

Human Rights in Times of War: Violations and Global Challenges

Dr. Sunil Kumar S

*Associate Professor, Dept. of Political Science, Government First Grade College, Kuvempunagar,
Mysuru*

Abstract—Human rights are the fundamental entitlements that belong to every individual, ensuring dignity, equality, liberty, and justice. These rights form the foundation of a civilized society and define how individuals should be treated by one another and by the state. However, human rights did not emerge automatically; they are the result of centuries of struggle against injustice, oppression, and inequality. The catastrophic consequences of the World War II marked a turning point in human history, exposing the dangers of unchecked authority and systemic discrimination. The massive loss of life and widespread suffering during this period led to a global realization that protecting human dignity must be a priority.

In response, the United Nations was established in 1945, followed by the adoption of the Universal Declaration of Human Rights in 1948. This declaration laid down thirty fundamental rights applicable to all individuals regardless of nationality, race, or belief. Despite these developments, human rights violations continue to persist across the world due to war, economic inequality, political instability, and social discrimination.

This paper provides a comprehensive analysis of the origin, concept, and legal framework of human rights, along with a detailed explanation of the thirty rights. It further examines the relationship between human rights and war, analyzing why conflicts continue despite legal protections. Through detailed discussion with powerful case studies, the paper highlights the gap between theoretical ideals and practical realities. It concludes that while human rights provide a strong framework for justice, their success depends on effective enforcement, awareness, and collective responsibility.

I. INTRODUCTION

Human rights represent the essential conditions required for every human being to live with dignity, freedom, and equality. They are inherent, meaning they belong to individuals simply because they are human, and they cannot be taken away arbitrarily.

These rights act as a safeguard against abuse of power and ensure that individuals are treated with respect and fairness in society. Without human rights, there would be no protection against injustice, discrimination, or exploitation.

In everyday life, human rights are reflected in simple yet significant ways. The ability to attend school, express one's opinions freely, work in safe conditions, and live without fear are all examples of human rights in practice. However, their importance becomes most evident when they are violated. A child forced into labour, a person denied justice, or a community deprived of basic resources clearly illustrates the absence of human rights protection.

Despite being universally recognized, human rights violations continue across the world. This contradiction raises an important question: if human rights are legally established and globally accepted, why are they not fully implemented? The answer lies in the complex interaction between legal systems, political power, economic interests, and social attitudes. Human rights are not self-enforcing; they require constant effort, awareness, and commitment to be realized in practice.

II. HISTORICAL BACKGROUND AND ORIGIN OF HUMAN RIGHTS

The concept of human rights has evolved over centuries through struggles against injustice and oppression. Early attempts to limit authority can be traced to documents such as the Magna Carta, which established that rulers are not above the law. Philosophers like John Locke further developed this idea by arguing that individuals possess natural rights, including life, liberty, and property. These ideas

influenced major political movements and contributed to the development of democratic systems.

However, these early concepts were not universal. Many groups, including women and marginalized communities, were excluded from these rights. The true transformation of human rights occurred after the World War II. The war resulted in unprecedented destruction, genocide, and widespread suffering. The Holocaust demonstrated how discrimination and hatred could lead to the systematic extermination of millions of people.

This global tragedy led to the establishment of the United Nations in 1945, with the aim of promoting peace and preventing future conflicts. In 1948, under the leadership of Eleanor Roosevelt, the Universal Declaration of Human Rights was adopted. This marked a historic moment in which nations collectively agreed to protect human dignity and ensure equal rights for all individuals.

III. CONCEPT OF HUMAN RIGHTS

Human rights are based on the principle that all individuals are equal in dignity and deserve to be treated with fairness and respect. These rights are universal, meaning they apply to every individual without exception; inalienable, meaning they cannot be taken away arbitrarily; and indivisible, meaning all rights are interconnected and equally important.

The concept of human rights extends beyond legal definitions and reflects moral and ethical values. For example, the right to education is not just about attending school but also about empowerment and personal development. Similarly, freedom of expression allows individuals to participate in democratic processes and hold authorities accountable.

Human rights also define the relationship between individuals and the state. Governments have the responsibility to respect, protect, and fulfill these rights, while individuals have a duty to respect the rights of others. This balance ensures harmony and stability in society.

