particularly reflected when one seeks to explore the inherent values laid down in the Védic texts. Human rights defined in Védic literature tend to be fundamental, unchangeable, and place a greater emphasis on human obligations than on human rights. Some philosophers argue that, like Judaism, Hinduism has no word for “rights” (Pandeya 1986), but there is a Sanskrit word for “fair claims” called “adhikara”. The term “adhikara” is similar to the

English term 'rights.' However, in Védic texts, the concept of *adhikara* is primarily used in conjunction with the term 'duty.' This understanding is based on the fact that rights and duties are correlative, and rights come with duties. We optically discern, ergo, that western human rights are primarily about rights, not obligations. In the case of most religions, the antithesis is true. Furthermore, in Hinduism, obligations come first, not rights (Carman 1988). Obligations are primary, and rights can be derived from them. The central concept of *dhárma* is derived from the relationship between rights and responsibilities. *Dhárma* is a Sanskrit term that refers to rituals, responsibilities, morality, law, order, and equity. The religious and moral duties known as *dhárma* were supposed to guide everyone in the culture, including the kings. As a result, 'Dhárma' was the king of kings. It was akin to a code of conduct that governed everyone's behaviour in society, including the King's. Professor Kane defined *dhárma* as "a term that encompasses man's entire life" (Nanda 1997, p. 29).

According to Justice M Rama Jois, since *dhárma* regulated the mutual obligations of individuals and societies, it was expected to be safeguarded in the interests of both (Nanda 1997, p. 31). Based on a preliminary review of Védic literature, it appears that the idea of human rights was not well-known in ancient India. However, an in-depth examination reveals that some aspects of human rights are rooted and intrinsic in Védic hymns. The Védic king ruled as a sovereign, but not as an autocrat. The Council of Ministers' counsel, old customs, popular opinion, and, most importantly, the *dhárma* influenced it. In comparison to the state's highest ascending bodies, ordinary citizens had more rights and fewer responsibilities. To put it another way, the higher one's heritage, the lower their rights and the greater their responsibilities. The word *raj-dhárma* (king's duties or civil law) ensures that the King can safeguard everyone. Similarly, *āpad-dhárma* applies to responsibilities that must be met during a crisis. During a crisis that embodied the king's *āpad-dhárma*, the king was forced to perform certain duties. The subjects' privileges were derived from the kings' responsibilities. Nonetheless, no separate set of distinct and enforceable rights for subjects to be governed fairly or reasonably by the King is discussed (Sharma 2004). Other types of *Dhárma* include collective acts (*sadharana-dhárma*), family *dhárma* (*kula-dhárma*), conduct based on the performance of duties appropriate to one's class, gender, and stage of life (*varnashrama-dhárma*), and an individual's specific *dhárma* based on the previous three (*sva-dhárma*) (Sherma and Sharma 2008). According to *Srimad Bhagvat Gita*, a person should never consider himself to be the cause of the results of his activities, and never be annexed to not doing his duties.³

Consequently, it can be inferred that though ancient Indian society was more of a duty predicated and not a right predicated society, the rights conferred upon an individual were the rights to perform his duties (Kumar and Choudhury 2021). *Sāntiparvan* of the epic *Mahabhārata* mainly deals with the topic of *Raj Dhárma*, or the constitutional obligations of the king and regime. The paramouncy affixed to the obligation is withal conspicuous from the *shloka* indited in *Mahabhārata's Ādi Parva*, which verbalizes that being born as a human, every person owes four debts: *Pitra- Ṛṇ* (Debt towards parents), *Dev- Ṛṇ* (Debt towards the Deities), *Rishi- Ṛṇ* (Obligations towards teachers/sages), and *Maanav- Ṛṇ* (Debt towards humanity).⁴ A man may repay his parents by preserving the family's continuity, God by worshipping the Supreme, teacher by gaining and disseminating wisdom, and humanity by performing social services.⁵

The *Anuśāsanaparva Parva* 61.32–33 of *Mahabhārata* encourages the subjects to rebel against an adharmic king (a king who does not obey the *dhárma*) who is tyrannical, extortive, and sinful, and who fails to fulfill his righteous duty to his subjects. The fear of anarchy was a powerful motivator for even a weak and oppressive king to stay on the throne (Basham 1959). According to the *Mahabhārata*, a man should first choose his king, then his wife, and only then amass wealth, because where would wife and property be without a king in the world?

Article 29 of the Universal Declaration of Human Rights (UDHR), which states that the corollary of rights is duties, reflects the idea of rights arising from duties as enshrined

in ancient Védic texts.⁶ Even M.K. Gandhi believed that all rights deserved and protected came from doing one's duty well. As a result, we only have the freedom to live if we fulfill our responsibilities as world citizens. Thus, the very right to live accrues to us only when we do the duty of citizenship of the world (Moyn 2016).

2.1. Secular Ideals of the State and Rule of Law

Secularism, according to Holyoake, is not an argument against any religion, but rather a social order that is independent of religion. The Holyoake principle of secularism is close to the ancient Védic literature's principles of government. The word secularism does not apply to atheism in Védic texts. According to Védic texts, secularism is more about conducting state affairs in an unbiased manner while considering the welfare of the subjects without discrimination. Following the establishment of a state, the King was given the power to protect the rights of the subjects, which became part of the 'raj-dhárma,' or constitutional law. According to Védic literature, the state's first duty is to protect the rights of its citizens and to treat them all equally, just as a mother does with her children. It was predicted that, just as Mother Earth offers equal support to all living beings, a king would do the same, without bias or discrimination. The notion of the right to equality and the values of a secular state stem from the King's duty to treat all of his subjects equally and without prejudice. The king was supreme and had the power to enact legislation, but this power was limited to regulatory legislation rather than substantive or constitutional legislation (dhárma). According to the *Brihadaranyak Upaniṣad*, Dhárma was the king of kings, and *Dhárma*, fortified by the mighty king's power, allowed the weak to triumph over the powerful.⁷ It asserts that the law (dhárma) is supreme, and that the law (dhárma) combined with the king's mighty strength enables the poor to prevail over the strong. Dhárma practice did not imply enforcing Védic religion and theology, as non-believers in Védic philosophy and religion had the right to be protected and to practice their faith freely. The king's right to rule was contingent on him fulfilling his duties, failing which his kingship could be revoked. According to *Mahabhārata*, if a cruel and unjust king fails to defend his subjects and purloins them in the name of levying taxes, he should be executed as a mad canine (Huchhanava 2019).

