

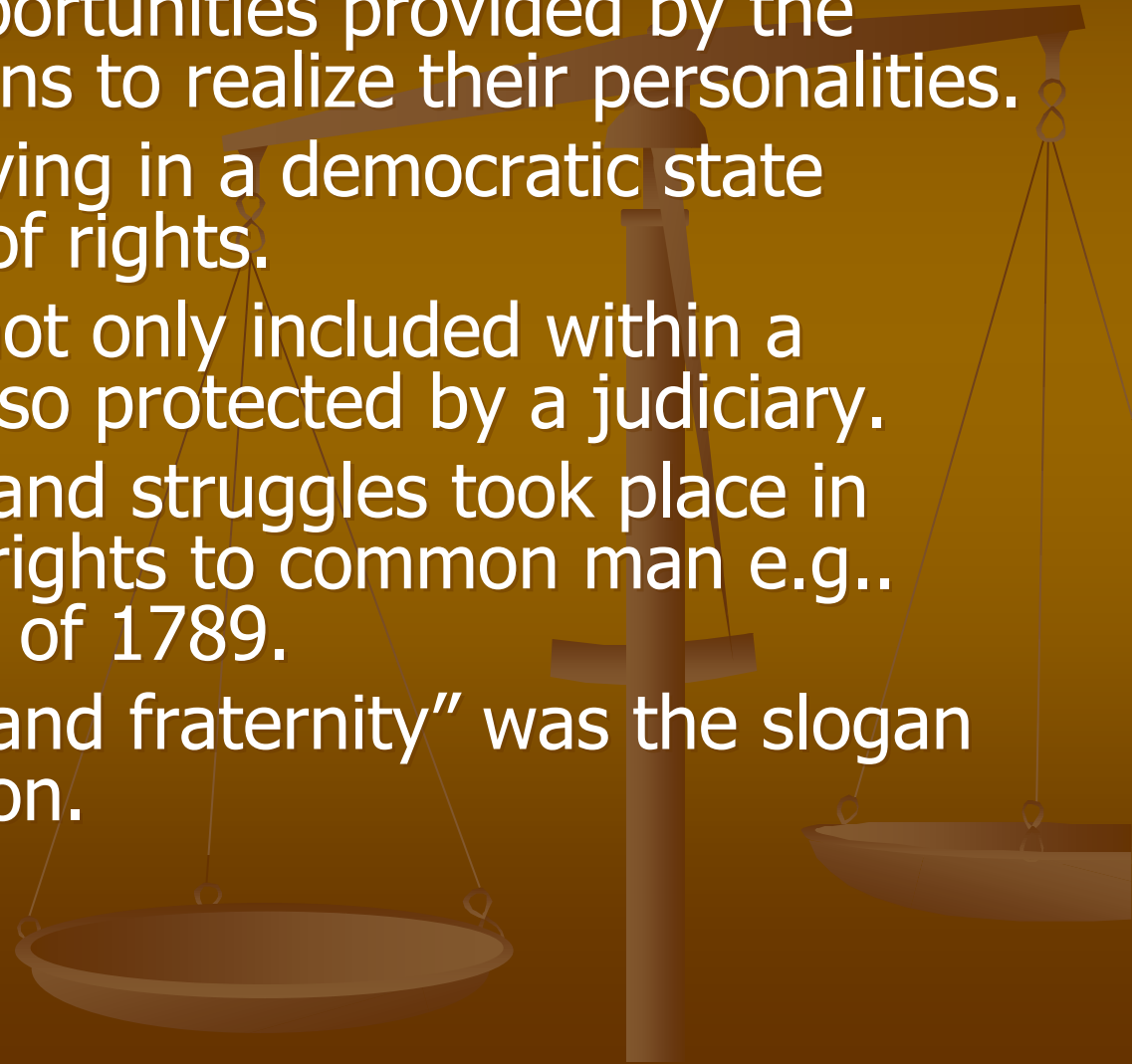
RIGHTS



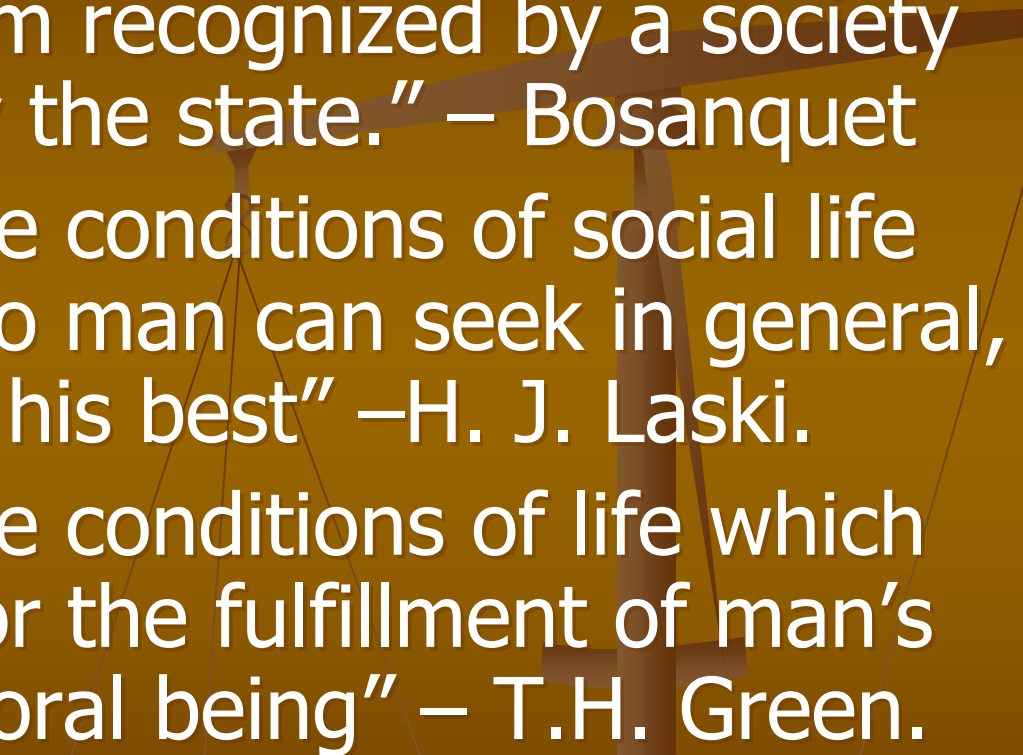
- INTRODUCTION
- Citizens of a state enjoys certain rights and privileges.
- It is the state which recognizes and maintain these rights.
- “The state is known by the rights that it maintains.” – **H. J. Laski.**
- Rights are the necessary conditions provided by the state to its citizens to bring about the all-round development of individual personality.

Meaning of rights

- Rights are the opportunities provided by the state for the citizens to realize their personalities.
- Every individual living in a democratic state enjoys a number of rights.
- These rights are not only included within a constitution but also protected by a judiciary.
