

PREVIOUS YEAR QUESTION

UPSC 2022 · 15 marks

Human Rights are complex and contested social practice that organises relations between individuals, society and the State. Comment.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 reject "rights as moral possessions" → recast as a social practice born after WWII

R2 the Holocaust ended absolute sovereignty → the individual placed at the centre of political morality

Body flow

the practice reorders three relations → individual (**Kant**: dignity, an end not a means) → society (shared standards, coexistence among diverse ways of life) → State (sovereignty into duty; protector and violator) → complexity = moral + legal + political registers, across domestic, international, cultural

Counter-view

contestation from the same root → **Berlin** (no single hierarchy of values) → **Walzer**, *Spheres of Justice* (justice rests on shared understandings and social practices; no one universal theory)

Conclusion routes

R1 contestation flows from its practical character → it does not weaken them

R2 keeps human dignity at the centre → among the most inspiring political ideas of the twentieth century

Human rights are not simply moral possessions held by individuals. They are better understood as a social practice that took shape after the Second world war. By placing the individual at the centre of political morality, this practice reorders the relationship between the individual, society and the State.

For the individual, rights protect dignity & autonomy, treating the person, as Immanuel Kant insisted, always as an end and never merely as a means. For society, they set the shared standards of justice and equality that allow coexistence among diverse ways of life. For the state, they turn sovereign power into duty, binding it to respect, protect & fulfil rights and exposing it as both protector & violator.

Their complexity lies in the fact that they work at once as moral claims, legal norms and political standards, across domestic law, international law and culture. They are contested for the same reason.

Isaiah Berlin rejects any single hierarchy of values, while communitarians like Michael Walzer, in *Spheres of Justice*, argue that justice rests on shared understandings and social practices, leaving no single universal theory of rights.

This contestation does not weaken them. By keeping human dignity at the centre of politics, human rights remain among the most inspiring political ideas of the 20th century.