Human rights date back to the very dawn of human civilization and very often appear clearly enshrined in the religions like Hinduism, Christianity, Islam and Buddhism etc. All these religions preach the concept of universal brotherhood and fraternity of mankind coupled with a sense of compassion towards one’s fellowmen, one’s duty towards weaker sections of the society like women, orphans, poor and the physically challenged and neighbours and so on.

The modern concept of human rights has drawn the attention of social workers, academics, philosophers, lawyers and politicians for ages. The proposition that all individuals who inhibit the planet earth share inherent privileges and rights has a great attraction. This commonness among all who reside on the earth regardless of country or nationality, aims at bringing individuals closer together. The conceptual evolution of the contemporary discourse on human rights is believed to have begun in the aftermath of World War II. In the twenty-first century, the concept of human rights has become part of social and political consciousness of informed people. There is always a concern that there should not be any affront from any quarter to the human dignity and security. Man as a man must be valued by other men. In the present day world people are being made conscious of their right to existence with dignity through the multi-media, politicians, sociologists, reformers, educationists and all those who care for civilized behaviour.¹

A Russian peasant once said to the famous Russian writer Gorky: “We know how to fly like birds in the sky, we know how to swim like fish in water, but we do not know how to walk like human beings on the earth.”² One of the vital aspects of human rights is that while human rights in peace time relate to the well-being of mankind enhance human values and add luster to our civilization, the existence of human rights in war time/during the times of unrest is essential for the very existence of man-kind. It is a question of “being” before
“well-being” which is raised by the humanitarian laws in armed conflict whose observance alone can save humanity from total destruction.

Nobel laureate, Nadine Gordimer describes human rights as “the touchstone, the creed of humanity that sums up all other creeds directing human behaviour.” The Penguin Dictionary of Politics defines human rights thus: “Human rights, one of a family of concepts like civil rights or liberties or Natural rights are those rights and privileges held to belong to any man, regardless of any legal provision that may or may not exist for them in his legal system, simply because man, as man may not be forbidden certain things by any government.” Justice A.S. Anand states: “Human rights are those rights which inhere in every human being by virtue of being a person. These are nothing but the modern name of what had been traditionally known as natural rights, i.e., rights bestowed upon human beings by nature. Human rights are based on mankind’s increasing demand for a decent civilized life in which the inherent dignity of each human being is well respected and protected.” Dr. Nagendra Singh opines that human rights are “those fundamental rights to which every man or woman inhabiting any part of the world should be deemed entitled merely by virtue of having been born a human being.” According to Justice Durga Das Basu “Human rights are those minimal rights which every individual must have against the state or other public authority by virtue of his being a member of the human family,” Certain civil and political rights, i.e., right to fair trial, right to political participation, the concept of justice, human dignity, freedom from arbitrary arrest, detention and torture are also basic human rights.

To keep a watch on the gross violation of human rights and to struggle for justice across the world an international NGO Human Rights Watch was established in 1978. It has its headquarters in New York City. Another equally important Human Rights Champion is Amnesty International. Apart from these two, there are a number of international, national and regional human rights organizations that are tirelessly working for the cause. In India we have National Commission for Human Rights (NHRC) an autonomous public body established on 12 October 1993 under the Protection of Human Rights Ordinance
of 28 September 1993. NHRC is the institution responsible for protection and promotion of human rights, defined by the Act as “rights relating to life, liberty, equality and dignity of individual guaranteed by the Constitution or embodied in the International Covenants. National Human Rights Commission has adopted its motto from the following Vedic concepts:

May everyone achieve happiness.
May everyone be free of diseases.
May everyone be blessed with prosperity.
May everyone be free of grief.

On the same lines we have State Human Rights Commissions.

Human Rights Watch conducts regular, systematic investigations of human rights abuses in about sixty countries around the world. It addresses the human rights practices of governments of all political stripes, of all geopolitical alignments, and of all ethnic and religious persuasions. It documents violations by both governments and rebel groups. Human Rights Watch defends freedom of thought and expression, due process of law and equal protection of the law; it documents and denounces murders, disappearances, torture, arbitrary imprisonment and other abuses of internationally recognized human rights. Asia Watch is a division of Human Rights Watch which was founded in 1985 to monitor and promote internationally recognized human rights in Asia. Its allied wing Physicians for Human Rights (PHR) is an organization of physicians and other health professionals that brings the knowledge and skills of the medical sciences to the investigation and prevention of violations of international human rights and humanitarian laws. Since its founding in 1986, it has conducted over forty fact-finding and emergency missions concerning over twenty-five countries. It has published a report entitled The Human Rights Crisis in Kashmir: A Pattern of Impunity. This is a comprehensive report on all sorts of violation of human rights including extrajudicial executions, reprisal killings, reprisal attacks, indiscriminate use of force, torture, rape, attack on civilians, detentions, murders, kidnappings, harassment of and assaults on journalists, health care workers, so on and so forth. It is a published document.
There are other mediums through which these issues have been debated. Art and literature including art of cinema or film represent the happenings in a society though not showing original incidents but by creating stories and developing plot that stand as metaphors to the real incidents. We have a number of such examples. A Hindi film, “Lamhaa,” directed by Rahul Dholakia (who also directed the award-winning film “Parzania,” which was based on the 2002 Gujarat genocide) is one of them. The movie came into news and made headlines in June 2010 when Dholakia took the movie to Sri Lankan International Film Festival. The Government of India and the Censor board had some reservation in promoting the movie at International film Festival in Sri Lanka, but Dholakia stood firm and took the movie to Sri Lanka. Dholakia himself says: “This film is not from the point of view of the government or the politicians; it is from the point of view of the people of Kashmir.”

