

Political Theory

DPOL101



LOVELY
PROFESSIONAL
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POLITICAL THEORY

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SYLLABUS

Political Theory

Objectives

To provide the concepts, ideas and theories in political theory. This course seeks to explain the evolution and usage of the concepts, ideas and theories with reference to individual thinkers both historically and analytically. The different ideological standpoints with regard to various concepts and theories are to be critically explained with the purpose of highlighting the differences in their perspectives and in order to understand their continuity and change.

The main objective of this course is to enable the student:

- To comprehend the basic concepts of political theory.
- To acquire the information about the history and development of these concepts.
- To analyze the different viewpoints regarding the basic concepts.
- To compare different viewpoints.
- To synthesize different viewpoints.

S.No.	Topics
1.	Nature and Significance of Political Theory: Meaning, Nature, Characteristics and Varieties of Political Theory, Importance of the Classics of Political Theory, Uses of Political Theory.
2.	Power and Authority: Authority, Power and Coercion, The Nature of Authority; Social Theories of Power.
3.	State: The State in Political Philosophy, The Economic Theory of the State, The Organic Theory of the State.
4.	Sovereignty: Concept, Characteristics and History, Austin's Theory of Sovereignty, Pluralism and State Sovereignty.
5.	Rights: Rights in Political Theory, Human Rights, Economic and Social Rights.
6.	Liberty: Meaning, Negative and Positive Liberty, Liberty as Autonomy, John Stuart Mill and the Value of Liberty.
7.	Equality: The Equality Principle, Human Nature and Equality, Equality of Opportunity.
8.	Justice: Meaning, Procedural Justice, Social Justice and Rawls's Theory of Justice.
9.	Welfare and Welfare State: The origins and Rise of Welfare Theory, Contemporary Welfare Arguments, The Market and Welfare, Equality, Liberty and the Welfare State.
10.	The Public Interest and Democracy: The Public Interest, Democracy, Procedural Democracy and the Public Interest.

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Unit 1: Nature and Significance of Political Theory

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1.2 Traditions of Political Theory

1.2.1 Classics Political Theory

1.3 Uses of Political Theory

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Objectives

After reading this unit, students will be able to:

- understand the nature and meaning of political theory.
- analyse various political theories.
- describe the uses of political theories.

Introduction

Sequential study of the state, political institutions and the nature, work and objectives of the Government is an age old process. Political activity is an activity which regulates the community left of a person through state. Since the time of Greek States, political thinking is searching answer for some of the basic questions like–How fundamental and significant are the political activities? Which foundation of human civilization does it provide to differentiate human beings from the rest of the animals? How the basic problem of human life *i.e.*, to live in community can be solved because to live in community is not only necessary for human nature but it is the essence of the man's personal life.

Political theories describe, explain and analyse the political incidents and processes of the society and along with that try to remove their deficiencies. Political theory is a bit complicated subject because it is an integral part of the Western Political thinking which is more than 2400 years old and many political philosophers, religious, economists, socialists, kings and many other people have contributed to it. There is a long list of political theorists and their interest and devotion to the subject had be so vast and different that even to answer a small question. 'What is Political Theory' is a very complex task. Along with that there had been difference in the subject area and methodology of Political Theory from time to time due to a long history of political thinking and variety and changes in economic condition.

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From the point of view to study, we divide the political theory into same major streams like—classics, liberalist, Marxists, behaviourists, contemporary, etc. For example, where there was a lot of influence of philosophy on classical political theories and everything was these including objective of theories description of political activities, analysis, and evaluation, here behaviourism gave more importance to science in these political theories and limited them to only the description and analysis of political reality. For the last few years contemporary political theory is trying to combine the philosophical and scientific aspects.

What is Politics–Theorizing the ‘Political’

What is the meaning of ‘Political Theory’? To understand this, it is necessary to understand the two words ‘Political’ and ‘Theory’ separately. Here words ‘Theory’ and ‘Political’ are qualifying each other that Political Theory or Theory of Politics indicate to a specific subject. Lets understand minutely. First of all, what is the meaning of ‘Theory’? The word ‘Theory’ is a Greek word which is related to two other words (i) *theoria* which means the activity to understand whatever is happening around us. This is called *theorizing*. (ii) *Theorema* which means the outcome which is obtained by this activity of theorizing. These are called ‘Theorem’. The first speciality of both of these terms is that they differentiate between the activity of theorizing and outcome of the activity. This means that the word ‘Theorizing’ is related to the understanding of an incident. This does not imply to prove any result or outcome to make it valid. This is only a process of discovery, research or investigation. Theorizing starts around those incidents which happen around us and about which we know a little bit. The process of theorizing starts because theorist is dissatisfied with the incomplete knowledge and he wants to understand it in details and on logical level. Theorization is an activity to understand through research. As a result of this theorization, the conclusion *i.e.*, ‘Theorem’ will make us understand an incident in a better manner about which we were not able to understand clearly earlier. This Theorization implies to a continuous ongoing and non obstructed effort. This begins with such a subject or incident about which we know a little bit but we need to understand it clearly and elaborately. This means that it is a process of understanding an activity or a subject and to get the knowledge. Its basic motto is ‘Never Say the end’ *i.e.*, this process to understand will continue till the incident or the subject become totally transparent, till each and every mystery is solved or till the Theorist is left with no questions worth asking. A theorist's work is to understand the facts of an experience or an incident on the basis of same assumptions or on the basis of the arrangement of the assumption *i.e.*, on the basis of the group of the related assumptions like objective, intention, outcome, reason freedom, equality and satisfaction.

Secondly, if the meaning of theorization is to the willingness the meaningfulness of any subject then politics is that condition, limit or central point which needs to be theorization. In political theory, ‘Political’ means political. Like ‘Theory’, ‘Politics’ is also a Greek word which has evolved from the word ‘*Polis*’ which is called ‘*City-State*’ *i.e.*, the community to take decision for all the perspectives of the good life of a community philosophy like Aristotle have tried to define politics in context of understanding the political activities and their working. Aristotle’s saying; “Man is a political creature”. Indicates towards the underlying human need of the society and also towards the fact that man can achieve self attainment only through the medium of politics. For Aristotle, ‘Politics’ was so important because it represents such a common political place in which all citizens can participate.

In its modern context the word ‘political’ represents the state and its related institutions like Government, legislative or common policy. In spite of various notions till date modern city-state or state has been a common subject for the political theorist in the context of politics. As Will Kimilika has said, “Most of the western political theorists have been working on such an ideal model of city state in which all citizen share an ordinary lineage, language and culture. “Here political aspect of the political theory has been related to form, nature and organization of the state and Government and the study of their relation with the individual citizens.



Did You Know?

Inspite of being inter-related, Politics is a specific area which is distinct from other areas like economics, society, culture, etc.

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This has been the prime focus of liberal tradition of political theory. On the contrary marxism totally rejects this 'Political' and 'Non-Political' difference of liberalists and gives a logic that politics is only power and is slave of economic power. But on the while, inspite of the dilemma, as per the assumption, the foundation of the political theorization is still the state.

Even then, for the last three decade, there has been an increase in the dissatisfaction about the established assumption of the politics. This is mainly on the that these do not match with many facts of the contemporary life. In other words they are not able to manifest the contemporary belief of 'Politics'. Thus, apart from the assumption of State and Government, other claimant of 'Politics' are: (i) A political thought based on the assumptions of equality, freedom, logic, unprejudiced and justice. (ii) Relationship with the power, class, gender, colonial and particular class politics. Alongwith that these are some other important are as included in the present assumption of 'Politics' like Liberalization, marxism, conservatism, communism, variety, feminism, citizenship, democracy, power, rule, validity, nationalism globalization and environment. The aim of the syllabus related to the political theory is to make the student aware about the experiences of such people who have been either involved in the day to day politics or with the ideas of those who have studied this very deeply.

1.1 Meaning, Nature, Characteristic and Varieties of Political Theory

Political Theory–Some Definitions

After classifying the meaning of the words 'Political' and 'Theory', new we try to understand the political theory through some definitions. On an average level, political theory is knowledge related to the state in which 'Political' means 'Subjects of Common Benefits' and 'Theory', means 'sequential knowledge'. According to David held, Political Theory, "Politics is that group of common rules and belief related to the political life in which nature objective and specialities of Govt, state and society and ideas, hypothesis and details of the political capacity of an individual are included. According to Andrew Hacker, "Whose on one side political theory is an unprejudiced discovery of the rules related to a good society and state; on the other side, this is an unbiased knowledge of politics and Social Reality". As per another author George Kathin, "Political Theory is a combination of both political science and political philosophy where science indicates towards the various facts of the process to control the entire social life *i.e.*, it is related to the political philosophy is related to those values when individual meditates on the questions like; "What is good for Nation? Or "What is a good society?" Similarly as per Cocker, "Political theory is related to the Political Government, study of its forms and activities. This study cannot be done only on the basis of those facts whose analysis, comparisons and evaluation is related to the immediate and temporary effects. Rather this study is also based on those facts and evaluation which are related to the permanent requirement, wishes and ideas of individual." We can understand the political theory in a better way with the help of the definition of Guld and Kolb. As per them the political theory is that part of political science which includes the following parts:

- (i) Political philosophy - This is related to the study of history political thoughts and its moral evaluation.
- (ii) A scientific method.
- (iii) Language related analysis of political thoughts.
- (iv) Invention of political behaviour and their sequential development.

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On the basis of the above definitions, we can conclude that from the philosophical and practical view point political theory is a study of state. Theory is not only related to the explanation description and determination of Political Institutions but also the evaluation of their moral values. This is not related only to study how is the state but also to study how state should be? According to a writer, "Political Theory can be seen as an activity which asks question to the public and community life of individual and also seeks possible answers and creates imaginary options. In their long history, they have been trying to find answer to the questions such as what is the nature and objective of the state? Why one state is better, than the other? What is the objective of political organization? What are the scales of these objectives? What is the relation between individual and state, etc." Since Plato, political Philosophers are seeking answers to these questions because the destiny of man is associated with these answers. Since the beginning, theories are trying to discover those rules on whose basis man can develop such a political community in which ruler and ruled both are influenced with the feeling of General Good. It is not necessary that Political Theories will be able to find an ultimate solution to all political questions but they can definitely give us right direction to find solution to these questions.

Characteristics of Political Theory

On the basis of the above discussion some common specialities of political theory can be clarified. Political Theory is mainly an individual's intellect and political creation. Usually, these are the thoughts of an individual which try to give theoretical description of the political reality *i.e.*, the State. Every theory is a hypothesis in its own which can be either right or wrong and can be criticized. Thus, in these theories we find the efforts of various thinkers which unveil the mysteries of life. These thinkers have presented various explanations which may not effect us, but about these we can not establish any concluding opening right or wrong. Political theory explain that specific truth of political life which is seen or experienced by that particular thinker. Manifestation of such political truths is, found in Plato's '*Republic*', Aristotle's '*Politics*' and Royal's '*A Theory of Justice*'.

Secondly, Political Theory explain the individual, society and history. They test the nature of individual and society – How a society is formed and how does it work, what are its main elements, which are the main sources of conflicts and how they can be sorted out.

Thirdly, Political Theory are based on a specific subject. This means that though the objective of an investigator is to describe the nature of the state but this investigator can be a philosopher, historian, economist, archbishop or socialist. Thus we find various types of political theory in which differentiation can be done on the basis of the incomparability of these subjects.

Fourthly, the objective of the political theory is not only to understand and explain the political reality but also to collect resources for social changes and to increase the historical process. As Laski has written "The work of political theory is not only to describe the facts but also to finalise what should be." Thus on the social level political theory advocates the resources for the positive work and betterment in its enactment, revolution and guardianship. This is related to both resources and their users. They play a double role: "To understand the society and to collect the means to rectify its faults."

Fifthly, Political Theory include ideology also. In day to day language, ideology means an arrangement of faith, values and ideas which governs the people. In modern world we have various ideologies like liberalization, Marxism, socialism, etc. Since Plato to till date every political theory is a reflection one or the ideology. In the form of the political ideology, Political Theory describes those political values, institution and behaviours which are accepted by the society as an ideal. For example, in the political theory of Western Europe and U.S.A., liberalization ideology had been the major one. On the contrary, in China and USSR, Marxism had been the most important. In this context one thing is very evident that each and every ideology presents itself in the ultimate and omnipresent truth and compels the others to accept it. As a result, conflict of the ideas has been a special part of the political theory.



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Political theory are related to the description and evaluation of political incidents and these can be studied in the form of details of ideas and ideals, an ideology or a means for social and economic change.

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Significance

Political theory can be understood on the basis of the work done by it and its underlying objectives. Political theory are such an arrangement of the political values which are accepted by any society in order to understand its political reality and if required to bring necessary changes in it. This is a higher study of the nature of good life, possible institutions to attain this, objectives of the state and the state arrangements to obtain these objectives. The importance of political theory lies in the fact that it established such moral scales that can check the moral ability of the state. If required, they even provide the alternate structure of political theory arrangement and behavior. Thus political theory collectively; (i) Describe the political incidents (ii) provide philosophical and scientific basis for these incidents, (iii) help in the selection of political objectives and works and (iv) provide moral basis for political arrangement.

As clarified above, fundamental problem of human society is to live together in community. In this context politics is such an activity which arranges the collective activities of the society. The significance of theory is to discover those view points and methods which can develops the nature of state and society, the best form of Govt, relation between individual and state and to develop the concepts of freedom, equality, property and justice, etc. The development of those concept is equally as important as the peace, arrangement, stability, fitness and unity of the society. Actually, on the social level, peace and arrangement, depends upon the fact that how we describe and practice the concept of freedom, equality and justice.

In the contemporary society, we are facing lots of problems like poverty, population, corruption, casteism, pollution and conflict in individual society and state. The important work of political theory is to deeply study and analyse these problems and to provide alternative means to the political leaders. According to Daving Held, the significance of political theory is evident from the fact that in the deficiency of a sequential study; Politics will merely become a toy in the hands of those selfish and ignorant political leaders who consider politics nothing more than a tool to attain power.

In short, significance of political theory can be understood on the following basis:

1. These provide the sequential knowledge about the nature and objectives of the state and the government.
2. These help to establish the relation between the social and political reality and ideals and objectives of any society.
3. They make an individual aware about the right, duty, freedom, equality, property and justice, etc. on social level.
4. They provide alternative to understand the social and economic arrangements and to fight with the related problems like poverty, violence, corruption, casteism, etc.
5. Work of the theories is not only to describe any situation. They also present theories about social amendments and revolutionary ways to bring changes.

Whenever the political theories are able to fulfill their role properly in a society, then they become an important source for human development. The common man to the right theory is not only to help

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them in selecting their objectives and sources in the right manner but also is to save them from those ways which lead them to disappointment.

Issues in Political Theory

In order to understand the nature of political theory, we need to pay attention to those issues which have been the part of it for the last 2400 years. Though, state is the main subject of the political theory, yet in the various periods of history, different-different subjects related to state have also been significant. The main subject of the classics political theory had been the search of a perfect political order. So they have been into the analysis and construction of the basic objectives of the politics like objective and nature of state, basis of political power, problems of political obedience, political disobedience, etc. They have been more related to the subjects, like 'How a state should be' and the establishment of an ideal state.

Industrialization and construction of modern nation-state has given rise to a new state, new economy and a new form of state. Modern political theories start with the individualism in which individuals' freedom and its safety had been the essence of the politics. As a result, in the modern political theory, issue like rights, freedom, equality, property, justice, democracy, public cooperation and relation between state and individual became major ones. In this context, stress was given on relationships between various ideas like freedom and equality, justice and equality and justice or property.

In twentieth century, political theory was assumed to be the study of the political activity of state, Government and Government Institutions. In this context; issues like study of state as an institution of law, constitution, various forms and works of Government, public, administration, political activity, arrangement of political party and political behavior, public cooperation and international politics; were considered to be the special area of political theory.

After the Second World War, Empirical Scientific Theory which was based on the political behavior of individual became very popular. After taking inspiration from other social sciences, this theory created many political ideologies like power, power-specific group community, political arrangement, political sociology, political culture, etc. These ideologies are also considered the part of political theory.

In the past few years, some new subjects have emerged under the political theory. After the re-establishment of value based politics, ideologies like freedom, equality and justice have been given prestige once again on the level of political theory. Apart from it, some new subjects are becoming a part of Political Theory like Feminism, Environment, Communism, multi-culturalism, neo-modernism, development, sustainable development, dependent group community, etc. It will be discussed on these topics in the following chapters.

There is one thing to be noted that now in the study of political theory, the use of any specific perspective (Liberalism or Marxism) is not given importance. Though this methodology is not wrong but it is considered incomplete. For example, liberalism and Marxism both define the problem of freedom only in the male dominated society and ignore this problem in the context of female and family. Similarly community based writers also consider this single point of view to be weak contemporary theory are trying to redefine the theory of freedom, equality and justice in the context of public interest.

Approaches to Study of Political Theory: Normative and Empirical

As clarified earlier, there are a lot of differences in the political theories. In the tradition of Western politics, political theory has been a continuous dialogue through ages. Though, there has been a continuity in the subject matter of political theory, yet there had been a lot of changes in the approaches to its study. We divide these broadly in two approaches – Normative and Empirical. Let's study these in detail.

Normative Political Theory

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In political theories both ideals and reality and value and fact are included. So, the two approaches to study political theory in which we differentiate are—Normative and Empirical. Normative theory is related to the detailed study of the political thinkers about politics, state, justice, and freedom. This thinking is mostly philosophical nature. Since the Greek States till this time there had been a strong tradition of political thinking. This idea of political theory is called political philosophy or Normative political theory.

Normative political theory is also called imaginary or philosophical theory. In this political theory is associated with philosophy and morality. Here moral issues are raised with the faith that individual is obviously a good creature and he wants do good work on both individual and community level. This theory believes that this world and logic of its incidents, objectives and aims can be understood on the basis of the logical reasoning, understanding, experience and insight of the theorist. This is the scheme of the imaginative philosophical moral values. As a word of origin, such theories are included in normative political theory which are related to the evaluation of standards, to determination of the forms of behavior and to give suggestions for the form of life and institutional structures. Normative political theory gives more importance to political philosophy because this has been the source the idea of good life and has been used as a structure to construct complete norms. George plamnaz has defined the political theory in the form of the sequential thinking related to the objectives of the Government. He has very closely connected political theory with moral theory.

There had been a fabulous tradition of Normative Political Theory which had been going on from Plato and Aristotle of Greek States to the liberalism and Marxism of 20th century and then after the second world war, experiential theory challenged it. Experiential theory has emphasized on the sequencing the political life through the laws such as communalization which were based on the investigation and facts of theories. Under these circumstances, the relevance of these theories was minimized which was revived in 1970s.

Normative theory has its roots in the age of classics. The interest of old philosophers of political theory in politics was a part of detailed investigation. So politics which was the political side of the political theory was very elaborately discussed. Classical political thinking includes Greek, Raman and Christian thinkers and philosophers. Two great philosophers of classical political thinking are Aristotle and Plato. In their age all the three *i.e.*;

(i) Politics; (ii) Thought of theory and; (iii) tradition of philosophy; were included. Politics implied partnership in public works. Theory implied the sequential knowledge collected on the basis of investigation and philosophy implied to the search of the worldly knowledge *i.e.*, a knowledge which can make people more mature in their behavior. On the level of their community life. **Thus the meaning of political theory was the sequential study or investigation to get the worldly knowledge related to public work.**

Some of the specialities of Normative Theory are as follows:

1. Political theories were dominated by philosophy. Great philosophers like Plato, Aristotle, Rolls, etc. are great due to the vastness of their thinking in the field of work and subject. They are more than the political thinkers. Here political theories contain their description, explanation, orderism and evaluation.
2. Normative theory believes in the ultimate good and considers political goodness to be a part of it. The objective of the state is to encourage the good life, though even this has been a matter of discussion that who has to be given priority – individual goodness or goodness of community classical tradition though that being a part of the society, the goodness of an individual is included in the good of community and a man can attain it only as a social member. On the contrary of liberalism did not accept this tradition and made community

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good dependent on individual good *i.e.*, in the betterment of an individual lies the betterment of society.

3. Normative theory believes in the political whole which means that the theory should be complete, detailed and intuitive. It should include concepts like administration, war skills, religious customs, economic problems or class relationship, rights, freedom, equality and justice. One of the important subject of classical political theory had been the search of the best form of Government.
4. Normative political theory theorize on the fact that what should be in the political life and not on the fact that 'what is' in the political life. This means that it is related to answer the fundamental questions related to moral philosophy and social institutions. It is more concern with 'What should be' rather than 'What is happening. This emphasize on the importance of values like freedom for the members of the state, equality, rights, justice, cooperation, peace, etc.
5. Normative political theory is prescriptive as it establishes some standards of evaluation through which we can investigate the drawbacks of an arrangement and suggest the corrective measures. Their nature is normative because they create some moral norms for the society. According to Koban, the work of Normative political theory is to provide a standard of work and give judgement. Similarly Plamnaaz also writes that the theories like this is to ensure the resolution for some values.
6. One of the important subject of Normative political theory has been to find the best stable form of Ideal State and Government. In the creations of the writers of the classical tradition some questions are often asked like: Who should rule and why? Which is the best form of Govt? What should be the objective of the political institution? Which rules and regulations should be followed by the Govt?, etc. Political theories are mainly related to the investigation of the reasons of the conflicts going on in the society, their analysis and to abide by those rules which can work as guide for political institution to distribute material and non-material objects. The discovery of an ideal state has given a precious means to imply any theory on the practical level and to experience thin process. Collectively, Normative Political theory is related to prescriptive, imagination value laden and ought.
7. Normative political theory is based on some regulative concerns *i.e.*, those foundations on which theories can be constructed. These assumptions are fundamental from the perspective that they are already being abided by. For example, Hobb's discussion on the political arrangement is based the unleashed assumptions of human tolerance and intention. Secondly, political theory tries to make sure that how to establish the political arrangement in accordance with the fundamental values. In their words, how to obtain political institutions and process from these fundamental assumptions and how to justify them. Among the present political theories, the main Normative objective is liberalism and various forms of self-freedom, communitism, feminism, humanitarian and analytical Marxism and republicanism.

Mostly normative political theory is criticized on the basis that this is imaginative, formless, investigative, instrumental, hypothetical and dreamy. The propagators of experiential Theory Criticize the Normative political theory on the basis that norms or values are biased and not commonly acceptable and they are related to some or the other culture or they are contemplative. Even then the merit of Normative theory is that it is influenced by a goal. They associate politics with 'good' and 'justice'. As Leo Tolstoy has written, "All sorts of political activities are influenced by the process of 'change' or 'keep the situations as it is' 'whenever we want to keep it situation as it is.' Whenever we want to keep it situation as it is, then our objective is to stop any bad change and when we are bringing changes, then we want to get better. This means that all types of political activities are effected by 'Better' or 'Bad' thoughts but behind both these lies the though for good.

Empirical Scientific Political Theory

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In the twentieth century, a new branch of political theory emerged in America which was later on known as Empirical Scientific Political Theory. Though, through the study of political theory scientific method (instead of philosophical) and on the basis of facts (instead of social and moral values) is quite old but the credit to make it an important method of study goes to American Sociologists. In the beginning of twentieth Max Weber, Grahams Wallace and Bentley etc. developed the Experiential Study of Political Theory and stressed on the fact that the study of politics should be based on facts. Similarly, another writer George Kathin believed that the study of political theory should be inter related to the other social sciences like sociology, psychology, human science etc. But after the second world war, some political scientists of Chicago University developed a new political theory. Among these political scientists, Charles Maryam, Herold Laswell, Gosnell, Stewart Rais, V.O. Key, David Apter and David Eisten are the most noted names and they were given the name 'Chicago School'. These new political theories connected the study of politics in the context of behavior of individual and group, taking it away from norms, values and institutions. This new perspective had an idea that the study of politics should be based on the behavior of an individual living in a political community. The objective of the political theories is to sequence the idea of 'Science of Political Behaviour' which will be based on experiential research and not on political philosophy. As David Eisten has written, on the level of thinking, sequenced theories are in favour of real, experienced political arrangements of daily life.

These are some specialities of experiential scientists which differentiate it from other streams. **First of all**, this theory believes that the objective of Political Theory is to explain the political incidents, to arrange them in sequence and on this basis do some predictions. Their work is neither to evaluate or to establish an ideal state. Point to be noted is that experiential scientific theory has cut off connection with philosophy. According to it, Political Theory remain meaningful till they can be investigated. **Secondly**, the study of Political Theories should be value-free. Their relation is only with the facts. The work of theories is to analyse the present political incidents. Their job is not to evaluate that to what is not happening and what ought to happen. They should not be related to the fact that 'who rules?' 'Who should rule and why?' In fact political theories should be related to the study of individuals in society, groups and political behavior of institutions irrespective of the fact that this behavior is good or bad. **Thirdly**, behavior theory is related not only to the study of state but also to the study of the political process. **Fourth**, experiential theory does not believe in the works of criticism. The work of the theory is not to put a question mark on the foundation of state but it is related to keep it as it is, and to maintain the stability and balance. **Fifth**, for the purpose of study this theory has adopted many assumption developed by other social science like power, specific group, rule-making, political arrangement, culture etc.

After 1960s, experiential scientific theory seemed to be incomplete as it layed more stress on scientific method and value free politics and ignoring important social and political issues. It was experienced that in any political structure has same values and objective related to human life which experiential theory has ignored. Writers Life Rolce, Nozick, Habermass have again started to raise the centralized issues of Political Theory like freedom, equality, justice etc. as a result politics based on moral values relived again. This renewal of politics is called contemporary political theory.

Relation between Normative and Empirical Political Theory

It is believed that the difference between the normative and empirical, political theories is only analytical. Practically speaking, there will be hardly any political theory which is related only with "What is present and does not contain any element of 'Should be'. Similarly there could no theory which is based only on norms i.e. 'What ought to be' and does not have the element is 'What is present'. In other words the only difference between the Normative and Empirical Political Theories

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is the difference in the proportion of 'What ought to be' and 'what is present'. In Normative Political Theory the element of 'ought to be' is more than the element of 'What is present' whereas in Empirical Political Theory it is vice versa.

Moreover, it is also possible that in one creation of a writer, the element of Empirical theory is more than the Normative theory and in his another writing he is more normative than empirical. For example, Carl Marx's analysis of European capitalism is factual and empirical whereas his future plan of a socialist-communist society is comparatively more normative, imaginative and prescriptive. In other words, one part of Marx's ideas is highly empirical whereas the other one is normative. Not only this while describing the process of exploitation of labour class by capitalists, Marx created "Surplus" Value theory which is more casual. Thirdly, we can differentiate between the two. Leo Tolstoy has used the word 'Political Philosophy' for Normative Theory and 'Political Theory' for Empirical Theory. He says that political theory tells us about political thinking whereas political philosophy is the search for intellect. In other words, Straws has used the word political theory for the descriptive accounts of the political thinkers and he has used the political philosophy for the normative thinking of political incidents. On the higher level, it is believed that what we called empirical theory is the one which tells us about the side of political reality whereas political philosophy presents a complete picture of it. Another explanation of this fact is that political theory gives us particular knowledge whereas political philosophy introduces us to the universal knowledge. Another point which is given is that empirical reality gives us only the information about the political incidents whereas political philosophy or Normative Political Theory helps us to understand the root of that political reality.

Bhikhu Pankaj has tried to provide a new dimension to the political philosophy and political theory. According to him the only difference lies between both of them is about the fact that how we study the political incidents. Political philosophy is the study of politics in a philosophical way. Philosophical method implies critical investigation and explanation of the incidents whereas empirical methodology is just a factual description of that incident.

