

Democratic Rights | Easy and Simplified Notes for class 9th

- [Introduction:](#)
- [Life without Rights:](#)
 - [Prison in Guantanamo Bay:](#)
 - [Citizens' Rights in Saudi Arabia:](#)
 - [Ethnic massacre in Kosovo:](#)
- [Rights in a Democracy:](#)
 - [What are Rights?](#)
 - [Why do we need rights in a democracy?](#)
- [Rights in the Indian Constitution:](#)
 - [Right to Equality \(Article 14 to 18\):](#)
 - [Right to Freedom \(Article 19 to 22\):](#)
 - [The Right Against Exploitation \(Article 23-24\):](#)
 - [Right to freedom of Religion \(Articles 25 to 28\):](#)
 - [Cultural and Educational Rights \(Articles 29 & 30\):](#)
 - [Right to Constitutional Remedies \(Article 32\):](#)
- [Expanding Scope of Rights:](#)

Introduction:

This chapter deals with one of the most important [features of a democratic country](#). In the previous lesson, we learnt about the functioning and powers of different institutions. Now, we will learn about the democratic rights of citizens in order to limit the power of the government. Along with, we will also look at the [expanding scope of rights](#).

Life without Rights:

Rights are so important that no person can lead his/her life in a better way and use potential he/she has without rights. Even in all the previous chapters, there was mention of rights.

Prison in Guantanamo Bay:

After [9/11 attack](#), the U.S. President George W. Bush established the **Guantanamo Bay detention camp** which was near Cuba (an island nation). The U.S. forces secretly captured and put about **600 suspects in a prison**. The U.S. Government did not even inform about the capture of many suspects to their respective governments. Suspects could not even go for trial before any magistrate in the US. Anas's father, Jamil El-Banna, was among them. He had been captured by U.S. forces for 3 years. His son sent several letters to the U.S. authorities, but did not get any response.

- In 2005, [Amensty International](#), an international human rights organisation, collected information on the condition of the prisoners in Guantanamo Bay and reported about the torture these detained people faced. They also considered this practice of U.S. 'human rights violation'.
- Also, **many prisoners** had tried protesting against these conditions by going to hunger strike.

However, prisoners were not released even after they were officially declared 'not guilty'.

- Moreover, when the UN Secretary General asked to close down the prison, the U.S. government refused to do so.

Citizens' Rights in Saudi Arabia:

- Saudi Arabia is a absolute monarchy where the hereditary king rules.
 - **Note:** Currently, [Mohammed bin Salman Al Saud](#) is a Crown Prince and Prime Minister of Saudi Arabia.
- The King has the power to select legislature and executive.
- He can appoint judges and can change any of their decisions.
- Moreover, citizens have restrictions regarding formation of political parties or any political organisations.
- Media cannot report anything against the wishes of monarch.
- Also, Saudi Arabia is a Muslim state. There is no religious freedom. Non-Muslim residents can follow their religion in private only.
- Lastly, **Women are subjected to many public restrictions** in Saudi Arabia.

Ethnic massacre in Kosovo:

- In Kosovo, the main ethnic groups were; **Albanians and Serbians**, Bosniaks, Gorani.
 - **Note:** At present, Albin Kurti is the Prime Minister of Kosovo.
- Once, Kosovo was the part (province) of former Yugoslavia.
 - Albanians constituted the majority in Kosovo.
 - And Serbs were in majority in the entire country.
- In 1989, the narrow minded Serb nationalist [Milosevic](#) won the election and became the President.
- He wanted the **Serbs to dominate** the country.
- In Addition, many Serb leaders thought that Ethnic minorities like Albanians should either leave the country or accept the dominance of the Serbs.
- In March 1998, **Serbian police** sent by the Milosevic Government **killed thousands of Albanians**.
- Later, when the ethnic prejudice reached its height, **other countries intervened** to stop the massacre.
- Finally, [International Court of Justice](#) tried Milosevic for 4 years **for crimes against humanity**.

Rights in a Democracy:

Above examples give us an idea about how the lives of people without essential rights look like. In all these situations, people faced human rights violation either from the government of their own country or from the foreign country. Therefore, in order to prevent violation of essential rights, people need a system where at least a minimum rights are guaranteed to everyone.

What are Rights?

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

Why do we need rights in a democracy?