The legislators of the post-Védic period drew on Védic literature while drafting laws to reflect the state's secular ideals, as shown by the texts of *Manu Smṛti* and *Nārada Smṛti*. According to *Manu Smṛti*, just as mother earth supports all living beings equally, a king should do the same without any discrimination.⁸ The King was not allowed to break his responsibilities (raj-dhárma), so if the dhárma was broken, the King would be destroyed. *Nārada Smṛti*, on the other hand, demands that the King protect Védic believers, as well as Védic disbelievers and others. *Nārada Smṛti* holds that the king (State) should not discriminate in according protection to believers in *Véda (Naigamas)*, as well as those who do not believe in *Véda (Pashandis)* and of others. The protection should be done in the same manner in which he (King) is under an obligation to protect his fort and territory.⁹

The rules laid down by the lawmakers of the post-Védic period were not rigid, as the Dhármasāstras often reiterates that the rules may be transmuted or updated for the welfare and aegis of subjects, given the fact that a code that sustains society at one age may choke society at another age.

2.2. Liberty, Equality and Fraternity

The world came up with the high ideals of liberty, freedom, and fraternity, during the French revolution (Setzer 2013). These three principles are enshrined in almost every democratic constitution in the world. On 10 December 1948, the United Nations adopted the Universal Declaration of Human Rights, which states that all human beings are born free and equal in dignity and rights. It goes on to say that humans are endowed with reason and conscience, and that they should behave in a brotherly manner towards one another. The concept of personal liberty and the right to life is one of the oldest known concepts to human beings. This is an inherent right that nature has conferred on humans. Man's

Natural Liberty is to be free of any superior authority on Earth, and to be ruled solely by the laws of nature, rather than by man's will or legislative ascendancy (Jones 1975). The word liberty has both positive and negative connotations. Liberty implies the lack of restraints in a negative sense. In his *Essay on Liberty* (as quoted in Johari 1989), John Stuart Mill defends negative liberty by stating that "leaving people to themselves is often better than restricting them," and that "all restraints quo restraints are evil" (Johari 1989). T.H. Green is credited with coining the term "liberty" in a positive way. He describes liberty as the ability to do or enjoy something worth doing or enjoying in the presence of others. In his words, "Will! not force is the basis of the state" (Tyler 1997, 2019). The most important human right is the right to liberty. "Where liberty dwells, there is my country," wrote a famous English poet (Mencken 1942). *Ṛig Vēda* echoes the ideals of liberty, by calling for the liberty of *Tan* (body), *Skridhi* (dwelling place), and *Jibhasi* (life). These liberties may be compared to contemporary rights such as the right to physical liberty, food, and life (Yasin and Upadhyay 2004). The ancient Vedic society highly valued the diversity of thoughts, which is evident from the 112th hymn from the 9th book of the *Ṛig Vēda* which states "*diverse are the thoughts and actions of the people*".¹⁰

Similarly, another hymn of *Ṛig Vēda* reads, "May noble thoughts come to us from every quarter, unchanged, unhindered, undefeated in every way; May the deities never digress from us; May our protectors care for us, ceaseless, every day".¹¹ Thus, it is evident that ancient Vedic society was very welcoming to novel ideas and thoughts, and it was the paramount duty of the state to protect the liberty of its people and enable them to live life with dignity and happiness. The epic tale *Mahabhārata* also advocates the civil liberties of individuals in the political state. However, the right to liberty was not paramount and came with certain riders. This is quite conspicuous from the post-Vedic literature called *Bharat Nāṭyaśāstra* which is the oldest surviving book on performing arts. In the final chapter of the *Nāṭyaśāstra* (36.33–35), there is an episode wherein Bharata's sons get arrogant with their knowledge of drama and engender a frugal play that ridicules and caricatures prominent seers and saints. Upset by this, the sages cursed the sons of Bharata, but later they concurred to mitigate the effect of their imprecation when deities intervened on behalf of Bharata's son. This instructive episode suggests that there is an inhibition to the liberation of expression and that liberation should not be misused in the designation of artistic liberation and liberty.

According to Ronald Dworkin's theory of equality, the philosophy of equality has its origins in religious heritage. The analysis of the Vedic texts gives credibility to Dworkin's claim. *Ṛig Vēda* advocates that all humans are equal and no one is born either superior or inferior. Everyone should strive to progress and apportion the means of happiness collectively.¹² The *Upaniṣads* expanded on the *Ṛig Vēda*'s equality concept by declaring that all humans are not only identically tantamount but also distinct.

Thus, Vedic literature emphasises the dignity and unity of all human beings without prejudice, as well as the need for humans to work together to advance and distribute the means of happiness collectively. The Vedic seers regarded the whole universe as a single body, believing that any flaw in one organ would have an effect on the health and safety of the entire human body. All humans were considered to be God's children, and so all were treated equally. In another shloka, *Ṛig Vēda* emphasizes unity even more, calling for oneness in the intent, emotions, and cerebrations of all human beings so that they may live in bliss together.¹³

The philosophy of egalitarianism or equalitarianism is also obvious in the *Samjnana Sukta* of *Atharva Vēda*, which says, "Everybody has equal rights to articles of food and water. The chariot of life's yoke is balanced on everyone's shoulders. All should live in harmony, fortifying one another like the spokes that connect the rim and hub of a chariot wheel."¹⁴

