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“NATIONAL CONSTITUTIONS AND THE RECEPTION OF INTERNATIONAL HUMAN RIGHTS LAW”

AUTHORED BY - ARYA RADHAKRISHNAN

INTRODUCTION:

The Constitution is the highest law in the land. It establishes the framework for enacting laws, running the nation, and defining the roles, responsibilities, and procedures of the federal government and state governments. It lays out the fundamental duties of people as well as the guiding principles of governmental policy and fundamental rights. A constitution is a document with unique legal sanctity that lays out the structure and main duties of a state's governmental branches and establishes the rules that govern their operations. A constitution has no particular definition. According to the term's widely recognized usage, it refers to the regulations that establish the main functions of the government's organs and manage their relationships with one another. The rules include both explicit legal laws and usages, sometimes known as conventions, that are recognized as binding by all parties involved in the government even if they are not enacted. In the sense that breaking them could result in legal action, many of the regulations and procedures that regulate our system of government are not legally binding. A constitutional lawyer must have some understanding of the key elements of constitutional history as well as the functioning of our political institutions, even though their primary focus is on the legal parts of the government. Humans have certain inherent rights from birth. "Human Rights" refers to those rights that are fundamental to humanity. In general, they could include a person's right to life, liberty, wealth, and security. Social scientists have argued in Favor of granting human beings certain rights since the beginning of time. Freedom is fundamentally an individual value, just like all other values. A civilization or a country lacks awareness of its own; instead, consciousness exists in the individual, who either escapes in freedom or endures slavery. To the extent that each individual component is free, a society or a country can be considered free.

Human rights are those that belong to a person or group of people only because they are human, because they are a result of our innate vulnerability, or because they are necessary for a just society to exist. Regardless of its theoretical basis, human rights encompass a broad range of

principles or capacities deemed to uphold human agency or safeguard human interests and are proclaimed to be universal in nature, in a sense equally claimed for all people, past, present, and future.

On January 26, the Constitution of independent India became operative. It is clear that the Universal Declaration of Human Rights had an influence on the writing of section III of the Constitution. India has ratified the Universal Declaration of Human Rights and the succeeding International Covenants on Civil and Political Rights and Economic, Social, and Cultural Rights, which were approved by the UN Central Assembly. India is proclaimed a Sovereign, Socialist, Secular, and Democratic Republic in the Constitution's Preamble. The word "democratic" indicates that the people's will gives the government its power. It gives a feeling that they all are equal irrespective of the race, religion, language, sex and culture.

Assuring the dignity of the person and the unity and integrity of the nation to support its citizens, the Preamble to the Constitution makes promises of justice, social, economic, and political, as well as liberty of thought, expression, belief, faith, and worship, equality of position, opportunity, and fraternity.

