

Question:

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

Introduction:

Rights and duties are the two political concepts which run parallel to each other. Existence of rights corresponds with performance of duties. Both reciprocate each other and complements to create a balance. In contrary to this any shift or change in dynamics can lead to conflict and threat to existence of state. Hence the scope of both, rights and duties, demands state and citizens to succeed in giving and performing rights and duties, appropriately.

Concept of rights and duties:

According to Wilde, right is reasonable claim of freedom in exercise of certain activities. Rights, protected legally, authorises a man to utilise certain freedom or power to do anything. It can be fundamental, civil or political right. Whereas, duties is some obligation to perform in exchange of rights given, ranging in between moral and legal duty.

Correlation between rights and duties.

Inherently closed relation between rights and duties are as following.

(i) Rights imply duties and vice versa.

Rights provide any citizen or state freedom to perform, subsequently this freedom demands function to be carried out in return of given rights.

Example.

State provides freedom to acquire education as stated in Article 25-A of constitution of Pakistan, it enables an individual with full liberty to learn but utilisation of this right exhibits duty of citizen to serve and use the provided knowledge for the betterment of state.

(ii) Rights and duties complement each other.

The mere presence of rights and duties, safeguards each others.

existence. States provide protection of human rights and demands obedience of citizens in return.

Example:

It is political right of every citizen to participate in universal suffrage as stated under article 17 of constitution of Pakistan, that every citizen has right to vote and to participate in governance of country through their chosen representatives. Subsequently, it is duty of citizen to vote rationally without any influence to elect a good representative for the country.

(iii) Sanctions due to violation of rights and duties:

State safeguards rights through coercive power of implementation of giving rights, as checked by domain of law. Similarly duties of citizens are monitored by the state system.

Example:

It is duty of state to allow free movement of citizens which comes under the domain of civil rights but

if due to any chance a citizen is detained illegally then that individual can claim his innocence under habeas corpus. Moreover, there are many documents such as UDHR, European convention, US 13th Amendment against slavery, and International Covenant of political and human rights which legalise human rights. Along with this if duties of State are not taken into consideration such as payment of taxes then it liability of state to proceed with legal procedure.

(iv) Rights and duties provide Social harmony:

When rights and duties are fully exercised to their extent it creates a peaceful environment for coexistence.

Example:

State provides freedom to an individual to associate with any allegiance but it is duty of a citizen to comply with organisation that is in harmony with states objectives.

(v) Rights and duties are subject to limitation.

Absolute freedom or obedience can lead toward chaos and tyranny. For this purpose rights and duties are providing restriction to each others domain for the purpose of check and balance.

Example:

One of the basic civil right, freedom of speech, should not be absolute (i) in this regards that it damages the states objective through incitement or violence.

(vi) Rights and duties evolve over time.

Rights and duties are in constant state of change, according to societies need that evolve with time.

Example:

One of the basic right to hold property had no basis of its existence in previous communist states, but with passage of time, capitalists advancement accelerated

the formation of right to inheritance

An imbalance between rights and duties lead to attenuated State system.

As rights and duties represent the same and closely linked stature of a political concept, therefore, an imbalance between the two leads to a decline in harmonious society.

(i) **Threat to the existence of State:**

If an absolute freedom is given to citizen to exercise complete liberty regarding activities, this will eventually lead towards the dangerous concept of anarchy, which signifies threat to the very existence of society.

(ii) **Despotic rule of state:**

If the rights of citizens are overlooked and absolute obedience to States duties is imposed, then this will lead toward despotic and authoritarian rule which restricts the liberty of an individual.

Conclusion:

Rights and duties are correlated with each other and requires an appropriate balance. Rights exist due to presence of duties and vice versa. However some natural elements regarding moral obligations should be inherently part of both to restrict

an extreme deviation in society!

As propounded by Bentham, Mill and Laski, rights ^{needs} to be for the social welfare. Hence, both rights and duties abuts the existence of ^{each other} while gaining protection from each other.