- Many revolutions and struggles took place in history to ensure rights to common man e.g.. French Revolution of 1789.
- “Liberty, equality and fraternity” was the slogan of French revolution.



Definitions of rights.

- “A right is a claim recognized by a society and enforced by the state.” – Bosanquet
 - “Rights are those conditions of social life without which no man can seek in general, to be himself at his best” –H. J. Laski.
 - “Rights are those conditions of life which are necessary for the fulfillment of man’s vocation as a moral being” – T.H. Green.
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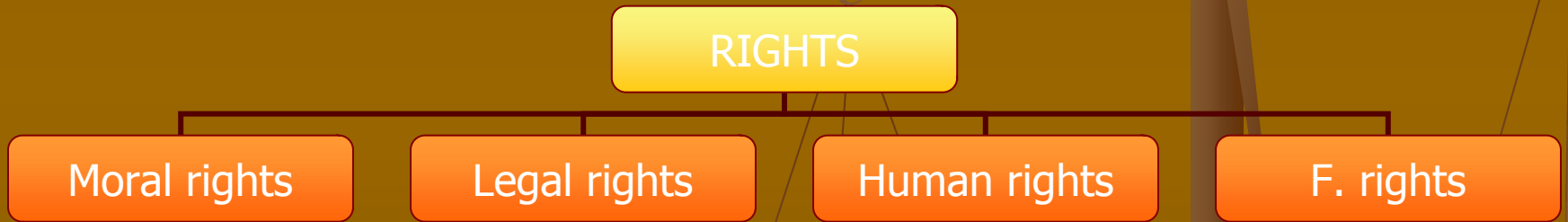
Characteristics of Rights



