

Rights and duties are the two facets of the same coin. Elaborate.

Outline

Introduction

Philosophical perspective

Legal perspective

Islamic Perspective

Social perspective

Pakistan constitution perspective

Conclusion

Introduction

The concept that "rights and duties are two facets of the same coin" is a fundamental principle in ethics, philosophy and legal systems. It suggests that rights and duties are interconnected; one cannot exist without the other. In this context "rights" refer to the entitlement or freedom individuals possess, while "duties" refer to the corresponding obligations or responsibilities that individuals have towards others or society as a whole.

Philosophical Perspective

In ethical theories like deontology and social contract theory, the relationship between rights and duties is explored extensively. Immanuel Kant's deontological ethics, as outlined in his work "Groundwork of the Metaphysics of Morals" shed light on how rights and duties are intertwined.

In Kantian ethics, the categorical imperative is a central concept that guides moral actions. The categorical imperative can be stated as follows: "Act only according to that maxim by which you can at the same time will that it should become a universal law". In simpler words, it means that one should act in a way that they would want everyone else to act in similar situations. This principle highlights the inherent relationship between rights and duties.

Example:

Freedom of speech is a fundamental right in many democracies. However, this right comes with a duty not to use hate speech or speech that incites violence against others. Exercising the right to free speech responsibly involves respecting the rights and well-being of others in society.

Legal Perspective

The legal perspective on rights and duties is essential for establishing a structured and orderly society. Legal systems play a crucial role in defining and protecting individual rights while also outlining the corresponding duties and responsibilities individuals have toward the state and

other members of society. The United Nations Universal Declaration of Human Rights (UDHR) is a significant reference in this regard, as it serves as a foundational document for international human rights law. Article 3 of the UDHR states that "everyone has the right to life, liberty and security of person". However, this right also implies that individuals have a duty not to engage in actions that threaten the life, liberty or security of others. Murder, kidnapping, and violence are examples of actions that violate both rights and duties enshrined in this article.

Article 29 of the UDHR states that "everyone has duties to the community in which alone free and full development of his personality is possible. In the exercise of his rights and duties, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and duties of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."

Social Perspective

In society, the balance between rights and duties is crucial for maintaining harmony and order. A sense of social responsibility arises from recognizing that individual rights should not infringe upon the rights and well-being of others. John Rawls' influential work "A Theory of Justice" published in 1971, addresses the balance between rights and duties in context of social justice. Rawls introduces the concept of "original position" and "veil of ignorance" to argue for principles of justice that would be agreed upon by rational individuals who do not know their own position in the society. He proposes two primary principles of justice.

The Principle of Equal Basic Liberties
This principle states that each individual should have an equal right to basic liberties (e.g. freedom of speech, freedom of conscience, and the right to vote).

The Difference Principle: This principle focuses on socioeconomic inequalities. It allows for inequalities in wealth and income as long as they benefit the least advantage members of society.

Example: let's consider the issue of wealth redistribution. From a rights

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perspective, individuals have the right to own property and accumulate wealth through their own efforts. However, from a social perspective, there is a duty to address the needs of the less fortunate members of the society. Rawls' Difference principle suggests that some level of wealth redistribution is justified if it benefits those who are in most disadvantaged positions, such as providing access to education, health care and other essential services.

Islamic Perspective

In Islamic perspective, rights and duties are an integral part of the ethical and moral framework that govern individuals and societal behavior. Islam places great emphasis on the rights of the individuals and the fulfillment of duties towards God, oneself and others. Here are some key rights and duties in Islam with references to the Quran and Hadith.

Rights and duties of Parents:

Muslims are encouraged to pray and make supplications for their parents' well being and forgiveness. The Quran states: "My Lord, have mercy upon them as they brought me up [when I was] small." (Quran: 17: 24)

Parents are command to provide their children with education, including teaching them about Islam, the Quran and the teachings of Prophet (P.B.U.H). The Holy Prophet (P.B.U.H) said: "Command your children to pray when they became seven years old, and beat them for it (prayer) when they became ten years old."

Rights and duties of spouses:

Spouses have the right to be treated with respect and kindness even in times of disagreement.

"And live with them in kindness. For if you dislike them - perhaps you dislike a thing that Allah makes therein much good." (Quran 4:19).

Both spouses have the duty to remain loyal and faithful to each other, honoring the trust placed in their relationship.

Prophet Muhammad (P.B.U.H) said, "The most complete of the believers in faith is the one with best character, and the best of you are the best in behavior to their women."

Pakistan's Constitutional Perspective

In constitution of Pakistan, rights and duties of citizens are outlined in various chapters and articles. Some of them are enlisted below.

Rights of Citizens

Right to life and personal liberty

Article 9: "No person shall be deprived of life or liberty save in accordance with the law".

Freedom of Association

Article 17: "Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in interest of sovereignty or integrity of Pakistan, public order or morality".

Freedom of Religion

Article 20: "subject to law, public order, and morality: (a) every citizen shall have the right to profess, practice, and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions".

Duties of Citizens

Loyalty to The State

Article 50: "Loyalty to The State is the basic duty of every citizen".

~~Service to Pakistan~~

Article

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Obedience To The Constitution and Law

Article 5(II); It shall be the duty of every citizen of Pakistan to abide by constitution and law, [which includes] cherishing and following the noble ideals which inspired our national struggle for freedom."

Conclusion

In conclusion, rights and duties are interconnected aspects that form the foundation of a well-functioning and just society. While rights provide individuals with freedoms and entitlements, duties remind them of responsibilities towards others and society. This balance is essential for fostering a sense of community, cooperation, and mutual respect, ensuring that rights of all individuals are protected and upheld.