Contemporary Political Theory

After 1970, political thinkers of USA, Europe and other countries again started having interest in the political theories based on moral values where on one side the main reasons for this revival was the increasing conflict in the moral value and on the other side where the changes in the social sciences and literature. Apart from that the end of the shadows of II World War, the resurrection of Europe and crisis in the ideology of Marxism and socialism has brought an instability among the political ideologies. Socialists revolutions, those revolutions which wanted to rewrite the subject areas of political theories; had challenged every ideology whether it was liberalism, democracy, Marxism or socialism.

In the age of dominance of behaviourism, political theories were affected by the political science. In these theories place of knowledge and investigation was not justified. Though the idea of Behaviourism did not dominate the political theories for a long time; even then this left an ever lasting impression in the development of politics and social sciences in the form of scienticism. There are many sources of the process revival of political theories. Where on one side, thinkers like Thomas Kuhn have challenged the entire model of 'Science', on the other hand some writers thought that these are same specific problems in the understanding of social issues which cannot be understood by unified science model. These are two examples for this – first, the objective of 'social sciences' is to study the social individual and social problems and various thinkers have explained these in various ways. Secondly, political theories cannot be limited to their sequential description. These theories must play their critical part which means that they must give those clarifications of politics which are beyond the understanding of a common man. As a result of various discussions, there have been many changes in political theories. Though, the detailed explanation of all these changes is not possible, even then their important characteristics are

worth noticing. **First of all**, one of the major characteristic of empirical theories was their indifference to history. Contemporary then teens believe that the theories cannot be separated from history. These theories have rejuvenate the history of political thinking. **Secondly**, entire knowledge related to the human activities can be explained in many ways. So, the idea of value free and neutral political theories is wrong. **Thirdly**, political theories are related to the analysis of concepts. In this context the subject area of political theories is the sequential study of some major concepts like supremacy, right, freedom and justice etc. **Fourth**, in political theories normative element is also significant. The contemporary political theories are related on one side with the sequential expansion of political and moral activities, and on the other side to evaluate and redescribe major political values like justice, freedom, public good and community life. **Fifth**, political theories are related to both the formless theoretical questions and specific political issues. This is based on the assumption that without detailed investigation of those circumstances which are necessary for their achievement, political ideas can not be understand in their exact meaning. Political theories should be aware about the solution to the problems and they should investigate in the context of problems like democracy, market economy, equal opportunities etc. Political theory is the theoretical aspect of the political science, which on the basis of oscillation try to construct the theory. In the end, according to David Held, there are four characteristics of contemporary political theory – (i) These are philosophical which means they are related to moral and idealistic structure. (ii) These are empirical which means they are related to the explanation of various invalid concepts. (iii) These are historical which means political theories try to understand various political streams in historical context. (iv) They have military Importance also. This means they evaluate the probability that on which point of history are we standing and where can we reach. With the combination of all these four elements, the basic problems of political theory can be solved.

After the revival of the political theories, subjects which have emerged out more elaborately are: In the background of science of ethics, social justice, theories of welfare rights, theories of democracy, multiplicity, feminism, post modernization, new social revolution citizen society and conflict of liberalism and socialism. Actually, socialism has tried to fill that gap which has emerged due to the lack of popularity of Marxism. This revival shows that all the announcements regarding the decline of political theory were wrong. But these are one thing to be noticed that the enthusiasm of political theory about revival is limited only up to the liberalization ideology because liberalization be livered in the free transaction of ideas. Liberalization tries to accept and include the principle in accordance with the behavior and without being the conservative tries to identify those elements which can be helpful in the construction of a just political and social arrangement. Even then most of the liberal theories are related to refine and clarify the old political assumptions. After the decline of communism, liberalism has to face the challenges like communalism, feminism and post modernization. Contemporary political theories neither agree to division into normative or empirical, nor they want to be associated with a specific tradition.



Task

Express your views on relationship between Normative and Empirical Theories.

Self Assessment

Fill in the blanks:

1. In the book named..... of Aristotle, we find the description of Political Truth.

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2. After the Second World War, Theories based on an individual's political behavior became very famous.
3. Normative Political Theory are often..... on the basis that they are imaginary and abstract.

1.2 Traditions of Political Theory

Liberal Political Theory

Revival, religious amendment and industrial revolution broke the prolonged hypnotism of classic tradition. Revival created a new intellectual atmosphere which gave rise to modern science, modern philosophy and now political thoughts. This was known as liberalization on the whole. This non ideology was best expressed in the creation of the writers like Grasham, Adam smith, Hobbs, Lock, Jeferson, Thomas Pain, Benthom, J.S. Mill and Herbert Spenser. Where traditional, political theories considered the moral development and community related to each other, on the other hand liberalism developed the idea of autonomous and sovereign individual. The Centre of the Liberalists Idealism is its extreme individualism. Its **first** speciality was the complete belief in the human individual, spiritual equality of everyone and freedom of human wish. **Secondly**, liberal political theories supported the freedom in every field of life of an individual, whether it is political, economical, social, intellectual or religious. Here freedom was considered to the freedom from all those powers on the individual which are enforced on him without his consent and his freedom to old the work based on his logical intellect. **Thirdly**, liberalism created the idea of the rights of an individual which means every individual had some nature rights before the origin states which mainly included rights of life, freedom and property. As those rights are not given by the state so she cannot take away these rights. These are the rights of an individual which are not gives but self obtained. Infect, the origin of the state was in order to protect these rights. **Fourthly**, liberalism policy announced that instead of being a natural institution, state is a man made institution based on the individual's agreement. The relation between the state and individual is the result of their personal agreement. If the state this agreement then it is not only the sight but it is his duty to oppose it and change it. Instead of being Natural, state is a machine which an individual has make to fulfill his specific interests like law and order, security, justice, protection of rights etc. State is a means not a product. **Fifthly**, Liberal political theories rejected the idea of 'Public Interest' and 'Group Community'. Its idea was the Government which works the least is the best Government and community meant the individual living in community. The aim of liberal political theory was not to search the state but to free the individual from the social, economic bends and from the dictatorship and non-representative form of Government. In this context ideas like State and the relation between state and individual were redefined and ideas like rights, freedom, equality, property, justice, democracy were developed for individual.

As the liberalism believes individual to be independent, egoist and selfish creative and state to be a place where individual struggle for their interests, so it considers politics to such a social activity which resolves the conflicting issues in the society, constructs the law and order, brings unity and fraternity, serves for the social interest and clears the path for peaceful social transformation. The various ways in which it solves the social issues are: (i) Constitutional laws; (ii) Political Institutions; (iii) Social welfare; (iv) Cultural tradition. In the social conflicts, institutional law plays the role of final decision maker. These are the most powerful means in the society because the fear of punishment is these with them. In this both the laws made by main constitutional paragraph and the laws from time to time by legislative are included which fix the limits of the competitions among the individuals and groups. Apart from these laws, through the last 300 years, liberalism, has developed many political institutions like democracy, representative institution, political involvement, political parties, omnipresent voting right for adults, citizen and political rights (e.g. freedom, property etc.), pressure groups like autonomous institutions, business community, trade unions etc. With the partnership in those

institutions people get involved with the political and social process. Apart from that liberal politics has taken the form of welfare. In order to sort-out the conflicts, liberalism positively interfere in the economic and social life as well. Capitalism tries to minimize the sources of conflicts by regularizing the society and by adopting the ways like free education, health insurance and social security. Apart from it, in order to create a wide agreement, it takes help of intellectual and cultural means like education, mass media, propaganda and religion. It encourages the cooperation and harmony and emphasizes to bring harmony in the interests in a free and independent environment by discussions, talks. On the economic level, it favors the capitalist economy and welfare state.

Marxist Political Theory

In the last part of nineteenth century Marx, Engels and their disciples, challenged the liberalist-individualist political theories through scientific socialism. Today, none of the political theory can ignore the Marxists description of history, society, economy and politics etc. Marxism has helped us to understand the process of social and economical development in a sequential and scientific view point. Marxism has presented a new idea of philosophy in the focus of complete freedom of individual. According to it the objective of knowledge is not only to understand this world but also to bring changes in the physical condition of human life. Marx believed that the freedom of an individual is only in this world and this can be attained by bringing revolutionary changes in present social arrangements and by establishing a socialist society. The main complaint of Marx against the Liberal Capitalist arrangement was that this is a civilization of property, inequality and some luxury of some wealthy families which creates the conditions of exploitation for the common man. On the contrary, socialism tries to create if not all but at least some of the circumstances for the freedom of an individual. It tries to establish such a society in which the exploitation of one individual by another will be finished and in which every individual will get opportunities to develop his capabilities. There will be such a class free and state-free society in which development of each individual will be the necessary for the development of society.

Marxists political theory is basically, a theory of social change and revolutionary re-construction of the society. In this context there are three inter related elements of Marxism; (i) Investigation and criticism of societies of past and present. This is called Dialectical Materialism or Historical Materialism. (ii) the option of a new society in contrast to a class divided and exploiting society. This society a society which will be based on the group ownership of the means of product. This will be a class free and state free society. (iii) How will this optional society be created? This change against the capitalism will take place by the revolution of the oppressed group which will create a group-free and state-free society after finishing other groups.

The main elements of Marxist political theory are – structure of production, class-division, class conflict, wealth management, state in the form of a tool of a specific group, revolution etc. Marxism also analyzed rights, freedom, equality, wealth, justice and democracy but it concluded that in a class-divided society this can be converted into the special rights of a wealthy class. True freedom can be obtained in a class free and state free society.

According to Marxism, an individual is a social creature and the essence of an individual lies in the completions of his social relationship. The meaning of a man is 'man in society'. Society is a living institution which is based on the structure of production. From the historical view point society based on the ownership of the means of production had been a class-divided society. This had been a society divided between the owners and non-owners of means of production and between wealthy and poor. As the motives of these classes had always been opposing each other so this group division had always given birth to the class conflicts. Even for Marxism the idea of politics in society starts with the quarrel and conflicts but this conflict is a class conflict which gives right to class dominance. This means that the class which is owner of the means of product; dominates the state, religion, society and economy.

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Politics being dominated by a particular class cannot serve the welfare of the entire society and so it merely remains as a means of dominance in the hands of powerful group. Thus, another important aspect of politics is to establish a class-free and state free society through revolution against the group dominance. According to the Marxism, for this the labour class needs to use up the power, diminish the wealthy class, end the class conflicts and to establish socialist structure of production and a socialist economy. This will give rise to a class free and state free society. So where the objective of liberal politics is to establish a modern liberalist capitalist democratic state, on the contrary Marxists politics is related to the establishment of a socialist state through revolution and finally to establish a class free and state free society.

In the form of social, economic and political theory and its behavior, Marxism starts with the creations of Marx and Engels which was later on strengthened by many philosophers, political leaders, revolutionaries, educationists etc. In twentieth century many other streams originated under Marxism. Some of the major exponents of Marxism are:- Lenin, Stalin, Bukharin, Mao, Rosa Luxemburg, Gramsci, Lukach, Astro-socialist, Frankfurt School, New Left front, and Euro-Socialism etc. Until the First World War, Marxism was very adamant and it was representation such an idea socio-economic change which rose to its maximum during the Russian revolution. After the Second World War, Marxism started giving less importance to revolutionary aspect and more importance to the criticism of present, socio-economic and cultural famous in the name of 'Contemporary Marxism', this theory was more aware about super structure, culture, Art, Aesthetic, ideology and separatism.

Conservative Tradition

Mainly conservatism is such a political philosophy which wants to conserve all that which it finds to be the best in any society. This is against any violent change. Modern European conservatism developed in 1750-1850 which was a reaction to the rapid changes and the nature of these changes. Among these changes some of the major changes were—ideas of enlightenment, French Revolution, Industrialisation (Specially in England) and voting right for everyone (specially for males). These violent changes created reaction in those people who realized that these changes are very far reaching and are happening very fast.

Conservatism opposes the changes in the society. Their point is that these changes damage the traditional beliefs, traditional morality and social structures. The key point of the conservatism is that those traditions which have been successful in the past will remain successful in the future as well until any solid point is presented against them and even if it so happens, then any kind of changes should be done in a slow and developmental manner so that they seem to be a part of a normal development of the society.

The first clear of conservatism is found in the ideas of Edmund Berk which he had expressed as a reaction against the French Revolution, Berk has presented his ideas in the form of a reaction against the ideas of society influenced by the fact of formlessness, though he has not used the word 'conservatism'. This word was used by a Dutch religious writer Abraham Cooper, at the end of 19th Century. Berk was worried about the age of wisdom and he favoured the traditional institutions and customs against it. Berk's point was the intellectual development of some people is lesser than the other. Similarly, some people, if use their intellect, can rule better than the others. According to Berk, the construction of any Government can not be done on the basis of the point of formlessness. Its construction is the continuity of the important social institutions like family, church etc. and on the basis of the sequential development based on experience. His logic was that the tradition is the essence of the experience of many traditions and is tried and tested. Whereas logic can be just a mask of a person's past experiences and this is an expression of only one generation's intelligence. Though Berk has accepted the fact that state which does not have the means to change, is deprived of the means of conservation. Even though, he believed that any sort of changes should be gradual and not revolutionary. There could

be drastic results of changes to brought in the structure of human inter-personal relation responsible to bring changes in the name of any theory or vote.

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Conservatists believe that the working of change should be minimum and periodical. They praise history and inspite of being idealistic they are realistic. In their normal form, they include the elements such as devotion towards traditions, community, classification, obedient lower class, and paternal benovalence. But can be taken in the contrasting form, independent ideology, so much individualism, free market, law and order and minimum role of Government in which community, tradition and benevolence is almost nil. There is no match of these low streams of conservatism on theory and practical level.

Ideology

The tradition of conservatism does not believe in the universal theories of liberalism and united sense. On the contrary, its belief is in those institution which have been respected throughout the ages. From the political point of view, philosophical conservatism opposed to any disturbance in the political behavior and form of the institution. They view any type of group change very doubtfully. They respect the tradition, not due to the fact that these are tradition but because these social values have been developed as a result of the experience of many generations and people have accepted it. They are doubtful about the human capacity to reconstruct these tradition on an elaborate manner.

From the idealistic view point, the **first** issue before the conservatists is – what is to be conserve? For example in opposition to any famous but.... Revolution. In order to get the respect of Philosophical conservation what should be the duration of the existence of the institution. Where Liberalism takes help of the logic which according to them is the uniting element of human society. On the other hand, conservatists believe that it is wrong to give more respect to logic because this is of a particular person and it can be inspired by their political nature and drawbacks. According to conservatists, the significance of an institution can not be evaluated on the basis of the logical specialities of the present generation. Intellectual want to change these traditions with the ideas of 'rights of an individual or 'maximum happiness for maximum people', 'social justice' or great society'. Even then Berk, Michael Awkshot all conservatives have emphasized on the fact that type of politics, instead of being a key to the human freedom, is just a formula of rigid and conservations. They have a strong believe that any logic cannot prepare a map for the construction of an imaginative state because this cannot be anything more than the gist of the present political traditions. They believe that in the politics hatred towards the customs and traditions damages the voluntary social bindings as a result the only way to bind the society together becomes forceful.

Second, In contrast to liberates, conservatists do not believe in the idea of social agreement from the historical point of view human societies are developed sequentially. So, the present society is just duty and responsibility whose origin and basis have been cost in the past which according to some writers need to be accepted. As there is a development of the values and institutions so it is obvious that their drawbacks and weaknesses come in limelight and as the pressure of people against them rises, there comes a need to bring gradual changes in them.

Third, Conservatists not only condemn the amendments but they are even doubtful about the capability of the present generation or the people being changes in these human behavior and institutions which have resulted in the development of many generation. So they are against any kind of expanded projects. Whether these are constitutional, economical or cultural. Thus following Berk, conservatists any kind of revolution or revolt because all these give rise to violence and blood-shed.

Fourth, Conservatists logic is that there should be same way for the redistribution of social materials for a revolution-less peaceful society. Where modern liberals consider the basis of redistribution right to be the initial foundation for the human development; these conservatists, redistribution is based on the fact the poor and hunger-stricken people might stand against the situation as it happened

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at the time of French Revolution. Modern Conservatives accept that conservatives on the contrary to the poor propose the local and conferred redistribution instead of state directed centralized redistribution.

Fifthly, Like traditional liberalists, conservatives also give more importance to the right of property in social relationships. Liberalists consider the right of property to be right on the basis of civility and on the contrary conservatives consider it to be right from the view point of the power of the state or to limit the power of a specific person. Conservatives consider wealth to be a sacred and mainly precious foundation for a free and prosperous society. The two aspects of conservatism; the wide distribution of the right of property and the theory of conservatism which states that an individual and social community can calculate their necessities and problem better than the bureaucrats, seem to be complementary to each other. As conservatism mainly looks at the state with the doubtful view point, so they give priority to favour, direction and help for maturity of civilized human life like family, personal property, religion and the freedom of an individual to learn from his faults.

Sixth, Conservatives also criticize the idea that for the national and international integrity, modern public sovereign power state is a centralized institution. This means, that public sovereign power itself assures a good Government and world peace because it implies that self-govern and self-governed people do not attack on one another. On the contrary, conservatives logic is that democracy cannot be associated with self freedom and good government as with the held of public opinion some people can proved to be valid.

Forms of Conservatism

From 1789 to 1945, revolutionary politics emerged from time to time in the form of bolshevik revolution, fascism, welfare liberalism etc., due to which conservative remain very upset. After the second world war for decades it had to face the socialist challenge as a welfare state in the liberalist capitalist states. The reaction of conservatives remain different for all these difference incidents but all these had same basis *i.e.*, to oppose some of those reasons given for the changes which were normative or which were based on the form free ideas and which were not the result of the present behavior. From the idealistic view point conservatism can be of many kinds some of them are as follows:

- (i) **Liberal Conservatism:** This form of conservatism is a combination of conservative policies with some liberal elements. From historical view point, in this definition Economic Liberalism which supports the independent market arrangement and which has supported the freedom of an individual in both economic and social areas; is different from the traditional conservatism which is different from established traditional liberalism.
- (ii) **Conservative Liberalism:** In this form of liberalism, some elements of conservatism have been combined. This is a less aggressive but more positive form of traditional liberalism.
- (iii) **Free Will Conservatism:** This kind of conservatism is famous in America and Canada in which issues of economic free will have been combined with some elements of conservatism. They advocate the independent policies like free commerce and oppose Federal Reserve and all types of trade controls. They also oppose any economic interference like environmental rules, community welfare, subsidy etc.
- (iv) **Cultural Conservatism:** This form of conservatism advocates the conservation of a country or the cultural heritage. This kind of culture can either be the vast cultures of west, China or India or small culture like Tibet. Cultural conservatism favours to follow the moral regulations of the past and these rules can anything like moral rules romantic, cultural, institutions economical or political. In the context of social conservatism these rules could be the rules related to the morality for instance in same cultures homosexuality is considered immoral. Cultural conservatism gives a logic that old institutions are to joined with one particular cultural or place so they should be conserved. Some other writers believe that people have a right to conserve their cultural theories their language and their traditions.

- (v) **Religious Conservatism:** This kind of conservatism wants to conserve some particular ideology either on the social level by advertising their moral values or by making its a part of the state law. Religious conservatism, also favours the Customs and these get their support also. At times and at many places religious conservatism can get challenges from those cultures where they are working.
- (vi) **Green Conservatism:** This word has been used for those conservatists who have made environment a part of their ideology. These people support such green movements under which heavy tax will be levied on the official places and parking places, development of airports should be stopped and tax will be levied on all vehicles – heavy or light.

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Collectively, conservatism is based on the negative and pessimistic view point of human nature. In order to maintain the social arrangement, traditional rule is based on the idea that an individuals is mainly a selfish, intolerant and violent natured creature. These base natures can not allowed to work openly in the society and there is only one option against these and that is a power government and traditional values because they have till now kept the societies alive. This idea can be compared with the liberalism which believes that if a right environment is created then an individual can be made an ideal individual (usually by the methods of social engineering). Critics of conservatism believe that this is nothing more than a plan of the rich class against the lower class to maintain their hereditary prestige and special rights. In 19th century the main concern of conservatism was that these rights were being spread towards lower class whereas in 20th Century, it was so much entangled in the conflicts against socialism that some people started joining conservation with the all kinds of anti natures. All ideas and movements of present age like feminism, environment, aggressive democratic theory and human rights are against the ideology of conservatism.

Self Assessment

Multiple Choice Questions:

4. Which word is used for the conservatists who have made environment a part of then ideology?

(a) Cultural Conservatism	(b) Religious Conservatism
(c) Liberal Conservatism	(d) Green Conservatism.
5. Lennin is related with?

(a) Capitalism	(b) Marxism
(c) Socialism	(d) None of these.
6. Which thing in the life of an individual from the given have been favoured by the liberal political theory?

(a) Justice	(b) Equality
(c) Freedom	(d) None of these.

1.2.1 Classics Political Theory

The political theory; which emerged in the 6th B.C. and was developed through the Greek, Roman and European thinkers; is called the classics political theory. In Greece, Aristotle and Aflaton are two of the thinkers whose ideas are still studied and they have their influence till now. Philosophy has deep impact on classics political theory and their entire focus was on the wholeness of life for the search of most common. So, it was difficult to differentiate between the philosophical, religious and political questions and political science or political thinking could not be considered a separate stream.

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The work of political theories was to investigate the questions, task important question and to be the safeguard of the political tolerance. The interlude search was of the best form of the Government. State and Government were also considered to be the means for society and human beings to obtain the moral goals and to encourage the goodness. In this manner, the work of the state was to establish the high moral standard among the members of the society. There had been a debate on the issue that which has to be given priority – welfare of one individual or welfare for all. It was felt that the need everyone's welfare was more than the welfare of one person. Classics tradition also searched for an ideal state and a stable process. Some of the major questions asked by the classics tradition were: Which is the best form of Govt? Who should rule? How to resolved the situation of classification?

1.3 Uses of Political Theory

Political theory had been very significant in politics. Though till the last decade of the previous century, political theory and politics have been used as synonym to each other by many scholars, but in the beginning of 20th Century due to behaviourist revolution, political scholars were successful in giving a correct dictionary to all those definition. So, today all these words are used in a definite meaning. As far as political theory is concerned it is divided in two parts 'Politics' and 'Theory' understand its meaning. In politics we usually study formal organization like state, ruler, rule and their mutual relationship and along with this we also study about informal organization like political parties, pressure groups, youth organization, public opinion etc. Thus, the relation of politics is not narrow but very vast.

The word 'Theory' has been originated from the Greek word 'theoria' which means "**emotional thinking**". This implies to such a mental sight which describes the existence and reasons of one particular thing. But this does not mean only description. In this context, Arnold Breast has said that in relation to any subject the entire thinking or understanding is involved. It includes description of facts, their explanation, historical awareness of the writer, his assumption and all those aims are involved for which any theory is created.

So it can be said that while creating the theory related to any subject, political scholars have to have a compel historical knowledge about that subject and along with that after collecting all the fact he gives the results by evaluating them.

Different writers have defined political theory in various different ways e.g.:

According to Korl Poper: "Theory is a kinds of fishing through which the world can be caught so that it could be understood". This is a creation of the structure of experiential description which is created on the basis of insight."

According to Andrew Hacker: "In political theory both facts and values are included. They both are complementary to each other.

David Hald: "Political Theory is such an outline of detailed assumptions and concepts related to life in which the details of rule, state objectives and nature of society and political capacities of human beings is involved.

Bernard Crik: Usually Political Theory tries to explain the view point and activities originated from political life".

So, on the basis of the above definitions, we can say that political theory includes mainly three elements. First element is called observation is which any theorist collects the facts and data related to the state and rule and then selects the appropriate incidents and facts from them which he uses to justify his ideas. For example, Plato, Hobbs, lock, macavaley and Mark etc., analyzed that time circumstances because they were dissatisfied with them and wanted to take out some way out. Hobbs, after looking at the disorder condition favoured then deactive kingdomship. Second element is related to description, in this from all the facts and incidents collected by theorists, unnecessary and wrong material is taken

away and after that right material is divided in different categories and then the relation between the 'Reason' and 'work' is established. The result obtained by this is called theory. So, in this manner, observation remains only factual, and this going for from the selection of included facts, takes the form of a theory. Actually, the scientification of any theory depends on the fact in the selection and description of the facts, how much luxury and honesty has been used. The last element of political theory is evaluation. Facts and values are very significant in the process of construction of theory and this construction is not possible if any one of them is not available. So theorists have to play the role of both scientist and philosopher. So on one hand he has to collect the facts and incidents and on the other hand, he has to fix his objectives and goals in the form of his values. Though, while evaluating the democracy, voting right, freedom, equality and justice, he is bound with his interests but the theorists having scientific view point, keeping his own interests and norms; he creates the theories based on scientific methods.

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Area of Political Theory

In today's world the area of politics has become as vast as the activities of the man. Politics touches every aspect of life. That is why, the subject area of political theory has also expanded as political theorist has to create the theory related to many subjects. So, going far ahead of the infinite subjects like liberalism and Marxism, many subjects have been included in the subject area of political theory. Modern political theorists mainly make the following issues the subject area of their results:

1. **Study of the State and Government:** Under the subject area of political theory first of all comes the study of state and Government. Since ancient time, there has been a thinking about the origin of state, nature, development and work area through the political theory. Alongwith that study of different forms of Government is also done like Royal family, elite class, democracy, parliamentary, presidential, union, sovereign, etc. and its related problems; like legislative should be single housed or double house, what are the features of an effective working committee and what should be the role of beaurocracy, etc. are raised and the decision relating to them are also fixed.
2. **Study of human groups, classes and institutions:** Apart from the study of state and Government, political theory also study the various human groups; classes and institutions working for the benefit of society because it is not possible to study the state or the Government by separating them from these forms. None of the community or class is able to fulfill all their requirements on their own so they are related to the other classes as well. Pluralist have given stress on the study of some other communities like labour union, traders unions, student women union, family, etc. Marxists theory class and conflict has become its centre point.
3. **Study of the questions related to the political party policy, voting right and electoral politics:** In the political theory, political parties, their structure and working is also studied. Mainly single party, double party and multi-party policies are discussed in detail. Along with that many theories related to the voting rights and representation obtained by the public, have also been proposed. Subjects like Direct or Indirect decision policy are also included in it.
4. **Study of Human Behaviour:** As man is centre of all activities so under political theory study of human behaviour is also done. Behaviourists political theorist have considered the human behaviour as the basic unit of their study. In this human behaviour, not only direct activities of the human beings but his nature, beliefs and wishes are also. Political theory finalize the human activities but in a manner that they instead becoming a barrier in fulfilling the wishes of the man, become the supporting means for it. In this field **Loswell, G. Amond, G. Moska, Prato and David Eisten** are the main contributors.
5. **Study of political power:** Under political theory, study of political power is also done. Many learned people have called politics as a science of power. **Max Weber, Herold Loswell,**

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George Katlin Robert A. Dahl had been the propagator of Theory of Power. The theory of political power is as old as the politics. This has been studied from Plato's Republic till date. This conception has gained much strength by the rise of national state.

6. **Study of the problems of development and modernization:** Due to the increasing effect of sociology, some new concepts have been adopted in political theory which enclosed making society, development, poverty, inequality and modernization. Problems emerged from the development and modernization have become the main reference points of the political theory. That is why most of the theorist are in continuous research for the development and nation building of the undeveloped countries.

