

CHAPTER - 5

RIGHTS

Q1. What are rights and why are they important? What are the bases on which claims to rights can be made?

W

Answer:

According to Wilde, “A right is a reasonable claim to freedom in the exercise of certain activities.”

- Rights are an entitlement to do as a citizen, individual or human being.
- Something that society must recognize as being a legitimate claim to be uphold.
- There is a distinction between what I desire to do and think that I am entitled to and what can be designated as rights. Understanding our rights are very important because:
 - (a) In order to lead a life of respect and dignity, i.e. economic independence gives the right to fulfill the basic needs of a person by one’s talents and interests.
 - (b) Citizens enjoy the rights to express themselves freely in different ways to be creative and original.
 - (c) The rights let the government be aware of its success and failure and feedback of people.
 - (d) Rights are necessary for the entire world, i.e. right to livelihood, freedom of expression, etc.
 - (e) Rights help one to develop one’s own potential and skills.

The claims to rights can be made if:

- (a) It is necessary to earn a livelihood.
- (b) It is necessary to develop talent and skills
- (c) It is important to lead a respectful and dignified life.
- (d) It is given to human beings by nature of God to be born with, i.e right to life, liberty and property, etc. as inalienable rights.
- (e) If an activity is harmful to our health and well being, it cannot be claimed as a right, i.e. the use of prohibited drugs and smoking to be injurious to health cannot be claimed as a right.

Q2. On what grounds are some rights considered to be universal in nature? Identify three rights which you consider universal. Give reasons.

Answer:

Some rights are considered to be universal in nature on the grounds to be equally important for all human beings who live in a society. The following three rights can be identified as universal:

- The right to livelihood
- Right to freedom of expression
- Right to education

- (a) Economic independence is the most important dignity in one's life and considered necessary for leading a life of respect and dignity across the world.
- (b) Right to freedom of expression provided an opportunity to be creative and original in any field of one's choice. And government also comes to know of its failure and success.
- (c) Right to education develops capacity to improve useful skills and to enable citizen to make choices in life, hence it can be designated as a universal right.

Q3. Discuss briefly some of the new rights claims which are being put forward in our country today — for example the rights of tribal peoples to protect their habitat and way of life, or the rights of children against bonded labour.

Answer:

1. Rights of tribal people:

- The tribal people had been in forest areas since ancient times which are associated with their culture, way of life and livelihood.
- These people urge to state that no state in the name of development should take away what had been enjoyed by them since beginning of settled life.
- They consider all these demands to be justified and use the term human rights for all tribal across the country.

2. Rights of children against bonded labour:

- The children must be free from bonded labour and child labour
- The children must be made from wrong practices of child labour
- The children must have equal opportunities to be free and realize their full potential.

3. Right to sustainable development:

- The human rights which people claim have been expanded over the years due to new threats and challenges in the society.
- There is a need to protect the natural environment, hence the demand has been generated for the rights to clean air, water, sustainable development and alike.

Q4. Differentiate between political, economic and cultural rights. Give examples of each kind of right.

Political rights	Economic rights	Cultural rights
-------------------------	------------------------	------------------------

Political rights provide equality to all citizens.	It includes the basic needs to live and enjoy the right to get food, shelter, clothing, health etc.	The right to have primary education.
Every citizen has the right to participate in political process.	An adequate wage to meet their basic needs.	Culture has been recognized as being necessary for leading good life.
Political rights provide the right to vote and elect representatives	Democratic societies provide reasonable condition of work	The people have the rights to enjoy one's own language, way of living, literature, style of painting, construction, religions, etc
Every citizen enjoy the right to contest elections and right to form political parties.	Citizens with low income, receive housing, medical facilities and unemployed persons receive a certain minimum wage to meet their basic needs.	Right to establish institutions for teaching one's own language.

Q5. Rights place some limits on the authority of the state. Explain with examples.

Answer

- No doubt we need the support of government to make our rights available to us. The support of government and law, make our right accessible to us, i.e. if we need one right to education, the state makes the provision for basic education.
- Right to life obliges the state to make laws to protect from being injured by others. A society can expect the state to pursue policies to provide clean environment to be essential for good quality food.
- Rights not only indicate what a state must do, they also suggest what a state must refrain from doing, i.e. the state cannot simply arrest any person as per own will, the state is supposed to give proper reasons for curtailing one's liberty before a judicial court.
- Right ensure that the authority of state is exercised without violating the sanctity of individual life and property.