# Chapter 12

# PROTECTION OF HUMAN RIGHT

#### By the end of this chapter, students will be able to:

- Explain the basic features of the concept of human rights.
- Compare and contrast the rights and obligations of citizens under the 1973 constitutions with rights given to citizens under the UN Human Rights Declaration, 1948.
- Describe the State of basic human right in Pakistan.
- Develop an understanding of the human rights both at the National and International level and appreciate its worth in the human level.

#### Introduction

In this chapter, we will learn about the concept of human rights and rights of citizen's under the United Nation's Declaration for Human Rights (UDHR). In the same way, we will also learn about the rights and obligations of citizens in Pakistan.

# **Human Rights**

According to Black's Law Dictionary, "human rights can be described as the freedoms, immunities and benefits that all human beings should be able to claim as a matter of right in the society in which they live." Human rights are also known as natural or basic rights.

#### Do You Know?

10th December is celebrated as a Human Rights Day across the World.

Human rights are based on m mankind's increasing demand for a civilized life. In the civilized life, the inherent dignity of each human being is well respected and protected. Human rights are fundamental to our very existence without which, we cannot live in as human beings. Life would be meaningless if individuals are unable to practice their natural rights.

# **Obligations of Citizens in Pakistan**

As a citizen of Pakistan, it is our duty to:

- Defend the country.
- Participate in local community development positively and clean our neighbourhood.
- Respect and obey federal, provincial, and local laws.
- Respect honourable Courts.
- Caste vote during elections.
- Respect the rights, norms, beliefs, social and cultural values, and respect diversity of opinions.
- Save Water and Electricity.
- Promote Pakistan in a Positive way.
- Support plantation drive.
- Respect senior citizens.
- Promote dignity of teachers.
- Respect rule of law.

## **Universal Declaration of Human Rights (UDHR)**

The development of the idea of human rights was started in the eighteenth century. However, the concept of human rights acquired significance in the wake of Second World War. The modern concept of human rights has been taken from the Universal Declaration of Human Rights (UDHR), which was adopted by the United Nations General Assembly on 10th. December 1948.

This document is considered a milestone in the history of human rights. According to this declaration, all people and all nations must aim to achieve certain goals and the same standards exist for all human beings across the globe. The UDHR remains the standard by which these rights are defined and framed. The Declaration in its summarized form is given as under:

	Article	Title	Brief Description
Ì	01	Right to Equality	All human beings are born free and equal in
			dignity and rights.

Г	02	Freedom from	Every person is equal despite differences in terms
	02		
		Discrimination	of colour, gender, caste and creed, religion,
			language and country
	03	Right to Life, Liberty,	Every person has the right to life and to live in
		Personal Security	freedom and safety.
	04	Freedom from Slavery	No one has the right to treat any person as a
			slave. Everyone should discourage the practice of
			slavery in society.
ľ	05	Freedom from Torture	No one has the right to hurt anyone. No one shall
		and Degrading	be subject to torture or cruel in humane treatment.
		Treatment	
Ī	06	Right to Recognition as a	Every person has the right to recognition
		Person before the Law	everywhere as a person before the law.
	07	Right to Equality before	Equality of all before law.
		the Law	
ĺ	08	Right to Remedy by	Every person has the right to ask for legal help
		Competent Tribunal	when his/her rights are violated.
	09	Freedom from Arbitrary	Nobody can be unlawfully detained and exiled.
		Arrest and Exile	
ľ	10	Right to Fair Public	Every person is entitled to a fair trial.
		Hearing	
ŀ	11	Right to be Considered	No one can be detained or punished until and
		Innocent until Proven	unless proved guilty.
		Guilty	
ľ	12	Right to Privacy	Every person has right to ask for protection if his/
			her reputation is damaged and privacy is violated.
	13	Right to Freedom of	Every person has the right to move and settle in
		Movement	place of his/ her choice.
L			