G. Almond, David Apter, David Eisten, Miner Winer, Graham Wallam and Charls Marium, etc. have given contribution within field. After sequential study of the social and political development of India, **Rajini Kothare** has concluded that castism, communalism and politics have now become the centre point of Indian politics.



Notes

An important problem emerged due to the modernization is the problem of polluted environment. Study of this problem is also being done and such measures are suggested by which not only the environment remain clean but the natural resources can also be conserved.

7. **Feminists Theory:** For the past few years feminists movement have been attracting the political theories. Since the ancient times the condition of women had been very wretched. In spite of being a member of the family, their interference in the family matters has been intolerable. She had not been only been deprived of the achievement of the society but also has been harassed by, the male dominated society. 'Sati', Devdaasi and child marriage made their situation more worse.

But in 1970's very serious efforts were being done for the women liberty. Subjects like, what is the condition of women in social and economic areas and how to ensure their partnership in political area; were studied deeply. In the present time, political theories are thinking about the construction of such a society in which both men and women should get equal partnership in the politics economical and social area.

8. **Study of omnipresent values:** Since the ancient time, many ideologies have been evolved. Some of such ideologies are liberalism, normative, individualism, utilitism, socialism and Gandhism. The only goal of the ideologies is to construct a society which is based on the ideals of freedom, equality and justice. Liberalist favoured the political freedom and citizen rights and this was favoured by Marx as well but in order to establish Democracy in real sense they proposed the diminish the idea of class discrimination Gandhism also favoured the decentralization. In fact, these ideologies and the study of their ideals is still very significant.

Nature of Political Theory

The tradition of political theory is age old. Nature of political theory is associated with its meaning. As different scholars have different opinions about the meaning of the political theory so there are different ideas about its nature as well. So, from the view point of study, political thinking can be divided into two parts:

Nature of Traditional Political Theory: Nature of traditional political theory is also known as classical thinking. Some of the renowned traditional thinkers are Plato, Aristotle, Hobbs, Lock, Kant, Hegel, Montesquieu, Mill and Karl Marx. The study of the significant features of traditional political can be done in the following manner:

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1. **Descriptive study:** The main characteristic of the traditional thinking is that it is descriptive. This means that in this there is only the description of political institution and its related problems. No suggestion or solution to the problems or reformation was presented by it. So this kind of study was neither explanatory nor analytical rather it was just descriptive.
2. **To present the solutions to the problems:** In the creations of the traditional writers, mainly the problems which were present in the contemporary society; have been discussed. So these scholars tried to find a lasting solution for these problems. **Plato** has talked about the 'Philosopher King' in the Greek state to end corruption. On the other side, **Macavly** after seeing the pitiable condition of Italy, gives rights to a king to use the means like tie, deceit, murder, etc. in order to make his state vast and strong. Similarly in order to end the condition of narchy, **Hobbs** in his book 'Lavithain', favours the uncontrolled Kingdomship. In this way, traditional thinkers mainly gave attention to the solution of the problems present in the contemporary society and created the theories related to them.
3. **Effect of philosophy, religion and science of ethics:** Another important characteristic of the traditional of the traditional thinking had been that it was very much effected by philosophy and religion and had included moral values. In the thinking of **Plato** and **Aristotle**, there is less effect of these but in middle ages, this had a great effect on the thinking of Christian Religion thinkers. In the dispute of state and religion, many scholars of Europe have taken side of Religion and have stated that religion is superior than state and an archbishop can interfere in the matter of state. First of all, this was favoured by Thomas Ekwinas and then later on William Akhom also propagated this view point.
4. **Legal, formal and institutional study:** Traditional study was limited mainly to the formal institutions made by the law and only the structural study of these institutions was being done. Through these ideas, no attempt was made to study going ahead of these formal institution. Loski and Munro have also studied only the legal and formal aspect of these institutions.
5. **Nature of modern political theory:** As far the nature of modern political theory is concerned, so in its determination, the empirical methods have given the main contribution in it. These methods emphasized on the point that in order to study politics, scientific method should be adopted in which main focus is on the facts and values. Apart from it, now a help is being taken from sociology and psychology. Due to the effect of these, many concepts have emerged like power, effect, political culture and political development. Charles Marium and Harold Loswell have given special contribution for the theory of power. **Mosca, Pereto and Robert Michell have developed the concept of 'Political Family'**. **David Eisten** in theory of 'Arrangement Analysis' has explained the process of taking decision through investment and departed.

Conclusion

Political theory is an on going dialogue. Political thinking and imagination will keep on going because it is related to those values of life which are a question of life or death for a person. The objective of the theory is to expand our understanding of the social reality and to create the circumstances for good life. This is a discussion for an appropriate social life. This is an understanding of the political life defined by the public use of the power. Political theories are related to politics and the search related to politics, as per the traditional view point had always been an investigation of the nature of 'good life'. Political theorists have to answer the question-'What is Politics?' What it could be and in

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such a world where there are fast and continuous changes are taking place, what could be meaning of 'Politics'? Political theory create a model for the best political arrangement and help us in the sequential collection and analysis of the political data. They also effect the world in which we are living and also effect the selection made by us. They also help in the purification and amendment of our political life. Political theory is history as far as it is based on facts, it is philosophy as far as evaluate the incidents and is empirical as far as they investigate these incidents scientifically. According to David held, "Contemporary Political Theory" is philosophical means it is related to the concepts and norms. This is empirical because it is related to explanation and description and this is social because it is related to the evaluation of the facts—where are we and where can we reach.

The development of political theory starts from the philosophical normative past to the empirical theory after the Second World War. In 1970s Normative theory once again revived. But along with that in 1970s and 80s, it had to face the challenges of post modernization and many other social movements like feminism, etc. Its resurrection was the result of the efforts of many philosophers like Rols, Nozile and Herbermas. After resurrection some of the subjects which were mainly focused by political theories are social justice and welfare right. But, clarified above, such enthusiasm was found only in the liberalist political theory. Thus, from all the ideologies which were conflicting with each other in 20th century, only liberalism permitted a free communication of ideas.

Contemporary age is different from the earlier times because this is the age of communication technology and globalization. As the national states are become more persons and are imbiking the external effects, political theory has to mainfair a balance with the role of globalization and communication technology contemporary discussion have raised issues on the subjects of communitism, nationalism, multiculturalism, diversity theory inter cultural conflict, post colonialism and post modernization. The character and place of politics in these issues is far from the boundaries of a state. In other words, now a days political theory is not merely a study of state and Government Asleft which has written: "The study of politics infact is the study of the history of possibility and critical study of possibilities of history."

Self Assessment

State whether these statements are True or False:

7. Emotional thinking mean such a mental sight which presents the existence and reasons of existence of an object.
8. Plato has talked about 'Philosopher King' in order to end the Political corruption in the Greek City States.
9. Max Weber was not a propagator of political theory of power.

1.4 Summary

- Political theory described, explain and analyse the political incidents and process of society.
- One of the important work of the political theory is to deeply study and analyse these problems and provide alternative means to the political leaders.
- The difference between the Normative and Empirical Theory is only analytical. On the practical level, there could be hardly any political theory which is related only to the 'What is factor and where' "What should be" factory is completely absent.
- Political theory can be seen as an activity which asks question related to the community and public life of an individual and searches for their possible answers and creates imaginary alternatives.

- In politics we usually we study of formal structures like state, ruler and rule and their relationship. But alongwith this we also study political parties, pressure groups, age organization, public opinion, etc.
- In this era, the area of politics has become as vast as the activities of the human being and politics touches every aspect of life.
- From the ancient time there had been thinking through political theories about the origin of state, its nature, development and area of working. Alongwith that there had been the study of various forms of Government like kingdomship, Royal families, democracy, parliamentary, presidential union, etc. Alongwith this various issue related to many problems are also raised under political theory like legislative assembly should be single housed or double housed, what are the features effective committee and what should be the role of officers.
- Another problem related to the modernization is 'Pollution'. This is also being studied and some ways are being suggested through which not only the environment becomes clean but the natural resources could also be conserved.

1.5 Keywords

1. **Contemporary:** of the same time, current
2. **Oppression:** domination, coercion, repression

1.6 Review Questions

1. What is the meaning of political theory? Give the specialities of political theory.
2. Explain the tradition of political theory.
3. Explain the utility of political theory.

Answers: Self Assessment

- | | |
|--------------|------------------------|
| 1. Politics | 2. Empirical Scientist |
| 3. Criticism | 4. (d) |
| 5. (c) | 6. (c) |
| 7. True | 8. True |
| 9. False | |

1.7 Further Readings



Books

1. Political Theory : R.K. Proothy.
2. Political Theory : S. Ramaswamy.

Unit 2: Power and Authority

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Objectives

After reading this unit, students will be able to:

- define Power.
- define authority.
- differentiate between Power and Authority.
- understand the legitimacy and effect.

Introduction

Under the study of political science, it becomes necessary that the study of those elements which fix the public behavior of the man and the elements which effect the political arrangement. If we take the practical view point, the only element that emerges out is definitely '**Power**'. Since ancient time, the scholars of political science have accepted the significance of power. In India, the father of political science **Kotilya** has assumed Dand Shakti – a synonym of power, to be the basic foundation of politics. He has written, "**The basic foundation of the entire world life is Dand Shakti**". In fact, entire Indian literative is full of the significance of Dand Shakti. This can be seen under the western political science. According to **Becker**, "**Politics is inseparable from power**" and **Ketlin** has assumed politics as '**The science of power**'. Berterd Russel has considered power to be the basic concept of social science. According to **L.S. Almer**, "**In all the social sciences, no other is as much related to the idea of power as political science. After analyzing the subject area of the writers from Aristotle to the today, it becomes undoubtedly clear that power had been the central idea with which political science was clarified.**" **R.M. Macawer**, **Boyserted**, **Whatkins** and **William A. Robson** have also expressed the similar thoughts.

It becomes necessary to understand the concept of power in political science so that the prevailing myths about it can be rectified. Famous quote of **Lord Actin**; “**Power corrupts and uncontrolled power completely corrupts**”; gives rise to a wrong idea about power in our mind and heart. Infact, power is necessary for social arrangement and without power no social arrangement can be imagined. Corruption can be joined only with the excessive power or misuse of power. Similarly as a moral assumption ‘**Truth Always Triumphs**’ is a completely right and in human life this should be our ideal but the reality is that truth can triumph only when there is power behind it. From the view point of reality, truth and power are complementary to each other and **Pascal** on the same basis has expressed his views about justice and need for the collection of power.

Meaning and Explanation of Power

According to **Robert A. Dall** the main problem in the study of power is that it has many meaning, reality is that power has been defined in different forms by different thinkers. Some of the definition of power are:

According to **Robert Boyrstad**, "Power is the ability to use force and not its actual use."

Maciber, "From power, we mean the ability to control, regulate and direct the individuals or their behavior."

Margenthou, "There is a psychological relation between those who use power and on those the power is use. Power includes everything through which the control over the individuals is established and maintained."

According to **Gold Hammer and Shils**, "A person is considered powerful upto the extent he is able to effect the other behavior as per his objectives".

Argenski, "Power is the ability to influence others behavior according to our objectives."

Laswell, Keplan and **Herbert Simen** have defined power in the form of “**Influence Process**”. According to them using the power, works and policies of others are influenced and in this process there is a strong relationship between the two parties. According to **Rober A. Dall**, “Power is the name of such a special condition of the people under which one party after influencing. The other party, makes them to do such work which they otherwise had never done”.

As per the above ideas of Laswell and Keplan; ‘power’ is considered to be the synonym of ‘Influence’. This is true under some circumstances but not in all power and influence can be found only in one person or they can be in different individual or individual groups.



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Hitler and Changej Khan were symbolic of only power, but in Nepolian and Lincoln both power and influence can be seen.

Power and influence both change the behavior of an individual, but this change was due to the power or influence this can be decided by that individual only. They both growth of each other.

Infact power instead of being as simple element of life is a very complex are and as per **Maciber** it is a **multidimensional element**. For example, when it is power on the cabinet but this statement though not completely useless yet it is not useful. In order to find the correct form of power, we need to mention many things. For example, what is the source of prime minister’s power, what is the basis and area, which means does the prime minister adopt to use his power of on the cabinet and what is the quality of his power on the cubit or how vast is this power.

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Conclusively, three things can be said about political power. **First**, it is natural to be a visible high position relation in the people who have political power. **Second**, ultimately the political power is used on the common man and he has to abide by those who use the authority. **Third**, political power depicts only the psychological relation and not the physical ones.

2.1 Distinction of Power with Force, Influence and Authority

Power and Force

Usually power and force are considered to be the same but in reality they both are different. Power is not synonymous for Force because power is hidden force and force is visible power. Force can remain in the background of force but that is totally different. Power is invisible element and force is visible element force means appointment of sanctions or arrangement of prohibitions in which ordinary fine to capital punishment are included. From this view point power is an emotion or complete capacity which makes force possible.

According to **Robert Boysterd** “**Power is the capacity to use force and not its actual use**”. Infact force is a form of power but only force is not power. Boysterd has given three forms of Power”. Force, effect and authority. Force remains in the subjugation power is the same manner in which thunder is in cloud. When the force becomes termless and objectless, then it is called subjugation. Limited, accepted and controlled force is called sanctions and in this way, power is more wide element than force.

Distinction between political power and military power— Though both military power and political power, both are the types of power but they cannot be considered one. Political power is a complex word in which other forms of power are always included like, money, armament, citizen authority, effect on vote etc. Army power is a clear element which is based on the military power. In politics, military power has a negligible place because power is not the actual use of power but the capability to use power. **Margenthou** has considered political a power to be the psychological a power according to which one man controls the activities and brain of the other. Military force is the actual use of Subjugation whenever the actual use of violence takes place it means political power has addicted in favour of military or paramilitary power. But Dazle is in favour of keeping military power under political power. According to him conflict is the essence of politics whether is by words or by violence. From this point of view, military power should be considered the sub-department of political power. Even then military power remain in the background of political power. Political power is based on the elements like psychological effects, leadership and self will.



Did You Know?

Arrangement based on arms, violence or subjugation is symbolic of the society of pre-historic age which can never be a matter of prestige for any civilized political society.

Power and Influence

Similarities: If power and influence are similar to each other on some grounds then on other side there are significant difference in the two **Braches and Barat**, in their book ‘*Political Power*’ have given a lot of differences between the two. According to these writers, both power and force are intellectual and relational and give strength to each other. Both are effected after appropriateness. Influence produces

power and power produces influence. Both require each other. Power and influence can be found in two different people as well as both can be found in the same person. Power and influence both effect the behavior of a person, but it is very difficult to find whether the change in the individual is due to the power or influence. This can be decided only by the concerned person. They both can be **growthful** for each other.

Differences—In spite of being related to each other, power and influence have many important differences:

1. Power is Subjugatory and strong physical force and prohibitions work behind it. Whenever power is applied, there remains no option but accept it for the individuals or groups effected by it. The influence is requesting, self wished and psychological.
2. Power usually remains with the power holder as a free element. This can be used by the power holder against the wishes of others and their opposition. Influence is relational and its success is based on the acceptance of the influenced person. This means that influence depends upon the self-will of the influenced person.
3. Power is assumed to be undemocratic. It calls the anti-power and is based on fear. On the contrary, influence is completely democratic and is utilized with willingness. The effect of influence is due to the similarity of ideas and values.
4. There are so many limitations on the power and use of power. However strong is the power, it requires the assistance of one or the other type of influence. Otherwise as soon as the power will become weak or due to the lack of prohibition, power will not be obeyed. Effect of influence is unlimited and once influence is gained, it can be freely utilized because there becomes a relation and when influence is obtained is true sense then power becomes unnecessary.
5. Power should be considered as the outer element of civilization and culture. This can be used in specific, limited and significant manner. The form of the user of the power is usually predecided whereas influence is usually, personal, formless and unclear.

There are some examples in which power and influence remains repartee from each other. A person in spite of having power can be in influential. For example, this was the similar condition of Yahya Khan in connection of East Bengal between 25 March, 1971 to 16th December, 1971. He only had the power of East Bengal but not the influence. On the other side, since Dec. 1971, Shaikh Mujeebur Rehman had influence in East Bengal, but no power or authority. So, influence does not require power and power can also remain without influence. But this condition does not remain for a long time. Shaikh Mujeeb, who only had influence before 16th December, 1971, also attained power on East Bengal in December, 1971.



Task

Differentiate between Power and Force.

Power and Authority

Political Organization are constructed by those structures which abide by the use of force and are related to the social cooperation and leadership. In them, power and authority have a significant place. Power is the capacity of doing free work in spite of the opposition by the individuals, groups or physical circumstances. This is the capacity to give orders. This can be seen as the ability to complete one's wishes in an effective manner and which if required can be imposed on others. There are innumerable examples in history where other states were unofficially or they were defeated but later on gradually they got the public acceptance and they became the authority. Without authority,

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power is uninstitutional, circumstantial, uncertain and unaccomplished. Authority is institutional and because of that it is determined from subject area and nature. Its direction are obeyed as obstacle causing authority is fixed, clear and visible so can be trusted on various levels in individuals, institutions and groups. Power lack such clarity and tranquility.

Charles E. Marium, in 'Political Power has not differentiated in power and authority but in reality this point of view is not correct. Power is a tool of subjugation and its effect is physical. Authority can be based on agreement and along with that can be more influential. These are many political and social institutions which use so much authority but are based on agreement. Teacher, journalist and social workers are not based on authority but even they are respected so much.

In political arrangements and organizations, there are so many such examples where a senior person has power but this is an unwanted situation. One of the burning problem of politics is the balance between the two which can be solved by successful leadership. To do this is necessary because even the most favorite ruler needs both power and authority in order to administer the ruling authority.

Sources of Power

In order to understand the meaning of power; we need to study the sources of power. Infact, power emerges from the different sources and presents itself in different forms. **Nepoleon, Hitler, Lennin, and Gandhi**, – they all were powerful but their sources of power were different. It is not possible to give a complete list of the sources of power because there is a lot of differences in the thinkers about it. But even, then some of major sources of power are given below:

1. **Knowledge:** Knowledge is the first source of power. Knowledge in its simplest sense gives human being capacity to re-establish and obtain his aim. Other specialties of the individual are monitonsel in such a way by knowledge so that they become the means of power. Important aspects of power are the leadership quality, will power, tolerance and power to express himself. Out of all these elements, lack of any one of them can make the entire form of power as unsuccessful and can destroy it completely.
2. **Possession:** Knowledge is the internal source of power. But a part from it there are external sources to fix the power in which possessions are the most important. In common man's terminology, this is called economic power. Under possessions, we can include physical material, power of ownership, and social material level and position of an individual in society etc. Though possession or property is a source of power but this is neither the only source nor is it an influential source. Even without property, a person can influence the works of other people, and it is also not necessary that after having property, he will be able to influence others.
3. **Organisation:** Organisation in itself is an important source of power. It is said "Unity is strength". Various competitive units when jointly make union then their power increases many folds. Labour union and trader's union are the examples of the modern times. From the viewpoint of power, undoubtedly, state is the biggest union and its major reason is the most organized form of the state.
4. **Shape:** Many times, shape is considered to be the introductory to power and it is believed that the shape of a union, gives introduction to its power. If shape and union are unanimous, then it so happens, but not in all circumstances. Many times bigger shape, makes it complex and disbalanced and does not let remain according to the circumstances. That is why some political parties take shelter of purges in order to decrease their shape.

Trust also very important as a source of power. The power of sword also ultimately depends on the trust. Another source of power is authority. The greatness of power is determined by its ability to effect the human mind. **Prof. Maciber**, after describing the various elements of power, has said that "**The working ability of power increases or decreases by those various circumstances under which it has to work.**"

Types of Power

Notes

Power is multityped and it has various kinds. Scholars have also expressed different ideas about the types of power. According to Goldhemmer and Edward Shilz, "An individual's power is only the quantity in which he can change the behavior of the other as per his desire. According to this idea of change in the behavior, power is a three types "Force, Authority and Manipulation." A powerful person is supposed to be using power when he influences the behavior of his subordinates by physical power when the powerful person after showing his wish, influences the behavior of the others then it is called authority. **Authority** can be in form of direction or request. **Manipulation** is a way of influencing others behavior in which the people who are being influenced are not told clear what the powerful person wants from them. In this last process, the method of conversing using various methods and symbols is used.

Max Weber studies only reasonable power and call it authority. Reasonable power is that power which is either accepted willingly or forcibly. Power which is not reasonable, Weber Calls is Coercion. Weber has given three major forum of reasonable power: (i) **Legal or constitutional** (ii) **Traditional**; (iii) **Charismatic**. Whenever, the subordinates believe in the validity of the laws, directions and decrees made by the powerful people, then this reasonable power is called constitutional. When the direction given by the powerful person is considered sacred on the basis of tradition and he uses the power in the name of tradition, then this reasonable power is called traditional power. Thirdly when the basis of the reason is the devotion towards the powerful due to his personal qualities, then this is called charistmatic reasonable power. Usually under christmatic reasonable power, the descriptles consider the qualities of their leader to be incomparable and they completely surrender in front of him. Pt. Nehru had this charismatic power in his most of the years of his prime ministership and **Mrs. Indira Gandhi had such charismatic power in the years 1971-72 over the Indian people.**

Boysterd has also given many types of power on many basis: (i) On the basis of visibility power can be visible or invisible. The invisible form of power is called latest power and when the visible form is power is depicted then it is called authority, force etc. (ii) From the view point of coercion power can be **coercisive and non-coercisive**. (iii) From the view point of formality, power can be formal or informal; (iv) From the view point of the use of power, this can be direct when used the power holder and indirect when used by the subordinates.

1. From the view point of the direction of power, it could be single dimension, double dimension or multidimension.
2. From the view point of centralization power can be centralized, decentralized or widely distributed. In centralized, the control is in central authority, when it is decentralized, it is distributed to various undertakings autonomous or semi-autonomous basis. Widely distributed power is distributive, unclear like public power.
3. On the basis of the area, power is related to particular physical area or it is international.
4. On the basis of the quality and influence, various state are called, super, medioker or law powers.

In this way, power can have various forous.

Uses and Limitations of Power

Power is used on the basis of various sanctions or means e.g. award, punishment, giving or stopping monetary gain etc. The quantity and type of these means can vary according to the country, time and particular culture. While using power can mean can be adopted like imprisonment, physical assault, fine, dismissal or insult. Similarly in order to use power on an institution, threatening or offers can be used as per the requirement. For example the President of U.S.A., in order to have his influence

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on the congress, either offer posts to the members of congress and their supports or talk of calling a special session or talking directly to the voters or threatens to use veto power against on particular laws, whenever one of these fails, the other one is used. Usually, we get success in the use of power but at times it remains unsuccessful as well.

But power is not used freely and it has many restriction and limitation on it. These limitations are related to many things like **history and tradition, ways to get agreement or permission, effect of political development, religion, morality and pressure of morality and groups**. Limitation of power also origins from the aims and objectives of the user, his capacity, interpersonal relation, competition, working methods and environment etc.

View Point of Power in Political Science

One of the main objective of political science is find that power is in whose hand and how is it being used. That is why, they modern political thinkers are taking more interest in expressing the idea of power rather than expressing the idea of state. Infact, power the heart of the political research and its clear benefit is that through this the activity to influence others can be understood. But earlier the idea of power had a relevant place in the study of politics. In the ancient times, idea of power was considered to be unlimited and that is why it is obvious to have doubts about it.

Presently, the idea of power has gain enough significance and popularity. **George Katlin** and **Hereld D. Laswell** has expressed their ideas about it in detail. **Laswell is the most famous and influential researcher of the present times.**

Thoughts of George Katlin : **George Katlin** was the first person who has developed the arranged theory or promised structure by taking power as the central point. Katlin has considered power as the basic element of life. According to Katlin, every individual wants to fulfill his wish and this wish is the basis of all his work. In order to fulfill his wish, he has to regulate the others wishes and whenever the individual tries in this direction, the power or the element of conflict rises.

The study of power does not make it completely clear that how the Government controls the society or how does it establishes the arrangement. Rather, through thin study, we contemplate on this vast problem that how does an individual or a group influence the wishes of others Katlin believes, "If the conflict of wishes is made the basis of political science, then the remaining subject material of the political science will be clarified automatically".

Thoughts of Laswell : The most descriptive analysis of the concept of power is found in the creatism of Laswell and Kaplan. Though both Katlin and Laswell both are unanimous in giving emphasis on power but Laswell has considered the study of politics at a larger scale and that is why, his results are of different kinds.

Laswell believes that political science is not basically a process of power but this is a study of the changes in the condition and making of values in society. So, in political science power and values both have to be studied and their interdependence has to be clarified. In his book "**who gets, what, when and how**", he has clarified that what is the source of power that the upper political class possess. This book mainly describes those to mean through which people of upper class reach at the designation of power and remain there and try to gain their security, income and respect. If we consider the political idea to be the study of the form changing value then this book of Laswell will be considered to express only a small portion of this complete process. Many thinkers have considered the idea of Laswell to be a conservative ideology because on its basis Laswell has considered the entire subject material of political science to be a conflict for power. After this another book of Laswell titled '**Power and Society**' was published and in this book, he has included the distribution of values also in the study of political science.

Self Assessment

Notes

Multiple Choice Questions:

1. Writer of the statement "Power is the origin of directive influences" is:

(a) Laswell	(b) Bertard Russel
(c) Laski	(d) Plato
2. Bystard has given how many types of power:

(a) Three	(b) Four
(c) Five	(d) Six
3. Wish and desire of obedience is in:

(a) Authority	(b) Freedom
(c) Equality	(d) Justice

2.2 Authority, Legitimacy and Influence

"Authority is the institutional right to use the power, it is not power itself" – Boystard.

Role of Authority in Politics

Authority can be called **the soul of the body of politics**. This is the main tool of power, influence and leadership and all the political process are based on authority like construction of law, Co-ordination, Discipline and delegation. Authority has important role in both formal and informal organization and authority cannot be ignored in political life. Under special circumstances, any individual or a group of individuals can keep the authority without having formal authority. In democracy, it is very necessary that authority has to be accepted by the subordinates or the public. In state arrangements and in politics, it is very important to increase the quantity of authority. The achievement of political goals is related to it and depends on it to a great extent.

Concept of Authority: Meaning and Description

According to the International Dictionary of Social Sciences, authority can be defined in many ways. There are so many description of authority, but in all forms authority is associated with power, influence and leadership. Some of the definitions of Authority are as follows:

Boystard, "Authority is the institutional right to use the power but it is not power itself".

According to **Beach**, "Authority is the legitimate right to influence or direct the work."

According to **Henry Kayol**, "Authority is the right to give order and the power to or get it implemented."

According to **Allen**, "The powers and rights is to make possible the finalisation of the given work possible is called authority."

Theo Hemen has given the definition of authority in more clarity. According to him, "Authority is that constitutional power on the basis of which the subordinate are asked to work and they can be compelled and in case of the prohibition of the rules, the disciplinary action can be taken against them. They can even be dismissed."

All these scholars have defined authority as the high rank power to take decision, to give order and to get that order implemented. In all these definitions only formal or only legal aspect of the authority has been considered. And in this way, all these definit clarify only one aspect. Authority is high level

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power to give order but the orders of the authority holders are not implemented only due to this one of the basis of the implementation or order is they consent of those who are ordered or the subordinates. When the subordinates accept that this source of order is right and valid only then the officer who is giving order is called "**representative**" (authoritarian). Unlike power, authority is not based on sanctions rather it is the means to make the other behavior favourable and influence it. According to a report of UNESCO, "**Authority is a power which is accepted, respected, known and valid**".

