

# Key Notes

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## Ch-6 Political Science Democratic Rights

- Three cases of denial of rights highlight the importance of rights.
- The Human Rights were violated
  - (i) in Guantanamo Bay by the US,
  - (ii) in Kosovo by Milosevic's Government, and
  - (iii) denial of rights in Saudi Arabia.

### Rights in a Democracy

- Rights are a must to ensure the dignity, security and fair play to all the citizens.
- Democracy is a system in which maximum rights are guaranteed to its citizens.

**Rights are reasonable claims of persons recognised by society and sanctioned by law.**

### Need Rights in a Democracy

- Rights sustain a democracy.
- They give to every citizen a right to vote and the right to be elected to government.
- They allow citizens to express their views freely, form parties and take part in political activities.
- Rights are guarantees when things go wrong. They do not allow the majority to dominate the minority.
- Some rights are placed higher than the government, so that the government does not violate them.

### Rights in the Indian Constitution

The Indian Constitution has given us six Fundamental Rights. They are the basic features of India's Constitution.

- **Fundamental Rights are:**
  - (i) Right to Equality
  - (ii) Right to Freedom
  - (iii) Right against Exploitation
  - (iv) Right to Freedom of Religion
  - (v) Cultural and Educational Rights
  - (vi) Right to Constitutional Remedies.

**Right to Equality:** It grants equality to all its citizens in the eyes of law. No discrimination can be made against any citizen on grounds of birth, caste, religion and gender. Untouchability is made a cognisable offence. Equal opportunity is guaranteed to all the citizens.

**Right to Freedom:** It grants

- (i) freedom of speech and expression,
  - (ii) freedom to assemble in a peaceful manner,
  - (iii) freedom to form associations,
  - (iv) freedom to move freely in any part of the country,
  - (v) freedom to reside in any part of the country and
  - (vi) practice any profession, carry out any occupation or trade.
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- **Right against Exploitation:** The constitution prohibits
  - (i) “traffic in human beings”,
  - (ii) Prohibits forced labour or begar and
  - (iii) prohibits child labour.
- **Right to Freedom of Religion:** There is no state religion in India. All religions are given equal respect. Every person has a right to profess, practice and propagate his own religion.
- **Cultural and Educational Rights:** Minorities have the right to conserve their language and culture. They have the right to establish their own educational institutions.
- **Right to Constitutional Remedies:** This is the right that makes all rights effective. If a citizen’s fundamental rights are violated or taken away, he/she can seek remedy through courts.
- **National Human Rights Commission** is an independent organisation established in 1993. Its main work is to focus on human rights and help the victims, whose rights are violated.
- **Expanding Scope of Rights**

The Constitution offers scope to expand the Fundamental Rights. Examples:

- (i) School education has become a right for Indian citizens.
- (ii) Right to property is a legal right.
- (iii) Right to seek information from government offices.
- (iv) Right to vote in elections.

## **International Covenant on Economic, Social and Cultural Rights**

This international covenant recognises many rights. Examples

- (i) Right to work
- (ii) Right to safe and healthy environment
- (iii) Right to adequate standard of living
- (iv) Right to social security and insurance
- (v) Right to health and medical care, etc.

## **The South African Constitution Guarantees**

Right to privacy, Adequate housing, Right to access to health care, Sufficient food and water.

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