14	Right to Asylum in other	If a person is being harmed or perceives threat to
	countries from	life, he / she has right to go to another country
	persecution	and seek protection.
15	Right to Nationality and	(1) Every person has the right to a nationality.
	Freedom to Change it	(2) No one shall be arbitrarily deprived of his
		nationality nor denied the right to change his
		nationality.
16	Right to Marriage and to	Every adult has right to marry and have a family.
	Raise a Family	
17	Right to Own Property	Every person has the right to own property
		individually or jointly
18	Freedom of Belief and	Every person has the right to freedom of faith.
	Religion	This includes right to change religion or belief if
		one wishes.
19	Freedom of Opinion and	Every person has the right to freedom of opinion
	expression	and expression.
20	Right to Peaceful	Every person has right to have peaceful assembly
	Assembly and	and association.
	Association	
21	Right to Participate m	Every person has the right to take part in the
	Government and in Free	activities organized by Government. For instance,
	Elections	casting vote in elections.
22	Right to Social Security	Every person has the right to social security and
		he/ she is entitled to realization of economic,
		social and culture rights.
23	Right to Desirable Work	Every person has the right to work. This includes
	and to Join Trade Unions	right to good working conditions and fair pay. Also
		every person has right to a join trade union.

24	Right to Rest and Leisure	Every person has the right to rest and leisure.
		, , , , , , , , , , , , , , , , , , ,
25	Right to Adequate Living	Every person has right to enjoy basic facilities
	Standard	including housing, food, health, education and
		safe environment.
26	Right to Education	Every person has right to go to School and
		education up to elementary level should be free.
27	Right to Participate in the	Every person has the right freely to participate in
	Cultural Life of	the cultural life of the community in order to enjoy
	Community	the arts and to share scientific advancement and
		its benefits.
28	Right to live in a free and	Every person has the right to live in the world
	fair world	where his / her rights and freedoms are respected.
29	Community Duties	Every person has a responsibility to respect and
	Essential to Respect and	protect the rights of others.
	Protect Human Right	
30	Every person has human	No person or group should try to usurb one's
	rights and cannot be	human rights.
	taken away.	
	tartori away.	

# Developing an understanding of the human rights at the National and International level

The United Nations (UN) is the world organization. The aim of this organization is to maintain peace and stability in the world. It also works for be betterment of human beings. It has a mandate to investigate violations of human

#### Do You Know?

Govt. of Pakistan in 2010 passed the protection against Harassment of women at the Workplace Act 2010. For more information, visit below link:

www.na.gov.pk/uploads/ documents/1399368475\_218.pdf rights. The Human Rights Council is a subsidiary body of the General Assembly and reports directly to it. It ranks below the Security Council, which is the final authority for the interpretation of the United Nation's Charter. Forty-seven out of total number of members can deliberate on the issues in the council. The Council is based in Geneva. It meets three times a year with additional meetings to respond to urgent situations.

The Constitution of Islamic Republic of Pakistan obligates the State of Pakistan to protect and promote human rights of all its citizens without any discrimination. Furthermore, Pakistan being a responsible member of the international community has to honour its obligations.

Pakistan, as a signatory to the core international human rights conventions is committed to uphold the universal human rights standards and to implement them at the national level.

#### **ACTIVITY**

Compare and contrast rights of citizens under UDHR and 1973 Constitution of Pakistan.

#### SUMMARY

In this chapter, we learnt about the concept of human rights and rights of citizens under the UDHR. We studied UN Human Rights Declaration in a summarized form.

# **EXERCISE**

#### Check your knowledge and understanding

#### A. Answer the following questions:

- 1. Write in your words the basic features of human rights.
- 2. Discuss in detail the rights and duties of citizens of Pakistan.
- 3. Critically evaluate the State of human rights in Pakistan and suggest measures to safeguard them.
- 4. Describe UN Human Rights Declaration, 1948.

#### B. Identify and classify the following intibligations and rights:

- Abiding by law
- Equality of all citizens before law
- Casting vote during elections
- Freedom of expression
- Respecting diversity of opinions
- Liberty and security
- Cleaning neighbourhood
- Protection of property
- Defending the country

#### C. Fill In the Blanks

i.	are those	rights which are inherent in every person by	
	virtue of being a human bei	ng.	
ii.	Universal Declaration of H	luman Rights (UDHR) was adopted by the	
	United Nations General Assembly on		
iii.	The Article	_ of UN Human Rights Declaration States	
	about Right to Education.		

#### **Conduct an Inquiry**

- i. Conduct research about a partial case of violation of human rights and identify the forms of redressal.
- ii. Conduct an inquiry about the role of State in protection of rights of citizens.

#### **Cooperate with others**

Make two groups of students to prepare presentation on the following topics:

- Rights and obligations of citizens under the 1973 constitution.
- Rights given to citizens under the UN Human Rights Declaration, 1948.

#### **Teacher's Note**

Teachers are advised to refer the Constitution of Pakistan 1973 for further understanding of fundamental rights.