Scholars like **Mary Park Faulet, Chester Bernard and Simen** has described authority from behavioural and psychological aspect. They give more importance to validity and consent of the subordinate gives birth to the relationship based on the consent of the subordinate. In this context, **Simen's** definition is more important. According to him, "Authority right is the power of taking decision and giving direction activities of the others. This establishes the relationship between the officer and subordinate. The officer takes the decision and expects his subordinates to follow them. Subordinates expects those decision and their behavior is finalized by these decision.

In this way, authority has two aspects, "First, the upper power to take decision and give orders. Secondly, the consent of the subordinate keeping these two elements in view, authority can be defined as Authority is that power situation or right of taking decision, giving orders and making to follow them; which is accepted by the subordinates and is followed to meet the institutional objectives.

2.2.1 The Nature of Authority

There is difference of opinion about the nature of authority and in this relation two theories have been formulated. Both these theories have been formulated by **Prof. Beach** which are as follows:

1. Formal Theory : According to this theory authority has a right to give orders and the flow of authority is from top to bottom. This right is given to the senior or special officers and this makes the post sequence of Authority.

There is valid power of arrangement or organization behind the authority. Due to this power it is accepted. Authority does not compulsory tell about the personal superiority. Authority holder is just a symbol of the inclusive power in an arrangement or organization **Maciber** has called it "**Magic of Rule**" that a person who gives order may not be more intelligent than his subordinates, may not be more capable and may not be superior than his subordinates from any view point and even out times could be inferior to them, even then being in the condition of Authority, he gives order and directions and all his orders are followed.

2. Acceptance Theory : Behaviourists or human relationists having no faith in formal theory, advocate Acceptance Theory. According to these realistic scholars, authority is formal only legally, but actually, the success of the right authority or order depends upon the acceptance of the subordinates. When subordinates accept the order in the limitations of their capability and understanding then this becomes condition of authority. **Bearnard** has written in his book "*The function of the Executive*" that in order to make the subordinates follow the rules there are four conditions which are to be fulfilled: (i) Subordinate understands or is able to understand the order or information. (ii) While taking his decision, he must have a belief that the order is not irrelevant to the objectives of the organization. (iii) While taking decision, he must think that in totality the related order must be in favour of his personal benefits. (iv) He must have the physical and mental capacity of following that order.

Infact both the theories about the nature of authority have their own weakness and these can be called extremist. Accepting, the truth of both the theories, a balanced view point has been developed, under which is the concept of Authority, both **institutional validity power and acceptance of subordinates** have significant place. This is a right view point and in political science usually this is accepted.

Sources and Types of Authority

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Investigation of Authority is being done since Sokratis, Plato, Augustine investigation was presented by political and social analyst **Max Weber** in twentieth century. There is a deep relationship between authority and validity and Max Weber has described the sources and types of authority keeping validity as the basis. According to him, on the basis of its source, authority is of three types:

1. Traditional : When the orders of the public or the subordinate senior officers are accepted on the basis that it has always happened then this type of authority is called traditional. In this way traditional authority implies to that right of rule which has emerged from the continuous use of politics. In this kind of authority delegation is just temporary and completely depends upon the will of the supreme authoritarian. Subordinates are considered servants and they follow the orders due to the specific person who is symbolic of tradition e.g., king in the monarchy.

2. Rational Legal or Legal Bureaucratic Authority : When the subordinates accept any rule on the basis that the rule is in accordance with high level formless rules which they consider valid, then in this situation, authority is called rational legal. This authority is gained after obtaining a position under constitutional rules. In U.S. when any candidate for the presidency obtains the majority of votes of the election committee and in India when the members party having majority in the lower house, make somebody Prime Minister by electing him their leader. This authority is based on rational logical grounds. In this authority is organized on rational basis and all the workers follow the orders given by the person established constitutionally. This form of authority depicts the modern bureaucracy in its pure form.

3. Charismatic Authority: When the subordinates consider the orders of the authoritarian justified on the basis of the fact that they have personal influence of the authoritarian, then this is called charismatic authority. In this subordinate behave as personal servants. Subordinates are followers and they follow the orders of their favourite leader due to his charismatic and idealistic personality, Max Weber, presents analysis of only valid authority. Max Webers says that Rational Legal Authority is weak and can be broken so in order to give it strength, the elements of traditional and charismatic should be added to it.

Various Norms of Organizational Authority (On the basis of Max Weber)

Types of Authority	Organizational types of the workers	Mode of Using Authority	To whom is the workers group obedient
Traditional	Servant	Adhoc	Personality of the leader and tradition
Rational Legal	Bureau/department	Rational	Personal arrangement established legally
Charismatic	Personal official or servant	Indirect	Idealistic Charismatic personality of the leader

From the view point of the institutional power, authority is used in various ways and on the basis of this authority, there could be two more types of authority: (i) From zonal view point national, provincial and local. (ii) National and International in a comparison of wider view (iii) From constitutional view point obtained from constitution and from ordinary law. (iv) On the basis of the traditional parts of Government executive legislative and judiciary. (v) From political view point political and administrative. (vi) From the point of view of various subjects authority can be economic, social, religious or technical.

All these various types of authority can be considered from the view point of its use and there is no basic difference in all these so called forms of authority.

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Basis of Authority

Authority is such a independent difference which is closely related to power, influence etc. There can be so many sources and basis of authority. The main foundation of authority is only validity because the orders are followed on the basis of the equality of values between the officer and the subordinates. Apart from that faith, similarity of thoughts, various punishment process, nature of subordinates, environmental pressure etc, work as the basis of authority. Environmental pressures are of both forms internal as well as external. In the state arrangements, interval pressure are in the form of rights or powers of post of position holders of the internal political structures like constitution, administrative organization apart from this the work effectiveness and personal qualities of the authorization also work as the basis of authority. The wish to well maintain the existence of his state works as the basis of authority as an external factor.

In order to accept the authority, the subordinate has a '**zone of indifference**'. Under which he follows the orders blindly. The field of acceptance is limited and keeps on increasing and decreasing. Usually, the subordinate has tendency to follow the orders of the officer in every subject because in this way he gets exempted from the responsibilities. From the subordinates view point, it is important that the order should be in the benefit of the organization as well for them personally. He can follow the order for award, appreciation, greed or due to the fear of punishment when the authoritarian, apart from the authority, also possess the leadership and other personal qualities, then it becomes obvious on the part of the subordinates to follow the order. When the equality of values is established between the authoritarian and subordinating then the effectiveness of authority is maximum. This area of acceptance of authority is neither limited nor unchangeable. It keeps on increasing and decreasing on the basis of the condition of the authoritarian, condition of relationship between the authoritarian and subordinates and many other elements.

Basis to Follow Authority

Why do the people accept authority? This is an important question in the context of authority. In relation to the nature of the two theories: Formal authority theory and Acceptance theory; have given explanation to this question. Apart from that **Max Weber, Marry Parker Folet and Chester Bernard** have also expressed their ideas about this, but **Simen's** ideas are more important. Simen has given mainly four basis to follow the authority.

1. Faith : Faith is the main basis to follow the authority. Subordinates follow the orders of the officer because of their faith in them. That is why deeper the faith in the officer, simpler and natural becomes the following of the authority by the subordinates. But when this faith is broken in that case it becomes very difficult to make the subordinates follow the authoritarian and then the power of pressurization is used.

2. Unanimity : This is a human nature that he gives more importance to the suggestions and advises of those people who have a unanimity. In the context of the authority follow, by accepting the importance of unanimity, state arrangements propagate any of the ideology from liberalization, socialism or fascism as per their accordance and try to convert the political leader subordinates and common citizen as per their wish.

3. Pressure : Many times, pressure and power of obstacle work as the basis to follow the authority. In every organization or state organization there are some people in minority who are not influenced by faith or unanimity and they understand only the language of subjugation. Every authoritarian should try not to use pressure as the main basis to make the authority followed. So, from this point of view, it is necessary that the reasons of the orders given by the authoritarian are automatically clear.

4. Validity : In every organization has a hierarchical system and under this system the authoritarian having the highest position, his authority and his orders become valid. As per **Simen**, "Authority is accepted with the recognition that officer's orders should be followed." The importance of validity is quite clear from the fact that in the context of authority whenever there is a '**problem of validity**' then the influence of validity is severely effected.

Infact all these elements work together as basis for authority sometimes faith become main basis and sometimes pressure. The symbol of evidence of the excellence of the arrangement is that faith becomes the most important foundation to follow the authority and pressure remains as a trivial element in this context.

Limitations of Authority

Without authority, we can not even imagine to have an organized society. But a cultural and civilized society makes some limitations for authority which have to be followed necessarily. Limitation of authority imply to the management of use and implementation of the authority so that this can not be used as per the whims and fancies. Authority has to work under the limitation of constitutional laws and political situations and it cannot over rule the culture, values and traditional and moral concepts. These limitations of authority can be related to physical, moral, for objectives, internal or external activities. Brief description of the limitation of the authority are as follows:

1. Natural Limitation : Whether or not there is a mention of basic rights in the constitution, no state organization can have a right that it prohibits the citizens from their life, common freedom and limited property. This is the first and compulsory limitation of the authority and any authority which crosses this limit is deemed to fall.

2. Moral Religious Faith : Morality and religious faith is also a compulsory limitation of the authority. Whenever any authority orders against the moral and religious faith; then it becomes very difficult to make it to be followed.

3. Culture : Culture is the way of living of the people which expresses itself as art, literature, religion, fashion, music and ideas. Authority can have no right to interfere in the culture or cultural life of the society and it can do nothing in the field of culture.

4. Constitution, Rules and Sub-rule : Constitution is the ultimate source of state authority. So even for supreme authority, constitutional acts have to be followed. Apart from it, every organization makes some sub-rules for the effective management. These rules and sub-rules also determine the limitations of authority.

5. Economic Limitations: Every state organization has limited economic means and economic capacity. So these economic means and capacity also limit the authority.

6. Capacities of Subordinates and the unions made by the subordinates : Any authority works through the subordinates. So, the limits of the capacity of subordinates, determine the limits of authority. Apart from that is most of the organizations, the subordinates form unions for their personal benefits and growth and in this way try to bargain collectively this condition also obstructs the condition of authority.

7. International Organization and Laws : In the present time, the existence of United Nations and other international organization and partial recognition of international laws has also bring limitation to the authority. Though international organizations and international law do not have the power to obstruct but along with that it is equally true that the state authorities can not ignore them as per their wish.

Apart from all these also there are some limitations of authority. Every state organization has some fixed and decreased objectives and authority cannot over rule these objectives and norms. Authority has some technical as well as some psychological limitations.

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The relevance of the political theory is to provide capacity to authority and alongwith that limiting it also so that the condition of public welfare prevails.

Self Assessment

Fill in the blanks:

4. Authority can be called state organizational
5. The theory of Acceptance, related to the nature of authority is propounded by.....
6. According to a report by, "Authority is that power which is acceptable, prestigious, known and legitimate."

2.3 Legitimacy

Importance of Legitimacy: The concept of authority is very ancient, but in the present time and context, it has gained a new meaning with the development of civilization culture and political development, the role of subjugatory power is decreasing in the human life and behavior and the unsubjugatory elements of power like influence, authority and leadership's role is increasing continuously. When both categories of power subjugatory and unsubjugatory are connected with the legitimacy, then their power and influence increases but when these are not legitimate, or when there legitimacy becomes doubtful then their limits to influence the human behavior increases power, influence and authority can be successful in changing the behavior of others and become influential only when they become legitimate. According to Dahl, politician clad their works with the legitimacy and only then they get authority. In other words, influence can be established as authority only on the basis of legitimacy. This fact is so important that **Max Waber** has taken the analysis of legitimate government and authorities as his main subject.

Special Significance in Democracy: The influence of every political arrangements depends upon the legitimacy but in democracy, legitimacy is most important. Democracy is a rule based on the public agreement so it becomes very difficult to make the people obey on the basis of fear and terror. So this democratic arrangement needs legitimacy the most. Force and subjugation should be used in the minimal quantity and if these are used in large quantity, authority loses its legitimacy which later on becomes a disasterous situation entire political arrangement. For a healthy relationship between the person and authority, it is necessary that authority should obtain legitimacy upto the maximum possible limit. So political arrangements are always in search of legitimacy. S.M. Lipset has said, "The stability of any specific democracy, depends not only on economic development but also on the legitimacy and capacity of the prevailing political arrangements.

Legitimacy: Development of Concept

The word 'Legitimacy', has originated from the Latin word 'Legitimus' and in the medieval period this was called 'Legimates'. The concept or the idea of legitimacy has a long history. Plato has sowed the seed of legitimacy under his idea of 'Justice'. According to him every rule should have an intelligent basis and its roots should be in the moral values, age old faiths and common acceptance. **Aristotle** has depicted this concept in the form of law rule or constitutional rule. **Sisro** has used the word 'Legitimum' for "powers or the judges organized by law". Later on, it was used for favour towards old traditions, conservative rituals, constitutional laws and elements of good arrangements. In the medieval times, it has been mentioned while distinguishing between the cruel or kidnapper ruler and good ruler. Taking logic from Aristotle, **Marcelo of paedua** has presented a constitutional explanation instead of religious explanation. **Lawk** has supported this through the medium of agreement and consent.

In the present times, first time it was first time propagated by Max Weber as an omnipresent concept. According to him, legitimacy depends upon the faith and for the political arrangements, attains the condition of obedience. Max Weber has thought in detail on the basis of legitimacy. He has given three basis of legitimacy – traditional, intellect – legal and charismatic. Another thinker **Carl Schmitt** has thought about the legitimacy of democracy. **Gugleilmo Ferro** has given two basis of legitimacy; (1) Majority, (2) Minority opposition party. He does not consider unanimity as a necessary element of legitimacy. Under democratic political arrangement, the important fact in the context of legitimacy is that is a limited quality opposition is also considered as a symbol of legitimacy.

Legitimacy : Explanation

Legitimacy is such a condition under which a person in political situation has a faith that the use of authority is based on the commonly accepted rules and activities. **Dolf Sternberger** has considered it as the foundation of power of rule according to which Government has a realization that it has the right to rule and on the other hand this right is accepted by those who are ruled.

Some of the important definition of legitimacy are as follows:

According to **S.M. Lipset**, “Legitimacy implies to that capability and capacity of arrangement through which the faith; that the present political institutions are most appropriate for society; is originated and maintained”.

According to the famous thinker **Jeam Blondell**, “Legitimacy means that limitation upto which people accept the organization with which they are related without query and in a natural form. The legitimacy of the organization will increase with the increase in the area of acceptance or agreement.”

According to **Kuhan Alfred**, “Legitimacy means the acceptance of agreement between the economic ruler and ruled. Since its very primitive form, it such an agreement under which people instead of being alive and outside the imprisonment, they prefer to accept and abide by the orders of the Government.”

From the above definitions of legitimacy, it is quite ulcer that legitimacy refers to that acceptance or agreement which is given by the people regarding any political arrangement. If any political arrangement or institution is not able to get such acceptance, they if lacks in the validity and such arrangement cannot exist for a long time. Any institution can not obtain validity by the acceptance of the people obtained by threat or using power. In other words. This acceptance should be based on their faith that this political arrangement is better than others and this arrangement is as per the mental values of the people and the needs of the people are completed in a valid manner through this arrangement. If the people express their acceptance due to some threat or greed, then we can not say that this arrangement has validity or legitimacy. In simple words, “the source of legitimacy is not the public acceptance obtained by fear or bribe, but acceptance based on their beliefs and values”.

Characteristics of Legitimacy

Legitimacy is not a physical object for which any definite determining elements or creative elements can be stated. Instead this a concept. This is a state of the political life for which some specialities can be given. The level and influence of legitimacy can not be the same in all countries. Instead these characteristics depend upon the mental level of the people of the concerned countries their political faith value and habits and their political awareness.

Some other characteristics of legitimacy are given as under:

1. The concept of legitimacy includes the capacity to include a particular faith: Legitimacy of any political arrangement spends upon the fact that upto what limit these people consider this arrangement

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valid on the basis of their faith. If some people have taken the ruling power through blood revolution or by any other unconstitutional way for their own limited benefits, then this ruling power can never be accepted. But it is possible that after sometime, people start accepting that the new Government in favour of their goodwill. If such faith is created in the people, then this political arrangement gets legitimacy. In this way the concept of legitimacy includes the ability of the political arrangement to create and maintain the faith among the people that this political arrangement and its institutions are the best for their benefits.

2. The concept of influence is related to the concept legitimacy: Prof. Lipset has said that the legitimacy and stability of any political arrangement depends upon its power of influence. Any arrangement can get legitimacy only when it has obtained influence upto a limit. To get the legitimacy, it is necessary that this political arrangement is not just verbal but through this the life of the citizen can be influentially controlled. According to Koutilya, "Safety of gentleman, increase of goodwill and punishment to the culprit", is the necessary work of the state and a political arrangement becomes legitimate only when it is able to do this work in an influential manner.

3. Legitimacy of any arrangement depends upon the values of the related people: Any arrangement can get validity; i.e. the natural or voluntary agreement; only when it is based on the faith and values of the common man. For example, if in any country democracy is deep scouted then it becomes very difficult to get legitimacy for any government which has obtained authority by un-democratic or unconstitutional ways.

4. Legitimacy is the ability to transfer the power into authority: There is a political saying "Legitimate Power is Authority". This means that power authority only when it becomes legitimacy in the eyes of the general public. If any person or institution has power and its orders are followed due to fear or threat, then this means that that person or institution has only power but no authority. If power does not fulfill the testimony of tolerance of the people, then it cannot be called authority. This implies that legitimacy is the only factor which transfers power into Authority.

5. Legitimacy depends on wide social acceptance: The legitimacy of an arrangement does not depends upon the agreement of only a few special people but it depends upon the large social acceptance. This acceptance should not due to any pressure or influence, but its foundation should be tolerance, faith and ideas of the related people.

In this way legitimacy does not depends upon some special people or elite class but depends upon the large social acceptance.

Basically the main concept of legitimacy depends up that ability through which people can be convinced that this political condition is good. Mainly the concept of legitimacy depends upon the large scale social acceptance and legitimacy is that factor which transforms power into authority. The legitimacy of any arrangement depends upon the fact that its way of working and form is in accordance with the values and faiths of the concerned people. In this context Prof. Lipset has written, "Group's consider a political arrangement on the basis of their accordance of their values with the values of the political arrangement.

2.3.1 Influence

Significance of Influence

According to **Robert Dahl**, in political analysis, power and influence are the central concepts. Not only in active politics but even in normal social life, influence is an important element. One of the fact of the practical life is that alongwith the cultural development of human beings the significance of influence is continuously increasing as compared to that of power. This could never be an exaggeration to say that in today's most popular ruling policy i.e. Democracy's chariots is driven by the horses of influence. Even in the international political, the role of influence is increasing day by day. Every

person, community, group or institutions keep on increasing their influence. Everyone keep on putting efforts to increase their influence. Everyone wants to know how much he is influential in comparison to the others who is the most influential, and how can and when can they increase their influence etc.

For political leaders and candidate etc. influence is a question of life and death whenever any political leader is not able to assess his arm and the opposition influence properly, it bring a disastrous end to his political career. Infact, the measurement of influence is a problem and in political science no proper method, theory and ideology has been developed till now so as to evaluate influence.

Influence: Meaning and Explanations

Political thinkers are not ominous in relation to meaning of influence. The underlying inter-relation between various people, groups, communities, institutions and states is termed as influence. According to **Robert A. Dahl**, "The relation prevailing among the various doers is the influence in which one doer inspires the others doers to do something which they never used to do earlier. **Brach Ash** believes that anybody holds the influence on others in a specific area upto the limit when that person, directly or indirectly, without any threat of aggressive form; is able to insist, the other person to change his work or the way of working. Laswell has also explained influence in the similar way. So on the basis of this discussion, influence is that capability through which we can change others behavior without using force. This is a commonly acceptable belief that in influence use of power and subjugation is not utilized.

Nature of Influence

According to Rowvey, one of the facts of political life is that influence is unevenly distributed everywhere. Rowvey has specifically mentioned the unevenness of influence. The influence of the large population can be less under behavior, whereas minority is more influential. This condition can be seen in both developed or developing countries; though in developing countries, minority are more influential. Many political thinkers like Aristotle; Roussau, Marx etc., has discussed the uneven distribution of influence in their own way. Aristotle considered education as the most important element in this context, but according to Marx, political influence follows Economic Power i.e. property. In society, who possess the means of production, have more economic power and they are the ones who ultimately obtain the political influence as well.

According to Rowvey, Sources of political influence are: Property, education, important information, health, personal attraction and efficiency etc. The reasons for the unevenness of political influences are:

1. Difference of political means: The political influence depends upon the political means. Some people get important means, property and famous family etc. heredity but some people remain devoid of it. After a particular age, person starts collecting the ordinary and political means. Some people are very fast but some remain at an average speed in this process. Naturally, those who are able to collect more political means, get more political influence. The uneven control over the political means is the major factor for unevenness of political influence.

2. Specialization of Work: In every society, there is a specialization of work and some people have more knowledge and efficiency in relation to special works and obtain special training for it. On other hand some other works are less important. If other things are not the same then, a person alongwith doing his own business, came in context with a large no. of people and do many important works in the society. Obviously, such people get the political influence. In every country, from the view point of political influence lawyers and journalist are found to be in a more beneficiary place in comparison to the other people.

3. Difference of Aims and Inspirations: Aims and inspirations differ from person to person. Even if the required means are given, many will use them to get political influence whereas others will

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limit themselves collect the property and wealth. In the political arrangement, some people try have special influence on the policies implemented by the Government rules and regulations. In other words, they try to get the political influence and they have more possibility to succeed in the field of political influence. Apart from that, some people desire to have direct political influence but some limit themselves to the indirect influence due to the problems pertaining to get direct influence.

4. Difference of Efficiency of Work: Various people, who try to get political influence on the basis of their means; have different efficiency to use their political means. Even after obtaining the required means, some people are able to use them in a more efficient and effective manner. In the field of political influence, the efficiency of the assistance and their obtained means have an important place. In this context, one fact is that only an efficient person is able to collect assistants who are more capable and have more means.

Present and Actual Influence vis-a-viz Probable Influence: Infact in the faced of influence present or Actual Influence is the name of the pertaining present condition whereas under probable influence the probabilities of the future are studied. The present influence of the one who influences can be different from his future influence. Even an ordinary person can become a leader after getting does not have political influence at national or state level but on the basis whatever means he has and the direction that he is giving to his means, there could be the probability of his becoming more influential. Similarly, in any industrial field, one particular worker's union can be more influential, but there could be probabilities of some other worker's union to be influential in the future. In the international politics. USA and Russia are present superpowers but China and India are suppose to be the probable super powers. Present influential and probable influential separated particularly at the time when present influential is not getting success continuously and probable influential also has sufficient means and will be challenging the present influential. In December 1982, N.T. Ramarao and his party 'Telgu Desam' is an example of probable influential in the politics of Andhra Pradesh. No doubt in politics, present or actual influence is important but probable influence is also equally important. The political condition of future can be imagined only in the context of probable influence.

Problem of Measuring the Influence

The sources of influence are mostly, hidden, complex and difficult. That is why measuring the influence is often becomes a problem. But as democracy depends upon the open political competition and influence, it become necessary to measure influence. Influence is a relation between the individuals, groups or unions. The relation, its direction and existence of the influence established among them can be measured. In democracy it is always necessary to know the condition of influence between the distinguished political leaders and common citizens. Even, the father of political science, Aristotle also when classified the political arrangements on the basis of numbers, then the implication of this basis of classification was to know the influence of an individual in that political arrangement – who is more influential majority or minority. The comparative study of the influence is always important in political analysis.

Robert Dahl has given a very common definition of the influence which tells about the probabilities of comparison. If 'A' influences 'B' and its quantity is 'X', then we can say that the influence of 'A' on 'B' is 'X-1'. If the quantity of influence is 'X-2' then we will say that the quantity of influence has increased. On this basis, all influences can be compared.

According to Dahl, the work of measuring the influence and comparing of it in this context can be done on the following basis:

1. The quantity of change in the condition of influenced should be measured. Under this, it is found that what was the condition of various influenced people in the beginning and what kind of change and how much change came in it afterwards.

2. The quantity of influence can be measured from the view point of the psychological cost spent in its proportion. Whenever there is strike, the mental reaction of all workers is different.
3. It can be found that what is the quantity of working probability in various people. The estimation of votes in favour and against any legislation is done in the same manner.
4. Many times, the estimation can be done on the difference of expansion of process. For example: The number of votes the candidates get in election, can be seen as a form of their influence in their constituency.
5. The comparative study of influence can be done on the basis of the no. of people effective. The forecast of the victory and defeat of the US President and parties in Britain and India during election, is done on this basis.

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Robert Dahl has given some instructions to use certain precautions in context of measuring the influence:

- (i) All informations should be collected to fix the direct influence as many measurements are possible.
- (ii) The comparative method should be used as per the obtained information.
- (iii) For clarity and micro view, a puradigutor should be put in front.
- (iv) We should be prepared to leave the present measurement after obtaining much evidencial information.

Actually, there are lots of problems in the direction of influence theory. These are spread from self-fixation to unit limitation, analysis, certification, comparision, implementation and evaluation. Due to these problems political scientists have put very few efforts to develop theory of influence. Even these can be considered as low level and limited efforts.

Influence and Authority

Usually, 'Influence' and 'Authority' are considered as synonym in common behavior. But in political science both these words differ in their meaning. Influence is accepted in the form of such an activity which is compulsorily relational and which contains many elements. Influence is such an achievement in which the elements of stability and definity are always absent. The effort to influence one person by the other can be direct or indirect. Influence is neither formal nor limited influence emerges on the basis of company and related information. Under efforts to influence others, debate, request, conversing and personal influences are used. Many times, this process takes place in such a manner that the influenced does not even know that he is being influenced. Influence is a relational activity in which there are many elements present between influenced and influential like same values, environment, style, the personality of the influenced or influential, needs and present characteristics. Political leaders keep on doing the efforts to expand the influence in order to achieve their objects and for this. They use different styles and means. Political leader know that influence is a very movable, changeable and indefinite condition so they always try to convert their influence into Authority. Pointing to this condition, **Dehl** Writes "**Authority is the most effective form of Influence**".

According to **Brekht**, for authority the condition of relationship between the officers and subordinate is necessary usually, subordinates make the order of the officer as the basis of their conduct without any criticism, thinking, debate, logic or using their own intellect. Authority being institutional becomes the part and parcel of behavior and conduct of the subordinates. This is accepted, formal, object based and quickly influential. Authority is usually established on the various levels of designation condition, union etc. This is the reason that political leaders become comfortable after taking their influence authoritative. Many times authority remains without capability, capacity and influence. There are many examples where an ordinary, inefficient and uninfluential and even incapable person after being on the post of authority gives orders and direction to hundreds and thousands people and

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these are followed. That is why authority is commonly considered as a free factor, but this condition doesn't last for a long time. Authority remains till the time, it is followed by the subordinates and if influence is not there with authority, then the subordinates do not accept for a long time. Under democratic arrangement, the ruling people have to depart from Authority after getting defeat in the election and in Dictatorship or Military rule, they can face the condition of revolution. Even under normal circumstances, authority remains inactive without influence.

Infact, authority is one of the ways to influence the behavior of others. When other things like power, influence and sanctions unite with the authoritarian, then there arise no question of ignoring the orders of authority. But when all other things separate from the authority then it become difficult or possible for the authoritarian to make subordinates follow his orders. In democracy, from the view point of longer duration, influence is more powerful in comparison to authority. Whether it is democracy or any other form of ruling arrangement, authoritarian should properly understand the limitations of authority. Whenever the authoritarian is not able to understand these limitations, then he has face the condition of revolt or destruction.