- Rights are **claims of an individual** for self development.
- Rights are recognized by society and **enforceable by the power of state.**
- Rights are **not absolute.**
- **Rights are universal** – are provided in all societies – to all citizens.
- **Every right has a corresponding duty** – one man's duty is another's right – they are the two faces of the same coin.
- **Dynamic nature of rights** – they undergo changes according to the changing needs of time. Earlier rights were very simple but today there is a vast expansion of rights.

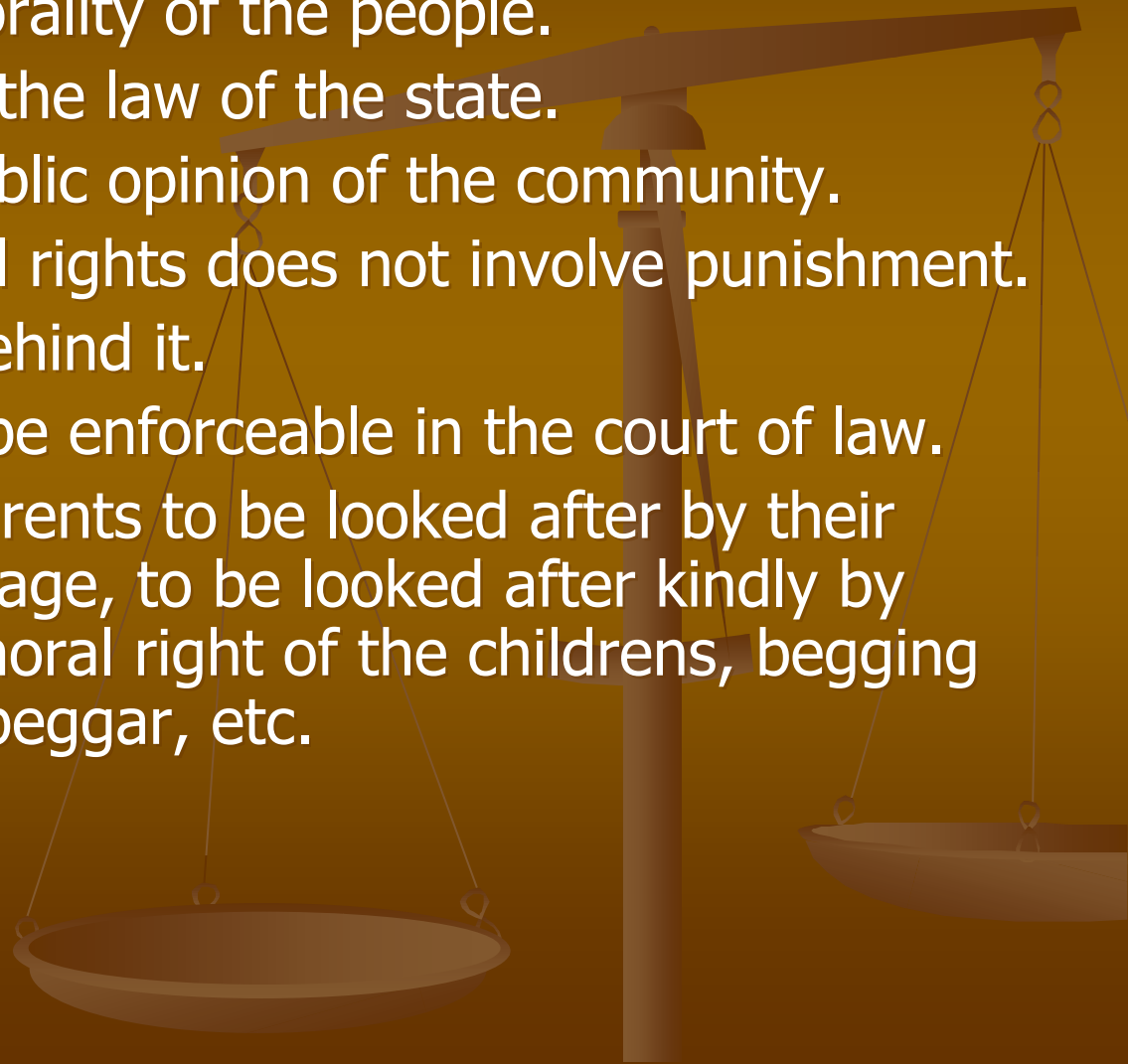
KINDS OF RIGHTS

- For the convenience of our study rights may be classified as follows -



Moral rights

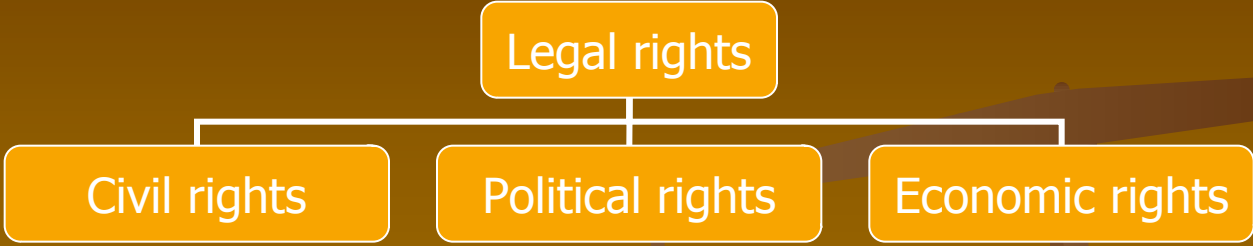
- It is based on the morality of the people.
- It is not enforced by the law of the state.
- Its sanction is the public opinion of the community.
- Violation of the moral rights does not involve punishment.
- No coercive power behind it.
- These rights cannot be enforceable in the court of law.
- Eg. – rights of the parents to be looked after by their childrens in their old age, to be looked after kindly by their parents is the moral right of the childrens, begging is a moral right of a beggar, etc.



2 Legal rights.

- These are the rights recognized and protected by the laws of the state.
- Hence, violation of legal rights is punishable.
- There are 3 types of legal rights –
 1. Civil Rights,
 2. Political Rights &
 3. Economic Rights





