

Class: IX

Subject: Social Science (087) – Political Science

Chapter: 5 Democratic Rights

Notes

➤ **Life without Rights**

Let's take 3 examples that will help you understand what it means to live in the absence of rights.

1) Prison in Guantanamo Bay

The American government secretly picked up about 600 people from all over the world and put them in a prison in Guantanamo Bay. The government said that they were enemies of the US and linked to the attack on New York on 11 September 2001.

2) Citizens' Rights in Saudi Arabia

In Saudi Arabia, the position of the citizens with regard to their government is as mentioned below:

1. The country is ruled by a hereditary king and the people have no role in electing or changing their rulers.
2. The king selects the legislature as well as the executive.
3. Citizens cannot form political parties or any political organizations.

➤ **Rights in a Democracy**

All of us want to live happily, without fear, and without being subjected to bad treatment. For this we expect others to behave in such a way that does not harm us or hurt us. Equally, our actions should not also harm or hurt others.

- A right is possible when you make a claim that is equally possible for others.
- A right comes with an obligation to respect others' rights.

➤ **Any claim can be called a "Right" if it has the following 3 qualities:**

- The claim should be reasonable
- The claims should be recognized by society
- The claim should be sanctioned by law

➤ **Why Do We Need Rights in Democracy**

In a democracy, every citizen has the right to vote and the right to be elected to government. Rights perform a very special role in a democracy. Rights protect minorities from the oppression of the majority. Rights are guarantees which can be used when things go wrong.

➤ **Rights in the Indian Constitution**

You already know our Constitution provides for 6 Fundamental Rights. Let's discuss them one by one.

1) Right to Constitutional Remedies

When any of our rights are violated, we can directly approach the Supreme Court or the High Court in case of any denial of the fundamental rights. That is why Dr. Ambedkar called the Right to Constitutional Remedies, 'the heart and soul' of our constitution.

2) Right to Equality

The Constitution says that the government shall not deny to any person in India equality before the law or the equal protection of the laws. It means that the laws are applicable in the same manner to all, regardless of a person's status. This is called the **rule of law**, which is the foundation of any democracy.

1. The government shall not discriminate against any citizen on grounds of religion, race, caste, sex, or place of birth.
2. Every citizen shall have access to public places like shops, restaurants, hotels, and cinema halls.
3. All citizens have equality of opportunity in matters relating to employment or appointment to any position in the government.

3) Right to Freedom

Under the Indian Constitution, all citizens have the right to:

1. Freedom of speech and expression
2. Assemble in a peaceful manner
3. Form associations and unions
4. Move freely throughout the country

You cannot exercise your freedom in such a manner that violates others' right to freedom.

4) Right Against Exploitation

Every citizen has a right not to be exploited. The Constitution has clear provisions to prevent the exploitation of the weaker sections of society. The Constitution mentions 3 specific evils as mentioned below and declares them illegal.

1. The Constitution prohibits 'traffic in human beings. Traffic means the selling and buying of human beings, usually women, for immoral purposes.
2. The Constitution prohibits child labour. Under this, no one can employ a child below the age of 14 to work in any factory or mine or in any other hazardous work, such as railways and ports.

5) Right to Freedom of Religion

Every person has a right to profess, practice, and propagate the religion he or she believes in. India is a secular state which means India does not establish any one religion as the official religion. Freedom to practice religion does not mean that a person can do whatever he wants in the name of religion. For example, one cannot sacrifice animals or human beings as offerings to supernatural forces or gods.

6) Cultural and Educational Rights

Indian Constitution specifies the cultural and educational rights of the minorities:

1. Any sections of citizens with a distinct language or culture have a right to conserve it.
2. All minorities have the right to establish and administer educational institutions of their choice.

➤ How can we secure these Rights?

Right to Constitutional Remedies makes the other 5 Fundamental Rights effective. When any of our rights are violated we can seek a remedy through courts.

1. Fundamental Rights are guaranteed against the actions of the Legislatures, the Executive, and any other authorities instituted by the government.
2. There can be no law or action that violates the Fundamental Rights.