Another cherished principle of the French Revolution is fraternity, or brotherhood. However, the fraternity's definition and description have always been contentious. The theory of fraternity is the least discussed and has the least licit consequentiality of the three

ideals of the French Revolution. However, philomaths such as Bhim Rao Ambedkar and Canadian judge Charles Gonthier have argued for the fraternity's supremacy. "Without solidarity, liberation, and liberty will be no deeper than coats of paint," Bhim Rao Ambedkar said in his closing dialogue in the Constituent Assembly Debates of India ([People's Union for Civil Liberties Karnataka and Forum Against Atrocities on Women 2012](#)). Similarly, as Canadian judge Charles Gonthier put it when explaining the importance of fraternity, "liberty and equality depend on fraternity to flourish" ([Gonthier 2000](#)). Gonthier goes on to say that, in terms of social justice, it is not enough to protect people's right to liberty and self-determination; it is also necessary to protect their ability to flourish by assisting those who need assistance. Liberty and equality, according to M. Rama Jois, are ideals that can be achieved by constitutional betokens, but fraternities deserve more than constitutional betokens ([Rama 2017](#)). For humans to live a joyful and contented life, unity in resolution, spirit, and mind is essential. These lofty ideals of fraternity additionally resonate in the shloka of Ṛig Vēda that says, "Move together, talk together, let your minds understand alike. Common be your prayer, common be the acquirement, common be your purpose, associated be the desire. Common be your purpose, common be your heart (feelings) and common be your mind (thoughts). Let the strength of mutual cooperation be firm among you all."¹⁵ *Maha Upaniṣad*, another paramount Vēdic text, utilizes the term '*Vasudhaiva Kutumbakam*' meaning 'entire world is one family and only diminutive and narrow-minded people adopt two divergent perspectives towards mundane matters.' The shloka of *Maha Upaniṣad* reads as follows, "only diminutive and narrow-minded people adopt two divergent perspectives towards mundane matters and do 'mine and dine'; but for those who are broad-minded and have higher consciousness, the whole world is one's own family."¹⁶

2.3. Justice

"Everyone has the right, in absolute equality, to a fair and public hearing before an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him", says Article 10 of the Universal Declaration of Human Rights. One can sense this sentiment of UDHR resonating in Vēdic literature to some extent. The study of Vēdic literature reveals that India had some kind of legal structure in place even during the Vēdic period. Law as a matter of divine prescriptions and philosophic debate has an impressive history in India. During the Vēdic period, *dhārma* was considered to be a special attribute of man, and a man bereft of *dhārma* was considered identically tantamount to an animal. The Vēdas are considered as the 'first source of *dhārma*' ([Rama 2004](#)). The Vēdic Ruler, as head of the Judiciary, was the guardian and protector of *Dhārma* and the duty of dispensing justice was *raj-dhārma*. The King was the holder of the law, but not the source of law, and in this process, he was guided by *dhārma*. The King's autonomy was limited by tribal councils known as Sabha and Samiti. The two organisations. The two bodies aided the king in governance and justice administration. The Vēdic king represented Lord Yama while performing justice. Yama was the deity of justice, *dhārma*, death, and the south direction. According to the Vēdas, Yama was the first mortal to die, and through implicative insinuation, he became the king of the deceased. There were three sources of *Dhārma* law which availed the king while performing equity. The first source was Vēdas. The second source was *Dharmaśāstras* texts, of which the consequential ones were the *Dharma Sūtra* of Gautama and Baudhyana, *Sūtras* of Apastamba, Harita, Vashista, and Visnu. The *Dharmaśāstras* primarily dealt with civil and criminal law rules. The third source of *dhārma* was called the '*âchâra*', which betokens customary law. *Âchârs* were the norms of a particular community or group. Just like the *Smṛti* texts, *âchâra* finds its ascendancy through its connection with the Vēdas. Where both the Vēdas and the *Dharmaśāstra* were silent on any issue, a learned person who was well versed in Vēdas could consider the norms of the community as *dhārma* and perform them. Thus, it is conspicuous that during the Vēdic period, the dispensation of justice was one of the most consequential works of the king. According to K.M. Panikkar, the king's

coronation ceremony was a Diksha- devoting his life to the cause (accommodation of the people) (Panikkar 1963). There is an episode of King Mahendra in Védic texts wherein the king is visually perceived recollecting the knowledge imparted by his father as a guide to dispensing equity in a cow larceny case. Mahendra's father taught him to be impartial when resolving a dispute and to prioritize the pieces of evidence available over anything else.

The foundation of justice established in the Védic texts was expanded upon in post-Védic texts such as *Nārada Smṛti*, *Manu Smṛti*, and *Yājñavalkya Smṛti*. *Nārada Smṛti* advises the king to appoint only suitable people as judges who are well versed in the law and who are noble and impartial. *Nārada Smṛti* says, "Let the king designate as members of the Court of Justice honourable men of tried honesty (*sabhyas*) who can shoulder the burden of justice administration and who are well versed in sacred laws, rules of prudence, who are virtuous and unbiased towards friends and foes."¹⁷ *Nārada Smṛti* further advises the king to dispense justice by taking decisions unanimously in consultation with all the judges as this would leave no doubt in the minds of litigants. According to *Nārada Smṛti*, a unanimous decision by the judges leaves no room for doubt, while a majority decision leaves plaintiff with doubts.¹⁸ The Védic texts advise the king to refrain from greed and anger and scrupulously follow Dhárma (constitutional law) when dispensing justice. The king and judges were also warned not to hear cases solely, nor should they conduct any private hearings. The judgment should be free from all types of biases.