Legal rights

Civil rights

Political rights

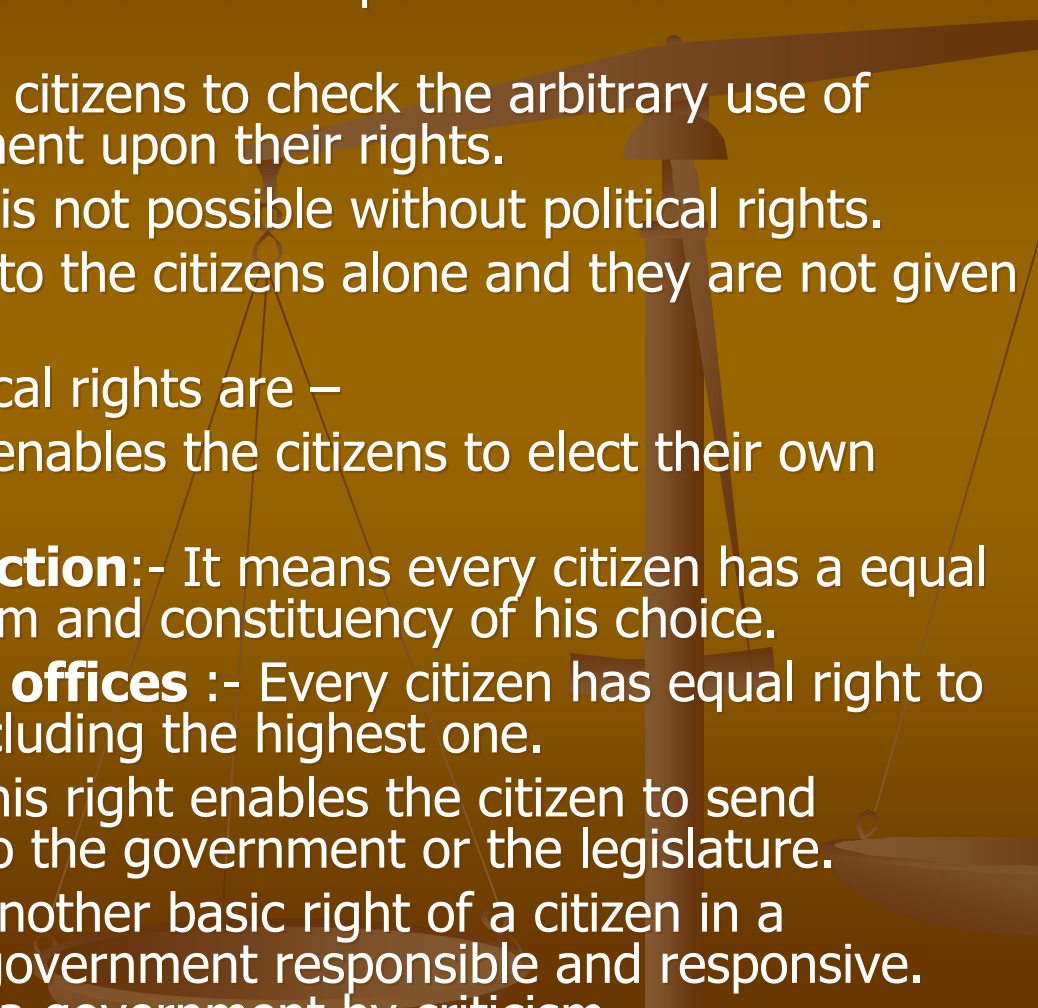
Economic rights

1. Civil Rights

- These are social rights which are necessary conditions of a civilized life.
- These rights enable the individuals to lead a normal life in society & to achieve the development of his personality.
- Following are some civil rights-
- **1.Right to life:-**is a basic civil right without this right all other rights are useless. It involves right to self-defense, It is also against suicide, mercy killing-State should protect the life of citizens, except under death sentence.
- **2.Right to liberty:-**Acc. To this right an individual enjoys many kinds of freedoms like speech, expression assembly, form unions protection against unlawful arrest.
- **3.Right to freedom of religion:-** This right allows the freedom to profess, practice and propagate any religion of ones choice.
- **4.Right to Education:-** The State should provide free and compulsory education to all children so as to make them better citizens of tomorrow.
- **5.Right to Family:-** This right allows the individual to choose ones partner in life and have number of children as they decide upon.
- **6.Right to Equality:-** This right makes a person equal to other people without any discrimination of caste, religion, race etc. It ensures legal, social and economic equality.

