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In the words of Hobhouse, " Rights and duties, then, are conditions of social welfare, or as we define such welfare, of a life of harmony to this welfare; every member of the community stands in a double relation. He has his share in it. That is the sum of his rights. He has to contribute his share. That is the sum of his duty.

" It follows that rights must be compatible with the common good expressed in " a complex of rights and duties linking men to each other." Another way of saying this is that every right has a corresponding obligation or duty. If I have a right to work and earn my living, it is my duty to recognise the same right in others and concede to them their right to work and earn their living. I can enjoy my rights only if I respect the rights of others. " He that will not perform functions cannot enjoy rights any more than he who will not work ought to enjoy work." My claim to rights arises from the fact that I share with others the pursuit of a common end and the common end is the good life of man and men. If I fail to perform my duty, it is for the State to see that I act as a moral unit of society.

The State exists to maintain and coordinate the various claims of individuals. Rights are, thus, claims that are socially recognised to make life happy, contented, harmonious, and, therefore, worth living. They are prior to the State as they fulfil the basic conditions of social life. The State does not create them.

It only recognises, maintains and coordinates them so that all may realise the benefits of such rights and, in case of violation, may protect them. It is the primary function of the State to ensure that all equally enjoy their rights

and create those conditions without which man cannot develop the powers inherent in him. It involves equal opportunities for all. Rights are a special kind of freedom, because they must be accorded to all men equally. If some people are allowed to own property and others not, then property ownership is a privilege and not a right. Since the chief characteristic of rights is their equalitarian basis, it is necessary to define the basic rights and make them definite. When rights are formulated, neither the State nor the individuals may venture to trespass them. They command sanctity and

accordingly, are obeyed and enforced. All we have said above about rights may be summed up as follows: — 1. Rights arise in society. They are the result of the social nature of man. Without society there can be no rights.

2. Every right has a corresponding obligation. My right is your duty and your right is my duty.

Rights and duties are the same thing looked at from different points of view. They are two sides of a coin; they are correlative and can never be separated. This has been beautifully expressed by one of the writers. He says, “ Rights without duties are like men without shadows: they only exist in fairy tales.” 3.

A right is not a claim. A claim is selfish in nature, as it affects the interests of a person or a number of persons. A right, on the other hand, is socially recognised aiming at the good of all and it has a social and moral end to serve. When I assert my rights, I do a public duty, because I guarantee to others what I claim for myself. 4.

It follows that rights must be compatible with the common good. Society recognises' only those rights which, in the last resort, are relative to some common good or moral good. 5. The State does not create rights. It simply maintains and coordinates those rights which are socially recognised.

By giving such rights a legal sanction, the State ensures to everyone the enjoyment of his rights, as rights have an equalitarian basis. 6. Rights must be definite and precise, hence, the necessity to define them. Rights do not remain rights when every individual has his own separate claims. 7. Rights have a tendency to grow.

They must be consistent with the needs of man and the needs of man always change; they expand and so do rights. The dynamic nature of rights is manifested in their changing content.