2.4. Humane Treatment

Article 23 (3) of the Universal Declaration of Human Rights verbally expresses, "all who work has the right to just and auspicious remuneration sufficient to ensure the survival of respectable human dignity for himself and his family, which must be balanced by other forms of social protection". The concept of just and humane treatment gets resonance in the hymns of Atharva Veda, where the master is directed to take care of the welfare and magnification of those working under him. The hymn verbally expresses; "Take care of the welfare and magnification of all your people. Then you will grow as the sun grows and shines at dawn and after its rise," (Sharma and Talwar 2004). The Védic literature authoritatively commands a person not to be indifferent to his wife, auxiliaries, diseases, domestic animals, wealth, erudition, studies, or giving accommodation to a gentleman for even a single moment. These things should always be taken care of. A Noble person is the one who considers the interests of others to be his own and accomplishes them even at the cost of his own loss. (Dwivedi 2009). According to Védic texts, everyone in the world deserves to be ecstatic and free, and consequently, the king should rule the earth along the right path. The Garuda Purāṇa exhorts the king to not be exasperated with his auxiliaries without ample cause. There are two significant hymns in Garuda Purāṇa which advocate just and humane treatment of employees. They read as follows:

"The king who becomes irate with his employees without ample cause genuinely takes in the poison regurgitated by an ebony serpent". (Garuda Purāṇa 1.111.27)

"It is despicable for his components to fret and fume without faults in others. He who penalizes his employees unjustifiably becomes a victim of the enemies' attack." (Garuda Purāṇa 1.111.30)

The Mahabhārata gives us a fascinating look at the different types of combat that are acceptable and unsuitable. It even calls for the humane treatment of prisoners of war. Innocents, old people, children, and women who are differently abled should not be harmed by the king. Warriors should not attack unarmed warriors, and war should take place only between equals. Gardens, temples, and other public places of worship should remain unaffected (Subedi 2003). Besides the above, there are several other hymns in Védic literature wherein the seers are visually perceived praying for the dignity and self-reverence of individuals.

2.5. Happiness

Every human being wants to be happy, and all consciously or unconsciously endeavor to achieve it. It is the rudimentary desire of all human beings, and many constitutions in the world verbalize the right to happiness. The US Constitution guarantees the right to the pursuit of happiness, not happiness itself, as it is surmised that no one can promise, bestow, or provide happiness when no one has any authority over it. The Védic texts are full of prayers in which the seers are optically discerned asking for happiness, peace, and prosperity for all. There is a prayer in Sanskrit wherein the seers give a call for “*Lokah Samastah Sukhino Bhavantu*”¹⁹ meaning “Let all the people in the world be happy. Let all the world be happy”. There is another popular prayer in Védic literature that prays for the ecstasy and salubrity of the whole world. This prayer is mentioned in *Garuḍa Purāna* (35.51). *Asīrvacanam* (2) of *itihāsa samuccaya*, and *Mantrabhāṣya* (*Vājasneya Samhitā*) of *Uvaṭa*. The prayer reads, “May all be happy; may all be liberated from infirmities/disease; may all experience good; may no one be suppressed/inundated by grief and suffering”, the prayer says. *Om peace, peace, peace*”.²⁰ This is one of the most beautiful verses that illustrates the concept of universal salubrity. This verse is often quoted in the context of ecstasy, spirituality, universality, and salubrity. It is like a tranquility benediction for the macrocosmic welfare. It desires the welfare of all humans, irrespective of caste, creed, sex, etc. Similarly, the Brihadaranyak Upanisashad says, “Guide me from falsehood to truth; guide me from darkness to light; guide me from death to immortality”.²¹ Another text, named *Taittiriya Upaniṣad*, identifies the highest Reality (God) with Happiness (*Ananda*), Bliss (*Parama- Ananda*) and queries (*Jigyasa*).

2.6. Gender Rights

Studying the history of the role and status of women within a community is one of the best ways to understand its essence, venerate its value, and acknowledge its limits (Choudhury 2013). During the Védic period, women relished all privileges equal to men, and both men and women relished fair status in society. According to Ṛig Véda, “The entire macrocosm of noble people bows to the majestic woman’s glory in order for her to enlighten us with sagacity and foresight. She is a pillar of society who imparts wisdom to all. She is a symbol of wealth and a famous sibling. May we value her in order for her to eradicate evil and hate from society”.²²

Women’s right to participate in war, gymnastics, archery, horse riding, recreational activities, inculcation, decision-making, and the option of choosing male spouses reflected the core of the role of women in the social context of the Ṛig Védic era (Altekar 1938). Women’s freedom to participate in war, gymnastics, archery, horse riding, recreational activities, inculcation, decision-making, and the option of choosing male spouses reflected the core of the role of women in the social context of the Ṛig Védic era (Altekar 1938).

Védic women were entitled to *Upanayana samskara*, which allowed them to wear the sacred thread and be educated by the Védic mantras. Some of them were *brahmavadinis*, women who dedicated their lives to the study of the Scriptures, expounded the Védas and indited some of the Védic hymns. Women of the governing and warrior classes also received martial arts coaching and arms training and weapons skills. It was not uncommon for wives to fight alongside their husbands against their rivals. The Asvins (deities who were twin brothers and who introduced medicine to humans) implanted an iron (ayasi) leg in the warrior queen Vispala, the wife of the monarch Khela. Afterward, she continued to fight on.²³ Examples of female philosophers, rulers, teachers, administrators, and saints can be found in the Védas, Upaniṣads, and other scriptures. *Yajur Véda* 20.84, tells us, “With her intellect, the learned woman purifies our lives. Through her actions, she purifies our conduct. Through her awareness and action, she inspires morality and effective societal management”. The Védic woman was sanctioned to pursue higher education, and the marriageable age was decided only after she had reached puberty. Famous female seers and philosophers included Apālā, Ghōṣa, Lopāmudra, Maitreyī, and Indrāñī, who edited the hymns of Védas. Lopāmudra, Agastya Muni’s wife, is credited with composing two