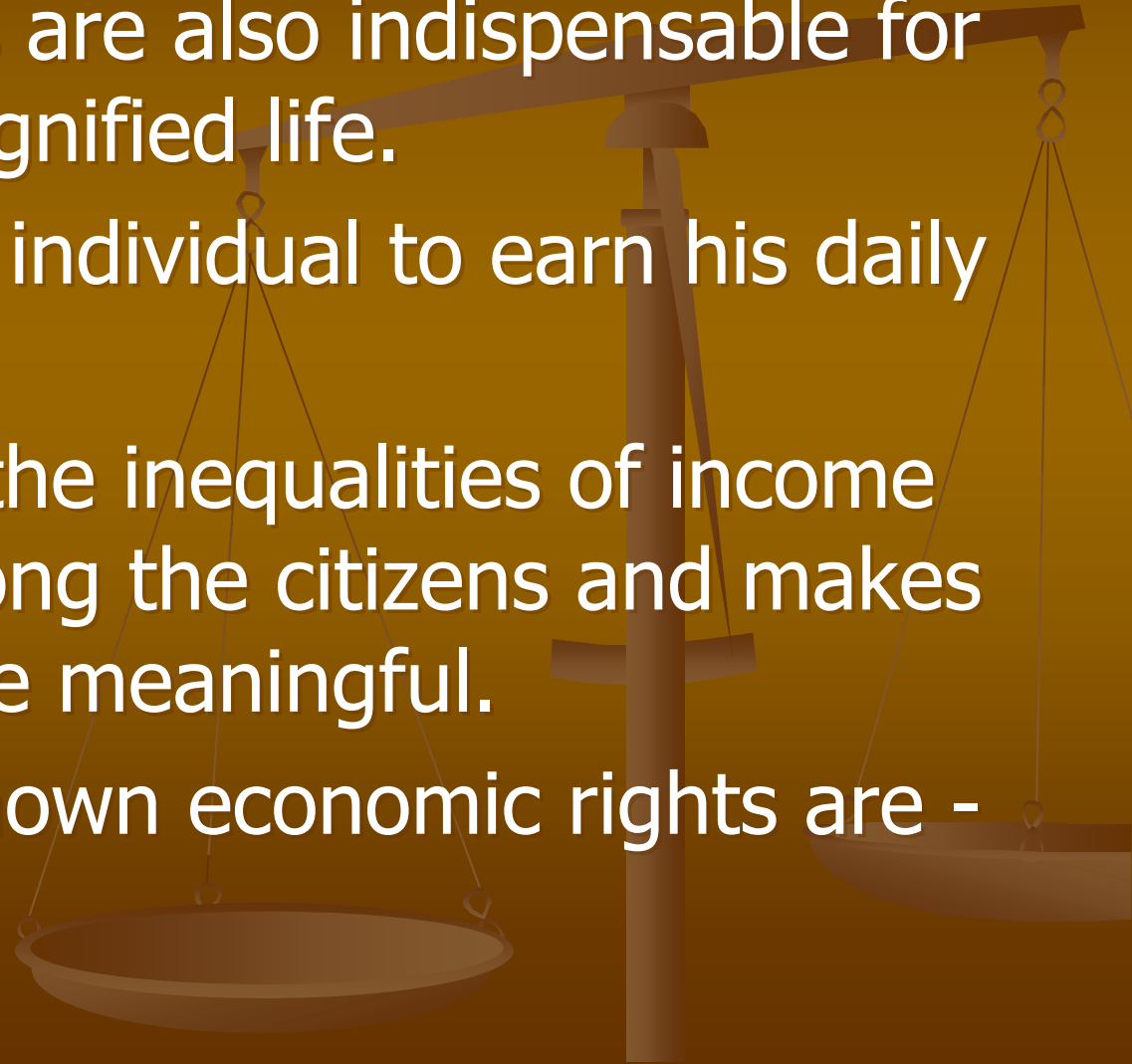
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- **7.Right to speech and expression:-**
This right enables a citizen to express his views freely.
 - **8.Right to freedom of press:-**this implies the right to express ones view point in a book, journal or newspaper.
 - **9.Right to form associations:-** Every citizen is free to form associations for any purpose-social, economic, political, cultural, religious and so on.

