

Chapter 5: Rights

1. A right is essentially an entitlement or a justified claim.
2. It denotes what we are entitled to as citizens, as individuals and as human beings.
3. Rights are primarily those claims that I along with others regard to be necessary for leading a life of respect and dignity.
 - For example, the right to livelihood may be considered necessary for leading a life of dignity.
4. Freedom of expression is important for democratic government since it allows for the free expression of beliefs and opinions.
5. Rights are necessary for our well-being. They help individuals to develop their talents and skills.
 - For e.g right to education help us to develop our capacity to think rationally.
6. rights were not conferred by a ruler or a society, rather we are born with them.
7. *These rights are inalienable* and no one can take these away from us
8. They identified three natural rights of man: **the right to life, liberty and property**. All other rights were said to be derived from these basic rights.
9. In recent years, the term human rights is being used more than the term natural rights
 - Natural law, are laid down for us by nature, or God, appears unacceptable today.
 - Rights are increasingly seen as guarantees that human beings themselves
10. As a human being each person is unique and equally valuable. This means that all persons are equal and no one is born to serve others
11. Each of us possesses an intrinsic value, hence we must have equal opportunities to be free and realise our full potential.
12. The list of human rights which people have claimed has expanded over the years.
 - g.- emergence of right to protect environment , demand of sustainable development etc.
13. Constitutions represent the highest law of the land and so constitutional recognition of certain rights gives them a primary importance i.e. **Fundamental right (Part 3 , article 12-35)**
 - The rights mentioned in the Constitution would be those which are considered to be of basic importance.

14. Indian constitution have a provision to ban untouchability (Article 17) which draws attention to a traditional social practice in the country.
15. As we discussed earlier, rights have steadily been expanded and reinterpreted (through judicial interpretation and constitutional amendment)
16. In most cases the claimed rights are directed towards the state.
 - When I assert my right to education, I call upon the state to make provisions for my basic education
 - Society may also accept the importance of education and contribute to it on its own
 - But the primary responsibility rests upon the state. It is the state that must initiate necessary steps to ensure that my right to education is fulfilled
17. Thus, rights place an obligation upon the state to act in certain kinds of ways. Each right indicates what the state must do as well as what it must not do
18. If a society feels that the right to life means a right to a good quality of life, it expects the state to pursue policies that provide for clean environment
19. Rights not only indicate what the state must do, they also suggest what the state must refrain from doing...
 - g.-My right to liberty as a person, suggests that the state cannot simply arrest me at its own will.
20. Our rights ensure that the authority of the state is exercised without violating the sanctity of individual life and liberty.
21. ***The sovereign state exists not for its own sake but for the sake of the individual...***
 - It is people who matter more and it is their well-being that must be pursued by the government in power
22. Political rights give to the citizens the right to equality before law and the right to participate in the political process.
 - They include such rights as the right to vote and elect representatives, the right to contest elections, the right to form political parties or join them.
 - Political rights are supplemented by civil liberties.
 - Collectively, civil liberties and political rights form the basis of a democratic system of government
23. Rights aim to protect the well-being of the individual..
24. Today, in addition to political and economic rights more and more democracies are recognising the cultural claims of their citizens

- The right to have primary education in one's mother tongue,
 - the right to establish institutions for teaching one's language and culture (Article 29, 30), are today recognised as being necessary for leading a good life
25. Rights not only place obligations upon the state to act in a certain way
26. Rights compel us to think not just of our own personal needs and interests but to defend some things as being good for all of us.
- g.- Protecting the ozone layer, minimising air pollution
27. Rights require that I respect the rights of others.
- If I say that I must be given the right to express my views I must also grant the same right to others.
28. We must balance our rights when they come into conflict.
- my right to freedom of expression allows me to take pictures;
 - however, if I take pictures of a person bathing in his house without his consent (it would be violation of right to privacy)
29. Citizens must be vigilant about limitations which may be placed on their rights.
- Protecting national security may be defended as necessary for safeguarding the rights and well-being of citizens
30. We need to be extremely cautious about giving governments powers which could be used to curtail the civil liberties of individuals for such powers can be misused.
31. Governments can become authoritarian and undermine the very reasons for which governments exist.

Even though rights can never be absolute, we need to be vigilant in protecting our rights and those

On 10 December 1948, the General Assembly of the United Nations (UNGA) adopted and proclaimed the **Universal Declaration of Human Right**.

Following this historic act the Assembly called upon all Member countries to *publicise the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."*

therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal

and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.