hymns of Ṛig Vēda. In the Vēdic era, it was compulsory to be with a wife to perform any Vēdic rituals and a man without a wife was considered incomplete as only a wife could consummate him in his journey through life, procuring the four aspects of life, *Dhārma* (obligation), *Artha* (possession), *Kāma* (love and desires) and, conclusively, *Mokṣa* (emancipation) (Borah 2018). The wife was referred to as *ardhangini* (better half), *sahadharmini* (equal partner), and *dhārma patni* (licit wife) (Pal 2019). Ṛig Vēda makes no distinction between male or female and declares the wife and husband to be equal halves of one material, equal in every way, and that both should participate equally in both religious and secular duties. The *Upaniṣads* have pellucidly stated that the individual souls are neither male nor female (Laungani 2015). Similarly, Atharva Vēda 14.1.43–44, states that when a woman marries, she is expected to rule the family as a queen, along with her husband. The husband and wife union were not confined to one life only, but extended to seven lives and beyond. The institution of marriage in Vēdic society has been elaborately laid down in Vēdic texts. Sage Svetketu is credited with introducing the virtuous practice of fidelity to Hindu marriage. According to Mahabhārata -Ādi Parva Adhyaya -122, King Pandu lost his procreative power due to a deer's curse. He tries to convince his wife, Kunti, to raise a progeny from someone else. The story reads, Pandu says to Kunti, "Now I'm going to tell you about the ancient practices developed by the great Rishis, who were experts in every area of morality. In the past, women were not limited to their homes and relied on husbands and other relatives. They used to go around openly, enjoying themselves as they wished. They didn't have to be obedient to their spouses, and then it wasn't considered a sin. This practice is followed even today by birds and beasts, and rivalry is rarely found among them. This was the tradition of antiquity sanctioned by the great Rishis, and the present practice has come into existence recently. There was a great Rishi called Uddalaka, and his son Shvetaketu was also a great ascetic. The present virtuoso tradition of fidelity between husband and wife was founded by Shvetaketu out of rage. One day, he saw his mother being held by hand by another brahmin and carried away, saying, "Let's go." This brought great rage to Shvetaketu. Uddalaka tried to convince his son to claim that nothing was incorrect, as this is the tradition allowed by antiquity, and women are free to do what they want. Shvetaketu disagreed and established the rule of total and exclusive faithfulness between the husband and wife. Women transgressing the boundaries of marriage and men breaching a woman who follows the vow of virginity would be sinful to the point of *bhrunahatya* (caused by abortion)".

During the Vēdic age, unmarried women also had the *right to property*. A married woman could inherit her father's property only if she had no brothers. The women were also allowed to re-marry. Therefore, it is conspicuous that the position of women during the Ṛig Vēdic period was very vigorous and they relished many privileges and freedoms. The Ṛig -Vēdā-Saṁhitā mentions the names of several consequential female deities, including Aditi, the goddess of liberation "(Muller 1869, p. 243); Sārasvatī, the "best woman, the best of the rivers, the best of the goddesses "(Griffith 2013, Hymn XLI); Sāvitrī, the mother of the Vēdas, and associated with the popular Gāyatrī mantra;²⁴ Usha, the goddess of the dawn; Rathri, the goddess of the night; Prithvi, the mother earth; and Vak, the goddess of verbalization. These female deities were worshipped with consummate dedication. However, during the later Vēdic and post-Vēdic periods, the status of a woman deteriorated and many of her privileges, such as the right to land, Upanayana Samskara, etc., were confiscated. Despite the fact that Manu Smṛti denies women economic benefits, in one of its hymns, the same scripture praises women, stating: "Wherever women are adored, the gods are found." Wherever they aren't worshipped, everything is a failure".²⁵ In the corresponding hymn, Manu Smṛti says, "a family in which the ladies, such as mother, wife, sister, daughter, and others, are filled with grief will soon be destroyed, but a family in which they do not grieve will always prosper".²⁶

It is also noteworthy that most ancient Indian lawmakers of the later Vēdic and post-Vēdic periods did not recognize a woman's right to own immovable property such as land, houses, etc., but they all unanimously acknowledged a woman's right to *stridhana*

(ornaments, jewelry, cash, etc. given to her at the time of her marriage or gifts received from her husband, parents, etc.). The woman had the prerogative over *stridhana*. According to Hindu law, no one can take away the *stridhana* of a woman, not even her husband.

2.7. Education

The term “Véda” implicatively insinuates “sacred knowledge”. Knowledge is alluded to in the Védic literature as an essential need and a purifying potency. It was believed to be the enlightening, transforming, and purifying force on earth. According to F. E. Keay, “the Védic education system was built in such a manner that it managed to survive not only in the events of the crumbling of empires and the changes in society, but, also, through all those thousands of years, managed to keep the glow of the torch of higher learning” (Keay 1960). Albeit the Védic Society talks about the Varna system, i.e., social stratification dependent on occupation, such as Brahmins (edifiers and priests), Kṣatriya (warriors and rulers), Vaiśya (traders and peasants), and Śūdras (artisans and laborers) in the 90th hymn “Purusha Sukta” of the 10th Book of the ṚigVéda, yet the Varna structure was not rigorous, and many philomaths found Purusha Sukta to be a later addition to ṚigVéda (Nagarajan 1994). Nevertheless, the Dalit bellwether and engenderer of the Indian Constitution, B.R. Ambedkar, did not concur that the Varna structure did not subsist in the Védic age, but endeavored to point out that the fourth caste, Śūdra (considered to be the lowest) was not pristine in the Védic age, and the Purusha Sukta described above could have been tampered with by Brahmin priests of the latter time (Ambedkar 1970). Ambedkar has theorized that Śūdras pristinely belonged to the Kṣatriya community and cites *Shanti Parva* from *Mahabhārata*-60.38-40 as the primary piece of evidence (Marbaniang 2015). It is evident that during the Védic period, everyone, including people from lower *Varana* had access to education and could become Brahmins after receiving education. For example; Aitareya Rishi was the son of a servant who rose through the ranks to become a high-ranking Brahmin and the author of the Aitareya Brahman and Aitareyopanishad. The importance of Aitareya Brahman in understanding the RigVéda cannot be overstated. Ailush Rishi was also the son of a servant. He did, however, conduct research into the RigVéda and made several discoveries. Seers not only invited him, but also made him an Ācārya (Teacher). Satyakaam Jaabaal was the son of a prostitute who rose through the ranks to become a Brahmin. Prishadh was King Daksha’s son, but he became a Śūdra. Furthermore, he did penance to achieve salvation after repenting. Similarly, seers like Valmiki hailed from lower Varna, but became renowned Brahmin sage and composed the popular epic literature Rāmāyana.

