

[Courseware \(/courses/LouvainX/Louv2.01x/1T2014/courseware\)](/courses/LouvainX/Louv2.01x/1T2014/courseware)

[Course Info \(/courses/LouvainX/Louv2.01x/1T2014/info\)](/courses/LouvainX/Louv2.01x/1T2014/info)

[Discussion \(/courses/LouvainX/Louv2.01x/1T2014/discussion/forum\)](/courses/LouvainX/Louv2.01x/1T2014/discussion/forum)

[Wiki \(/courses/LouvainX/Louv2.01x/1T2014/course\\_wiki\)](/courses/LouvainX/Louv2.01x/1T2014/course_wiki)

[Progress \(/courses/LouvainX/Louv2.01x/1T2014/progress\)](/courses/LouvainX/Louv2.01x/1T2014/progress)


[Reading Materials \(/courses/LouvainX/Louv2.01x/1T2014/pdfbook/0/\)](/courses/LouvainX/Louv2.01x/1T2014/pdfbook/0/)

[Syllabus \(/courses/LouvainX/Louv2.01x/1T2014/3517b9300b554b118f11224b8c05eb10/\)](/courses/LouvainX/Louv2.01x/1T2014/3517b9300b554b118f11224b8c05eb10/)

## THE DISTINCTION BETWEEN CATEGORIES OF RIGHTS (5/5 points)

Is there any principled reason why certain rights are categorized among "economic, social and cultural" rights, while others are categorized as "civil and political"? Please assess as "true" or "false" the following statements:


1. Both civil and political rights and economic, social and cultural rights require the adoption by the State of certain measures, which excludes a purely "passive" attitude from the State.

- ☒ True 
- ☐ False

### EXPLANATION

Although civil and political rights are often described as imposing only 'negative' obligations (duties of abstention), it is clear that even these rights require states to adopt positive measures, such as establishing and maintaining an effective judicial system or financing and training an effective police force.

2. Protecting civil and political rights is inexpensive, protecting economic, social and cultural rights is expensive.

- ☐ True
- ☒ False 

### EXPLANATION

As all human rights impose both positive and negative obligations on states, the relative cost of respecting any right is not straightforward or simple. Stephen Holmes and Cass Sunstein, in *The Cost of Rights - Why Liberty Depends on Taxes*, assess the proportion of the public budget of an advanced industrialized country, such as the United States, that goes to the enforcement of property rights, the right to free speech and so forth.

3. In poor countries, economic, social and cultural rights can only be fulfilled through international cooperation, whereas such support is not required for the effective protection of civil and political rights

☐ True☒ False**EXPLANATION**

The obligation to fulfill economic social and cultural rights by all available means, including through international cooperation applies to all states, not just to relatively poorer ones. Regardless of this obligation, some states are not in a position to ensure effective protection and promotion of civil and political rights due to the limited means at their disposal. For these rights as well, states are expected to seek assistance through international cooperation.

4. In contrast to civil and political rights, economic, social and cultural rights are vague and ill-defined, hence they cannot be enforced by courts in a system of separation of powers.

☐ True☒ False**EXPLANATION**

Although some economic, social and cultural rights are formulated in vague language, this does not preclude such rights from being used as the grounds for claims before national jurisdictions. The enforceability of economic, social and cultural rights before domestic courts will be addressed in detail in section 7 of this course.

5. Civil and political rights refer to "freedoms" that the individual may choose or not to exercise, requiring only from the State a form of "benevolent indifference", whereas economic, social and cultural rights are "claims" to certain advantages or types of support, that the State is expected to deliver.

☐ True☒ False**EXPLANATION**

In order for individuals to exercise certain freedoms the state might be required to act. For instance, a group's freedom to protest might have to be supported by the State to stop other groups from disturbing the first group's activities: in that sense, a group of demonstrators has a right to claim the protection of the State. Conversely, the enjoyment of economic and social rights first and foremost requires that states abstain from interfering with, for example, how families access food or educate their children. The negative obligations (of 'abstention') correspond to the first duty of the state, which is the duty to respect human rights. This will be further discussed in greater detail in Section 2 of this course.

CheckHide Answer(s)



About (<https://www.edx.org/about-us>) Jobs (<https://www.edx.org/jobs>)  
Press (<https://www.edx.org/press>) FAQ (<https://www.edx.org/student-faq>)  
Contact (<https://www.edx.org/contact>)



EdX is a non-profit created by founding partners Harvard and MIT whose mission is to bring the best of higher education to students of all ages anywhere in the world, wherever there is Internet access. EdX's free online MOOCs are interactive and subjects include computer science, public health, and artificial intelligence.



(<http://www.meetup.com/edX-Global-Community/>)



(<http://www.facebook.com/EdxOnline>)



(<https://twitter.com/edXOnline>)



(<https://plus.google.com/108235383044095082735/posts>)



(<http://youtube.com/user/edxonline>)

© 2014 edX, some rights reserved.

Terms of Service and Honor Code -  
Privacy Policy (<https://www.edx.org/edx-privacy-policy>)