IV. THE 30 HUMAN RIGHTS: DETAILED AND ELABORATIVE UNDERSTANDING

The Universal Declaration of Human Rights outlines thirty fundamental rights that together form a

comprehensive framework for protecting human dignity, freedom, and equality. These rights are not isolated guarantees but an interconnected system designed to ensure that every individual can live a meaningful and secure life. They can broadly be categorized into civil, political, economic, social, and cultural rights, each playing a vital role in shaping human existence.

The first set of rights focuses on civil and political freedoms, which protect individuals from abuse of power. These include the right to life, liberty, and security, ensuring that no person is subjected to arbitrary actions. Rights such as equality before the law, protection from torture, and the right to a fair trial establish justice as a fundamental principle. Freedom of thought, expression, religion, and peaceful assembly allows individuals to participate actively in society and express their identity without fear. These rights are essential for maintaining democracy and preventing authoritarian rule.

The second category includes economic and social rights, which are crucial for ensuring basic living standards. The right to work, fair wages, rest, and leisure protects individuals from exploitation and promotes economic stability. The right to education empowers individuals by providing knowledge and opportunities for personal growth. Similarly, the right to healthcare and an adequate standard of living ensures physical well-being and security. Without these rights, individuals may survive, but they cannot live with dignity.

The third dimension consists of cultural and collective rights, which recognize the importance of identity, community, and belonging. These include the right to participate in cultural life, enjoy the arts, and benefit from scientific progress. Rights such as nationality and asylum provide protection and a sense of belonging, especially for those displaced by conflict or persecution.

Importantly, these thirty rights are interdependent and indivisible. The denial of one right often leads to the violation of others. For instance, lack of education affects employment opportunities, which in turn impacts economic stability and overall quality of life. Therefore, the protection of all rights collectively is essential.

In conclusion, the thirty human rights are not merely legal provisions but a holistic framework that ensures the overall development of individuals and societies.

They represent a global commitment to uphold dignity, equality, and justice for all.

V. LEGAL FRAMEWORK FOR PROTECTION OF HUMAN RIGHTS

The protection of human rights is ensured through a combination of international and national legal frameworks that aim to safeguard the dignity, equality, and freedom of individuals. At the global level, the United Nations plays a central role in establishing human rights standards and promoting their enforcement across nations. The foundation of this framework lies in the Universal Declaration of Human Rights, which sets out fundamental principles that guide member states. Although the declaration itself is not legally binding, it has inspired numerous international treaties such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which impose legal obligations on countries that ratify them.

At the national level, human rights are incorporated into domestic legal systems through constitutions and legislation. In India, the Constitution guarantees Fundamental Rights such as equality before the law, freedom of speech, and protection of life and personal liberty. These rights are enforceable through courts, making the judiciary a key institution in protecting human rights. Bodies such as the National Human Rights Commission further strengthen this framework by investigating complaints, raising awareness, and recommending corrective measures.

However, the effectiveness of the legal framework depends not only on the existence of laws but also on their implementation. Factors such as judicial independence, accessibility of justice, public awareness, and political will play a crucial role. In many cases, delays in the legal process, corruption, and lack of awareness among citizens weaken the enforcement of rights. Therefore, while the legal framework for human rights protection is strong in theory, its success depends on effective functioning and commitment at both national and international levels.

VI. WHY DO WARS HAPPEN DESPITE HUMAN RIGHTS?

The existence of human rights frameworks does not eliminate the causes of war, as conflicts arise from deep-rooted political, economic, and social factors. One of the primary reasons for war is the pursuit of power and dominance. Nations often seek to expand their influence, protect strategic interests, or assert control over territories. In such situations, human rights considerations are often overshadowed by national interests and security concerns.

Economic factors also play a significant role in causing wars. Competition for natural resources such as oil, water, minerals, and fertile land creates tensions between nations. When resources are scarce or unevenly distributed, conflicts may arise as countries attempt to secure their economic stability. Additionally, economic inequality within and between nations can lead to internal unrest and eventually escalate into larger conflicts.

Ideological and religious differences further contribute to wars. When groups with differing beliefs attempt to impose their ideologies on others, it leads to divisions and hostility. These differences are often intensified by political leaders who exploit them for personal or national gain. Historical grievances and unresolved disputes, such as territorial conflicts or colonial legacies, also continue to fuel tensions between nations.