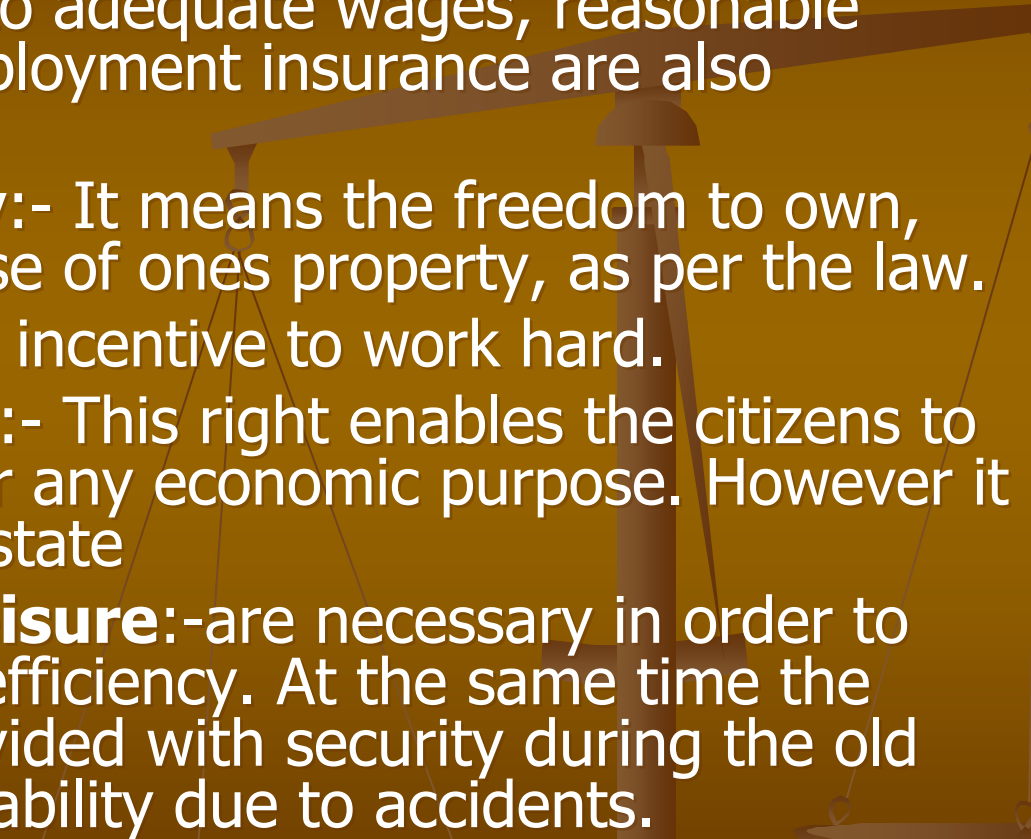
2. Political Rights

- Political Rights are the very foundation of democracy.
 - These enable the citizens to take direct part in the administration of the state.
 - These rights enables the citizens to check the arbitrary use of authority and encroachment upon their rights.
 - Democratic government is not possible without political rights.
 - Political rights are given to the citizens alone and they are not given to aliens.
 - The most common political rights are –
 - **1.Right to vote:-** This enables the citizens to elect their own government.
 - **2.Right to contest election:-** It means every citizen has a equal right to seek election from and constituency of his choice.
 - **3.Right to hold public offices :-** Every citizen has equal right to hold any public office including the highest one.
 - **4.Right to petition:-** this right enables the citizen to send grievances or petitions to the government or the legislature.
 - **5.Right to criticize:-** Another basic right of a citizen in a democracy to keep the government responsible and responsive. Democracy is said to be a government by criticism.
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3. Economic Rights

- Economic rights are also indispensable for a decent and dignified life.
- They enable an individual to earn his daily bread.
- These reduces the inequalities of income and wealth among the citizens and makes democracy more meaningful.
- Some of well known economic rights are -



