



Role of NGOs to Protect and promote Human Rights: A Theoretical Analysis

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DOI : <https://doi.org/10.5281/zenodo.19541422>

ARTICLE DETAILS

Research Paper

Accepted: 26-03-2026

Published: 10-04-2026

Keywords:

ABSTRACT

Human rights as, the rights relating to life, liberty, equality, and dignity of individuals guaranteed by the constitution or embodied in international covenants and enforceable by the courts in India. The concept of non-governmental or, more precisely non-profit is usually characterized used to cover the particular aspects of organizations make up civil society. Such organizations are defined; generally, such organizations are having their purpose or purposes other than making profit. However, this leaves a huge myriad of reasons for presence and a wide variety of enterprises and its activities. Non Government Organizations dimension from small groups of persons on, for example, in a specific environmental concerns or specific human rights violations, through educational charities, women's refuges, cultural associations, religious organizations, legal foundations, humanitarian assistance programs. The Economic and Social Council may make applicable arrangements for deliberation with nongovernmental organizations which are connected with matters within its competence. Such preparation may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned (Pachadkar, October 2019, p.399). Non Government Organization plays pivot role to play in the promotion and protection of human right specifically in the developing country, has the largest number of NGO's whose activates are spread in



different parts for the welfare of human being including the promotion and protection of human right.

Origin and Evolution of Human rights

Human rights are deeply rooted in Indian philosophy, influenced by ancient literature like Vedas, Upnishadas, Puranas, and Smritis. These texts aim to promote human values, dignity, equality, and social harmony. Despite diversity, human rights are essential to Indian culture, with the belief that the world is like a family uniting Indian theism. They are embedded in life values and sustainability. The concept of human rights in India is not a Western invention but a common heritage of the glorious past of Indian society. During the liberation movement, Indians fought for the protection of their human rights, such as political freedom and self-determination. The Indian viewpoint of human rights requires a comprehensive discussion from philosophical, historical, and legal-constitutional perspectives. The fundamental philosophy and spirit of the Indian freedom struggle movement aimed for the total emancipation of the nation under foreign domination

The Indian tradition of respecting human rights and harmony is reflected in ancient scriptures and epics, such as the Vedas and Upnishadas. These hymns emphasize social equality, justice, and basic freedoms. However, social realities have changed over time, with the rise of feudalism and the rise of castes. Women in the Rigvedic family enjoyed some authority but were subordinated to men. Religious rituals and ceremonies played a significant role in social-political life, but eventually led to the hereditary caste system, which violated the theory of human rights. Despite this, caste groups did not develop into rigid compartments, and knowledge of Vedas and religious ceremonies were not denied to certain groups due to their descent.

The Sutras period in ancient India saw a rigid social-political order and severe denial of certain sections' rights. The Brahmanas, who were free and allowed to settle, were exempt from corporal punishment and paying reverence to the king. However, the Sudras were severely disadvantaged, lacking social-political rights such as offering sacrifices, reading sacred texts, and restricting intermarriages. The Sudras supplied artificers, laborers, and servants to the other three castes, leading to slavery and human rights violations. This led to the development of occupational groups like Khshatriyas, Brahmanas, and Vaishyas. Caste became the most determining factor in social life, and untouchability created an inequitable system. The partnership between the Brahmanas and Kshatriyas led to protest movements for individual liberties and freedoms against the subjugation of certain social groups.



The Vedic period saw the rise of hierarchical supremacy among certain groups, leading to the denial of basic human rights. Social customs and religious rituals created an unjust social order, prompting resistance movements against these practices. The rise of Upanishadic Philosophy sparked a resistance against the sacrificial cult and the enhanced social power of Brahmanas. The Upanishadas exposed the inadequacies of Vedic literature and criticized contemporary Brahmanical religion and social system, liberating Indian thought from ritualistic and deistic concepts. Bhardvaja, the proponent of the Mandukopanishad, laid the foundations for anti-Brahmanic crusade and Buddhist rationalism.

Gautam Buddha, a prince of a Kshatriya clan, is considered the leader of the Kshatriya protest against the Brahmanical stronghold. Buddhism has been viewed as a social protest against the insolent appropriation of social status and privileges based on caste. Modern Indian socio-political thinkers view Buddhism as a "gigantic social upheaval" and a "tremendous revolt against the ancient Brahmanical social order." Buddha's preaching and literature strongly protest against contemporary social rituals, such as the Sradhakarnakavadana of the Divyavadana, which criticizes the four-fold Hindu social order. Buddhist texts also stand for ethics of universalism and non-violence, defending social equality and non-discrimination. Buddhism also significantly impacted the social status of women, opening membership to all and promoting spiritual emancipation. These protest movements advocated for human freedom and equality, condemning various social practices that violated human rights norms.

The medieval period in Indian history was marked by conflicts among different races and cultures, as rulers sought to establish power and influence the state through Islam. The Mughal emperors held absolute power, with no constitutional checks, leading to a lack of discussion on rights, legitimacy, resistance, or limitations on the state. The central interest of most Mughal emperors was territorial expansion, causing economic miseries, destitution, and insecurity among the masses. The existing political theory of the period supported theocratic absolutism, with Ziauddin Barani advocating for religious dogmatism and authoritarianism. The extent and essence of people's rights depended on the command of the sovereign, with some the kings hostile towards religions other than Islam, while others were more liberal and granted protections to the common man. The Kings like Balban, Firuz Shah Tughlaq, and Aurangzeb were known for their hostile attitudes towards religions other than Islam, while Ghiasuddin Tughlaq, Sher Shah, Akbar, and Jahangir were more liberal and granted protections to the common man. Despite political despotism, the caste system in medieval India became more rigid, serving as a shield for Hindus to preserve their culture and religion against Muslim invaders.



