



# JOURNAL OF EMERGING TECHNOLOGIES AND INNOVATIVE RESEARCH (JETIR)

An International Scholarly Open Access, Peer-reviewed, Refereed Journal

## THE CONCRETE CONCEPT OF HUMAN RIGHTS AND DUTIES

Dr. Monoranjan Das, Associate Professor, Dept. of Philosophy, GDC, Teliamura

### ABSTRACT:-

Rights and duties are twin concepts. The concept of duty and right is meaningful only in human domain. So, never pass on moral judgment to animals and birds but human rights should not be confining to human domain only. Human-beings have the right. So, human-beings have duties not only for their fellowmen but also for the non-human world. The person who does the duty, duty has no return. A duty is done for its own sake. Duty means the parents have duty you have brought them to the world. So, you have that bounden duty to nurture them to excellence or fullness. So, duty is more important than right.

**KEYWORDS:** Duty, Rights, Human, Animal.

Today in our contemporary world we talk of human right, women's rights, , child right, rights of farmers, rights of civil society and so on. Why at all there is talk of right? Where from does this talk of right gets its relevance? The question of rights comes only against their actual or possible violation. For example; women across the world became conscious of their rights when they became increasingly aware to the fact that their rights have been somehow sometime encroached upon that is when they were deprived of their rights. Had there been no possibility of attack from neighboring or other countries the massive army across the border would not have been in place. In absence of actual or possible attack the notion of defence becomes unintelligible. Army is in place either because there has been an attack or there is the possibility of attack or repetition of history. If government would have attended to its duties meticulously and elaborately where is the need of citizens' forums like this? Rights and duties are twin concepts.

If women have a right then their male counterparts have a duty to protect their rights. If citizens have right then Government has a duty. So, every right presupposes a duty. A child's right is parent's duty; citizens' right is governments' duty. We never talk of rights in the family because a child is never conscious of rights. In a stable family a wife is never conscious of rights. Their rights are being taken care of because of the duty of others. So, right becomes meaningful only because it is violated or either violated or there is possibility of violation. There are twin concepts. My duty is your right, parent's duty is children's right. Similarly, child right

is parent's duty. We always talk of right in relation to someone. Women's right in relation to male's duty who encroach their rights probably. So, out of these I want to bring home this point that between these concepts duty is very fundamental.

If women have their legitimate rights, then their male counterparts must have some duties which they have failed to discharge for some reason or the other. Every right presupposes a duty. Needless to say that right of one is duty of another, which is more elementary right or duty. Supposing a child has a right to live, right to education, shelter, medicine it becomes duty of the parents to provide the children unasked for. So, a child's right is parents duty, a citizen's right is duty of the government. Do we ever talk of rights within a family? It is because everyone does one's duty in relation to others so spontaneously and naturally. In a stable family a housewife is never conscious of her rights. There is no room for duty because the husband discharges his bounden duties without being solicited. A mother is not conscious of right because father is duty bound. So, the right becomes meaningful only because it's either violated or there possibility of violation.

There are twin concepts. My duty is your right, parents' duty is children's right. Similarly, child's right is parent's duty. We always talk of right in relation to someone. Women's rights in relation to males, we encroach on their rights probably. So, we have a right in relation to somebody. So, I want to bring home this point that between these two concepts, duty is more fundamental. If everyone would to his duty the concept of right will redundant, meaningless and irrelevant. There is violation of child's right. Few days back, I want it to be of the record, when assembly was in place at about 8 O'clock the police restored and came with a five year old girl, then we were requested to induct the child to our children home. At that time, we could understand what is wrong with the child. Then, the police told everything to us. They told she has been sexually abused by the father in the drunken state. Now, the life of a girl child is not secured. So, the concept of right is always meaningful against its violation. So, duty is more important than right. When you have a headache, doctor will give you a palliative and it controls. So, palliative never cures a disease it simply removes the system. A real, effective e doctor is he/she who tries to diagnose the source of disease.

