
Chapter 5

Democratic Rights

❖ Rights

Rational claims of people approved by the society and sanctioned by law.

❖ Need for rights in a democracy

- Citizens should be given the rights of expressing their opinions, forming parties and participating in political activities.
- Rights guard the minorities from oppression by the majority.
- Rights serve as guarantees for a dignified life.
- Rights are positioned higher than the government, so that the government cannot breach them.

❖ Rights in the Indian Constitution

• Right to Equality

- Government cannot deny an Indian citizen equal protection of laws.
- People cannot be discriminated on the basis of religion, sex, caste, place of birth, etc.
- Every citizen of India has the right to access all the public places such as temples, bathing ghats, roads, parks, restaurants, cinema halls, hotels, etc.
- Equal opportunities of employment are guaranteed to every Indian citizen.
- Equality does not mean giving equal treatment to everyone despite what they need. It means equal opportunity to everyone for attaining whatever one is capable of.

• Right to Freedom

- Right to freedom of speech and expression.
- Freedom to hold assemblies in peaceful manner.
- Freedom to form unions and associations.
- Freedom to move freely throughout the country.
- Freedom to live in any part of the country.
- Freedom to practice any profession.

- **Right against Exploitation**

- The Constitution forbids '*traffic in human beings*'. Traffic refers to the practice of buying and selling human beings.
- The Constitution forbids forced labour or *begar*. It is a practice where workers are forced to work for the master, free of charge.
- The Constitution bans *child labour* in any form.

- **Right to Freedom of Religion**

- Right of citizens to profess, practice and propagate any religion.
- Government cannot force an individual to pay taxes for promoting/maintaining a religion/religious institution.
- No religious instructions can be imparted in government educational institutions.
- No person can be forced to take part in any religious ceremony against his/her choice.

- **Cultural and Educational Rights**

- Any section of people with a particular culture or language has the right to preserve it.
- Admission to individuals of a particular religion or language cannot be denied by any educational institution managed by some other religion.
- All the minorities have the right to establish and manage education institutions of their choice.

- **Right to Constitutional Remedies**

- A Fundamental Right that makes other rights effective.
- When any fundamental right is violated, citizens can seek justice in courts.
- There can be no law that violates the Fundamental Rights of the Indian citizens.
The Fundamental Rights are guaranteed against any action of the legislature, executive and other authorities of the government.

- ❖ **International Covenant on Economic, Social and Cultural Rights**

- Right to work: opportunity for all to earn their livelihood.
- Right to healthy working conditions.
- Right to adequate standard of living.
- Right to insurance and social security.
- Right to health, medical care, prevention of epidemics, etc.
- Right to education.