Another critical factor is the failure of diplomacy. When negotiations and peaceful solutions are not pursued effectively, misunderstandings and mistrust can escalate into violence. Nationalism and identity politics also play a role, as strong feelings of national pride or cultural identity can lead to exclusion and aggression toward others.

Thus, wars persist not because human rights are irrelevant, but because they are often ignored when confronted with political ambition, economic interests, and ideological conflicts.

VII. ROLE OF HUMAN RIGHTS IN WAR

Even in the midst of war, human rights play a crucial role in limiting suffering and maintaining a sense of humanity. These rights form the foundation of international humanitarian law, which establishes rules governing the conduct of armed conflict. The

primary aim of these rules is to protect individuals who are not directly involved in fighting, such as civilians, medical personnel, and prisoners of war.

One of the key roles of human rights during war is the protection of civilians. International laws prohibit the deliberate targeting of non-combatants and require warring parties to take precautions to minimize harm. Similarly, prisoners of war must be treated humanely and protected from torture, violence, and degrading treatment. These provisions ensure that even in conflict, a basic level of dignity is maintained.

Human rights also regulate the methods and means of warfare. The use of certain weapons, such as chemical and biological weapons, is strictly prohibited due to their indiscriminate and devastating effects. Additionally, access to humanitarian aid, including food, water, and medical assistance, is recognized as a fundamental right during conflict situations.

Another important role of human rights is ensuring accountability. Violations committed during war can be prosecuted as war crimes under international law. This serves as a deterrent and reinforces the principle that no individual or nation is above the law.

Although violations still occur, the existence of human rights standards provides a framework for justice and a basis for holding perpetrators accountable.

VIII. WHY HUMAN RIGHTS FAIL DURING WARS

Despite the existence of strong legal frameworks, human rights often fail during wars due to structural and political limitations. One of the primary reasons is the principle of state sovereignty, which limits the ability of external bodies to intervene in a country's internal affairs. Nations often resist international interference, even when serious violations occur within their borders.

Another major challenge is the lack of effective enforcement mechanisms. While international organizations can set standards and make recommendations, they often lack the authority to enforce decisions strictly. Institutions such as the International Criminal Court depend on the cooperation of states to arrest and prosecute offenders. Without such cooperation, accountability becomes difficult.

Political interests further complicate the situation. Powerful nations may avoid accountability due to their

influence in international politics, while weaker nations may face greater scrutiny. This imbalance undermines the credibility of human rights enforcement.

Delays in the justice system also contribute to the failure of human rights during war. Investigations and trials often take years, by which time evidence may be lost and victims may not receive timely justice. Additionally, media manipulation and restricted access to information can prevent the global community from fully understanding the extent of violations.

These factors create a significant gap between legal principles and actual practice, allowing violations to continue despite the existence of human rights frameworks.

IX. VIOLATION OF HUMAN RIGHTS: DETAILED LEGAL AND ANALYTICAL PERSPECTIVE

Human rights violations occur when the fundamental rights and freedoms guaranteed to individuals are denied, restricted, or abused by states, institutions, or individuals. These violations represent not only moral failures but also serious breaches of legal obligations established under international and national frameworks. The Universal Declaration of Human Rights serves as the primary global standard for identifying such violations, setting out basic rights that every human being is entitled to enjoy. However, despite the existence of these standards, violations continue to occur in both visible and subtle forms across the world, reflecting a gap between legal recognition and practical implementation.

One of the most direct forms of human rights violations involves the infringement of civil and political rights. These include the right to life, liberty, equality before the law, and freedom of expression. Violations in this category often manifest as arbitrary arrest, unlawful detention, custodial torture, and suppression of dissent. For example, when individuals are imprisoned without a fair trial or denied access to legal representation, it undermines the very foundation of justice. Similarly, restrictions on freedom of speech and press limit the ability of individuals to express opinions and hold authorities accountable, thereby weakening democratic systems. Such violations are particularly concerning because they directly affect

individual autonomy and the functioning of a free society.

In addition to civil and political rights, violations also occur in the sphere of economic, social, and cultural rights, which are essential for ensuring a dignified life. The denial of access to education, healthcare, employment, and adequate living conditions constitutes a serious form of human rights violation. These violations are often systemic in nature and may not always be immediately visible, yet they have profound long-term effects on individuals and communities. For instance, poverty, malnutrition, and lack of access to basic healthcare can severely limit a person's ability to live a healthy and productive life. When governments fail to provide essential services or allow inequality to persist, they indirectly violate these rights, demonstrating that inaction can be as harmful as direct abuse.

