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## Chapter 5

### Rights

#### ❖ Rights

- A right is an entitlement or a justified claim. It denotes what people are entitled to as citizens, as individuals and as human beings.
- Rights are primarily those claims that people regard necessary for leading a life of respect and dignity.
- The idea that one is born with certain rights, is a very powerful notion because it implies that **no** state or organisation can take away what has been given by the law of nature.
- This conception of natural rights has been used widely to oppose the exercise of arbitrary power by states and governments and to safeguard individual freedom.
- In recent years, the term human right is being used more than the term natural rights.
- The assumption behind human rights is that all persons are entitled to certain things by virtue of being humans.
- The notion of universal human rights has been used by oppressed people all over the world to challenge laws that segregate them and deny them equal opportunities and rights.
- The list of human rights that people have claimed has expanded over the years as societies face new threats and challenges.

#### ❖ Rights and State

- A bill of Rights is enshrined in the constitutions of many countries.
- Constitution represents the **highest** law of the land and so constitutional recognition of certain rights gives them a primary importance.
- The legal and constitutional recognition of claims is very important and theorists define rights as claims that are recognised by the state.

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- Rights put an obligation upon the state to act in certain way.
  - Each right indicates what the state must do as well as what it must **not** do.
  - Rights ensure that the authority of the state is exercised without violating the sanctity of the individual life and liberty.

#### ❖ **Types of Rights**

- Political rights pronounce the right to equality before law and the right to participate in the political process.
- Civil liberties refer to the right to protest and express dissent.
- Collectively, civil liberties and political rights form the basis of a democratic system of government.
- Political rights can only be exercised with some economic rights.
- Most of the democracies also recognise cultural rights to its citizens.

#### ❖ **Rights and Responsibilities**

- Rights compel people to think **not** just of their own personal needs and interests but to defend some things as being good for everybody.
- They require that everybody should respect each other's rights.
- People should balance their rights when they come into conflict.
- Citizens must be vigilant about limitations which may be placed on their rights.