Everyone in Védic society had the right to read the Védas. There is evidence that women like Gargi and Śūdra named *Janashruti* received Védic education from a sage named ‘*Raikyamuni*’. The second mantra of the 26th chapter of Yajur véda explicitly declares that “all human beings have the right to read and teach the Védas, and scholars to teach them. That is why God commands that—“O human beings! Just as I teach you the four Védas, in the same way, you also read and teach them to all human beings. Because the voice of these four Védas is for the welfare of all and (*avadani janebhya:*) as I preach the Védas to all human beings, so do you always”²⁷ Both Uvata and Mahidhara explain this verse clearly in their Shukla Yajur Véda commentaries.²⁸ To put it another way, they accept the meaning at face value.

However, there is no denying that the situation of women and Śūdras gradually deteriorated in the post Védic period, and they were denied many privileges, including the right to receive Védic education. Dr. B. R. Ambedkar has chastised Manu Smṛti for discriminating against the Śūdras and depriving them of several rights. Ambedkar writes in his book ‘Philosophy of Hinduism’, “Manu advocated the four varna system. Manu laid the foundation of the caste system by telling us about the separation of these four varnas. However, it cannot be said that Manu has created the caste system. But he did sow the seeds of this system” (Ambedkar 2017).

2.8. Property

The right to own property is no longer just a constitutional or statutory right; it is also a human right. The Ṛig Védic society was rudimentarily pastoral. During the later Védic period, the pastoral economy turned into an agrarian economy. The king was the owner of the entire land in his kingdom, but simultaneously the owner and the joint family additionally owned it. However, private ownership was inhibited only on agricultural land. During the ṚigVédic age, the king realized *Bali* was a voluntary tax. This denotes that no particular consequentiality was integrated into land rights because society was mainly pastoral. The king did not establish absolute rights over the land owned by his subjects. His ascendancy over the land was inhabited and he was entitled to have a portion (Bhāga) of the produce. According to Atharva Véda (as quoted in Sharma 2004), the King's ascendancy over land was constrained and it is pellucid from one of the hymns of Atharva Véda wherein Lord Indra is invoked to give the king's portion (Bhāga) in the village engender. Similarly, *Panchavimsa Brāhmaṇa* verbalizes, the king was entitled to accumulate his quota (Bhāga) on the farm's engender as a tax. Further stressing the right to property, *Ishopanishad* verbally expresses, "enjoy by giving, do not covet others' wealth" (Goyandaka 1972). The right to ownership of land developed only during the later and post-Védic periods, and it is evident from *Manu Smṛiti* which says that the title of land belongs to a person who first cleared the woods.

2.9. Children's Rights

The Védic concept of children's rights is profoundly ingrained in the notion of parents' obligation and dhárma. The right upbringing of the child was the required obligation of the parents. The children were considered a harbinger of bliss and bliss in the lives of the parents. According to Brihadaranyak Upaniṣad 1.5.17, a person can live a consummating life on earth only by having children. In the other line of the same verse of the *Brihadaranyak Upaniṣad*, it is mentioned that parents are obliged to give their children education and enable them to recognize 'Svadhárma' (one's prescribed duty in life). Responsibilities for children during the Védic period can be optically discerned from the fact that a range of Védic sacraments (called *Samskāras* in Sanskrit) have to be performed by the parents with full dedication. Life was thought to be celebrated as a reminder that it was a gift from God. Every phase of a person's life is considered to be very sacred and should be celebrated. There were 16 sacraments (*Ṣoḍaśa Samskāras*)²⁹ that were to be performed from birth to death. (Pandey 2003). Of these 16 sacraments, twelve (12) were to be performed by parents for their children afore their children reach the age of twenty-five (25). This shows that parents are obligated bound to protect their children and ascertain their opportune upbringing. These obligations of parents mentioned in Védic literature could be interpreted as children's rights.

3. Conclusions

The study concludes that Védic and later Védic texts, which constitute the fulcrum of Sanskrit literature, resonate with some important elements of rights. The in-depth study of Védic and later Védic literature reveals that the human rights concept was largely present in ancient India with a rider of equal accentuation on performing obligations. The exegesis of Védic literature and *Dharmaśāstra* reveals the important ideals of innate rights, which are akin to contemporary human rights. It is also evident that the concept of human rights could be further reinforced by treating obligations as corollaries of human rights, as mentioned in Védic texts. The concept of dhárma is another remarkable feature mentioned in Védic texts, which can be correlated to the concept of law, equity, rights, and obligations. According to Védic texts, secularism is more about conducting state affairs in an unbiased manner while considering the welfare of the subjects without discrimination. Ancient Védic texts suggest that all humans are equal and no one is born either superior or inferior. It even calls for the humane treatment of all, including prisoners of war. There are further shlokas in Védic literature that are relatable to the concept of the right to education, the

right to happiness, the right to justice, the right to property, non-discrimination, child rights, gender rights, and the right to equality.