Self Assessment

State whether these statements are True or False:

7. Legitimacy is not a physical object for which any fixed elements or elements for creation can be told.
8. The sources to measure influence are usually easy.
9. Influence and Authority are synonymous.

2.4 Summary

- Though power and influence are similar on some basis, yet there are many important differences between the two.
- Influence creates power and power creates influence. Both are interdependent on each other.
- The first source of power is knowledge. In its normal meaning, knowledge gives the capability to a person to rearrange and meet his goals.
- Even the power of swords is ultimately based on the faith. Another source of power is authority.
- The study of power does not completely clarify that how the Govt, controls the society or how it establishes the arrangement.
- Behaviorist or the human relationalist, without having faith in the theory of Formal Authority, propagate the 'Theory of Acceptance'.

2.5 Keywords

1. **Influence:** Coming in existence, Origin, Capacity, Power.
2. **Authority:** Existence, Personality, Power, Ability

2.6 Review Questions

1. Explain the concept of Authority. How can you differentiate from influence?
2. Define influence and Authority and explain their relationship and differences.

3. Clarify the concept of Authority. Explain the theories propagated by Prof. Beach about the nature of Authority.
4. Describe the types and sources of authority what are the limitation and basis of authority.
5. Give the characteristics of concept of legitimacy.
6. What do you understand by 'Influence'? Describe the nature of Influence.
7. Explain the present and Actual Influence viz-a-viz probable influence. Describe the problem of measuring influence.
8. Distinguish between influence and authority.

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Answers : Self Assessment

- | | | |
|---------------------|----------------|-----------|
| 1. (b) | 2. (b) | 3. (a) |
| 4. Soul of the body | 5. Prof. Beach | 6. UNESCO |
| 7. True | 8. False | 9. True |

2.7 Further Readings



Books

1. Political Theory : *R.K. Pruty.*
2. Political Theory – Ideas and Concepts : *S. Ramaswamy.*

Unit 3: State

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Objectives

After reading this unit, students will be able to:

- understand the meaning of state.
- understand the important elements of the state
- understand the Origin Theory of State.

Introduction

State is an ascertain subject of the political science. So it is necessary that this word should be studies minutely. This word 'State' is used in a no. of contexts. France, Britain, U.S.A., China, India etc. are all called states, but alongwith that Newyork, California etc. which came under U.S.A. are also called States. According to the constitution of independent India U.P., Bihar, Bengal, Kashmir etc. are also states. Not only this many landlords also called their property as 'State'. Balrampur, Mahmoodabad etc. were just estates, even their they were called states and their owners were called 'Kings'.

In the medieval times, in the age of feudal system not only the province a ruled by the kings, but even the provinces owned by feudal, landlords etc. were also called states. In the time of Britishers, states like Jaipur, Jodhpur of Rajputana were also called states. Not only this, but even the provinces of the Ravraja's etc. under the King of Jaipur were also called States.

Not only in Hindi, but even in English various names of political science has been used in varied meanings. Where France, Britain etc. are called State in the same way Kashmir, Jaipur, Newyork are also called States.

But in political science we have to propagate the state which has sovereignty. From the view point of politics, any estate which is under other's rule, which does not have complete sovereignty and which is controlled by external authority; such estate cannot be called state. Though Kashmir, Newyork Bihar etc.

are commonly called state but the 'State' on which political science thinks is different from these states. France, China, India etc. all those states which are sovereign, only those are called 'States'.

State and Government : In day to day language, we often say that state should not interfere in the religion and the control of state on various business is useful. In these sentences meaning of 'State' is Government. But state and Government are two different things. The means or organization to fulfill the objectives of the state, is called Government. State is the one to use the means and Government is means when we say that the state should have a control over the business, it means that the Government should have control over the business.

State is stable, whereas Government is changable. In Russia there was monarch. In 1917, there was a revolution. First democratic and then communist Government was formed. But no change came in the authority of state due to Tar ship, democracy or Communist Government Russian State remained stable whereas Government kept on changing.

Till 14th August, 1947, there was British Government in India and on 15th August, 1947, ruling power of India came in the hands of Indian and a free Government was established. Though, there was a change in Government, but the authority of Indian State remained the same.

3.1 State

Like other communities of human beings, state is also a community. It also fixed reasons and objectives when one type of Government does not remain appropriate to obtain these objectives, then the other form of Government is chosen. That is the reason for changes in Government most often. In history, we see that the democracy is established after Monarchy ends. In 1789, there was a state revolution in France. As a result democracy was established after the end of uncontrolled monarchy of Burbo dynasty. We also see that a person become dictator after controlling all the powers democratic rule. In Germany Hitler and in Italy Musolini became dictators in the similar way. Often, there came changes in the Government of states due to States revolution ... etc. But this does not obstructs the stability of the Government Even in the states with democratic rules, often the Government is changed due to the conflict among the various parties in the parliament. In great Britain, sometimes Government is of labour party and sometime it is of conservatives. In America, Republican and Democratic parties make their Government. But there had been no change in the stability and authority of America and Britain due to these changes. State is always stable and stability is its necessary feature. On the contrary, Government is unstable and subject to change and often keeps on changing.

Luis 14th of France king (1643–1715) used to say, "What is State" Infact I am State". But with the death of Luis 14th, the state of France did not end. Infact Luis was not state. No doubt he was the Controller of French Government was included in him but he was different from state. That is why after his death, France did not die. Though French Government changed, but French state remained stable. State is sovereign but not the Government Whatever power, rights and authority a Government has, all these are obtained through state Government cannot utilize power more than prescribed by the constitution. State has a right to increase or decrease the power of Government. This implies that actual sovereignty lies in the state and not in the Government because Government is just a means in the hands of state.

Characteristics of States : Various scholars of politics have given various characteristics states. German scholar Schulz has rightly said that it is very difficult to innumerate so many characteristics of the state. Every scholar has characterized state in a different manner. There are two reasons for that— (1) Variation in the form of Government in different times. The form of Athens, Sparta, Vajjigan etc. was very different from the large states of the present times. So, it is obvious to have difference in the characteristics given by the ancient and modern scholars. (2) There is difference in the view points of the scholars of law and scholars of politics. Various scholars give importance to various different aspects of the state. That is why these comes a difference in the characteristics of the state given by them.

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Characteristics of State given by ancient thinkers : In the western world, the most ancient scholar of politics was Aristotle in 4th B.C. He was inhabitant of Greek and he has written the books on politics. He had characterized state as: "State is the name of that community of families and villages whose objective is to obtain complete and wealthy life." According to this characteristic of Aristotle, other communities of humans had developed before the origin of state. First man united in families and many families united to form villages. Man cannot get completeness in life while living alone. Only after uniting in community it becomes possible for him to get the completeness of life. All virtues are possible for man only when in lives in community. The dominance of virtues like, truth, helping other pity etc. is possible only when one lives in society. But in family or village community, man cannot get completeness of life directly. For this it is necessary to be united in a large and more comprehensive community. He can well develop his life only in community. The best form of community is the state which also includes family village etc. Ancient Greeks believed that the authority of a man is for society. It is always right to sacrifice an individual's good for the good of society. Not only this but even the maximum development and completeness of a person lies in his complete surrender to his community. That is why Aristotle propagated to get a wealthy and complete life through state. That is why he has written, "The aim of every community is to edit the betterment of somebody. State is such a community which is better than all other communities and all other communities come under it. Thus the objective of the state is to edit the universal betterment".

In Roman Empire, **Sisro** had been a great state philosopher. He had characterized state as – "State is a community in which the feeling of using the benefits altogether, should prevail. In this characteristic of Sisro the main idea is that in a community like state, those who are United, will get those benefits in the equal proportion which cannot be obtained by any other means or community other than state. Due to the origin and development of the state, man is able to get such benefits which he did not have earlier and which cannot be obtained without state.

Roman ideology has influenced the medieval Europe a lot 'That is why', the effect of Sisro's ideas is clearly insible on the various political thinkers of this time following the summary of Sisro, **Grocious** has characterized the state as, "State is the name of a complete community of such independent human beings who has united to obtain the common benefits and utility other thinkers of medieval Europe have often characterized state in the similar way from their view point, state has following characteristics: (1) State is a better and more complete community than any other community. (2) Its objective and cause is that man is able to obtain those benefits which he can get only through state.

Characteristics of State as per the Modern Thinkers : In the contemporary time when political thinkers started thinking about state then they propagated the following elements of the state: (1) People; (2) Land or Area; (3) Rule; (4) Authority. Any community which does not contain all these four things cannot be called state. Community should be of the human beings and it must have its definite area or land which belongs only to them and no outer power has any right or control on it. Moreover, it is also necessary that this community his united in some political union and should have the ultimate authority and no other state should be more powerful than this.

Modern thinkers have tried to highlight all these four specialities of states through the characteristics of states given by them.

British scholar Holland has explained the characteristics of state as – "State is a group or community of human beings which is inhabited on a fixed area and in which the wishes of one particular class or majority is materialized in comparison to the others". In characteristics given by Holland, the following points are stressed: (1) State is a community of human beings inhabited on a fixed area. (2) In this community, wishes of some people is dominant and others have to surrender in front of it. Even if the theirs are against this wish, they have to suppress themselves this wish could be either be the wish of even a minority class or of the majority of people. Usually in democratic states wishes of majority are fulfilled. But seldom, some unexceptionally powerful person or class inspite of being in minority, can rule the majority on basis of their wealth, intellect or valour.

According to the German scholar **Bluyunshuli**, "State is the name of a specific part of the human species united together from the political view point." In this characteristic people and rule both the elements are well included but authority and supremacy has not been included. When Blyushli propagated his thoughts at that time, there were so many big and small states in Germany, though Asia was trying to bring these various states under its rule. The authority of the 'Sacred Roman Empire' had also not completely finished. Many powerful kings of Europe used to accept the rule of sacred Roman Emperor in one or the other portion. So, in this condition no wonder Blyushli has not any importance to sovereignty.

Bergas like Blyushli has considered the state as a specific part of human society which can be understood as a united unit. Human society is divided into many parts whichever part is a separate well united community; can be considered as a separate state. From this view point France, China, India etc. are such specific parts of human society which can be separately considered as united unit.

High Court of United States of America had given a decision in one of the case that "State is the name of an independent community, whose collective aim is that wish of all people should be full filled, the property which belongs to them may use it with their right and others may enjoy their right." In other instance highest court of America has defined property of states in different manner - state is said to be political community of independent people who are settled at such a place whose border is fixed and indulge in such a government, which is situated with the permission of civilized people and whose power must be written in a respectable constitution. The virtue of state is defined properly by the earlier said properly, however those states won't be declared as state in which only one king's wish is followed or ruled or state which has no any written constitution. The government which is in united states of America and structure of constitution, its property effect is much clear. Many of historical and present government of world may not active this kind of structure.

The characterization of State by **Filimore** probably more clarifies the form of State. According to him, "State is a community of the human beings inhabited permanently on a definite area and land. This should be well united with one law, one practice and one rituals and which through the well arranged Government should have complete control, and authority on all the people and resources present in that area and which has a right to connect or disconnect with any community or to establish any other kind of international relation." In the characterization of the state by Filimore, all the four elements - land, people, Government and authority have been included and along with that one more thing has been informed. All the citizens of the state should be united with one law, one practice and one rituals. Ownership of law, practice and customs originates a speciality called Nationality. In the history various states have had this instinct that all people should be united in a community and all residents of a state should be the part of Nationality. Filimore has informed about this fact in his character of state. On the basis of this character all those states which have people of different caste and nationality can not be called 'States'. In the Austria-Hungary state of nineteenth century, there was the residence of many nationalities like Austrian, Hungarian and Czechoslovakia etc. They all had different law, practice and customs.

Garner has given the most clear and the best characteristic of the state. According to him, "State is the name of such a community of the people which are established on a definite land irrespective of the numbers, and which is usually and completely free from the control of external power and which has a Government which is obeyed by every residents. "The speciality of this characteristic is that it includes all the four elements of the state land, people, Government and authority. Along with this the following things are also very clear; (1) The population of the state could be large like that of China, India, Russia etc. as well it could be of minority number like that of Belgium, Luxemburg, San Marino and Afghanistan etc. From the view point of population and power in spite of being different from each other. Russia and Afghanistan have the similar situation from the view point of state.

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(2) Authority and Sovereignty are the essential elements of the state. But in history we see so many such states which were not completely sovereign. Many kings of medieval times used to accept some other king as their ruler inspite of being the supreme in their states. The medieval kings of Europe used to consider "Sacred Roman Emperor" as their ruler. Many independent kings and nawabs of Medieval India used to accept the authority of the Emperors of Delhi. Even in the present time, inspite of being complete sovereigns countries like India, Canada are the part of British Commonwealth. Due to the historical or some other circumstances, they have established such relationships with a external power which can partially limit their authority and sovereignty. The characters given by Garner have this scope of calling such states also 'State'.

The main purpose of mentioning the characteristics of the state given by various scholars of politics is to make clear the following main elements of state: (1) State is a community of such people who have united to achieve the similar objectives. (2) All these people permanently reside on a fixed land and consider it as their motherland. (3) This community is completely sovereign and there should no control of any external power on this. (4) There should be such a Government whose ordered are followed by everyone and this value should be a means to fulfill the objectives of that state.

Specific State and Common State— We must be careful to the point that the state which is a subject of argument of political studies is not a specific state but a common state China, France, India etc. are specific states. In ancient times Athens, Sparta, Rome, Magadh, Kaushal, Wajji etc. were also specific states. In political studies, we do not consider these specific states, but we use these as examples to understand the subject. The common element of the state present in the ancient states of history, medieval states and states of modern times, is the main subject of discussion in political studies. We have to consider the questions like "What is the form of this state. What are its parts, what are its objectives, how was it originated, we don't have to think of the question like. How were states like France and India Originated, what is their form and what are their objectives.

Ideal and Real State— Some thinkers have tried to differentiate ideal and real estates. State go presents an ideal picture in front of us. There is a continuous development of the state is going on. Small and unorganized state of the beginning era of the human history have been replaced by the large and well organized states in which huge number of people live. This is also possible that in future state become global and entire human society unites in one community and people of the state will refer to the community of the complete human society. The people of the state will imply to the entire human race and land of the state will imply to the entire earth. The international understanding of the modern age is taking us in this direction. Whenever this ideal will be materialized then it will the maximum development of the state. We say that state is the supreme form of human community, but state will become the best form of human community only when the entire human race will unite in one state. Only then state will be able to fulfill the objective for which the human beings started living in groups.

But this ideal form of state is very far from the reality. Presently, state is the name of such a human community which is residing on a definite area and which holding the supreme authority, is united in such a power whose orders are followed by all the residents of that area.

Self Assessment

Fill in the blanks:

1. Russian Revolution took place in.....
2. There was a time, when authority of Hitler in Germany and of..... in Italy was supreme.
3. State is a community of human beings which is generally inhabited on a in a particular state.

3.1.1 Important Elements of State

Notes

In order to understand the form of the state clearly, we need to highlight the four elements of the state – Population, Territory, Government and Sovereignty.

(1) Population : This is the main element of the state. A special community of the population is called the state. Without population state cannot be imagined. As the pot without mud and cloth without cotton is impossible, similarly state is impossible without population. If the population of any state is hard working, sacrificing and have deep love for motherland, then this state will continuously develop. In the contrary if the population of the state is lazy, selfish and having no feelings for the motherland, then this state will decline. This is the reason to be focused to make the population educated, hard working, humble and controlled.

Where on the one hand, it is very essential for the state to have an able, good and capable on the other it needs to be numerous. In the countries like Russia and America there are people living in millions. But in small states like Belgium and Afghanistan, the population is comparatively very less. So this is obvious that Russia and America will be more powerful in comparison to Belgium and Afghanistan. One of the reasons for the power of the countries like China and India is their population. Large population is helpful not only in military power but also the development of agriculture, trade etc. also depends upon the large no. of population.

Many scholars of political studies have considered on the fact that what should be the population of a state. According to famous Greek scholar Plato the population of an ideal state should be 5040. According to Greek thinkers, state should not be so small that any other state can defeat it easily. Alongwith that it should not be so large that it can not be ruled properly. The ideal size of the state will be in which it can remain, self reliant, can defend itself from enemies, and can be rules properly. After considering all these things, the ideal population was decided to be 5040. Aristotle was also a follower of Plato in this regard. He thought even having 10 thousand citizen is also more no. for a state. In the ancient Greece, there were so many small city states. They were spread in not more than some hundred square meters. Their population was also limited to some thousands. The rule of these states was often democratic. In that age, selecting the representative was not a custom. All the citizens used to collect in the 'Lok Sabha' to take decision regarding the affairs of the state. In this condition, it was appropriate for the philosophers like Aristotle and Plato that they should keep the no. of citizens in an ideal state upto five thousand only. If any state will have more population, then it will be difficult for its citizens to collect in the parliament and manage the work of the state and then these will be problem in the rule. In the history of Rome, we see that the population had increased a lot. Roman state expanded from the City of Rome to first till Italy and then till far off places. All the independent residents of the Great Roman Empire were considered the citizens of Rome but it was not possible for those living hundreds and thousands miles away, to come to Rome and take part in Parliament. As a consequence all the state powers of Roman Empire came in the hands of citizens of Rome and the rule of the Republic Rome instead of being Democratic, came in the hands of a specific group.

In the present time, due to the system of electing the representatives, it has become unessential that all the citizens collect in the parliament personally. Moreover, the humans have ruled the country and time due to the development of science and inventions of new technology. Because of this it has become possible that even in the large state millions of people can elect their representatives and make democracy successful. But considering the circumstances in which Aristotle and Plato have limited the population of the idea state to some thousands, it seems that their views were correct.

According to the famous political scholar Rousseau, the limit of the population of a state cannot be fixed, but there has to be a proportion in the population and land of a state. A state should have enough land for the survival of its citizens. The population of a state should be enough that the land can nurture them properly. Rousseau, thought on the question that how much land can nourish how many people. He could not make any definite law in this context because the fertility of the soil differs.

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Any land can nourish more people if the condition for agriculture and trade are favourable and on the contrary, it is not possible to nourish even a few people by large desert like areas.

Presently, from the view point of population, states are of both kinds big as well as small. The population of the countries like India, China, America, Russia etc. is very large. On the other hand, Monaco, Luxembourg etc. have very less population. In spite of this difference, it can be said that there has to be such a relationship between the land of the state and its population the land is enough to nourish the population of the state.

Subjects and Citizens: All those people who reside in a state are its subjects, but they all are not its citizens. In the ancient states of Greece, the majority of population was of the slaves, who had no right to vote or to be elected. For all the people living in a state whether they are its citizens or not it is compulsory to follow the laws of the state. That is why they are its subjects. But citizens are only those who have a right to select the representatives as per the constitution and also have a right to become representatives themselves. Now this difference between the subject and citizen is no more that important as it had been earlier. Now a days every one (excluding minors) have a right to cast vote whereas in that age, the power of the state was in the hands of a particular class and not in the hands of common man.

(2) Territory : Territory is as important for a state as the population. Tell a community of the human being permanently inhabits a piece of land, this never take the form of a Government take example of a nomad tribe. In such tribe there is population and union of population, its own law; practices tradition and custom. But we cannot call it a state because it is not established on a definite piece of land. The tribe when inhabit on a definite piece of land we call it a state. In the ancient history of the world various states like Sparta, Athens, Malava, Youdhey, Kshudruk etc. were initially in the form of a tribe. When they settled on a fixed piece of land, they were called states. In the modern age, Jews are such example. Till few years ago, Jews were settled in the various states of Europe. They had their own customs, religion, rules etc. but they had no fixed place on which they were settled permanently and call it their motherland. With the establishment of Israel, now Jews have their own state where they have started settling permanently. Even now Jews are spread in the other states in a large no. but now there is state which they can consider their motherland and birth place. Actually, as the soul needs a body similarly community of people also need a land. If population is the soul then land is body. Like we have sense of belongingness similarly community has a sense of belongingness with its land. In order to originate the feeling of unity and integrity, it is very essential to have this sense of belongingness for the land. This belongingness is very useful for the stability and power of the state.

From this view point, state is different from other human communities. Other communities have no connection with the particular land. For instance take example of religious communities. Christians, Buddhist, and Muslims etc. are also a type of communities, but they are not related to any specific area. They work in any area of the earth to propagate their views and to conserve people in their religion. Same is the condition of various, literary, scientific and economic communities. Apart from state, all other communities can live in one or more number in an area. In India, these are various communities like Arya Samaj, Brahmsamaj, Nagri Pracharini Sabha, Hindi Sahitya Sammellan etc. But state is such a community, which cannot remain more than one in one area, neither there could be any state which has no connection with a specific area. If in an area, there are more than one state, then these should be conflict, because sovereignty is an essential element of state.

As the merits and defects of the people effect the state, similarly the merits and defects of the land effect the state land does not imply only the place. All the rivers ponds, lakes, mountains etc., came under land. If there is a sea joining the state then this sea till the 12 miles from the land also comes under the state. The atmosphere which is above the land also comes under the land of state.

The land has a great impact on the form of the state. Great Britain is surrounded by sea so this state is just like an island. Same is the condition of Japan. This condition is helpful for these states to develop in the areas of sea. The reason for a strong many force of Great Britain is this speciality of her land. In the history of Europe, we have seen that Great Britain has always been safe from the external invasions.

The Great Britain had been safe from invasions of enemies also in two world wars of twenty century. The reason was that the state is surrounded with the sea and it not connected by land with any other state. On the Contrary Germany and France have no physical boundaries. There had been a continuous conflict in these states due to this specific condition of their states and they were not able to develop like Britain. According to many thinkers the reason for the development in the city states of ancient Greece was the special circumstances of their land. Greece is mainly occupied by mountains. Due to the mountain ranges Greek is divided in many valleys. In the ancient time, man had not made any scientific development so these mountain valleys always remain separate from each other. That is why, so many small city state developed in them which remain separate from each other for centuries.

As the physical conditions of the land effect the state. Similarly, climate, fertility and prosperity of the land also effect the state. Some part of the land in more fertile and the other in less. At some place, minerals are found in abundance and at some places these scarce. At some place climate is extreme hot and at other its extreme cold. French thinker Rousseau has propagated that in the hot climate, liberal rule is developed whereas in the extreme cold man cannot proceed on the path of development. In the place with the moderate climate, valid democracy is developed. But the history does not propagate this concept of Rousseau. In many states of Europe have a democratic rule in the presently but in the medieval age these were ruled by the uncontrolled kings. These had been democracy in the hot countries in the past and could be in future. India is such an example. These had been so many republic in this country earlier like Vajji, Malava, Kshudrak, Shivi etc. and now again the large Republic has been established in this country. Though the concept of Rousseau is not completely true but even then this has to be accepted that the climate has enough effect on the state. All those state which are in a good condition from the view point of their climate, they definitely get help in their development. Similarly from the achievement of minerals, costly wood etc. also help in the development of the state. The main reason for the industrial development of England is due to the presence of coal and iron in huge quantity. The reason behind the unusual achievement of Germany in trade in the early nineteenth century was also due to her mineral wealth. Similarly in India credit for the growth in trade goes to the coal and iron found in Bihar. In this year of nuclear power, these states take the credit for the growth of India in trade. In this nuclear age, all those state which have specific metals and elements to create this power, will no doubt get the special opportunity for development.

Extension of Land – Political scholar have also thought about the question that how much extension of land is right. Ancient Greek thinkers like Plato and Aristotle believed that the land of a state should neither be very large nor very small. Till 18th Century, thinkers did not consider a huge size of a state to be good. French scholar Rousseau has written that as the nature has fixed a specific size for human beings and those taller or smaller than that size do not look good, similarly nature has fixed the size of a well organized and well ruled state. A state should not be very vast because in this condition there could be no well organized rule. Alongwith that a state should neither be very small because in that condition, she would not be able to defend itself. If state would be very large, then it would be difficult to rule the far off area and people should not have an attachment with the state. Rousseau has also said that the form of rule and Government also depends upon the size of the state. Democratic rule is possible only in the small size states, in the medium size states hiarchical rule is appropriate and in large states any other rule except kingship is possible like Monteau. Many other French scholars have also given the similar opinions. In the conditions of eighteenth century, this was right. Till then neither there had been not been enough development in commerce nor man had got the victory over country and time. There had been no discovery of train, motor or radio till then. Man did not know any conveyance faster than horse. So there is no wonder that political scholars like Rousseau and Monteau consider democracy to be impossible in the large states.

In the present condition of the scientific development even in the large states, democratic rule has become possible. U.S.A. is such an example. Its area is two times of india. This has become possible only due to the victory of man over time and country due to the scientific development. Even from the point of view of the well arrangement of the state also large state is not a matter of loss. British

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empire is spread on almost all parts and so many areas and islands are under it. But her rule is not less than any small state. Its reason is the development in the means of transport.

In the present era, the small size of the state is a matter of loss. Two World Wars of the twentieth century have proved that it is very difficult for the small states to defend them. In the World War of 1914-18, Germany defeated a small state like Belgium so easily. In 1939-45 War, even for the countries like Czechoslovakia, France and Poland could not defend themselves from Germany. The power of Germany could be countered only with the combined power of British Empire, Russia and America. Now a days no small country can defend itself alone. This is the reason that various states of Western Europe are trying to make a union for their self defense. Atelic Pact was created for the same reason that even the middle size states have no sufficient for self-defense.

Small states have many other inconveniences. They cannot be economically self reliant and independent. They do not have enough revenue to collect the modern scientific means and weapons in a large number. The means to develop and use the nuclear power are very expensive. To collect this expense is beyond their imagination. Alongwith that, in this age, the extensive view to develop the civilization, culture and knowledge, is not possible in a small state. Communities that live in the large states include various elements of creed, caste, religion and culture. That is why, they have plenty of the various characteristics and expansion of view point.

There is no doubt that the history of the small states is very great. The great work done by the small states like Athens has done in history, that could not be done by the great Roman empire. Great philosophers like Aristotle and Plato, Socrates and historians like Herodotous were from small state of Greece. In India, great philosophers likes Shri Krishna, Vardhman Mahavir and Gautam. Budha were from the various small states. From the view point of the human civilization small states like Andhak Vrashni Sangh, Shakya Gan and Vajjisangh have more importance in comparison to the large states like Magadh and Vatsa. Large state had internal rebellions and civil wars. Mughal Empire and China are such example. A states like Germany and France cannot be called large. They are small states in comparison to India, China and Russia. Even then they are ahead from the other large states in terms of army, commercial development and culture.

The size of the state depends upon the condition of development of human society. No bout in the ancient time, small states were the best because good rule and internal arrangement were possible. There residents could also be more organized being the part of a nationality but due to the development in the means of transports, this has become possible in the large states as well America and Russia are no less than Belgium and France from the view point of rule and arrangement. The nature of this time is that the size of the states should increase, small states should unite to make a union and various human group should unite to develop such a culture and nationality in which alongwith keeping the specialities of the small human community should have a authority of unity.