At the most extreme level, human rights violations take the form of grave international crimes such as genocide, war crimes, and crimes against humanity. These include acts like mass killings, ethnic cleansing, forced displacement, and sexual violence, often occurring during armed conflicts. Such violations not only harm individuals but also threaten global peace and stability. Institutions such as the International Criminal Court are established to prosecute these crimes and ensure accountability. However, enforcement remains inconsistent due to political influence, lack of cooperation among nations, and limitations in jurisdiction, which often result in delayed or denied justice.

Another critical dimension of human rights violations involves vulnerable groups such as women and children. Gender-based violence, human trafficking, and discrimination against women highlight deep-rooted social inequalities that continue to persist in many societies. Similarly, child labour, lack of education, and abuse of children reflect a failure to protect those who are most vulnerable. These violations not only affect individuals but also hinder the overall development of society, as they perpetuate cycles of poverty and inequality.

Despite the existence of legal frameworks and enforcement mechanisms, addressing human rights violations remains a significant challenge. Factors such as corruption, lack of awareness, fear of retaliation, and political interference often prevent victims from seeking justice. Moreover, powerful

individuals or nations may escape accountability due to their influence, further weakening the credibility of legal systems. This creates a situation where human rights exist in principle but are not effectively implemented in practice.

X. PRESENT WARS AND HUMAN RIGHTS VIOLATIONS

In the contemporary world, ongoing conflicts continue to highlight the persistent violation of human rights despite the existence of international legal frameworks. The Russia-Ukraine War is one such example where large-scale destruction, loss of life, and displacement of civilians have been widely reported. Millions of people have been forced to leave their homes, creating a refugee crisis that affects not only the region but also the global community. Basic rights such as the right to life, security, and shelter are severely impacted in such situations.

Similarly, the Israel-Palestine Conflict has resulted in prolonged suffering for civilians on both sides. Repeated cycles of violence have led to casualties, destruction of infrastructure, and psychological trauma. Access to essential services such as healthcare, education, and clean water is often disrupted, further aggravating the humanitarian crisis. In addition to physical destruction, wars also have long-term social and psychological consequences. Children growing up in conflict zones are deprived of education and stability, while families experience loss and displacement. The breakdown of social structures leads to increased poverty, unemployment, and inequality.

These examples demonstrate that human rights are often the first casualties of war. While international organizations attempt to provide aid and mediate peace, lasting solutions remain difficult due to political complexities and conflicting interests.

XI. CONCLUSION

Human rights represent one of the most significant achievements in the history of human civilization, emerging from centuries of struggle and the painful lessons of events such as the World War II. They are not merely legal provisions but moral principles that define the dignity, equality, and freedom of every individual. The establishment of the United Nations

and the adoption of the Universal Declaration of Human Rights marked a collective commitment by nations to protect these fundamental values. However, the continued existence of war, discrimination, poverty, and injustice clearly indicates that this commitment is far from being fully realized.

The analysis presented in this paper highlights that human rights violations persist not due to the absence of laws, but because of the challenges in their implementation. Political interests, economic inequalities, social divisions, and lack of awareness often weaken the enforcement of human rights. Wars, in particular, demonstrate how easily human rights can be overlooked when nations prioritize power and strategic interests over humanity. The suffering of civilians, displacement of communities, and destruction of livelihoods in modern conflicts reflect the ongoing failure to uphold these rights effectively.

At the same time, human rights continue to play a crucial role as a guiding framework for justice and accountability. They provide individuals with the ability to question authority, demand fairness, and seek protection against abuse. Institutions, both national and international, offer mechanisms for addressing violations, even though their effectiveness may be limited by political and structural constraints. Looking forward, the protection of human rights requires a collective and sustained effort. Governments must strengthen legal systems and ensure fair enforcement, while institutions must function independently and transparently. Equally important is the role of individuals and society in promoting awareness, empathy, and respect for others. Education and public participation can play a transformative role in building a culture that values human dignity.

In conclusion, human rights are not self-executing ideals; they require continuous vigilance, commitment, and action. Their true strength lies not only in legal documents but in the willingness of societies to uphold them in everyday life.

Human rights are the foundation of humanity, and their protection is the responsibility of every individual, institution, and nation.

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