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Let's not confuse entitlements with rights

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Politicians and activists constantly propose new rights — the right to work, to education , and now to food. The word “rights” is being twisted to mean entitlements, and there is a big difference.

Rights are freedoms from oppression by the state or by society (through ethnicity, religion and gender). These rights do not entail government handouts . Entitlements, however, are welfare measures entailing government handouts. Rights are not limited by budget constraints, but entitlements are. So, rights are universal but entitlements are not.

Historically, India has provided only limited welfare. It can certainly afford to provide more as it grows richer. Yet fiscal crises in the West warn us that entitlements can grow so rapidly as to threaten even rich governments with bankruptcy. Because of budget constraints, entitlements must be limited. But rights should not be limited. So, don't confuse rights with entitlements.

US economists calculate that three welfare measures — social security (for the aged), Medicare (for the aged) and Medicaid (for the poor)—will triple from 7% of GDP to 20% in the next decade, swallowing up virtually all federal tax revenue. Jagadeesh Gokhale of the Cato Institute calculates that, including social security, the US is headed for a national debt that's 500% of GDP, and Europe of 434%. Laurence Kotlikoff of Boston University says welfare measures have become a Ponzi scheme, which work by constantly shifting burdens to future generations.

Greece, which prides itself on socialist entitlements, looks certain to default on its public debt despite a recent rescue by the European Union. Spain, Britain, Portugal and Ireland are seeking to cut entitlements to stave off a future debt crisis. Entitlements need to be narrower and better targeted.

Welfarism was once touted as the great Marxist vision, but is actually intrinsic to all democracies and capitalist systems. Britain's Poor Laws dating from the 16th century provided workfare to the destitute through workhouses, at very low wages. This was not called a right to work or to doles. It was seen as Christian charity, and as a way of stopping desperate people from taking to crime.

The British Bill of Rights in 1689 created a constitutional monarchy. The rights included freedom from royal interference with the law, from taxation without parliamentary approval and from martial law in times of peace; and free elections and free speech. These were all rights, not entitlements.

In 1776, the US Declaration of Independence said all men were equal with a fundamental right to life, liberty and the pursuit of happiness. The US Bill of Rights in 1789 provided for freedom of religion and speech; for the right to due process of law and peaceful assembly; for freedom against military confiscation in peacetime, unlawful seizure and arrest, excessive bail, torture, self-incrimination and excessive or cruel punishment; for the right to bear arms in a militia, to public trial by a jury, and to legal counsel.

The French Revolution produced its own Rights of Man. This declared that men are born free and equal, and have inalienable rights to liberty, property, security and resistance to oppression. It provided for equal civil participation by all, due process of law, freedom of speech and religion.

These three countries spearheaded the concept of fundamental rights. In all three, rights were about freedoms, not entitlements.

In subsequent centuries, people said this was not enough, and proposed entitlements — which some called second-generation rights. Marxists declared that rights to free speech, elections and personal freedom were bourgeois illusions that did not empower the poor. So Lenin proposed a dictatorship of the proletariat that took away all basic freedoms, and instead offered the right to food, shelter and work. Mind you, nobody could sue Lenin for poor provision. Nobody could throw out Mao for the Great Leap Forward that killed 30 million people. Nobody could topple Stalin for murdering four to six million peasants in the Ukraine.

The communist experience shows that giving welfare rights priority over basic freedoms is the road to serfdom. And the capitalist welfare state now shows that entitlements , although desirable and inevitable in democracies, must be limited and targeted at the needy, so that they do not hog all spending or bankrupt governments.

What lessons follow for India's welfare reforms? Some changes — like the right to information — are true rights, requiring no budgetary outlays. Others, like the employment guarantee scheme or right to food, are entitlements. These must be restricted to the needy, not made universal, as some activists want. Mukesh Ambani must have the right to free speech, but why on earth should he be entitled to 35 kg of rice at Rs 3?

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