India experienced a period of intellectual renaissance and resistance against British colonialism, leading to socio-religious reform movements like the Brahmo Samaj, Arya Samaj, and theosophical society. These movements aimed to preserve and promote basic human rights, including women's emancipation from social evils. Notable figures like Raja Ram Mohan Roy, Swami Vivekananda, Ishwar Chandra Vidyasagar, and D.K. Karve advocated for women's education, widow remarriage, and eradication of customs like child marriage, polygamy, and sati. The caste system was also a major target of these reformers, advocating for its abolition and the right to education and other social-economic rights for out-castes. M.G. Ranade, an influential social reformer of the nineteenth century, emphasized the need for equality and the interconnection between social and political rights.

The Government of India Acts of 1909, 1919, and 1935 provided some civil and political rights to the Indians, but to a limited extent. The Karachi Session of Congress in 1931 adopted the Resolution on Fundamental Rights and Economic and Social Change, setting the path for the Directive Principles of State Policy. The Sapru Report of 1945 introduced the distinction between justiciable and non-justiciable rights, paralleling the Nehru Report in terms of minorities' liberties.

Conceptual evolution of NGOs

Non-Governmental Organizations, popularly known as NGOs are voluntary and service-oriented organisations. They are organisations of people which work for betterment of the society. They are the non-profit making organisations for which they are also called Non-Profit Organizations or NPOs (Dutta, 2019). “Like the state, the NGO is composed of individuals, but unlike the state, the NGO enjoys a relationship with the individual that is voluntary” (Charnovitz, 2006, p. 348). Individuals join and support an NGO out of commitment to its purpose.

NGOs operate as a bridge between the State and its citizens. They are very important as they can continuously carry out their policies and actions. Because of their flexible character NGOs can adjust quickly in any circumstances. The World Bank has defined NGOs as private organizations that pursue activities to relieve sufferings, to promote the interests of the poor, to protect the environment or to undertake community development (Manuel, 2015). NGOs have been established in almost all countries of the world. It has been estimated that in 1999 the number of NGOs world wide wastwomillion. In India it was estimated to be one million which is approximately half of the total number of NGOs (Agarwal, 2007). “There are over 14,000 NGOs registered under the Foreign Contributions Regulations Act. In all there may be over 30,000 NGOs in India” (Baviskar, 2001, p. 5).



The term NGO was first formalized within the UN system in 1945, with its inclusion in Article 71 of the UN Charter. The UN Charter in Article 71 makes one reference to NGOs which allows that the Economic and the Social Council (ECOSOC) “may make suitable arrangements for consultation with non- governmental organizations which are concerned with matters within its competence” (Otto, 1996).

In today’s world NGOs have been making significant contribution towards the field of human rights. Considering human rights as the most essential rights for all round development of human personality, across the globe, several human rights NGOs have come into existence for the protection and promotion of people’s rights. “NGOs have been instrumental in shaping the moral and ethical appeal of global standards for human rights, rule of law and democratic governance” (Lai, 2011, p. 15).

Human Rights and NGOs

The World Conference on Human Rights (1993) appreciated the contribution of NGOs to increasing public awareness of human rights issues, to the conduct of education, training and research in the field of human rights as well as to the promotion and protection of all human rights and fundamental freedoms. In the Conference emphasis was given on the continued dialogue and co-operation between governments and NGOs. The Conference stressed that NGOs and their members genuinely involved in the promotion and protection of human rights should enjoy the rights and freedoms recognized in the Universal Declaration of Human Rights and the Protection of National Law (Levin, 2016). Further, the conference urged the NGOs to intensify their efforts in co-operating and coordinating their activities against the human rights violations in general and against the evils like racism and racial discrimination in particular.

Preservation of human rights of the citizen is another essential element or parameter of good governance. Human rights are generally defined as the rights which every human being is entitled to enjoy and to have protected. These are happened to be the inalienable birth rights of man independent of and superior to positive laws. They are universal, indivisible, interdependent and interrelated. By recognizing the human rights of women and of the girl-child as an inalienable, integral and indivisible part of Universal Declaration of Human Rights the Conference also urged the NGOs to intensify their efforts for the promotion and protection of human rights of women and the girl child.

Conclusion

So, in order to protect human rights efforts are being made by the governments of different nations at the both national and international level. However, despite these efforts many States in today’s world have failed drastically to protect people’s rights. Studies revealed that every day across the world large scale



violation of human rights is taking place which has adversely affected the overall growth and progress of various nations of the world. It is mainly due to some socio-economic factors like poverty, illiteracy, conflict, insurgency, natural calamities and many other manmade causes' human rights violation is still taking place in today's society. As a result of this, throughout the world several human rights NGOs have come into existence which has the watch dog capacity to look into seriously and respond without delay to human rights conditions. To be specific, in India also human rights violation is a major problem. In the post independent period the Government of India has made some significant commitments towards ensuring the basic rights of its citizens. To protect their rights various laws have been passed and a number of policy initiatives have also been pronounced by the government. Apart from the government, several other Civil Society Organizations including NGOs have also been working at the national, regional as well as local level for the promotion and protection of human rights in India. So, it can be said that, NGOs play very crucial role to protect and promote good governance in India.

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