Natural limit of State—What should be the limitation of the state? The question had always been so important in the history. Countries whose boundaries have been identified physically are very fortunate. The boundaries of Great Britain and Japan are natural. But many states of Europe do not have such physical boundaries. That is why, they keep on conflicting for the extension of land and to obtain such boundaries which are helpful in the development and prosperity. After the war of 1914-18, this nature became very strong in the European countries. According to the reconstruction of Poland after this World War, Poland was provided a gallery through Germany so that Poland can be connected directly with the sea. Poland had no boundary attached with the sea and this was not good for her foreign trade. That is why harbor of Dontings was transformed into a separate independent city under the national union and Poland was given a gallery passing from Germany to reach there. For Germany it was very bad but in order to fulfill the ambition of Poland, this injustice was done with Germany. Similarly Czechoslovakia and Bulgaria were also given the opportunity to be connected with the sea. It was unnatural to stay with these states for all those state which were included in the boundaries of these states due to this aim. Their boundaries were fixed by accepting the theory that each state should

have the facility of foreign trade and for that sea coast is essential. In Asia, Afghanistan is such a state which is far off from the sea. She has realized this deficiency and had always been willing to extend the land till the sea by including such places of Pakistan which are majority inhabited by Pathans. The form of states is just like that of a living creature. Like human beings state also puts efforts for its development and prosperity. Thus, if the political thinkers should propagate the theory that each state should get such boundaries which are helpful in her growth and prosperity. Physical boundaries of a state are useful for the security of the state as well. The boundary of many states are determined by any mountain, river or ocean. Earlier India had a physical boundary. India got strong boundaries which could give her a easy protection from the foreign invaders due to Himalaya in north, other mountain ranges in East and West and vast ocean in South. After looking at these natural boundaries of India, Chanakya has written that the vast land between the Himalaya and Ocean is a natural area for a Great Empire. But due to the making of Pakistan Eastern and Western India has no natural boundary now. There is no wonder that this situation would not remain the same for long and India once again will be able to obtain such a natural boundary which is favourable for her security. Usually boundary of a state is such that the entire land is together France, Poland, Italy etc. states are like that. But some states are such that their land is not at one place, rather it is scattered in the various areas of the land. Our neighbor Pakistan is such an example. Its land is divided in Eastern and Western Pakistan and the distance between the two is of thousands of miles. After the World War of 1914-18, land of Germany was also divided in two parts by Polish gallery. Great Britain is one state but many islands and colonies under this state are spread in far off places. There is no doubt that if the land of the state is together, it is helpful for its power. Scattered land is though not wrong from the imperialism view point, but from the point of view of the rule and prosperity of the state this is not right.

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State and ownership of land— In the medieval times, king was believed to be the owner of the state and he is the owner of the land of the state as well. During the age of feudatory prince process it was not unnatural because at that time various feudatory princes were the rulers of their areas along with that they were also the land owners of that area. At that time, the king was not only the ruler, but was also the owner as well. This was the reason that the kings could either sell their ruled area, could give them in dowry or could transfer it in any other way. As a person can give his house, animals, or other property to some other person. Similarly the king could exchange the land and the people living on that land as per his wishes. In the medieval Europe, many of the large and well extended areas ruled by Charles V were obtained by him through marriage. In India, Bombay was given to the British King as dowry. Till eighteenth century the scholars in Europe accepted the King's ownership on the land of the state.

This theory of medieval time got a set back due to the French Revolution. French revolutionaries propagated that the authority of the state is included in the people of the state. The power of the state is the power of the people so the ownership of the being on the land of the state is not possible. Various materials present on the land of the state are the property of the people. Power of state as also of these people and they give a right to use these to an organization called the Government.

Due to the theory of ownership of the king, many parts of the land including farms, forests etc. have been considered under the state. Farmers give revenue to the state for using farms. But traders and businessmen give tax on their income. If their income is less than a fixed amount, then they don't have to pay tax. But the farmer has to give tax to the landlord even if he gets four quintals of grains after ploughing are revenue of land and the landlord also has to give tax on that piece of land. The State has ownership on the farms and land and that is why the state is righteous to have its 'share' for its use.

Who has the ownership of land — State or people this is an age old debate. There is no doubt that in India, people are considered to be the owners of land. All these people who had the ownership on the land were called landlords. But as per many thinkers these landlords were only the agents to collect the revenue and not the owners. Thus, the owner of the land is the state which gets the revenue for the use of its land property and due to having the tender to obtain this revenue from

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the farmers, landlords are righteous to collect taxes from the farmers. We don't need to indulge in the conflict who is the owner of the land state or people? In the modern age, it is the nature of the state to establish its special ownership on the land and its related issues. Due to the development of socialism, this nature has become more intense. Not only on the land, state has started establishing its control over the factories etc. The individual benefits are negligible in comparison to the benefits of the community and the real materialization of the benefits of an individual benefits is also possible only by the benefits of community. Due to this theory, now the individual property has been replaced by the group property or state property. But due to this nature of the present age, the state which has established its ownership on the land and its related things, that is not an individual or a class but is only a group of the citizens of the state.

Land Apart from the State Control—As mentioned above, state has a complete right on the entire land under it. But this rule has many issues related to it. This is assumed that on the place fixed for the residence of the foreign ambassador; state has no right. Their citizens are not liable to the state laws. Similarly if any foreign ship has come on the harbor or in the sea of the state (with 12 miles) even that is free from the rules and law of the state. States have made such arrangements by mutual understanding. All the rules related to it are finalized by the International law.

There are several other matter on the land of state, which is decided by international relation. Same state has given rights of seashore, rivers, Pradesh to other state according to the federation. Britain, france, etc. states had this type of rights in china. Japan had taken the right of land to prepare train in the Manchuriya. Countries which are situated at a long distance to communicate with them wire is set an the surface of ocean, for this rights are taken frame different states. Minerals and oil wells of poor state are taken custody by developed state then they fix condition in which poor state will not interfere. This type of condition is fixed by state relation theory that state own her land is respectable.

(3) Government : The third important element is government. If group of citizen of a state is living an a particular land permanently then only the particular state will be declared as united with political sence. There should be own government of state by which she fulfill her aim, for which state is developed. Government is that resource by which state fulfill her needs. Collected needs of citizen is fulfilled and succeed in every steps is confirmed by government only. Citizens cannot be united with the lack of Government and Government cannot rule without the united citizen.

There may be aby face of Government, whether it is single ruling Government class wise government or democratic government its ruling on the state is important. Older time minister of India has given its name as 'Punishment.' Punishment rules over the citizen and punishment protects them too. When punishment was not effective the there was state of anarchy. There were no any ruler not ruled. Everywhere "fish-law was adapted. As the larger fish eat smaller fish in the same way powerful person captures the weaker people and destroyed them. No any people follow the humanity. The economic condition as well as happiness of every one was in danger land and people were available at that time no but in the absence of punishment and government every where, everything was in disorder, not in peace and state and united the citizen in political sence and moved towards the personal and united growth. "

The state of government can be developed at such level, such that each and every parts of human life is under control and function accordingly. By he side face of government can be like this is which it will concentrate only an development of peace, law, and order. There may be any face of government but it is important for the government that it has as much power so that citizen may follow its rule and regulation, also it may protect from inner and outer enemies in proper way.

(4) Sovereignty : The fourth important element of state is sovereignty. It is not important that permanent settle an citizen on a particular land are the United state. It will be declared as state only when it is sovereign. It will not be controlled by external power then it will be declared as state. On 5th August 1947 India was not a state, because it was controlled by Britain. There was fixed land of

India it has own citizen, it has own government, but due to the absence of sovereignty it was not said to be state. It was a part of British empire, State was British empire not India. There are a lot of state like Hongkong which is under the control of British Empire, which cannot be said as state because there is lack of sovereignty.

The states which are organized on the basis of Federal theory can have the doubt whether the sovereign power is in its organization or in its parts. U.S.A. and India etc. are organizational where New York, California etc. have separate Govt's at the same time; U.S.A. also has a separate Government In India the entire state has Central Government alongwith the individual Government for each states like Bihar, U.P., Kashmir etc. But in Indian democratic sovereignty is in the Union Government but not in the Government of its parts. The same thing can be said about U.S.A. In one state there could be only are sovereignty. The Govts of the various parts of Union States cannot be called 'Sovereign'. Yes, there are examples in the history, when so called 'Sovereign' states have made 'Union' partially for some specific purpose. Before the war of 1914-18, one such Union was of Austria-Hungry in which the Government of both the states were separate. Both the states were complete sovereign, though the king was the same. They had a mutual pact to support each other on some affairs like dissolution of part, and relation with the other nations etc. Similarly, after 1814 in the Union made by combing and various German states and Austria Sovereignty of various parts was mostly whole. Such types of Unions were very weak and their actual power was in the states which were included in this Union.

The authority of the state is possible, even if the sovereignty is partially restricted. There are many colonial states under British Commonwealth like Canada, Australia, Newzealand etc. which have a complete freedom in their internal rule. Though their sovereignty is partially restricted in some of the areas like dissolution of pact and relations with the other nations. They send their representatives in UNO separately, participate in the international conference as independent states and also establish separate foreign and pact relations with their neighbours. In spite of all this, it is hoped from them that being under British Commonwealth, they should work in the foreign matter with the discussion and support of Britain. They have their loyalty and devotion for an external authority i.e. British Crown. From all these view points their sovereignty definitely becomes restricted but as they have a right to be separated from the British Commonwealth, so they can be called 'State'.

It is not only free from the control of external power, but a state should be free rather it should have its ultimate authority in its internal area. Whatever human beings and creatures reside in the land of state or whatever material are present in that area, state should rule them and have right on them. If it does not happen then these will be anarchy and state will no longer remain 'State'. Man can make various organizations like religious, economic, cultural, and literary. But it is essential that all these should be under the state and should follow the directions of state and should accept the authority of it. There could be community as competitive or rival to the state. In area there can be only one state power. There can be no other state in a 'State'. This is possible and right that for the convenience of the work of state the use of state power is divided at many places. In a large state like India, it is right to establish regional district and city Govts alongwith the Central Government. But they all obtain their power from only one source. Actual sovereignty is included in one source only. This source is Indian State, such a community of permanent residents of Indian land which are organized from the political point of view and is completely sovereign. The constitution of India, expresses her power of sovereignty and authority which has divided the use of state power in Central and State Government for the convenience to rule.

People, Land, Government and Sovereignty – These are the four major elements. But apart from this state has two more elements which are called stability and equality. Infact, these both elements are such specialties of the state which differentiates it from other communities. These also need to be highlighted briefly.

(5) Permanence : Another important element of the state is called 'Permanence'. This implies that inhibited in an island, organized from the political view point and sovereign community always remain

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'permanent'. This is possible that state dissolves, as becomes dependent on other or losses its separate authority by joining with the other state. But inspite of all this, if once a community become 'State' after organizing the from political view point, then it can never attain the condition of anarchy. India divided in two parts - India and Pakistan. But due to this division, state power did not diminish. The stateship of the community remained the same. When this country was under British Rule, even this there was stateship in its community, though it was under the British State. After the World War of 1914-18, Serbia alongwith her neighboring areas transforms into Yugoslavia, but due to this charge the 'Stateship' of Serbia and those so called areas did not destroy. There comes change in the area and form of state, sovereignty and state power of the state also takes different forms but due to all these changes, these comes no change in the permanence of the state.

This is the reason that whenever any state due to being dissolved in some other state, due to being divided or due to coming under the rule of save external authority, takes another new form, then her government becomes owner of the property etc. of the earlier state and alongwith that becomes responsible for the debit and credit of her. After being separated from British Empire and becoming an independent the new Indian state has obtained not only all the property of British Government but her all debts also. Whenever after the World Wars new states are reconstructed by International pact, then the new constructed often taken over the previous debts. Russian, Bolshevik Government had refused to take the responsibility of the debts of the Warship Government and Karnes's democratic Government. This is the reason that U.S.A. had refused to accept the legal authority of Russia. We have already propogated that by the change of Government, these comes no difference in the stability of the state. Government and state are two different things. There are often changes in Government and it is unstable. On the contrary, 'Stability' is an important element of the state.

(6) Equality : From the point of view of the International law all states are equal. The difference from the view point of land, people and military power is clear. Some state are big, some are small. One is powerful, another is weak but in the international area everyone has the same place. This is the reason that all the state included in the UNO have been given equal place in its general assembly and every vote is equal. There is an apparent difference in the power of the states like U.S.A. and Belgium but in UNO, the vote of both of them carries equal weightage. The United Nations established after the World War of 1914-18, also accepted this theory. The basis of this theory is that as in a state all the citizen irrespective of difference in the wealth, education, bravery, have some rights and condition similarly in International areas also all state should have the same place and rights irrespective of the difference in their power.

But inspite of theoretically being equal, these states practically have a difference. How can the countries like Iraq or Burma can have the similar importance as of America Russia in the International area? This difference is evident in the organization of United Nations also. In the Security Council five powerful states (America, Russia, Britain, France and China) have been given the right of permanent membership as well the right of Veeto. This right has not been given to any other state. Even though from the Internal law, all states have equal place, but in practical politics they do not have this equality.



Task

Express your view on the essential elements of the state.

State as the Supreme Association

State is the name of a community of human beings. But apart from state, human beings can be United in various other communities also. These communities can be of different types.

(1) Religious : Various religious communities like Christians, Buddhists, Hindu, Muslim are present today and had been in the history. There was a time when they also had huge power like state. In the medieval time, Christian Church was extraordinarily powerful in Europe. This was compulsory that every individual is under Church and abide by its orders. Church also used to collect taxes from the people like state. Church had its own law, own courts, own police and its own punishment system. Church had huge amount of wealth which he used to fulfill its aims. In the ancient India Bodh Union was also very strong. In Muslim countries, state was under the influence of religion and in its parts, state and religion were under the same authority.

In the present time also Christian, Buddhist etc. religious groups and churches are present. In India, Arya Samaj, Brahm Samaj etc. are such communities which have proper members, managing committee, office bearers, property, treasure and representatives committee etc. These communities collect regular financial income from its members in the form of donation and in a way also keep a control on their disciple. They also have an arrangement to punish the members to break their rules.

(2) Financial : There are many communities present from the point of view of finance like workers union, farmer's union etc. In the ancient time, workers had 'classes' and businessmen had 'Corporations' which had their own members, own law, own behavior and characters. They had a strong control over their members. No person could dare to ignore or break the rules of his class or corporation. State also accepted their rules and also considered it useful that workers and businessmen should follow the rules of their groups or communities. Present financial communities like trade unions have an important place in the human society. In the economic life they have a very high place. They do very significant work in defending the benefits of their community, helping in the trade development and having influence on the Government. They also have definite members, rules, stable treasure, regular income and law of punishment etc. Many time they became so powerful that they are able to enforce the Government to fulfill their demands.

(3) Political : In this age of democratic rule, political communities are very significant. These political groups are in the form of political parties. In Britain, there are three major parties - Labour, Conservative and Liberal. In USA, Republican and Democratic all the two main parties. They have their members, fixed rules and definite organization. They do not lack money and they are in continuous effort to overpower Government. Their way of working is after valid and they try to get votes from voters, to have majority in the parliament and in this way try to take the authority of rule in their hand.

But for some time some such political groups also developed in the state which consider the use of constitutional and peaceful ways as insufficient. They have very aggressive ideas about the organization of the society and they do not consider it wrong to use aggressive means to materialize their ideas. Examples of such political groups are Nazi party in Germany, Fascists party in Italy and communist party in Russia.

(4) Cultural : Human beings have organized various community for education, spread of knowledge and discoveries. Many communities are made for public services e.g. Red Cross Society, Sarvodaya Samaj, Ramakrishna Sevashram Mission etc.

Difference Between State and Other Communities – Human beings have developed many organizations apart from state. Man is a social animal. He has expressed his sociability in many forms. But state is always very different from the other human communities. This difference is basic. We can differentiate the state with the other communities in the following manner:

1. Apart from the state, the membership of all the community is voluntary. If a person wants, he can be a member of any religion, political economical or cultural group. He can remain member of this group for any period of time and then later on anytime can separate himself from it. On the contrary it is compulsory for every person to be a member of the state. No person can be such who is not a part of a state community.

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2. Every person has a right to take membership of as many groups as he wants. But a person can be a member of only one state. Usually, it is not possible for anyone to be a citizen of more than one state at a time.
3. Other communities do not an area fixed to a specific place. Many communities are global. The branches of Red Cross Society, Arya Samaj and Communist party etc. are spread in many countries around the world. But area of state is fixed to a specific land and area it does not have an authority beyond that.



Did You Know?

Every human being has a right to be a member of as many communities as he wants provided he follows their rules.

4. Other communities are organized with a single or more than one fixed objectives. Red Cross Society has fixed goal, Arya Samaj was also organized with some fixed goals. But it is not possible to limit and finalise the aims of a state. State has been organized for the benefit, welfare and security of the people. But the word 'benefit' is so vast that there are so many things that come under it. This is reason that working area of the state keeps on expanding. On one hand state takes the responsibility to defend its people from the external and internal enemies, on the other hand it puts efforts for its multi dimensional development. This is the reason that it takes charge of the welfare works like education, health etc. and from the view point of human benefit controls and manages many trades/businesses. State can take charge of any work and can interfere in any work for the sale of human welfare. To maintain peace and arrangement is such a work which no other community than state can do.
5. Other communities are unstable whereas state is permanent. Other communities are established with some fixed objectives and when these aims are fulfilled, they finish or they diminish on their aim due to the internal weakness. But state is such a community which remains stable. Changes in Government come due to revolutions and conspiracies. The form of state also changes due to victory or division but the stability and permanence of the state does not change. The authority of the state is compulsory for the security and benefit of the human beings, so it never dies. Man can live without any other community but in the absence of the state there will be a condition of anarchy, there will be a fish law and the life and property of man will be no longer safe.
6. No other community has a right to use power to get their wish and instructions followed. Religious community show the fear of hell to their disciples, economic and political community pressurize their member on social boycott and similar other ways, but state is the only community which can punish the people to get its directions followed; it can get them arrested or can even give capital punishment. This speciality of the state can not be found in any other community.
7. How should a man make other communities, what should be their rules – these things can be controlled by the state. Human beings have no right that they make such communities whose objective is against the good conduct and which are harmful for human society. This means that state can interfere in other communities and can compel the other communities that they remain under the control of the state and follow its instructions.

State is the Supreme Community – As the State is community of the human beings similarly church, Labour Union, Red Cross Society etc. are also the community of human beings. But the main point of distinction is that it is supreme and all other communities have to be under its control. If the state considers the works of any community against the common welfare of the people then, it can even use the power against it. Supreme may or the authority is such a speciality of state community which is not found in any other community.

The Goal of State Community is Good Life – All the other communities of human beings are organized with some definite goal or so called definite reasons. The aim of Arya Samaj is to spread the knowledge of Vedas. Various Christian Churches are formed to spread the teachings of Christ. Labour Unions are formed to advocate the benefits of the labours and universities are formed for higher education. Rich people make companies so that they invest collectively and earn money through it. Various political parties are formed with the purpose that they can manage the state rule by their own ideas. But state community has not been organized with any one fixed objective or so called fixed aims. This is the result of the social feelings of the human beings. For human life, his authority is essential and he always tries that the common welfare of the human beings is advocated and through this humans are able to lead a good life. Aristotle has presented this fact in this manner – “State is such a group of families and villages which aims to attain complete and prosperous life which means wealthy and respectful life.” While clarifying the same fact, Aristotle has written that every community advocates save or the other welfare, but state is a community which is best in comparison to the all other communities and its aim is to propagate the maximum common welfare. The differences between the state and other communities are clarified by the above statement of Aristotle. There are two main differences in state and other communities:

1. State is better than any other communities. It is supreme.
2. Other communities have an aim to propagate a special benefit, but state propagates the maximum and best benefits of the human beings. What is this best benefit of the human beings – in this context the ideas of people had not remain the same. They have been changing as per the time and circumstances but in the age in which ideas about the maximum benefits of the human beings, state propagates those objectives. It always attempts to establish the best life and this makes it different and better from the other communities.

Pluralism – The difference between state and communities which we have propagated above, from these it is informed that State is Supreme and better than any other communities. All other communities are under it and remain in its control. Many thinkers of ancient times have opposed this idea. They believe that state is also a community like any other community and instead of being the ‘God’ of the other communities; it is just like a fellow to them. For instance take the religious and economic communities. Every person is related to one or the other religions community. One is a member of Arya Samaj where another is of Christian Church. The devotion of human beings to these religions community is similar to his devotion for the state. If the state wants to take action against any religious community then many people will face the dilemma – which is more significant for them devotion to religions community or devotion towards state. If a state makes a law against any religious community, then any people will instigate to oppose it. Same thing can be said about economical communities as well. In the modern times, farmers and labours have made many such communities which are very powerful. Through these communities producers try to keep hold of the origin, management and control of the finance. As the state manages and controls political life, similarly economic communities control the economic life. They members of these economic communities are very much devoted to them. Now the question is – why should state be considered above all these communities? Why not it be considered equal to the other communities which is instead of being above them, is only similar to them.

In the medieval Europe, Church and State had been rivals. At that time it was compulsory for every person to be a member of church and follow its instructions. Church had control even on the kings. All those European kings who tried to ignore the instructions of the church, they were even punished by it. In medieval Europe, state was such a community which was not better than the church. At the most it could be called equal or similar to church.

Even presently, some communities in the form of Fascists, Nazi and communist have developed whose members have an aggressive devotion and loyalty towards them. Some people do not hesitate to ignore the state for their political parties, communists parties of various countries are always eager to even go for revolution for their own theories. Many Nazi and Fascists parties were ready to take side of Italy and Germany against then our state before the World War of 1939-45. In a democrat state like England,

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due to the power of the trade union its members have an aggression allegiance towards its economic union. So, keeping all this in mind, we can say that state is also just a community of people and the allegiance of people can be towards more than one community. The work of the state is mainly, the control of political life and its main aim is to defend from the external and internal danger. It should limit itself to this area only. The other communities should be allowed to work freely in the matters of religion or economic etc. What should be the form and method of education – What is the need for the state to think about it. This is the work of those universities, which also a community of people. So this work should be done by the universities. The religious communities have to decide – How should be the moral life of the people, what should be the ideals of good conducts, what should be the social behavior of people. Why should the state break its head over these issues? Similarly how to originate economy, what should be the condition of the workers working in industries and farmers working in farms – These questions are to be determined by the economic communities. Why should state interfere in those? State should accept that it is also a community like other communities and it also has a definite aim and reason. There is nothing other than the people as the basis of its power and authority. State is a man made community and other communities have also been made by man. As the political life of the people in organized in state similarly religious, economic and cultural life is organized in other communities. As the state gets strength by public opinion similarly, other communities also get strength by the public opinion. This theory of considering the state equal to the other communities is called "Pluralism".

Macbier has propagated this point of view in this manner – We do not deny from the fact that state is a community or is a kind of a community. We have to definitely declare that state is just a community of a family or a church. Similarly state is also created by an organized group of people which is organized by the so called limit objectives. Organisation of state is not the organization of complete society. All those objectives which human race wants to achieve, cannot come under those objectives for which state has its existence. This is quite clear that the means with which state fulfills its objectives are only a few of those means through which human beings keep on trying to meeting their objectives and desires while staying in the society.

If we accept this theory of Pluralism, then we have to accept that authority is not supreme in the state. But the question is that if there is a mutual conflict among what communities present in a definite land, then how to solve it. Take the case of economic community. This is possible that there is conflict in consumer and producer, labours and capitalists and landlords and farmers. In this condition, there has to be a supreme authority to resolves their issues and take decision. Even if we assure that there are no differences in labour and capitalism peasants and landlords, and customers and consumers. The complete economic life has been organized under one organization. As the state is the political community of the people, similarly there has developed a whole economic community also. Even in this condition there can be a circumstance that there evolves a conflict in the economic and political welfare of the people. There is a need of any kind of sacrifice big or small for the security and safety of the state. Through state a condition is created for the life of people through which they along with being free from all types of internal and external fears, remain busy in their benefits and welfare. The community which creates this condition should have the right that when required, it can have a control on the other communities of the people.

This is right that in the modern age, the other communities of the people are also significant. As we have written earlier other communities are organized with some specific objectives; whereas state is established for the public and common benefit of the people. There will be an anarchy in the absence of the state and there will be fish law. For the life, survival and development of life we need to have an authority which keeps everything under its control and is supreme. Whatever is the significance of other communities in human life, but there could be no comparison with the state. It is necessary to have a supreme authority in human life. This authority is called state.

State as an Association of Associations

Claryfying the form of the state, thinkers have given special significance to the interpersonal relations of the association and state has been characterized on their basis. This type of thinkers can be divided

in two categories— Monists and Pluralists. Monists consider state to be the best and supreme in all human communities and consider all other communities under it. Famous Greek philosopher Aristotle was a disciple of this view. According to him state is the name of “a group of families and villages”. In the age of Aristotle, there was an authority of many city states. These city-states included many village communities and families. Every family had its own organization whose president or the head was called ‘Kulmukhya’. Village communities were also organized separately whose head were called ‘Grannies’. State was a higher community in comparison to these both. As Aristotle has propagated state as “Such a supreme association among all associations” whose aim is to obtain prosperous life. According to this thought all other association are not equal rather lower than state and state has a higher and better condition in comparison to them.

In the 16th Century, a French thinkers **Bodin** has also agreed to Aristotle and has described the state as – “State is such a community of state families and the authorities present under their collective right, which is ruled by a supreme power and tolerance. According to this characteristic of Body state is the name of that collective form of power and wealth of many family communities and which is ruled by a properly made Government.

In the modern age, Fascists thinkers while giving more importance to state, have propagated it was the supreme community and other communities under them. According to Fascist theory, state is created not by the individuals, but by the ‘group of individuals active from national view point. As the body has many parts similarly state also has many parts. State is constructed by the collection of all the communities in which people are involved in useful, economic and social works and only they can be considered as the part of state. The authority of these groups based on the work or profession is natural and essential. It is natural and right for every human beings that they should collect with those who are involved in same or similar work or profession and make association. These association should be organized in a way that other communities are able to contribute in the national welfare with their support. In the state parliament these communities organized from the economic view point should get the representation. Instead of Territorial Constituencies for the election of representatives in the parliament, communities based on profession or vacation should be given the opportunity to send their representatives. In this way, according to the Fascist thinkers state is the supreme organization of those community which are organized on the basis of economic work and professions. Other organizations are not equal to the state and their condition is lower in comparison to state. Other organization are organized on the economic basis and give support to the Supreme organization i.e. State For the National Welfare.

The Pluralist of the modern age do not support this form of the state. According to them the sociability of the man is multifaceted. It is not possible to bring all these under state. Man organizes himself in various organizations from the view point of religious, cultural, economical etc. State is the name of that organization which man has made from political view point. But human beings have organized various and organizations on the basis of religion, economy etc. and these are equivalent to the state. It is not right to consider state as higher than them. Because other organization are equally important to man. So instead of considering state as an organization of organization, we must take it as equivalent to other organization. Because other organization are equally important for human beings so state can not be considered as better or supreme. The duty of the state is only to establish a kind of unity in the arrangement of collective relation of the human being.

We have already analyse pluralism in the previous discussion. According to this thought apart from state, the significance of other states also increases so much that without any control on them, there could be condition of total anarchy. There is no doubt that sovereignty or the Supremacy is such a speciality of the state which is not found in other organization. Monishes more favourable to the fact than pluralism. It is necessary to have a supreme authority to maintain arrangements in society which can control the people and the activities of their various organization. The form of state propagated by Aristotle seems to be in accordance with the present fact also. In the modern time also, it can be

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said about the state that various human organizations are under its working area and it establishes its control on them in a way that they all prove to be helpful means of common welfare of the human beings.