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Notes

- 1 The term *apauruṣeyatva* means ‘no human beings. In the Appendix of the “R̥gVēda Samhitā”, the discussion on *apauruṣeyatva*, has been reiterated. ABORI 80. 10–13.
- 2 Mantradrasthas refers to the seers who saw (drashta) the Vēdic hymns that were revealed to them by God himself.
- 3 Karmanye vadhikaraste Ma Phaleshu Kadachana |
Ma Karmaphalaheturburhuma Te Sangostvakarmani || (Srimad *Bhagvat Gita*, Chapter II, Verse 47).
- 4 r̥naiścaturbhiḥ saṁyuktā jāyante mānavā bhuvī |
pitṛdevarṣimanujairdeyaṁ tebhyaśca dharmataḥ || (Mahabhārata’s Ādi Parva Adhyaya 120.17–20)
- 5 yajñāistu devān prīṇāti svādhyāyatapasā munīn |
putraiḥ śrāddhaiḥ pitṛm̐scāpi ānr̥śamsyena mānavān || (Mahabhārata’s Ādi Parva Adhyaya 120.17–20).
- 6 Universal Declaration of Human Rights (UDHR): at 70: 30 Articles on 30 Articles—Article 29. Available online: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23999&LangID=E> (accessed on 15 May 2020).
- 7 sa naiva vyabhavat, tatchreyorūpamatyasrjata dharmam; tadetat kṣatrasya kṣatram yaddharmaḥ, tasmāddharmādparam nāsti; atho abaliyān baliyāmsamāśamsate dharmeṇa, yathā rājñāivam; yo vai sa dharmah satyam vai tat, tasmāt satyam vadantamāhuḥ, dharmam vadatīti, dharmam vā vadantam satyam vadatīti, etaddhyevaitadubhayaṁ bhavati || (Brihadaranyak Upaniṣad 1.4.14).
Despite this, he did not thrive. That excellent shape, justice, was especially displayed by him (Dharma). The Kṣatriya is controlled by this righteousness. As a result, there is not anything higher. As (one contending) with the king, even a weak man seeks (to vanquish) a stronger one by virtue. That righteousness is unquestionably correct. As a result, they say of a person speaking the truth, “He speaks of righteousness,” or of a person saying the truth, “He speaks of truth,” because both are righteousness.
- 8 Manu Smṛti. IX-311 reads:
Yatha sarvani bhutani dhara dharyate samam; tatha sarvani bhutani bibharte parthivm vartam.
Much as the mother earth provides equal support to all living beings, a king should provide equal support to all without discrimination.
- 9 Narada Smṛiti vide Dharmakosha, P-870 says
“Pashandanaigama sreni poogavraata ganadishu,
Samrakshet samayam Raja Durge Janapade Tatha”
(The king should protect all Vēdic believers (Naigamas) and disbelievers in Vēdas (Pashandis) and others).
- 10 nānānām vā’ u no dhīyo ví vratā’ni jānānām tākṣā riṣṭām rutām bhiṣāg brahmā’ sunvāntam ichatī’ndrāyendo pári srava (Rig Vēda 9:112:1).
Diverse are the thoughts and actions of the people.
- 11 ā no bhadrāḥ kratavo yantu vísvato dabdhāso aparītāsa udbhidah |
devā no yathā sadam id vṛdhe asann aprāyuvō rakṣitāro dive-dive || (Rig Vēda 1:89:1)
Let noble thoughts come to us from all sides
Let our noble thoughts spread across the universe.
- 12 ajeṣṭhāso akaniṣṭhāsa ete sam bhrātaro vāvṛdhuḥ saubhagāya |
yuvā pitā svapā rudra eṣām sudughā pṛṣṇiḥ sudinā marudbhyaḥ || (Rig Vēda 5:60:5).
No one is superior (*Ajyesthaaso*) or inferior (*Akaniṣthaasa*). All are brothers (*Yete san bhrataraha*).
All should strive for the interest of all and should progress collectively (*Sam Bhrataro Vaavrudhuḥ Soubhagaya*).
- 13 saṁ gacchadhvam saṁ vadadhvam saṁ vo manāmsi jānatām |
devā bhāgam yathā pūrve samjānānā upāsate || (Rig Vēda 10:191:2)
samāno mantrah samitiḥ samānī samānam manaḥ saha cittam eṣām |
samānam mantram abhi mantraye vaḥ samānena vo haviṣā juhomi || (Rig Vēda 10:191:3).
The above two shlokas mean:
Move together, converse together, and make sure your minds are on the same track. (Rig Vēda 10:191:2).

- Common be your prayer, common be your acquisition, common be your goal, and common be your desire. (Rig Vēda 10:191:3)
- 14 ... Samani prapa saha vonnbhaga
samane yoktray saha wo yunism
arah nabhimiv abhite: (AtharvaVēda-Samjnana Sukta. Courts of India, p. 24).
All have equal rights in articles 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 the hub).
- 15 samānī va ākūtiḥ samānā hṛdayāni vaḥ |
samānam astu vo mano yathā vaḥ susahāsati || (Rig Vēda 10:191:4)
The above shloka means:
Common be your purpose, common be your hearts (feelings), and common be your mind (thoughts).
Let the virtue of mutual cooperation be firm in you all.
- 16 Ayam nijah paroveti ganana laghuchetasam,
udaracharitanantu vasudhaiva kutumbakam (Maha Upaniṣad, Chapter 6, Verse 72)
Only small and narrow minded people adopt two different outlooks towards common matters and do 'mine and dine';
but for those who are broad minded and have higher consciousness the whole world is one's own family.
- 17 rājā tu dhārmikān sabhyān niyuñjyāt suparīkṣitān |
vyavahāradhuraṃ voḍhum ye śaktāḥ sadgavā iva || 3 ||
dharmaśāstrārthakuśalāḥ kulīnāḥ satyavādīnaḥ |
samāḥ śatrau ca mitre ca nṛpateḥ syuḥ sabhāsadaḥ || 4 ||
(Narada Smṛti. Chapter 3, pp. 44–45, retrieved from <https://idoc.pub/download/narada-smriti-6nq8w15oppnw>, accessed on 15 May 2020).
(King should appoint the honourable men of tried integrity [sabhyas] who are able to bear the burden of the administration of justice and who are well versed in the sacred laws, rules of prudence, who are noble and impartial towards friends and foes).
- 18 yatra sabhyo janaḥ sarvaḥ sādhv etad iti manyate |
sa niḥśalyo vivādaḥ syāt saśalyaḥ syād ato 'nyathā ||
(Narada Smṛti. Chapter 3, p. 48, retrieved from <https://idoc.pub/download/narada-smriti-6nq8w15oppnw>, accessed on 15 May 2020).
(Unanimous decision by all the judges leaves no room for doubt while a majority decision leaves doubt in the minds of litigants).
(Narada Smṛti. vide Dharmakosha, p. 48).
- 19 This is a generic sanskrit verse and many Hindu rituals and ceremonies prayers ends with it. The origin of this prayer is however obscure and some experts trace its origins to Vēdic literature and some trace it to stone scripture of Sangama dynasty. The complete prayer reads as follows:
svasti-prajā-bhyaḥ pari-pāla-yaṃtām nyāyena mārgēṇa mahīm mahīśāḥ |
go-brāhmaṇebhyaḥ śubham-astu nityaṃ lokāḥ samastāḥ sukhino-bhavaṃtu ||
OM Shanthi Shanthi Shanthi.
- 20 sarve bhavantu sukhinaḥ sarve santu nirāmayāḥ |
sarve bhadrāṇi paśyantu mā kaścitkaṣṭamāpnuyāt | |
Om Shaantih Shaantih Shaantih | |
(Garuḍa Purāṇa (35.51). Aśīroacanam (2) of itihāsa samuccaya, and Mantrabhāṣya (Vājasneya Samhitā) of Uvāta).
May all be happy; May all be free from infirmities/disease; May all experience good; May no one be suppressed/overwhelmed by grief and suffering. Om Peace, peace, peace.
- 21 Om asato ma sadgamaya
Tamaso ma jyotir gamaya
Mrtyor ma amrtam gamaya
Om shanti shanti shanti
Brihadaranyak Upaniṣad (1.3.28).
Guide me from falsehood to truth; Guide me from darkness to the light; From death guide me to immortality.
- 22 viśvam asyā nānāma cakṣase jagaj jyotiḥ kṛṇoti sūnarī |
apa dveṣo maghonī duhitā diva uṣā ucchad apa sridhaḥ | |
(Rig Vēda 1.48.8).
- 23 yuvaṃ dhenuṃ śayave nādhitāyāpinvatam aśvinā pūrvyāya |
amuñcatam vartikām amhaso niḥ prati jaṅghām viśpalāyā adhattam | |
(Rig Vēda 1.118.8).
- 24 om bhūr bhuvaḥ suvaḥ tat savitur vareṇyam bhargo devasya dhīmahi |
dhiyo yo naḥ pracodayāt | |
(Rig Vēda 3.62.10).