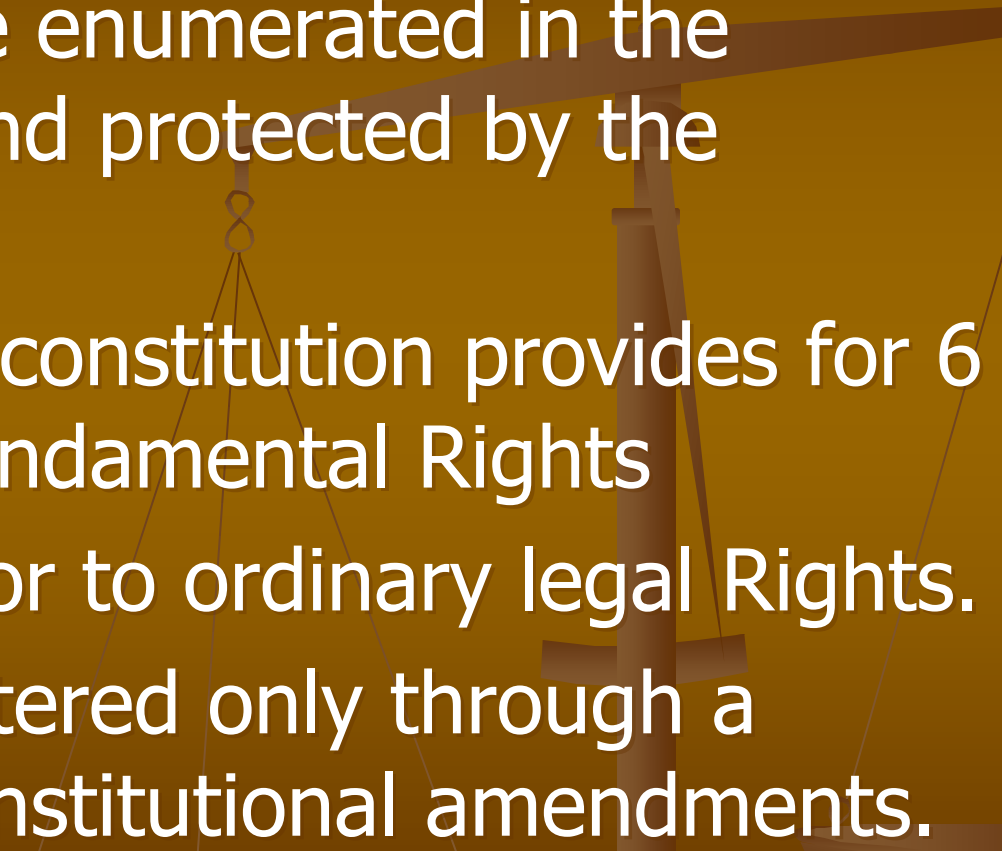
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- **1.Right to work:-** This right requires the state to provide suitable work to every able bodied citizen.
 - It also implies that if one is not provided with work, unemployment benefit must be given.
 - Right to strike, right to adequate wages, reasonable hours of work, unemployment insurance are also included in this right.
 - **2.Right to property:-** It means the freedom to own, use, acquire or dispose of ones property, as per the law.
 - Private property is an incentive to work hard.
 - **3.Right to contract:-** This right enables the citizens to enter into contract for any economic purpose. However it should not harm the state
 - **4.Right to rest & leisure:-**are necessary in order to maintain health and efficiency. At the same time the workers must be provided with security during the old age, sickness and disability due to accidents.

3. Human rights



- These are the modified version of what were once called “**natural rights**”.
- These rights were formulated by the universal declaration of human rights by the Human Rights Commission and later on adopted by the General Assembly of the U.N. in 1948.
- These are regarded as common standard of achievements for all people and nation.
- Human Rights may be further categorized as civil and economic.
- E.g. Right to live with dignity, right to security against irrational discrimination, right to security in the event of Physical and mental disablement or accident of any kind, right to a fair trial during detention, right to family and so on
- In order to implement human rights many countries have set up their national Human rights Commissions.
- N.G.O’s and private organization are also there to fight for human rights.

4. Fundamental Rights

- Those which are enumerated in the Constitutions. and protected by the judiciary.
 - E.g. The Indian constitution provides for 6 categories of Fundamental Rights
 - They are superior to ordinary legal Rights.
 - These can be altered only through a procedure of constitutional amendments.
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Importance of Rights



- 1. To **develop the personality** of individuals:-
- 2. Contributes to **the progress of the state**:-
Individual progress leads to social progress
- Contented and empowered people are a great asset to the nation.
- **3. Political education and better governments**:-
- Peoples participation makes possible.
- For the successful functioning of democracy.
- Provides for better system of government and educated electorate.
- 4. Builds a better world.