State as a Class Structure

According to so called thinkers state is, only an organization of such special class which can dominate the other classes. The main propagators of this idea are those socialist thinkers which consider state to be only a means to exploit the other classes by the one specific class. According to Karl Marx. State is a means of exploitation of the poor by the capitalists. According to Marx in every social organizations there are so many such classes which continuously keep on conflicting with one another. In history we get five kinds of social organization. (1) Preliminary Society; (2) Society dependent on slaves; (3) Society dependent on Fendalist; (4) Society based on capitalism; (5) Socialists Society. In these various social organization. There had been an authority of class conflicts. Only preliminary society class was free from conflict because in it every person himself used to produce the things required by him and so there was no chance for exploitation. In slavery and feudalism, the means of production came in the hands of a specific class. This class did not used to labour on their aim, rather they used to spend a comfortable life by making the class which did not have these means to work. In age of slavery, so called elite class people became the owners of the land and by the toil of the slaves started producing wheat etc. The agriculture work had been done by serf in feudalism age. In the modern capitalism, the means of production like capital is in the hands of a specific class which by buying the labour of wealth and capitulars labour, does the work of economic production. State institution had always been a means through which the wealthy class, exploits the labourers. The words of Karl Marxs are very evident in relation to the modern capitalism – “In the capitalist arrangement state is such a means in the hands of capitalist class through which he rules, the labour class in the slavery by binding them in chains of slavery. That is why socialists believe that in the capitalists arrangement state intentionally propagates such means, works and rules through which labour class can be exploited at the most. Its main aim is to obtain the surplus value of the labour of the labourers.

According to **Lenin**, state has always been a mere organization of a specific class and its form will always remain the same so that one particular class can always get benefit. State can never take a form due to which there could be good for the entire population or in which various economic group can work together with mutual cooperation. People believing in democracy expect from the state that it can be a mean for the common good of the people. But this is always useless. That is why when the socialist arrangement will be established after the end of capitalist arrangement, even then state will remain a means for the benefits for a specific class. In that arrangement state will protect the benefits of common farmers and labour class. In that case it would not be able to benefit the capitalist or those classes which are not labours. That is why, in socialist Russia, only those adult men and women have been given the voting rights who are beneficial for the society and earn then livelihood by helping in the labour and production work. Socialist thinkers accept this fact that the established arrangement in Russia also favours only one class (labour class) rather than favouring the benefits of all classes. This is natural and right because state had always been a propagator for the benefits of a specific class and the form of the institution of the state is like that it can favour only one specific group. In the older states (Slavery, Feudalism and capitalists) the minority class was benefited and in them labour class was exploited. But the class which socialist state benefits is much larger and the aim of this is also to finish all classes and to establish a class free society. But when this time will come, then there will be no other class other than labours in the society, in that case there will no need of the state. In this way, there is no difference in socialists and Anarchists on the fact that in the end such a condition will be originated in which state will automatically diminish. Labour class also needs the state only till the capitalist element is destroyed. After they are destroyed, there will be no need of the state.

In this way in socialists opinion the basis of the state is class arrangement. Because there are many classes in society and there is always a conflict in the benefits of these classes, so state can benefit only

that class which has the power. Power had never been in the hands of the same class. In the medieval time, it was in the hands of lords. In modern age, power is in the hands of capitalist class and now in the socialists state this power is gradually coming in the hands of the farmer – labour’s hands. Till the time there will remain the authority of various classes, the need of state will remain because through state a special class is able to get its benefits.

State as Power System— Thinkers have give much importance to the theory of power. According to them State institution is based on the power. This ideology was started by the famous political thinker of Italy name **Maccuwalli** (1461-1527). According to him there are two powers to inspire a man – selfishness and fear. Man is selfish and greedy by nature. But along with that fear also influence man’s life. Man organized as the state institutions due to fear. So king should use a policy through which the subjects should be scared of him. The basis of the state is the power of the rulers. According to the German thinkers **Nitse** the orders of the state are followed because it is most powerful. If his orders are not followed then it has the power to get his orders followed forcibly. Another German thinker **Tretsche** has also propogated the same fact. He used to call state as the “Direct form of power”. British philosopher. **Herbert Spencer** has also called state as the measurement of power. So many other thinkers of Europe have given much importance to element of power while thinking about the form of the state. Even the ancient political thinkers of India also gave much importance to the power or ‘Dand’ and believed it to be the basis of the state. When under the leadership of Hitler, Nazi arrangement was established in Germany, even then the Nazi thinkers of also considered the basis of their theory to be the power.

Similarity Between the Class Organization and Theory of Power— Those who consider state to be a class organization, also accept that state is such a powerful class which exploits the other classes and uses them for its benefits. According to **Openhomer** the class which established the state, is called the winner. Other classes are its subjects. It is essential for the state institution that one class is victorious ruler and other classes defeated, ruled or subjects. As the winner gets the victory by power so it is the power which is the base of the class organization form of state. The idea of the conflict of the classes given by the socialists like Karl Marx is also a form of the theory of power. So the theory of class, organization and power have a lot in common and similar.

Criticism of these Theories— It is not always true to consider state as class organization or power based. Though in the state institution, there is no sufficient place for these elements. This is right that class organization and power are important elements of state but they cannot be considered as the basis of state.



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The main foundation of the state is not power but will tolerant citizen do not abide by the orders and law of the state just because there is state power behind it.

They follow them because these are the materialized version of common desire. State institution is the result of sociability of human beings. State has been organized because of the nature of the human beings to live in society or group. Thus, this form of state is not accordance to the fact in which only the element of power is given importance.

Form of State as The Legislator of Law and Order

Some thinkers while analyzing the form of the state have propogated that the state is the only institution and organization which has a right to make law. The legislator of the legal arrangement present in

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the human society. State is the place of origin of the law. All those people who are included in the organization of state, are compelled to accept the laws created and accepted by state so we should consider state as legislator of the law and order. Mr. H. **Wilobi** is the main propagator of this thought. Keeping this mind, he has characterized state as – State is such a political authority which has a right to make law.” No other organization apart from state has right to make law. Other organizations do make rules but they can not use power to get these rules followed. This is the basic difference between the law and rule that the rules are followed as per the will of the person people cannot be compelled by force to follow the rules. But people are compelled to follow law and power can be used to compel them. At another place, **Wilobi** has clarified his idea by saying that, “State is that group of human beings which has a well organized group community and above it there is a ruling power considered as the place of origin of those order which are implemented morally and legally on all the people under that community.” According to this characteristic state is such a well organized organization in which there is an authority of ruling power and the orders passed by this power it is the legal and moral duty of everyone to follow these orders. In this form of State, his speciality of sovereignty is enforced and it is propagated that it is the only state which can establish an arrangement in the human society which is legally and morally compulsory for everyone to accept.

There is no doubt that supremacy and being the establisher of the law and order is a necessary speciality of the state. But the form of state cannot be clarified by giving more importance to only law. Though law also has an important place in state but it is not everything in state institution. In the modern age, the aim of the authority of the state not only to establish law and order but it tries for the public interest and common welfare and the people have a hope from the state for many such works which are not related to law and order. In this condition it is not right to consider state as a legislator of the law and order. But this is quite clear that to establish law and order is an important work of the state.

Form of the State

We have already discussed about the various characteristics of the state as per various political thinkers. Alongwith that, we have already propagated that how the different thinkers have propagated, state from various view points. What is state? What is its form? All the thinkers are not unanimous on this question. Various thinkers have propagated the form of the differently influenced by the condition of the age and specific view point of the ideology. On one hand, thinkers like Karl Marx consider state to the best human organization which benefits the class organization and common welfare. We have already mentioned the various point of views and ideologies about the form of the state and in the following chapters we will highlight them in detail. But here we will mention them in brief.

(1) Form of State on The Basis of Aim and Work : There are so many ideologies in political studies like individualism, socialism, utilitarianism, idealism, Anarchism etc. there are so many differences in their ideas. They have different opinion about the form of the state as well.

Individualists consider state to be a necessary evil. So, according to them their work area should be limited to minimum. Its work should be limit to guard the state from the internal and external enemy. Its form should be like that of police.

According to **utilitarianism** state is such an institution whose aim is to do maximum good for maximum people. Its aim, work and form should be determined by keeping utility in mind.

Socialist consider state in the form of a class organization. It benefits duly one particular class with the historical development, this class to benefit from the state institution also changes.

According to the thinkers of **Idealism**, state is an institution which has its different individuality and different desire and in its individuality and desire, everyone’s indioriduality and desires are included.

All these ideas about the form of the state are result of a specific view point and ideology. But all these do not clarify the form of state and neither on its basis any such characteristic of the state be identified through which its form is properly clarified.

(2) Form of State from Legal View Point : Many thinkers have given importance to the legal aspect while propagating the form of the state. Any organization of human beings; which has the power to release such law or orders which are compulsory to be followed by all the individuals of that organization; can be called a state. **Wilobi** has characterized this point of view as – "State is that political person or authority which has right to make law," All the thinkers who give importance to the legal basis of the state, differentiate the state with organizations on the basis that it holds the power to give orders or reliable the law. State has sovereignty in its internal matters and keeps the capability to make everyone follow its orders. This is its most important speciality. From the point of view of International law, state is a separate unit and how will be its relationship with the other states is undebatable. So if we have to propagate the form of the state, we need to think about it from legal view point. From the legal aspect, these thinkers who give importance to the complete sovereignty are able to give good characteristic of the state, but it does not give a clear form of the state.

(3) Form of the State on the Basis of its Relationship with Other States : What is the relation of the state with the other human groups? What is the difference between the state and other organization. After analyzing all this, some thinkers propagate the form of the state. That is why state is called the organization of the organization and it has been propagated that where other organization advocate. Some special benefits of human beings, state advocates their common and large benefits and provides them a better life. From this view point, it keeps control on the aims, works and activities of the other organization. According to these thinkers, man is a social animal and lives in a community and through community only develops himself. State is the best form of the sociability of the man.

(4) Form of State on the Basis of Essential Elements : We have written earlier in this chapter that there are four essential and main elements of the state i.e. population, land, rule and sovereignty. Apart from these stability and equality have also been considered as elements of the state. In whichever human organization all these elements are present, that is called state. All the characteristics of the state on this basis very well clarify the form of the state. According to **Garner**, "State is the name of that organization which whether more or less in number, but is permanently settled on a fixed piece of land, which is completely free from any external control and is often independent and in which there is a well organized Government and all the residents of the land are used to abide by the orders of the Government" Many other Scholars of political science have also characterized state on the basis of these essential elements. We have already mentioned these elements in the chapter earlier. In the words of **Gaitel**, "The state is destroyed if it is devoid of any of these elements. It is essential to have all these together in state. State is neither only the population, nor land, nor Govt, rather it is a combination of all of these. Alongwith that state should have that unity due to which it becomes a separate and independent political authority. So we can characterize state as a name of society of people which is situated on a fixed land and has no external legal control and has such a well organized authority of the Government which makes and implements the law for all the people and communities under its area."

This characteristic of the state is prevalent from every point of view. In the history also this characteristic was available in each and every form of the state. So in order to clarify the form of the state this basis is the basic which clarifies that with what elements it is made up. There could be a difference about the aim, reason and work area of the state but there could no better basis to clarify its form.

State and Nation

Nation: We have already explained that what is the implication of state. We call nation to a state whose residents are united and have the sense of nationality. State could be such which has people of different types. Before the World War of 1914-18, in the state of Austria-Hungary many different communities used to live like Austrian, Hungarian, (Zechslovak) Slav etc. Though it was a state, we could not call it a nation. Till the time Ireland was a part of Great Britain, British parliament used to rule it. Great

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Britain was a state but not nation because Irish people did not have a feeling of togetherness with the residents of Britain. Till the end of Eighteenth century many states of Europe were not formed according to the theory of nationality. French Revolution of 1789 gave birth to the democratic rule and strongly propagated the theory of nationality. Till 1918 many states of Europe were created by people of various types, belonging to different castes. States based on the theory of nationality like Poland, Czechoslovakia did not exist on the map of Europe.

Feeling of Nationality – Man had this nature since beginning that all those who have same creed, language, religion, customs and historical tradition should live together in an organization. In the beginning years of the history, these groups of similar people were called Tribe or 'Jan'. When one tribe or 'Jan' used to make a separate state on a definite piece of land then it was called 'Janpad' or nation. In the ancient scriptures of India both words – 'Janpad' and 'Nation' have been used for these states.

The feeling of Nationalism was one of the new powers or natures evolved after the French Revolution. All those who are unanimous from the point of view of religion, language, breed, customs and historical tradition, they should have their separate state and in this state instead of a self appointed king, the rule should be as per the public opinion of common people. This theory is given by the French Revolution. That is why when Louis XVI ran out from Paris, then one Frenchman had said, "Even if the king has ran away, doesn't matter, the nation is still there". Beginning with the French Revolution, this feeling of nationalism increased and gradually, most of the states of Europe were built on the theory of nationalism. Not only in Europe, but even in continents like Africa, Asia etc., this feeling is getting intense and now time is not far off when all the states of the world will be transformed into Nation. The state created as per the theory of nationality is called a nation. Nationalism is one of the basic feelings of the human race. In the beginning all the groups, organized in the form of 'Jan' Caste or Tribe, this feeling was there at their base. For many centuries till medieval time, this feeling was suppressed. In the modern times, this feeling again become intense and now people of different states like France, England, India, Indonesia, Barma, Poland etc. are eager for their national independence and collective development. The reason for all this is this feeling.

The feeling of mutual unity in a part of the human race is called nationality. This feeling is evolved due to the similarity of religion, breed, language, behavior, customs etc. All the residents of a state who have this feeling of mutual unanimity is called a Nation.

Various Elements of Nationality

All those elements like breed, language, religion etc. due to which feeling of unity originates in human beings, need to be considered extensively.

(1) Unity of breed : It is natural that all those who belong to the same breed have a nature to consider them as united. In the beginning all those various 'Jans' who created different Janpadi and nations were same in their breed.

Now a days, it is very difficult to call the people living in different state to belong to one pure breed. They are the mixtures of various breed, even then they have this realization that they are one from the point of view of race or breed. From the point of view of the political studies this realization of being united by breed is enough. French, German, British etc. consider them one from the perspective of caste. If we consider only residents of England, then they are also mixture of Kelt, British, Angel, Norman etc. But even then, they have a feeling that they are English. Same can be said about French, Italian and German etc.

(2) Unity of Language : Language is an important element for the development of nationality. Language is the only medium through which man or human organization can express its feelings in front of others. As the mountains rivers or oceans hinders the people to meet each other similarly difference of languages, hinders the establishment of mutual relation among human beings. Human society is

also like a living body and also has its personality. The best means to express the personality. Various communities of people have their own norms, feelings and ideas. To express these only language is used. Where specialities of a specific human organization is expressed by music, poetry and literature it is quite clear that without language, music, poetry and literature cannot develop. Language is the means through which people came closer and become intimate. This is the reason that people speaking the same language have a feeling of unanimity with each other. So far the feeling of nationality element of language is very essential.

But there are so many nations where group of people speaking more than one language reside. Three languages are spoken in Switzerland: French, German and Italian. But inspite of having difference in languages, Swiss people have feeling of nationality. In Canada there are two languages French and English. Even their Canadian people are one nation. In India there are so many different languages. But even then the residents of India consider themselves to be the residents of one nation. The feeling of nationality is present in all Indians. In Pakistan there are many languages like Punjabi, Urdu, Sindhi, Bangla etc., but even then the feeling of national unity is present in her residents.

But it has to be accepted that due to the difference in language, feeling of nationality became weak upto same extent. In there at times the regional feelings becomes intense in Maharashtra, Tamilnadu, Andhra, Punjab etc. The main reason for all this is difference of languages. That is why the need to develop one national language is felt in accepted as the national language and when in the various provinces of this wide state proper convessing of Hindi will be done, then the feeling of nationality will becomes stronger.

(3) Unity of Religion : Religion is also very important to bring the people together. Something which transforms the people and they find happiness in this world and in the heaven is called religion. Though the basic elements of all the religion are the same but their external cover is different. There is no specific difference in the moral theories and rules of conduct of various religions like Islam, Christians, Boddh and Hindu etc. but there is a wide difference in their rituals and beliefs. All the people who worship one God, perform same rituals and follow the same social behavior, it but natural that they should have the feeling of unity.

In the modern times, there had been a difference in nationality due to the difference in religion. Till 1731, Belgium and Holland were one state. But residents of Belgium were Catholic and of Holland were protestants. In 1831, the state lost its unity and divided in two different states primarily in the name of religion. When Irland was a part of Great Britain, Irish were eager to have their own state. The main reason for the difference between British and Irish was that British were Protestant and Irish were Catholic. When Irland got freedom then residents of one of its own area Alster were not ready to live with Irish people. As a result, Alster was not included in Irland. The main reason behind the division of India in India and Pakistan is the difference of religion.

But in the modern time, difference of religion had not been an obstacle in the feeling of nationality in many civilized and developed states. In Yugoslavia mainly Serb and Crate people time. Serb are followers of Greek Catholic and Crate are followers of Roman Catholic church. But in both the races, there is a feeling of nationality due to the similarity of breed language and customs and that is why, they did not give much importance to communal and religious differences. In china there are a good no. of Christians alongwith Buddhist. But due to the unity of language, culture and breed Chinese Christians do not consider themselves different from Chinese Buddhists. In Egypt there are about 10% Christians but they do not believe in the necessity to consider themselves different from 90% Muslim.

(4) Geographical Unity: In the people who live in an area together, gradually mutual relationship is developed and they consider themselves to be one. For the feeling of national unity, geographical unity is essential. After residing at a place for a long time, people of different breed or religious also start having the feeling of unity with the other residents of that place. Parses of India are such examples. Their caste is different from the other people of Mumbai. But due to the geographical unity, they have become India like the Hindus of Mumbai. In U.S.A. apart from English there are enough no. of German, Greek, Italian, French and Japanese. But due to the Geographical unity they all have become American. Same can be said about the French and English people residing in Canada.

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(5) Unity of Cultural and Historical Tradition : All those communities which have same culture, customs and historical traditions, they also share the feeling of national unity. Probably in this age, this element is very important for national unity. Poetry, art, literature, music and language – all these contribute in the development of culture. As the man proceeds towards civilization, he does not toil only to satisfy his physical requirements. He also wants fulfill the requirement of his heart and soul. These are fulfilled by poetry, art, music etc. and all these collectively a develop the life of the man which is called culture. All the countries like China, India, France, Russia etc. have different cultures. All those who have same culture, enjoy to meet and live together. Due to this there comes a feeling of unity in them which is the most important supporting factor of nationality. People of various castes living in America have accepted one culture. People of China have various religions but their culture is one. Same thing can be said about Russia, India etc.

(6) Unity of Political Ambition : All the people who have same breed, language, religion etc. desire to have their separate state. The feeling of Nationality materializes by state only. Before the World War of 1914-18, Pole people were under three states – Germany, Austria and Russia. Apart from being under the three different rules, they had this political ambition to get free from the foreign rule and make their independent state. After the World War of 1914-18 this ambition was fulfilled. Similarly, slaw people of South-East Europe scattered in various states were able to fulfill their political ambition in the form of Yugoslavia. Muslims of India also fulfilled their political ambition by the creation of Pakistan. Jews had their political ambition materialized in the form of Israel.

Nationality is a feeling. This is the result of mental thinking and feeling of humans. On the contrary state is a practical authority. When the state is created as per the feeling of nationality, when the feeling of mental unity is reflected in the state, then we call it a nation.

State and Society

In order to understand the form of state, it is essential to know the difference between the state and society. Man is a social animal and living in society is his nature. Man exhibits this nature by making various communities and relations with his companion and other human beings. These relations control and limit the actions of the human beings in many ways. After establishing relations with the others, man cannot do what he wants. He can neither remain completely free nor obstinate. Being a part of organization they has to follow a definite arrangement, and live within limitations. Due to his relation with the others, man has to think that his which behavior is not right and which is right, what kind of conduct is appropriate, what are the things to be considered while behaving with the others. In the life of a man there is a web of relations with each other and this is called society. In this way society is a very vast noun in which all types human relations are included. State is very narrow and limited in comparison to society. State has a specific knowledge about the human relation whereas all kinds of human relations are included in society. We can clarify the difference between state and society in the following manner:

1. Society is vast and state is narrow in its comparison. In society all types of human relations are included (Religious, political, economical, cultural, domestic and moral etc.). On the contrary in state only political relations of human beings is included. There is difference in the cause and aims of state and society. As **Barker** has written “There are differences in them from the view point of cause. The authority of the state is just for one great because whereas authority of society is for many cause some of which are great and same common – though they all are vast and serious collectively.
2. There is difference in the organization of both state and society. Organization of state is very strong and everybody has to follow it and it can even use power to make his orders be followed. On the contrary, organization of society is neither strong nor clear. Society is

created by the combination of various communities and organizations. Even the rules and norms of society are followed by the people by their free will and not by the use of any power.

3. Society is ancient because living in society is man's nature so social life and organization began with the origin of man on earth. Man used to lead a social life, even when state institution did not come in existence. Family, lineage etc. were the different forms of his sociability. State started later state - institution is also a result of sociability of man.
4. Whatever are the essential elements of the state, these are not essential for society. The element of population is common in both. But element of Government and sovereignty is not found in society. Alongwith that there is no fixed land for society. The element of sovereignty is the speciality of the state. This is not found in society.

Various human relation whose mutual cooperation society is made, include political relation also. The area of state is limited to these political relation only. But the area of society is much vast in its comparison. In the circle of society all those parts which are related with the other people are also included. Though, society and state are two different authorities, but they both have very deep relation. It the state which creates such circumstances due to which man alongwith the others is able to develop various relations. It is the work of the state to create peace, order and care freeness in the society. But alongwith that it is the society which creates a background due to which the institution of state is able to work. Any political organization cannot remain stable till there is no authority of sociability among men.

Self Assessment

Multiple Choice Questions:

4. Which of the following is not an essential element of state?

(a) Population	(b) Land
(c) Government	(d) Resources.
5. Which of the following countries has largest population:

(a) India	(b) Nepal
(c) China	(d) America
6. When did the first World War start?

(a) 1915	(b) 1916
(c) 1914	(d) 1918

3.1.2 Origin Theory of State

There had been a dispute since ancient time about the origin, nature, are and subject matter of the state. Where the distance from city-state to nation state has been covered, there various point of views about the nature and subject have been developed in this time sequence. As Greek philosophers Aristotle and Plato consider state to be the supreme institution.

At the same time liberalist also support state but they support ban on some works and want to extend some of its works upto every field of individual. On this basis, liberalism is divided in persinuistic and optimistic liberalism. Similarly anarchist consider state an essential evil and Marxist consider it to be a machine in the hands of capitalist to exploit state. It is essential to finish it by Blood Revolution.

The liberalist of the beginning, advocated to leave the man free and advised the state to not to interfere in their affairs. In this age not only the personal life of the man was restricted but even these was restriction

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in doing business. In 18th century, due to the Industrial Revolution, it was but natural to revolt against the unnecessary prohibitions of the state. Large production had started due to the mechanization. So in order to sell these goods in new markets and teach the profit, producers demanded for their rights. So there is no wonder that in this background state was considered as an evil. Though it was an evil but it was essential because it was necessary for the security of life and property of human beings. Thus considering state as evil, the philosophers of this age, propagated on various basis that the work of the state is negative. It cannot interfere in the works of a man. Adam Smith, Lock, Germe Benthem and Herbest Spencer are mainly among those who propagated the negative form of individualism and presented the side of limiting the work area of state on various grounds.

1. Thoughts of Adam Smith

In the age of industrial revolution, Adam Smith, opposed the interference of state in the economic area of an individual to fulfill the timely necessities. He limited the work of state to establishment of peace, law and order and said that economic areas should left free for the economic rules to be regularized. Rules like demand, fulfillment and free competition give order and arrangement to the economic area. State should not control the economic area of a man. Its work is to check if in the economic area and in other economic activities, conduct is being done as per the rules or not.

He considered state as the police state in which the work of the state is like the referee of a football match. He said that the judge does not play the game but watches all the players are playing as per the rules. The work of the state is also like the judge of the economic field. It has to only see that are the economic activities are going on as per the rules. The interference of state in economic field is not inappropriate. He has supported mainly the following works of the state:

1. To defend the country from external attacks.
2. To defend society from violent incidents and to save man from exploitations and tortures.
3. To arrange for roads, bridges, canals, banks, educational institutions etc. because this is not possible on individual level.

2. Thoughts of John Lock

John Lock had an opinion that in any state the judgement of the population is always supreme. He used to say that state is a human institution and its basis is not supernatural but the acceptance of the people and sovereignty is also in people. Actually, Lock is in favour of Legislative Monarchy.

(i) Human Nature: The political philosophy of **Lock** is based on the human nature, but his thoughts on human nature are contrary to **Hobbs**. **Lock's** human being is cooperative tolerant, benevolent and peace loving. He is full of feelings of love, charity, unity and goodness.

Lock believes that the source of the human activities is desire. Whatever gives him happiness is good for him and whatever makes him feel sad is bad for him. **Lock** considers man a peace loving and social animal.

(ii) Natural Condition: Lock describes the natural condition. He believes that though there was no political awareness in natural condition but even then man was full of social feelings. He used to feel happy in the presence of other human beings. He was not selfish and conflict loving. According to Lock, at that time, man had very limited requirements and used to fulfill them very easily and at this time he had important natural rights like life, freedom and property etc. All were alike and "Whatever behavior you expect from the other, same do with others". This rule was very famous. In this way man was not unhappy in the natural condition.

According to Lock, this happy life does not last for long. But gradually many in conveniences originated. First inconvenience was that there was no definite definition of the natural laws. Secondly, in the

absence of judges, every person used to take decision also about his case. Thirdly, there was a lack of power to implement the law. So in order to get rid of this difficulty the man did mutual agreement.

(iii) Social Agreement: Human being did mutual agreement to finish this natural condition by collecting together. As a result of this agreement citizen society i.e. state was created. Man instead of giving all rights, gave only the right to explain natural rights, to do justice and punish the culprits so that rights of his freedom of life and property can be defended. Lock says that an used to describe the law in his favour and used to decide his works on his own life judge so as to fulfill his selfish motives. In this age there was no power to materialize the work so the citizen state i.e. State created by man by their mutual agreement, was surrendered to their rights. Through the medium of this agreement they made an arrangement to defend their rights of their life, freedom and property.

Lock has described the nature of state, the rights of man and his political duties in his important book '**To Treatises on government**'. His political thought can be underlined in the following way:

1. **State is a negative institution :** The state propagated by **Lock** is a negative state. He does not give responsibility of moral and economical development of people to the state. He gives limited works to state. He gives limited works to "the state like", to maintain law and order, to defend the country from external attacks and to arrange the courts so that the natural rights can be preserved". He has given a image of negative state by keeping the works of public welfare outside the work area of the state.
2. **Difference between state and government:** **Lock** has arranged for two agreements. According to the **first**, whatever human beings did mutually and a citizen state i.e. state was formed and according to the second rule or the **Government** was established **second** agreement between the people and the ruler. In this way **Lock** has differentiated state and **Government** in which state is permanent and rule is temporary. **Government** is an agency to materialize the desires of the state.
3. **Ruler can be changed:** It is the responsibility of the state to fulfill the condition of the agreement through which rule has been originated, but its form is limited. If the ruler is not doing the work lawfully and as per the public opinion, the people have a right to displace him and give power in the hands of a new ruler.
4. **Ultimate power (sovereignty) is in population:** **Lock** includes the ultimate power (sovereignty) in the public.



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The work of the rule is to protect the important natural rights of man like life, freedom and wealth. The basis of his powers is the agreement of the public. The public is the ultimate power holder.