May we imbibe his grandeur and brilliance within us as we contemplate on the glory of that being (Savitri, the sun) who has created this universe and is the essence of our life existence. The second translation reads, “we revere the excellent greatness of the holy Savitra; may she motivate and inspire our intelligence.”

25 yatra nāryastu pūjyante ramante tatra devatāḥ |
yatraitāstu na pūjyante sarvāstatrāphalā: kriyā: | |
(Manu Smṛti 3.56).

26 shochanti jāmayo yatra vinashyantyāshu tatkulam |
shochanti tu na yatraitā barddhate taddhi sarvadeti | |
(Manu Smṛti 3.57).

27 Yathāimām vācham kalyānimāvadāni janebhyā: |
Brahmarājanyābhyām sudrāya chāryāya cha Swāya chāranāya cha | |
(Yajur Vēda 26.2).

28 Shukla Yajur Vēda has commentary by Uvata and Mahidhara. Their commentaries predate Sayana’s Shukla YajurVēda commentary. Sayana also wrote a well-known commentary on the Shukla YajurVēda. According to Uvata, “I will speak for the sake of the people in this auspicious, nonviolent discourse. Who are these individuals? brahma-rajanya, i.e., Brāhmaṇa and kṣatriya, and Śūdra-Aryā—Aryā is Vaiśya, one’s own people and others (i.e., strangers)”. Similarly, according to Mahidhara, “I spread this auspicious nonviolent speech all over the place. I told them that they should use this speech. For whom are you composing? brahma-rajanya, that is, Brāhmaṇa and kṣatriya, Śūdra-Aryā, that is, Vaiśya, one’s own people, and to outsiders”.

29 There were 16 sacraments (*Ṣoḍaśa Saṃskāras*) that were to be performed from birth to death and Upanayana Samskara was one of them. The sixteen *Saṃskāras* were as follows:

i. Garbhadhana (Conception)

This Saṃskāra was to be performed by the parents when they decide to have a child. It is made up of earnest prayers to God for help in conceiving a decent and worthy child for the couple. Thus it is evident that parents’ responsibilities begin once they decide to have a child.

ii. Punsavana (Foetus protection)

This Saṃskāra was performed during the third or fourth month of pregnancy to protect the fetus in the womb.

iii. Simantonnayana (Satisfying the cravings of the pregnant mother).

This Saṃskāra was akin to a present-day baby shower ceremony, and was, performed during the seventh month of pregnancy wherein the prayers were offered to God for the health of both mother and child in the womb.

iv. Jatakarma (Childbirth)

Mantras were recited for a healthy and long life of the child at his birth.

v. Namakaran (Naming the child)

The child was given a name.

vi. Nishkramana (Taking the child outdoors for the first time)

This Saṃskāra was performed in the fourth month after birth when the child was taken out of the house for the first time.

vii. Annaprasana (Giving solid food)

This Saṃskāra was performed in the sixth, seventh, or eighth month child when the child was given solid food for the first time.

viii. Mundan (Hair shaving)

This Saṃskāra was performed in the first or third year of a child’s age when the child’s hair was shaved.

ix. KarnaVēdha (Ear piercing)

This Saṃskāra was performed in the third or fifth year of the child’s age when the child’s ear was pierced.

x. Upanayana (Sacred thread ceremony)

This was one of the most important Saṃskāra that was performed when the child was introduced to education.

xi. Vēdarambha (Study of Vēdas)

This Saṃskāra was performed either at the time of Upanayana or within one year of Upanayana Saṃskāra. The child starts learning Vēdas from his teacher and the first shloka that was taught was the auspicious Gayatri Mantra.

xii. Samavartana (Returning home after completion of education)

This Saṃskāra was performed to celebrate the returning of the child to home from teacher’s ashram after completing his education at the age of about 25 years.

xiii. Vivaha (Marriage ceremony)

xiv. Vanaprastha (Preparation for renunciation)

This Saṃskāra was performed at the age of 50 when the person started his spiritual journey by renouncing worldly life and proceeding to the forest for spiritual upliftment.

xv. Sannyasa (Renunciation)

This Saṃskāra was performed after Vanaprastha at the age of 75 when a person starts preparing for salvation.

xvi. Antyesthi (Cremation)

This was the final Saṃskāra that was performed by a person’s descendants after his death.

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