



# Role of Civil Society in protecting Human Rights: An Interdisciplinary Perspective

**Rajkumari**

Assistant Professor, Department of Political Science M.K.P. (P.G.) College, Dehradun  
Uttarakhand

**Abstract-** Civil society serves as a vital intermediary in the protection and promotion of human rights, bridging gaps left by state mechanisms. It includes non-governmental organizations, social movements, advocacy groups, community-based organization and professional associations. It is important for the protection, promotion and enforcement of human rights at national and international levels. This paper explores the relationship between civil society and human rights, with special reference to India and global human rights framework. This paper also examines challenges faced by the civil society including shrinking civil space restrictive laws, political pressure these constraints civil society continues to innovate digital activism, public interest litigation and grassroots mobilization. The study finds that a vibrant, independent and participatory civil society is essential for strengthening democratic government and ensuring effective human rights protection. It emphasizes the need for supportive legal frameworks and constructive state civil society engagement to certain human rights voices in contemporary societies.

**Keywords-** Civil Society, Human Rights, Advocacy, Accountability, Social Movements, Civil Space, Democracy.

## I. Introduction

"If teachers do not listen to their people, they will hear from them in the streets, the squares or as we see for too often, on the battlefield. There is a better way. More participation. More democracy. More engagement and openness. That means maximum space civil society".

UN Secretary-General Ban ki Moon's remarks at the High-level event on supporting civil society, 23 September 2013.

Human rights represent universal moral Human rights claims and are legally recognized entitlements inherent to all human beings. The modern internationally recognized human rights framework gained the adoption of the Legitimacy after the United Nations Charter (1945) and the United Nations General Assembly adoption of the Universal Declaration of Human Rights (UDHR) in 1948. Since then numerous conventions and treaties have expanded the normative architecture of global human rights governance.

Despite their development, a lot of violations continue across regions ranging from arbitrary detention and suppression of free speech to gender discrimination, caste oppression, racial injustice and violation of socio-economic rights. Governments are doing a lot for the implementation of these human rights but alone they are not sufficient and sometime states become violators of their rights.



In this scenario, civil society emerges as a vital counterbalancing force. It includes non-governmental organizations (NGOs), grassroots movements, advocacy groups, academic institutions and informal citizen networks who operates independently of the state and marked.

## II. Literature Review

- Jurgen Habermas in *The Structural Transformation of the Public sphere* says civil society is responsible for making a public sphere where citizens demand accountability
- Legal Framework: - UDHR is establish a standard framework. But still for implementation active participation of civil society is needed.
- Watchdog Role: At International organization like Amnesty International pressure government to work in favor of the society.
- Alexis de Tocqueville emphasized voluntary association as safeguards against tyranny
- Keck and Sikkink in *Detivists Beyond Borders* found on "boomerang effect, where to influence domestic change.
- Putnam (1993) Interlink the civil society with social capital which strengthens the participatory governance and right awareness.

## III. Research Methodology

This study is based on qualitative and interdisciplinary research design to examine the role of civil society in protecting human rights. A descriptive and analytical approach is employed to explore the contribution of civil society for ensuring accountability, advocacy, awareness building and legal reform on national and international level.

The research is primarily based on secondary data key sources are international human rights instruments such as the United Nation treaty framework, scholarly books, peer-reviewed journal articles and reports which published by major non-governmental organizations like Amnesty international and Human Right watch.

These sources will provide both theoretical and empirical evidence civil society's role in protecting human rights.

### Research Questions

**The research seeks to answer the following questions:**

- What are the theoretical foundations to explain civil society's role in protecting human rights?
- How does civil society contribute to monitoring advocacy legal reform an public awareness?
- What are the key challenges, that limits its effectiveness in contemporary global politics?
- How does political control like democratic vs authoritarian regimes affect the functioning of the civil rights protection?
- How can civil society be strengthened to enhance human right protection.



## **V. Conceptual Framework: Understanding Civil Society**

### **Classical foundations**

The concept of civil society is associated with ancient thinkers such as Aristotle, who emphasized civic participation in public life. In modern theory, Alexis de Tocqueville viewed associations as pillars of democracy that prevent tyranny by civic engagement. After that Antonio Gramsci gave the idea of civil society as a space of ideological struggle where cultural hegemony is connected.

The notion of the public sphere, was introduced by Jürgen Habermas. According to him, civil society institutions have communicative power that can influence state decision making.

### **Contemporary Definitions.**

In Modern ACF days civil society is defined as the voluntary collective action distinct from government and business sectors. It is characterized by:

- Autonomy from the state
- Nonprofit orientation
- Voluntary participation.
- Normative commitment to public good.

## **VI. Civil Society and Human Rights**

What do we understand by civil society and why do we think a strong civil society is important for ensuring respect of human rights? Thus, the civil society has been appropriated by different and sometimes opposite intellectual and political traditions.

### **Social Movement theory**

In this context, civil society collectively influences and gets a political change by resource mobilization, framing strategies and political opportunity. Using these structures they determine success.

### **Rights Based Approach (RBA)**

Civil society focuses on participation, accountability, transparency, non-discrimination and empowerment. These principles help in development and good governance.

### **Democratic Accountability theory**

Civil Society ensures democratic accountability by preserving government through campaigns, litigation and media advocacy.

## **VII. Functions of Civil Society In Protecting Human Rights**

### **Watchdog and Monitoring Role**

There are many organizations like Amnesty International and Human Rights Watch that document and publish annual reports that influence global opinion.

#### **These are :**

- Fact-finding missions
- Data collection



- Independent investigation,
- Shadow reports to UN bodies.