1. Rights are necessary for the very **sustenance of a democracy**.
2. Citizens must have political rights as it is essential **to participate in forming a government** whose policies could directly or indirectly affect them.
3. Also, Right to express opinion, form political parties and take part in political activities, all these rights **give freedom to the citizens**.
4. Rights **protect minorities** from the oppression of majority.

Rights in the Indian Constitution:

- The Indian Constitution lay down all the rights of the citizens. Whether these are **political rights, social rights or civil rights**, citizens equally enjoy all these rights in the country.
- However, some rights which are fundamental to our life are given a special status.
 - **For example:** Civil rights are mentioned in the Indian constitution as *fundamental rights*. It means these rights are inviolable.
- There are **six Fundamental Rights** in the Indian Constitution.
 1. First, **Right to Equality**.
 2. **Right to Freedom**.
 3. **Right against Exploitation**.
 4. Fourth **Right to Freedom of Religion**.
 5. **Cultural and Educational Rights**.
 6. **Right to constitutional Remedies**.
- **Note:** Fundamental Rights are given in part III from Article 12 to 35.

Right to Equality (Article 14 to 18):

- Indian constitution states that the government shall not deny to any person in India equality before the law or the equal protection of the laws.
 - Equality before the law: **Article 14**
 - Prohibition of discrimination: **Article 15**
 - Equality of opportunity: **Article 16**
 - Abolition of Untouchability: **Article 17**
 - Abolition of titles: **Article 18**.

Right to Freedom (Article 19 to 22):

- Freedom means **absence of constraints**. It means no other individuals or the government can intervene in the affairs of any person until his or her action causes harm to others.
 - Freedom of Speech and Expression: **Article 19**
 - Protection in respect of conviction for offenses: **Article 20**
 - Protection of Life and Personal Liberty: **Article 21**

- Free and compulsory Education: **Article 21 A.**
- Lastly, Protection from Arbitrary arrest: **Article 22**

The Right Against Exploitation (Article 23-24):

- Citizens have right to approach the court in case they are being exploited.
 - Prohibition of human trafficking: **Article 23**
 - Prohibition of child labor: **Article 24**

Right to freedom of Religion (Articles 25 to 28):

- Every person has a right to profess, practice and propagate the religion he or she believes in. Every religious group or sect is free to manage its religious affairs. Moreover, person is free to change religion on his/her own will.
 - The Freedom of Conscience and free profession: **Article 25**
 - Freedom to manage religious affairs: **Article 26**
 - Freedom as to payment of taxes for promotion of any particular religion: **Article 27**
 - And Freedom as to attendance at religious institution or religious worship in certain educational institutions: **Article 28**

Cultural and Educational Rights (Articles 29 & 30):

- Any section of citizens with a distinct language or culture have a right to conserve it.
- Admission to any educational institution maintained by government or receiving government aid cannot be denied to any citizen on the ground of religion or language.
- All minorities have the right to establish and administer educational institutions of their choice.
 - Protection of interests of minorities: **Article 29**
 - Right of minorities to establish and administer educational institution: **Article 30.**

Right to Constitutional Remedies (Article 32):

- In case of any violation of a Fundamental Right, the aggrieved person can directly appeal to the Supreme Court for remedy.
- Earlier, only the victim had access to file the case against the violator of the Fundamental Rights. But now, P.I.L has made it possible for any person to go to court (on behalf of victim) against the violation of the F.R. if it is of social or public interest.
- **Note:** Since, people can directly approach the Supreme Court or the High Court against violation of F.R. under Article 32, **Dr. Ambedkar** called the Right to Constitutional Remedies, '**the heart and soul**' of our Constitution.
 - **Article 32** confers the right to remedies for the enforcement of the F.Rs. of an aggrieved citizen.

Expanding Scope of Rights:

- While Fundamental Rights are the source of all rights, our Constitution and law offers a wider range of rights. Over the years the **scope of rights has expanded.**

- With time and need, the courts gave judgments regarding **inclusion of new rights**.
 - **For Example:** Right to freedom of press, right to information and right to education.
 - *Some other rights are:* Right to food, right to safe drinking water, right to privacy, right to minimum livelihood, right to work and rights regarding health facilities, environment etc.
- **Note:** In 1978, under 44th constitutional amendment, The Right to Property was shifted from Fundamental Right to Constitutional Right.

Category

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