“Lamhaa” also has its roots in recent history, focusing on the turmoil in Kashmir. The research put into the making of “Lamhaa” will be extended beyond the film and will be turned into a book on the politics of Kashmir. Critics have called it a “must-watch.” Susan Jose of India’s entertainment portal India-Forums writes the tagline of the movie “…The good news is, there is something new, the film has captured the Kashmir state of mind…this is one movie that challenges you to keep up. Even the romantic sequences don’t look out of place and are justified.” Film critic Nikhat Kazmi of The Times of India opines, “From the communal cauldron of Gujarat 2002 to the scarred battlefield of Kashmir, film-maker Rahul Dholakia carries forward his tryst with political cinema with a refreshing seriousness and gravitas that defies the demands of commercialization.” The movie doesn’t offer an answer to Kashmir’s problems, she adds. “All it dares to do is transport you to one of the most dangerous places in the world that lies at your doorstep and take a hard-hitting look at the movement for self-determination and the role of the Indian state in post-1989 Kashmir. So, don’t go looking for a cinema that follows a traditional format, offering made-to-order recipes and instant nirvana.”
Masrook A. Dar, a Kashmiri writer, from Dept. of English Language and Literature, Islamic University of Science and Technology, Awantipur, India, in his write-up ‘Lamhaa: A look from Two Lenses,’ comes out with the following observations:

“I found a shift from the traditional Bollywood movies based on Kashmir. “Lamhaa” is neither a pro Kashmir film, nor an anti India film. It actually becomes difficult for the audience to place the movie on the conventional platform of either being pro or anti to something.

“Lamhaa” is about the highest militarized zone and conflict hit region of Kashmir. The movie opens in 2009 and tells all about what was the condition in 1989 when the Natives of Kashmir turned refugees in their own country. Contrary to other movies based on Kashmir, in which Pakistan is depicted as villain (promoting insurgency and destabilizing not only the region but whole India) and India as hero (upholding its democratic principles and fighting for the noble cause), “Lamhaa” takes a middle route. “Lamhaa” ridicules all political leadership (across the borders), Military agencies, corrupt Businessmen, and Militant and Moderate factions. We are shown the miseries of Kashmiri people – Muslims and Pundits at surface level. Although the migration of Hindus from Kashmir and the disappearances of Kashmiri Muslims at the hands of security agencies has nothing to do with the plot of the movie still it forms the essential part of the movie. It also shows us Dardpora village of Northern Kashmir where a large chunk of the women are half widows.

Vikram (Sanjay Dutt) is sent as an undercover agent, the parallels can be taken from any James Bond movie, on a high profile secret mission to Kashmir when the Indian intelligence gets information of a probable big terror attack in the valley. Separatist leader Haji (Anupam Kher) has been fighting against the Indian government since 1989 for freedom of Kashmir. Aziza (Bipasha Basu) supports her mentor (Haji) in his mission and Aatif (Kunal Kapoor), who is now a reformed militant, wants to contest elections from the valley to win his people and province.”

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The story of “Lamhaa” is woven around Haji Syed Shah, Aatif, Aziza and Vikram. Haji is highly tactful and shrewd. He wants freedom of Kashmir through Pakistani aid. He is against holding election in Kashmir. The one who supports the notion of conducting election in Kashmir becomes bitter enemy of Haji. Shabbir Moulvi, father of Aziza is ingeniously eliminated by Haji through a planned blast as Shabbir wants to contest elections. Haji creates problems for Aatif, lover of Aziza, who too was contesting elections. Haji manages police to arrest and torture Aatif. Later on he plans to execute bomb-blast in a rally in Jammu where Aatif would address. With the intervention of Vikram, the blast is averted. When Aziza comes to know that it is Haji who killed her father, she turns antagonist to him.

In the beginning the atrocities of Army personnel on civilians are shown. A soldier at a check-post behaves roughly with a car driver over the issue of carrying a valid identity. He even thrashes the driver and threatens to shoot him. A man named Syed Lone is picked up by the army from his house. His wife a half-widow continuously pursues the case. She pleads with the officers to show where her husband is. She asks them to tell her whether her husband is alive, or if he is dead she asks to let her know the place where he is buried so that she could perform religious rites. She herself goes to various jails in Delhi, Jaipur and Jodhpur in search of her husband but in vain. It is said that more than 10,000 people are missing like that. During interrogation, Aatif is tortured, electric shocks were given to him in police detention. Lashkare-e-Toyyaba, a militant outfit, is shown training small children against India and using a small boy as a human bomb. Women are sexually exploited and abused. Several minor characters like Rauf, Pervez, the one who executes bomb-blast of Shabbir’s car and another man are brutally murdered in cold blood.

Thus the highhandedness of Army, illegal detentions, torture in custody, sex-scandals, rapes, sex-abuse, cold blooded murders, child abuse both by the army and militants are shown in “Lamhaa” which are gross violation of human rights.
References:


11. Masrook A. Dar, ‘*Lamhaa: A Look from Two Lenses’*, [http://independent.academia.edu/masrookDar](http://independent.academia.edu/masrookDar)