### **Advocacy and Policy Reform**

Civil society play an important role in advocacy and policy Reform by influencing public opinion, engaging policy makes and promoting legislatives change, for this they conduct research publish reports and document human rights rotations to highlight policy

### **Legal assistance and public interest Litigation (PIL)**

Curt society also provide Free legal aid, and support to victims. Sometimes, In countries like India NGO, offer approach to Supreme Cout for funda 32 and 226 protection of human rights

### **Capacity Building and Empowerment**

Civil society plays in a crucial role in capacity Building and empowerment of vulnerable groups like women, Dalis, Tribals, minorities.

### **International Networking**

Civil society connects local issues to international level and connects global platforms such as:

- UN Human Rights Council.
- International forums

By this, they increase pressure on government and make Democracy alive

## **VIII. Case Studies**

### **Antiapartheid Movement-South Africa**

In South Africa, there was a serious issue of racial discrimination under apartheid regime. The civil society named African National Congress under the leadership of Nelson Mandela raise the voice and this lead to end of apartheid in 1994 and democratic transition.

### **Amnesty International- Ertebal Human Rights advocacy**

This Internation civil society has played a crucial role in unlawful detention imprisonment exposing torture and across the world they mobilizer, global public opinion through rebirth campaigns and advance add. United Nations and contributed to the adoption of the UN Convention Against Torture is 1984. It shows how International international human rights law and hold authoritarian regime accountable.

### **International Campaign to Ban Landmines (ICBL)**

ICBL is a coalition of NGO, that successfully advocated for the prohibition of anti-personnel landmines. They used tools like global awareness campaigns and lobbying to pressure governments to adopt the 1997 Ottawa Treaty. This shows that coordinated international civil society efforts can shape humanitarian law. This campaign was also awarded by Nobel Peace Prize in 1997.



### **Arab spring (2010-2012)**

During this period, civil society groups, youth Network and digital activities mobilized more protests in countries like Tunisia and Egypt, there was a key role of social media and they demand political freedom dignity and democratic reforms. Although outcomes varied across the countries, but this movement demonstrated the transformative potential of grass roots civil society in 99 challenging authoritarian regimes and fundamental rights.

### **Right to Information Movement (RTI)**

The RTI movement the most significant example led by Aruna Roy and Mazdoor kisan Shakti Sangathan, resulted in the enactment of RTI Act. It implemented in 2005, Since then more than 6 million RTI applications are filed annually across India. It shows the active participation of citizen in accountability. This movement led transparency as democratic right and adding transparency and reduced corruption in welfare schemes like MGNREGA and Public distribution system.

### **Vishaka Care and Women's Workplace Safety.**

Civil society Organizations, brought attention to workplace sexual harassment following the assault of Bhanwari Devi. After this Supreme Court enacted the Sexual Harassment of women at workplace Act. According to NCRB (National Crime Records Bureau), 2022 more than 4,000 cases related to workplace harassment are reported annually, while the National Commission for Women recorded a 46% increase in complaint in 2021. Compared to the previous year. This shows both rising awareness and increased reporting due to stronger institutional mechanisms shaped by civil society advocacy.

### **PUCL and Right to Food care**

Civil society has also expanded socio-economic rights through strategic litigation. The people's Union for Civil Liberties filed a public interest litigation on the right to food, linking starvation deaths to Article 21. This influenced the National Food Security Act, which covers around 67% of India's population, approximately 80 beneficiaries. The Supreme court interim orders converted food and nutrition schemes into legal entitlement, strengthening the accountability of the state in addressing hunger and malnutrition.

### **Narmada Bachao Andolan (Environmental Justice)**

The impact seen in civil society can be seen in this environmental justice movement. This is led by Medha Patkar who challenged displacement and rehabilitation probes such as the Sardar Sarovar Projects. Data shows that around 2 to 2.5 lakh people, mostly from tribal communities, were displaced. Due to this movement and civil societies role in international advocacy, the World Bank withdrew funding for the project in 1993 and also criticized rehabilitation measures. This case shows civil society's role in safeguarding environmental right and protecting marginalized communities from development induced displacement



## IX. Analysis and Finding of The Study

The analysis of there care studios shows how Civil society plays transformative and institutional & role in the promotion and protection of human rights. rights.

### The finding are:

- Civil society plays as a role of catalyst for legal and policy reform and significantly influence regulative and judicial reform.
- Civil society expand the Socio-Economic rights including food, health, education and livelihood security and promote human rights agenda.
- By organized civil society advocacy courts become accessible platforms for marginalized groups.
- Civil society uccicly operator watchdog by exploring completion ensuring policies monitoring and compelling international financial accountability.
- Civil society promote accountability and transparency and strengthens democratic regime.

## X. Conclusion

The present study concludes that civil society plays a vital and transformative role in the promotion and protection of human right at both national and international level. The Indian care studies demonstrates that organized citizen action can significantly influence legal reforms, policy changes and judicial interpretations. At the International level, civil society have contributed human rights the growing role of transnational advocacy networks in ensuring accountability human rights violations. This shows that civil society not only supplements state efforts but often initiates structural reforms and expands the scope of right protection.

The findings indicate that evil society functions as a watchdog, reform catalyst, service provider and voice of marginalized communities. It strengthens democratic governance by enhancing transparency, ensuring accountability, promoting inclusion, and expanding socio-economic right. Overall, the study affirms that a vibrant, independent and participatory civil society is essential for protection and promotion of human rights and also for democratic development. Effective collaboration between the state and civil society, supported by strong legal frameworks and institutional safeguard in crucial to ensuring justice, equality and dignity for all.

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