

Human Rights: A Balance of Liberty and Duty

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"The most important human endeavour is the striving for morality in our actions. Our inner balance and even our very existence depend on it. Only morality in our actions can give beauty and dignity to life."

— Albert Einstein

All human beings are born free and equal in dignity and rights and these rights are inherent in our nature. Human Rights play important role in our lives because it allows us to live free, and unworried. Having the right itself just makes us feel special. It's like owning something that's never going to be broken, be stolen, and lost. It's with us anywhere and anytime and without which we cannot live as human beings. But such freedom is not absolute as well as no one's rights are absolute. Integral to rights are the issues of responsibility or duty.

Human rights just like a coin have two sides – liberty and duty. One cannot exist without the other. A human right as a duty is considered as a claim right which entails that another person has a duty to the right-holder. Somebody else must do or refrain from doing something to or for the claim holder. Every claim-right entails that some other duty-bearer must do some duty for the claim to be satisfied. This duty can be to act or to refrain from acting. For example, many jurisdictions recognize broad claim rights to things like "life, liberty, and property"; these rights impose an obligation upon others not to assault or restrain a person, or use their property, without the claim-holder's permission.

A human right as a liberty right in contrast, is simply a freedom or permission for the right-holder to do something, and there are no obligations on other parties to do or not do anything. For example, if a person has a legal liberty right to free speech, that merely means that it is not legally forbidden for them to speak freely: it does not mean that anyone has to help enable their speech, or to listen to their speech; or even, per se, refrain from stopping them from speaking, though other rights, such as the claim right to be free from assault, may severely limit what others can do to stop them.

Liberty rights and claim rights are the inverse of one another: a person has a liberty right permitting him to do something only if there is no other person who has a claim right forbidding him from doing so. Likewise, if a person has a claim right against someone else, then that other person's liberty is limited. For example, a person has a liberty right to walk down a sidewalk and can decide freely whether or not to do so, since there is no obligation either to do so or to refrain from doing so. But pedestrians may have an obligation not to walk on certain lands, such as other people's

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private property, to which those other people have a claim right. So a person's liberty right of walking extends precisely to the point where another's claim right limits his or her freedom.

It is undeniable that at the common sense level a right involves a duty in another person. There cannot be a right without a duty. Right in one person presupposes a duty in another. The concept of a right without a duty is meaningless.

As stated by the Philippine Commission on Human Rights, "one's freedom is demarcated by the freedom of others and by a sense of responsibility, rights and obligations". This is man's responsibility in the human society since men are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

A duty-centred society is preferable to a right-centred society. If individuals are concerned about their duties, responsibilities and obligations, they cannot but be concerned about the rights and freedoms of others. A right-centred society is one in which individuals assert their rights.

At the same time there is a deafening silence on the question of individual responsibility. The time has come to realize and to emphasize that rights, whether material or political, depend on the discharge of duties. Wealth and prosperity are created by effort. Only continuing effort can sustain them.

The cost of freedom is responsibility. When you understand the natures of power and responsibility, you discover a paradox. Responsibility is not a lessening of freedom, but rather a gaining of it. And if you refuse to pay this expense, you will never have the trust, power, privileges, and freedom that come with it. If you refuse to accept responsibility, you will forever be staying in behavioural patterns that greatly increase your chances of being assaulted.

More specifically, you have the right to free speech. But you have the responsibility not to "yell fire in a crowded theatre". Your right to free speech is a cornerstone of the democratic process, and that is why it is granted. You do not, however, have the right to say anything you want -- that is a misinterpretation of a right. Your freedom of speech stops when it becomes libel, slander, induces or encourages others to engage in illegal activities.

Rights can be revoked, but only through due process of law. If you violate the laws of society, you will risk your freedom being taken away -- your liberty will be curtailed.

Those who insist upon their rights being absolute and unfettered even at the expense of the liberty and safety of others are in fiascos. When we automatically assume that we have these "rights" without the burden of responsibility -- and responsibility

is defined by others and society, not just by our own personal standards -- that we get into trouble.

As what Spiderman said in the Civil War Movie, "...what you're doing is wrong but you think you are right. That makes you a dangerous person".

Same goes for what is happening to us today. Most of us think we are doing what is right by fighting for the candidates we choose for the upcoming elections. But, what we don't see is that we are ripping our society apart. Instead of promoting unity, we promote division. We all have our points and justifications for fighting but it is still fighting nonetheless and everybody gets hurt and nobody really wins. How can we promote peace when we are pulling others down just to achieve it? In other words, your right to swing your arms ends where the other man's nose begins. Because that person has just as many rights as you do. All human beings have the same rights and duties and both are equally important. We should respect our rights and put into practice our duties. Respect for human rights and human dignity is the foundation of freedom, justice, and peace in the world.