We talk of rights and rights because somewhere, some people have failed in their duty. That is why the right becomes so very conscious and there is a system to formulate laws to prevent violation of rights and there is a system to punish the violator of rights those who encroach on other's rights and there is a system to prevent its violation. So, the entire system addresses the problem of right violation but hardly there is an attempt or genuine effort to prevent the violation of rights or to pursue people to do their respective duties. If males would do their duties in relation to men and they would not snatch away their rights from the women, if women are not marginalized or deprived or neglected or discriminated upon against gender divide, then the feminist movement would be meaningless. For whom, for what you are fighting? Your rights are taken care of because everyone is doing his duty. You are getting your due. What is the point of having an organization which will assert its right? So, assertion of right is valid or relevant because either it is actual or possible violation. Secondly, when you talk of rights, we talk of human rights. So, human rights in related to other humans. But, can you talk of also animal rights? There are volumes of movement across the world to protect animal rights. Do you know, there is a law enacted in USA about their right of rivers and seas? They are not conscious of their rights. They are neither conscious of their duty, they cannot have their duty. Animal behavior is hunger-driven. It is only human-beings who because of a developed mind he has the sense of right and wrong. So, the concept of duty and right is meaningful only in human domain. So, we never pass any moral judgement on animals, birds because they no sense of right and wrong. Animals and birds are not conscious of their duties but they have rights. Human rights are confined to human domain only. Do I have right in relation to you only? Do the animals have rights in relation to men? Do the elephants have right to live

in their habitat? Do the trees have right to grow into fullness? Do the rivers have a right to remain unpolluted? This is now a debate all over the world. If a tree has a right to live, right to grow, if animal has right to proliferate, then who has the duty? Human-beings have duty. So, human-beings have duties not only for their fellowmen but also for the non-human world. Why? There are many families where the eldest sister prefers to remain a spinster to nurture the younger ones. That means the person who is able bodied in a family has his onerous or bounden duty for those who are less privileged. As more matured member, developed member in the evolved world you have duty for everyone. You have duty for animals, you have duty for birds, you have duty for rivers you must allow them to flow unhindered. If it is done, then who stands to get benefit? The person who does duty, a duty is done for its own sake, it expects no return. If you are feeding a hungry man and in return if you think that why did he not wish me or bless me and think that he is an ungrateful beggar. It is not duty *per se*. It tantamount to commerce, you give something and expect something return. This introduces us the basic distinction between commerce (*vyavasaya*) and service (*seva*). If parents have brought children to the world it becomes their bounden duty to provide a favourable circumstance so that the potentialities in them get actualized. There it ends. If you expect that your son and daughter would earn and serve you, it may happen or it may not happen also. One friend says another, dear friend!, you are my friend indeed but if I chit you the other friend retorts; to chit or not to chit is your own choice. But to trust you is my choice. You may chit me but you cannot deprive me of my right to trust you.

The cosmologists now say that if you trample an ant it creates disorder in the cosmos though not explicit nor felt apparently. Now scientists have come to opine that some of the air crashes take place due to metal fatigue. Man becomes tired and exhausted the metal also beyond a limit gets fatigued. There are experiments to show that if you break a stone which feels pain, creates disorder. But man must be evolved enough to feel the pain of the so-called inanimate, world. Empathize with their feelings. We are that callous, how can we think of human rights? Why it happens? There is nothing in our society which teaches us how to live in the world. Educational system teaches us skill which helps us to be a skilled engineer, skilled doctor never an honest engineer or an honest engineer. So, the more information you have the more empowered you are, the more skilled you are the more empowered you are. The information and skill they empower man but empowerment is not enough unless you know how to use your power. If you do not know how to use your power you will misuse your power. So, the same mind which makes man divine also makes a man worse than a beast because there intelligent dimension to his beastly nature. Bergson says; man uses artificial tools but animals use their natural tools. There many great terrorists, even America could not locate him though he was living near the military barrack. It is intelligence. For example; Harsad Mehta, Charles Obroi, Chandan Durso Virapan etc. Do you think that they are not intelligent? They are intelligent but they misuse their intelligence. Now, what is happening is” There nothing in our educational system which teaches us values and makes us duty conscious. Why don’t you address the source? Now, disorder has become order of the day. That is the irony that is the paradox, which is the danger. So, my humble submission that we talk of rights because there is violation why there is violation? Because someone else is not doing his duty, why he is not doing his duty? Because there is nothing to inspire him, prompt him, compel him to do. Ensure that everyone does his duty. When you educate people about values, then duty will be done automatically. A system has to be changed; educational system has to be changed. So, the crisis today is a crisis of values. Every man will get a square meal a day. But it will not happen? Because that has to be changed in the mind, Change in the mindset occurs only when there is all-round.

**REFERENCE BOOKS:**

1. Mohanty, A. K., Dharma, Department of Special assistance in Philosophy,Utkal University, orisaa, 1998
2. Rashee,J., Textbook On Human Rights Law and Practice, ,Universal Law Publishing ,2016
3. Wright,D., Rights, liabilities and duties of doctors under Indian companies Act,2013,1998

