Progressive Education Society's

Modern College of Arts, Science and Commerce (Autonomous), Shivajinagar, Pune-05

MOOC Course – Human Rights-I

PG Part-I | Credit-I
Lecture -2

Perspectives of Rights and Duties

Rights: inherent, inalienable, universal, individual and group

Nature and concept of duties

Human Rights | Lecture for postgraduate students across disciplines

I) Perspectives of Rights and Duties

Rights and duties: meaning and relationship

➢ Rights

Entitlements and freedoms people should enjoy because they are human. Law and institutions may recognise, protect and promote them.

➢ Duties

Responsibilities to respect others, avoid harm, follow legitimate laws, and help create conditions in which rights can be realised.

➢ Key idea

My freedom matters—but so does your equal freedom. Rights and duties are related, but basic human dignity is not something people must earn.

Opening question: Can a person exercise a right in a way that harms someone else?

II) Rights: Inherent, Inalienable and Universal

These characteristics explain why rights are not simply rewards granted by governments

➢ Inherent

Belong to people by virtue of being human—not because they have earned them. Example: dignity does not depend on income, marks or job title.

➢ Inalienable

Cannot ordinarily be taken away or surrendered arbitrarily. Restrictions, where permitted, must be lawful and justified.

➢ Universal

Apply to every person regardless of nationality, gender, religion, disability, caste or social status. Equal dignity applies to students, workers and public officials alike.

Remember: universal does not mean every right is absolute in every situation.

III) Rights: Individual and Group Rights

Who holds rights?

➢ Individual rights

Protect a person's freedoms, safety and equal treatment.

Examples:
- Life, liberty and personal security
- Privacy and freedom of expression
- Equal access to education and services

➢ Group / collective rights

Protect interests that people exercise or sustain together.

Examples:
- Language and cultural identity
- Indigenous community interests
- Association, peaceful assembly and collective participation

Discussion: How can a university protect individual expression and a minority group's cultural identity?

IV) Perspectives on the Nature of Rights

Different rights create different kinds of claims and responsibilities

➢ Claim right

A claim that someone else has a corresponding duty. Example: access to a service where the law guarantees it.

➢ Liberty right

A protected freedom to act within legitimate limits. Example: expressing an opinion peacefully.

➢ Positive right

May require action or provision by others or the state. Example: public measures that enable access to education.

➢ Negative right

Requires non-interference or restraint. Example: not being subjected to arbitrary intrusion.

Quick check: Which kind of duty arises when a public institution must make a service accessible?

V) Nature and Concept of Duties

A duty is a responsibility or obligation to act—or to refrain from acting—in a particular way

➢ Duty

A responsibility that helps protect people, sustain trust and make rights meaningful.

➢ Legal duty

Established or recognised by law; it may be enforceable.

➢ Moral / social duty

Grounded in ethical judgment and responsibility to others.

➢ Duty to act / refrain

Act to help prevent harm and support access; refrain from discrimination, harassment or privacy violations.

Duties may be owed to other people, the community and—in specific contexts—the state.

VI) Types of Duties

Duties may be classified in several ways

- **Natural / acquired**

Natural: arises from basic human relations. Acquired: assumed through a role, agreement or position.

- **Positive/negative**

Positive: do something to assist or protect. Negative: refrain from causing harm or unjustified interference.

- **Perfect/imperfect**

Perfect: specific and clearly owed. Imperfect: manner or timing may allow discretion.

- **Prima facie / all-things-considered**

Prima facie: normally applies. All-things-considered: prevails after competing responsibilities are weighed.

Example: protecting a friend's privacy matters, but may conflict with a serious duty to prevent imminent harm.

VIII) Summary and Key Takeaways

Connecting concepts with responsible action

➢ **RIGHTS**

Inherent, inalienable and universal; held by individuals and groups.

➢ **DUTIES**

Responsibilities to act, refrain from harm and respect others.

➢ **THE LINK**

Duties support the protection and realisation of rights for everyone.

➢ **Suggested reading**

Dr. T. S. N. Sastry, Introduction to Human Rights and Duties, University of Pune, 2011 — Unit II: "Perspectives of Rights and Duties."

Final thought: Human rights become meaningful when institutions and individuals respect their responsibilities.