5. **Theory of separation of power:** **Lock** has supported the theory of separation of power by dividing the rule in three parts in which legislative, administrative and legal do their own specific works. Not only this but he considers legislative more important as it expresses the public desire and gives it a higher place than administrative.

3. Ideas of Gerome Benthem

The utilitarian ideas of Gerome Benthem were inspired by the ideas of David Hume and Priestley but the credit of giving an arranged philosophical form to utilitarianism goes to Gerome Benthem.

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Though basically Gerome Bentham is utilitarian but his utilitarianism has supported the theory of liberalism. The basis of his philosophy is human welfare. He says that man works according to his two basic natures – Sadness and Happiness. The work with which he gets happiness, believe to be beneficial and wants to escape from the work which gives sadness because this is problem causing, bad and useless for him. In this way Bentham believes that there are two things behind every work that a man does and these are happiness and sad. A man wants to do that work which gives him happiness. Contrary it, a man wants to escape from that work which gives sadness. In **Bentham's** words, "nature has kept man under two masters – Happiness and sadness. So it is the duty of these masters that they should tell us what we should do and decide that what would we do?"

Bentham has described the law also on the basis of utility. According to him the welfare of man is supreme. He says that the importance of state and law is their social utility. Thus the basis of the state and its norms and works are based on its social utility. State is a group of people so its aim is "to do maximum happiness of maximum people". The cause of the state is to obtain a happy life. The work of the state is make such laws which give happiness i.e. are for public welfare.

It becomes evident from the above description that the utilitarianism propagated by **Bentham** made him a support of Individualism. His ideas which support the liberalism are explained as under:

- (i) The happiness of man is supreme.
- (ii) The aim of the state is to give maximum happiness to maximum people because it has been created for this reason only.
- (iii) In order to fulfill his above mentioned objective, state should make such laws which give maximum benefit to maximum people. It is the moral right of man to prohibit the laws which oppose the public welfare.
- (iv) Open competition in the market is helpful in the production of best quality of goods and on the other hand due to this goods can be obtained at a lower rate.

4. Ideas of Herbert Spencer

Spencer was an aggressive individualist who forced on limiting the work area of the state. He propagated his entire political ideas in the scientific background. He gave recognition to the analysis of natural science by Darwin according to which there is a continuous conflict going on in nature. In nature various creatures want to use the sources of survival so there is conflict among them. In this conflict only the powerful services and use the sources. The view point of Darwin that in the struggle going on in nature only capable creatures survives and incapable destroyed has been used by the spencer in social life and proved that even in society there is a continuous struggle going on and as per the natural law, "**survival for the fittest**," in this capable and powerful will win and incapable and weak will destroy. On this basis spencer clarified that state should not interfere in the works of the nature. Due to the interference of the state, there emerges an obstacle in the natural development of man.

Spencer considers state as an essential evil and it is created by evil. This is not an institution of welfare. So if state will interfere in the interpersonal relation then the evil will be originated and the development of human society will stop. The work of the state is only to see that various people of the society are getting the freedom to behave as per the nature. So the work of the state is to remove the obstacles from the road to development of the individual.

Spencer says that the nature of the state is to do harm to the people. So it can not be given the work of education, health, helping poor, security of weaker section etc. He favours to give prohibition works to the state i.e. the work area of the state is limited to depend the society from external enemy and to protect from internal struggle and conflicts.

Spencer has implemented the law of '**Survival of fittest**' to the economic area also. He says that industry and business should work on the theory of free competition. State has no right to interfere in its physical development. He opposed the interference or control of the state in obtaining personal wealth and development of autonomous economic institutions. He is in favour of giving three works to the state:

- (i) To defend from foreign enemy.
- (ii) To establish internal peace and order.
- (iii) To implement valid agreement.

In twentieth century, there had been some negative liberalists who have advocated to limit the works of the welfare state to the maximum.

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Self Assessment

State whether these statements are True or False:

- 7. There is conflict since the ancient time about the origin of the state.
- 8. 'Treatises on Government' has been written by John Lock.
- 9. Bentham has described the state and law on the basis of utility.

3.2 Summary

- In hindi the word 'State' is used in various meanings. France, Britain, U.S.A., China, India etc. are called states. But alongwith that New York, California etc. which and under U.S.A. are also called states.
- As per the socialists the basis of state is class-arrangement. Because there are many classes in society and there is always a conflict in the benefits of these classes. Thus state gives benefits to only those classes which have power in their hand.
- Those who believe state to be a class-organization, they also propagate that there is one such powerful class in state which exploits the other classes and uses them for his own benefits.
- All those who live in an area together, gradually relation among them increase and stand understanding themselves as one physical unity is compulsory for the national unity.
- Due to the machine age, the production on the large scale started and the producers demanded their rights to sell these goods in the new market and earn profit.
- In the time of industrial revolution, smith opposed the interference of the state in the economic area of a person for the fulfillment of timely necessities.
- Human beings made mutual agreement to finish the natural situation. As a result of this agreement, citizen state i.e. state was created.
- Various creatures in the nature want to use the sources of survival so there is a conflict in them. In this conflict only powerful survives and uses the sources.

3.3 Keywords

- 1. **Origin** : birth
- 2. **Stated, Represented** : Definite, Fixed

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3.4 Review Questions

1. What do you understand by state?
2. Describe the essential elements of state.
3. Describe the theory of origin of state.

Answers: Self Assessment

- | | | |
|---------|-------------|---------------|
| 1. 1917 | 2. Musolini | 3. Fixed area |
| 4. (d) | 5. (c) | 6. (c) |
| 7. True | 8. True | 9. True |

3.5 Further Readings



Books

1. Political Theory : R. K. Pruthy.
2. Modern Political Theory: S.P. Verma, Vikas Publishing House.

Unit 4: Sovereignty

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Objectives

After reading this unit, students will be able to:

- understand the concept of sovereignty.
- evaluate the concept of sovereignty.
- understand the legal sovereignty.
- know the thoughts of Austein on sovereignty.

Introduction

Modern states are sovereign. According to the legal conception of the state, sovereignty is an essential element of the state without which no human organization can be called a state. According to the liberal point of view, politics is a process of establishing a social accordance by limiting the conflicts and by resolving the issues in the society. This process is undertaken by state or the political system. Sovereignty implies to that legal authority through which state is able to accomplish the political process. In the common language sovereignty means supreme authority *i.e.*, an authority which no other ruling authority. For the existence of any state unity is very essential which means the population of the country should follow the orders of one and only one authority. There should no division in the power which makes the people follow the orders. Infact, sovereignty represents this unity. This is the authority which is supreme and free from both internal as well as external view point.

4.1 Concept of Sovereignty

There is no basic difference about the meaning of sovereignty in the political thinkers of west. Sovereignty is considered to be the supreme power of the society. This is an uncontrollable high power and state bears this power. Many scholars of politics have defined sovereignty. According to Bodan, "Sovereignty is such a ruling power on citizens and ruled on which there is no boundation of law". According to Gracious, "Sovereignty is the supreme power of that person whose works are not under anybody and whose wish no body can deny. This is the moral power to rule. According to Black stone, "Sovereignty is that compulsory, supreme and uncontrollable power in which supreme legal power dwells." According to Jalineck, "Sovereignty is that characteristic of the state due to which it is not under compulsion for any one else's wish or external orders except for its own wish". According to polock, sovereignty is the power which is neither temporary, nor given by anybody; neither it abide the rules which it can not change nor it is responsible for any other power on earth". According to Wudro Wilson, "Sovereignty is a power which by always remaining active, makes law and makes it to be followed". According to Wilobe, "Sovereignty is the supreme desire of the state". According to Berges, "Sovereignty is the fundamental, unleashed and unlimited power on the people and all organizations". Apart from it Austein, Garner, Laski, Gaitel, Gilcriest etc., have also defined Sovereignty similarly.

There are two aspects of the sovereignty – (i) Internal and (ii) External. Internal sovereignty implies to the power and capability of the state to make and implement the laws and to make the people follow the orders. External sovereignty actually implies to the recognition given by the International Law to the supreme right of a state on a definite piece of land. This means that particular state is accountable for in international relation about that definite piece of land. External sovereignty is also essential because every state wants the supreme right to make and develop the relationship with the other states. As the contemporary states and becoming more and more interdependent, the importance of external sovereignty is increasing. The external sovereignty means to warn the other states that they should not interfere in the matters of other states. But as it be clarified in this chapter that now a days no state has full control on its internal and external incidents, though it does not mean that the importance of sovereignty has finished.

4.1.1 Evaluation of the Concept of Sovereignty

This concept of sovereignty to be the supreme authority on a fixed piece of land is a modern idea and its origin is related to the rise of modern nation-state. But it does not imply that the ancient and medieval time were totally ignorant about it. The implication is that the context in which it is used today, earlier that was not much stressed upon. Even this word was used to give clue of the supreme authority. The modern concept of the sovereignty developed in three phases: (i) Its origin was due to the ancient tradition and the pure material used in medieval times. (ii) The dictator kings of the early modern age used it. (iii) In 1688, after the establishment of the responsible government in England, the redefining of the concept of sovereignty was done again and again.

The city states of ancient Greece were self reliant, independent and free. All these city state were acquaintal with the "Supreme Authority of the complete community". They considered law to be their boss. In his book "Politics", Aristotle has classified the states on the basis of the condition of the supreme authority. This means that according to him the form of the Government depends upon the fact that the supreme authority is in the hand of one person, few persons or a majority class. In Roman States population was considered to be the source of the supreme authority and in order to justify their power, ruler used to give reference of the wishes of the people. But the origin of the modern concept of the sovereignty is the contribution of Feudalism because in the hierarchical pattern of the Feudalism, every authoritarian used to be the Suzerain of his area. Implication of the sovereignty was the overlordships on these suzerains and whereas suzerain implied an authority which accepted

another authority over it. So in this way the last level of the authority was called sovereignty. With the rise of the modern nation state and fall of the feudal structure; the king became sovereign. So, the modern sovereignty is the contribution of the history. In other words, the concept of supreme power was ancient whereas the concept of territorial overlordship was medieval. With the combination of the supreme authority of Greeks and the concept of territorial overlordship of the medieval times, the concept of sovereignty in the modern times developed.

Apart from this, we get glimpses of sovereignty even in the religious hierarchy of the medieval times. According to Brik, the chief of the religious places were also called sovereign. According to Greek, with the rise of Pope as the supreme power is Christianity, the idea of supreme kingdom also originated.



Did You Know?

With the overlordship of Pope, the authority of the Emperor remained as a shadow and the kings of England, France and Spain became their under workers.

But as the power of the kings increased, after the war between the pope and the king, the concept of sovereignty developed. Philips the fair and Luis of Baiberia were the initiators of this revolution. The kings of the nation-states were called Emperors. There was no deficit of the theoretical supporters of this power of kind. Marceus and Maicawali supported the side of nation-states. Boudeaux and Hobbs, presented it in the form of an arranged theory. After wards in the coming political philosophers kept on redescribing it as per the time and circumstances.

Self Assessment

Fill in the blanks:

1. According to..... Concept of state, sovereignty is the essential element of the state.
2. There are two sides of sovereignty internal and
3. Territorial overlordship was a concept of

4.2 Legal Sovereignty

The aspect of legal sovereignty was first of all clarified by Bandeax and Hobbs and later on Benthem and Austeins described it elaborately. Bandeax saw the king of France in the form of an uncontrolled emperor from which the people of France expected for the security and who was symbolic of the unity of the France. According to Bandeax, the king was supreme as the maker of law and its implementator. So, there was no need of the godly assistance to fix his rights. The supremacy of the king was a proven fact. According to Brice, there were many other reasons also for the description given by Bandeax. For example the establishment of the king as an omnipresent sovereign, the decay of the power of pope due to reformation and renaissance and the fall of the feudalism due to the rise of business class etc. Bandeax fixed all these in the appropriate structure and propagated the theory of sovereignty. By sovereignty he implied, "the supreme authority ruled on the citizens and ruled over which is not prohibited by the law". This uncontrolled authority is a source of law but is not bound with the law. Sovereignty is everlasting because this is the only speciality of the unity and stability of a state. Sovereignty should be free from any higher law maker. The sovereign declares the war and peace. He is the last judge of justice and only he can forgive the trailers. He is the one to lying all taxes, to circulate revenue and the last decision maker of the policies of the state.

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Though the sovereign is above the law made by him, even then he is not above all laws. According to Bandeaux the sovereign has to be under the Godly laws, awes of nature and international laws. So in this way Bandeaux has accepted the moral prohibitions on the sovereign. Apart from this, sovereign is bound with the agreements and pacts made with the citizens of the state and with other states. He is bound with the fundamental laws of his state as well and cannot take away the property of the citizen with his own wish. In short, Bandeaux has mixed the pure legal perspective with the moral and political ideas.

The contribution of giving a clear, logical and appropriate expression of the sovereignty goes to Thomas Hobbs. He has not given any place to morality in his theory. As it is clear from the theory of the social agreement of Hobbs that through agreement every person without any condition to rule his own self to another person or a group of people and that person or 'a group of persons' is not a part of the agreement. So the sovereign is not only uncontrolled but also unaccountable and is not bind with any law of man or God. The wish of the sovereign is the law. From the perspective of the law, Hobbs has not doubted about the omnipresence of the sovereignty. While describing the rights of sovereign, Hobbs writes that as the subjects cannot change the form of Government and similar the power of sovereign is not taken back. No one can oppose the establishment of the sovereign. If majority of people have accepted the sovereignty of an individual then, the minorities should also follow his orders. No one can raise finger on the activities of the sovereign. It is the sovereign who is the decision maker for the work done for the peace and safety of the state. He is the decision maker about the education and ideas given to the subjects because peace and security can be established by collecting public opinion. Similarly the entire power of the citizen's laws related to the morality, validity of good and evil in society are in his hands sovereign is the ultimate judge for all laws of citizens and nature. They has the right to declare war or peace with the other countries, appointments in defense services, allowances and taxes for war. Similarly the right of selecting officers and ministers, giving justice and punishment to the subject remains with the sovereign.

According to Hobbs, the rights given above are the summary of the sovereignty and these rights are undivisible and ungiveable because their division is the division of the state. In short, **sovereignty is compulsory for the state. This is unlimited and undivisible. In the absence of sovereignty, peace and a good government is impossible. Church is also under the sovereign. Sovereignty is uncontrolled, omnipresent, stable, and non-transferable. Limited sovereignty is a kind of conflict in its own.**

After Hobbs, the redescription of the sovereignty continued as per the condition till Benthem not clarified it.



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Benthem defined sovereignty is the supreme power to make law. Benthem stressed on the fact that the source on the fact that the source of law is the sovereignty of the state instead of the law of nature.

4.3 Austein's Theory of Sovereignty

John Austein gave the most clear description of the legal theory of the sovereignty. Austein was a lawyer so in his analysis and clarification there is no place of moral and historical elements. While describing the sovereignty, he has written in his book *Lectures on Jurisprudence*: "If any definite best person who is not used to follow the order of another best person; is able to make the major part of the society follow his orders, then that definite best person is sovereign and that society (alongwith best person) is political and free. Law is the order of the sovereign and it is such an order which given

by a person of a higher rank to a person of lower rank. All the other members of society are bound and dependent. Sovereign is the maker of every law directly or indirectly.”

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The above statement of Austein can be described as:

1. From the view point of sovereignty, it is compulsory to have one best person in the society. This means the formulas concepts like ‘Law of Nature’ and ‘Common Wish’ cannot be sovereignty. A sovereign has to be a definite and living person so that people are able to identify his supreme power which gives them security. It is very essential to have a formed and clear personality from the legal view point. In other words, there is no place of Godly sovereignty here. Sovereignty is related to the human beings to the appropriate subject of the activities of the state is human law not the law of God.
2. One best person should not be under another best person. This means, the supreme power of the organization should not be in a situation in which it has to follow the orders of some other power.
3. This best man should have the obedience of a major part of the society. This means that a major portion of the society should be abiding the order of the sovereign by nature obtaining the power temporary, does not make this person sovereign. Obedience should be continuous, regular, permanent and by nature.
4. The order of the sovereign is law and something for which permission is not granted or the order not given by him is not law. It is not possible to make law in the absence of sovereign.
5. Sovereignty is unlimited and cannot tolerate any hindrance.
6. Sovereignty is indivisible which means no body can divide it. This is supreme, non-givable, omnipresent and united power.

Criticism of Legal Sovereignty

From the pure legal view point, Theory of Austein is the clear analysis of the sovereignty. But in the context of the necessities of the modern state, this theory is very limited. This theory can be criticized on the following basis:

(1) According to Brice, Austein has given us such a theory of sovereignty which is far away from the modern states. This theory can be applicable only for two types of states – States having supreme legislative assembly like Great Britain or Supreme tyrant rulers like Russia in Zar era. In the modern democratic countries which are ruled by the written constitution and where political authority is decentralized, there as per the definition of Austein no sovereign is found in the form of a definite, best and formed personality. In the analysis of the political institutions of England also Austein was wrong from the theoretical view point because in the parliament of England, sovereignty is in the ‘King-in-Parliament’ which means king, House of Commons and House of Lords. Similarly Austein’s theory fails in the Union Government also because according to his theory in America neither the president is sovereign or the legislative assembly. There only the authority to amend the constitution can be sovereign. But is necessary to clarify here that though it is difficult to find a definite sovereign in such states, yet his existence cannot be denied. Even in Union States it is possible to find the supreme authority as the last source for appeal.

According to Sir Henry Man, Austein theory is not applicable on the undeveloped countries because the definition of law given by Austein that the law is the order of the sovereign; is not in accordance with the facts. In these states the basis of law are the customs and traditions which are the results of the collective realization of the society instead of being the order of the sovereign under which even the sovereign is there and which cannot be changed easily. Thus the difficult and complexity of Austein’s

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definition is about the residence of sovereignty from the legal point of view and this problem cannot be solved till sovereignty is not seen from the historical and political view point.

(2) Another criticism of Austein's theory is regarding its definition of law. According to Austein definite best person is the law maker and his orders are law. About the customs and traditions Austein believed that those for which the sovereign gives permission these are also called orders. Austein's theory is wrong upto the limit where he considers all orders as law and lays maximum stress on the element of power. The supremacy of the sovereign could be only for the fixed constitutional laws. He cannot be only law maker in the society. According to Dhugni, state does create law whereas law creates the state. Law is abiding by because this is essential to get the social unity and not because it is the order of the sovereign. Similarly crab has also found the validity of law in the feeling of justice of the social organization rather than in 'order'. The theory of Austein emphasizes only on 'order' and does not try to investigate the realities behind these orders. Laws are the expression of social necessities and to consider them only order is to limit the definition of law. Similarly, undeveloped states and empire were also the medium to depute the army for war. They neither used to blame the fixed law nor used to explain the customs of judiciary. In these states authority was indefinite and did not dwell in a particular person.

(3) Another criticism of the legal sovereignty is related to its uncontrollability. According to Austein, sovereignty is uncontrolled and unlimited. This does not accept any limitation and bindings. But according to its critics, sovereign is bound to the political and historical limits. No state is super power. Every state is limited due to the rights of its subjects on the internal level and due to the pacts with the other state on the external level. Apart from these, a sovereign has limitation of customs and many other influences and pressures of the society. These are called "Political Sovereignty" (these will be described in the next chapter) Austein gives no importance to the customary laws (which are not made by State). But it is true that even a tyrant dictator cannot give order to finish the important customs of the state due to the fear of disobedience of his order.

Similarly, from the external view point, a sovereign is bound to follow the pacts made with the other nations. But in this context Austein believed that these limitation inspire of being legal, are moral and self acclaimed. From the legal view point law is supreme.

Austein has not rejected the importance of customs and international laws. But he stressed on the fact that for the effect administration, there is a need for the centralized power in one authority and most of the people of society should follow it naturally. Infact, the main aim of Austein was to clarify the difference between legal and moral and formal law and customs. Despite of being a harsh definition of the law, there was a social reform on the reactive social customs. Austein's practical aim was to ferric the legal arrangement from the burden of customs of that age.

(4) Similarly, the theory of Austein can be criticized on the fact that it motivates legal dictatorship Austein himself was aware of this criticism and believed (which is not wrong) that there could be no step by step ladder in the supremacy. The aim to advocate the tyranny of the sovereignty is to help in the creation of reformative law and not to regenerate the legal dictatorship. According to Austein, customs and law of God are neither free nor above the law created by state. All these are under the laws of the state. Sovereign should rule with dictatorship- this was not the idea of Austein. So, Supreme legislative is omniscient from the legal view point.

(5) Another criticism of the Austein's theory is related to undivisibility of the sovereignty. According to Austein Sovereignty can not be divided; division of sovereignty is its end; divided and classified sovereignty is a conflict in itself. But many modern writers related to pluralism' have objected to it. According to these writers, in every political society, the works done by the state are divided. On the Government level, alongwith the legislative sovereign, there are officiating and legal sovereigns. All these three authorities are independent of each other. When the legislative dissolves. The officiating becomes the sovereign. So sovereignty is not divisible. Apart from it, in twentieth century pluralists writers like Laski, Macaiwer etc., challenged the non-divisibility of the sovereignty on the basis that

society is a combination of many communities and state is also one of the social community. Thus it cannot claim for the tyrant and non-divisible authority. State can use the sovereignty by sharing it with the other organization of the society. In short, sovereignty can be divided and should be divided. This should be decentralized in the political, economical social and cultural organization of the society.

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Task

Critical describe Austein's theory of sovereignty.

Political Sovereignty

Apart from the above mentioned legal view point, sovereignty has many other meanings also. Here we indicate the reality of sovereignty. As it has been clarified in the context of the criticism of Austein's theory, in many historical circumstances, as per the concept of Austein's theory, sovereign becomes their absent or ineffective. Such situations are instead of being issues are common in political life. In other words, as Dice has said there is another sovereign ahead of the legal sovereign is from of him even the legal sovereign has to bow down. To understand these situation we use another concept of sovereignty which is called 'Political Sovereignty'.

The rise of political sovereignty is associated with the establishment of responsible government as a result of glorious revolution of England in 1688. As told above, Hobbs advocated the uncontrolled unlimited sovereignty through his sovereignty related theory. On the contrary, John Lock in 1688 presented the view point of 'constitutional Government' and 'Sovereignty of the nations in support of the revolution of 1688. Lock was infact in favour of divided sovereignty. In his book two treatises on Government he has described three supreme powers:- (i) The supreme authority of the citizen's society which is the ultimate determining source of the power of Government; (ii) Supreme authority of legislative because citizen society deposes the legislative for good laws and security. (iii) The supreme authority of administrative associated with legislative. According to Lock, supreme authority dwells in Government but at the back of the Government and above Government it is the supreme power of the common man. In other words, in a state there are two types of supreme power – One is of Government and other is of people. But these both powers are used at the same time and together. In a normal situation the supreme power is used by the Government Till the time, Government is there, the power of people is dormant. But as Lock has clarified that if the people have this faith that their representatives have misused their devotion, thus they can bring changes in the Government by using their supreme power. By clarifying the concept of "Political Sovereignty" in the form of the supreme authority of the citizen society, Lock has given the theoretical basis to the Responsible Government established by Glorious Revolution that ultimately it is the people who are authoritarians, legislative assembly is legal sovereign in the form of the representative of the people and king is the supreme of the administrative being related to the legislative assembly.

After Lock Monteass has also presented the actual analysis of the concept of sovereignty. Monteass has emphasized on the independence of the three parts of the Government – Administration, legislation and judiciary. On the basis of the theory of "Separation of Powers", he concluded that the security of the independence of people can be done in a better way by maintaining a balance between these three rather than making one of them supreme. This theory of sovereignty became the Theory of Independence' by Monteass: this was a theory of freedom which could be obtained only by control and balance on the Government departments. Through this theory, tyranny and non-divisibility of Austein Theory was hammered.

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This speciality of the supreme powers of the people and Government was developed in the clear conceptions of 'Political Sovereignty' and 'Legal Sovereignty' in nineteenth century. Legal sovereignty was considered permanent, omnipresent, tyrant, undivided and unlimited on the other hand, political sovereignty was considered as a source of that indefinite and vague power which effects the legal sovereignty. In the democratic states which legal sovereign is the supreme institution to make and implement law, behind this sovereign there is a wish of the population which is the ultimate source of power. This is such an authority whose decision can not be challenged. In Dyce's words, "There is another sovereign behind the legal sovereign accepted by the lawyer in front of whom legal sovereign has to bow down. This is political sovereignty whose wishes to be followed by the people as a last resort. According to Garner, "Behind legal sovereignty, there is another sovereignty which is legally unknown and unorganized and in which there is no such power that can express every wish of the state in legal form. But even then, this is an authority, in front of which legal sovereign has to bow down and that is 'Political Sovereignty.'" According to Gilchrist, political sovereignty is the combination of those powers which remain behind law.

There comes difficulty in defining the political sovereignty as this is indefinite and not clear and it cannot be searched freely. In the states where there is direct democracy, legal and political sovereignty combine together. But in indirect democracy, this is not possible. Various writers, join political sovereignty with "desire of the entire political organization", "Group of People", "Common desire", 'public opinion', 'wish of the voters', 'pressure groups', 'political parties' and 'fear of revolution'. All of these are true in same extent because it is not possible to consider any completely wrong or another completely right. Elements like public desire, wishes of voters and probability of revolution are not definite and organized like legal sovereignty.

It is also necessary to understand the **relation and difference between the political and legal sovereignty**. Legal sovereignty is the ultimate order of the state which is compulsory for all and whose prohibition is punishable. All the rights and duties are given by the legal sovereign. On the contrary political sovereignty can not express itself in the form of ultimate order of the state. This is unorganized, unclear indefinite and at times unknown. Legal sovereign can express the pressures of political sovereign. But if there is a conflict in legal and political sovereignty then the ultimate decision is of legal sovereign because only he can express the wish of the state. Even if the political sovereignty is right and valid, the court gives recognition to only the decisions of the legal sovereignty. For a lawyer, the law passed by the parliament is the ultimate, even if the people criticize it. The success of any government depends on the balance between the legal sovereignty (which makes law) and political sovereignty (what the people want). If legal sovereign respects the people, then it will not be difficult in abiding the orders. In the modern states the welfare laws are made as an attempt to fulfill the desires of political sovereign by the legal sovereign. On the contrary, if legal sovereign does not fulfill the wishes of the people, then the anger of the people is expressed through the medium of demonstration. Strikes, protest marches, change of Govt and civil war and at times through revolution.

Popular Sovereignty

Rousseau developed the above mentioned theory of political sovereignty and changed it in the 'Sovereignty'. According to Rousseau, visible sovereignty means, "the source of all powers and the Lord of supreme and ultimate power of people". In the political theory of Rousseau, people are a geographical assumption state and the sovereignty of the state are the sides of the people. People are able to rule themselves. This fundamental theory of the capability of the people was expressed by Rousseau by the concept of 'General Will'. The best meaning out of many meanings of the 'General Will' is that in order to come in existence any specific society needs to have the commonly acceptable laws of judiciary. These commonly accepted rules are capable of the supreme place. Sovereignty is the power of these commonly accepted rules. Every person while using the sovereignty on the sharing basis is called citizen and following of the laws is called subject. The creation of a civil society by all

the people establishes a moral and group institution. This citizen society is a public personality which is called 'State' in 'inactive' state and is called 'sovereign' in active state and while comparing with the others it is called 'power'.

According to Rousseau, the 'common wish' is 'sovereign'. Only she can give ultimate order to the state established with the aim of public welfare. Sovereignty being nothing apart from the common wish is also untransferable. According to Rousseau, power can be transferred but common wish cannot. Common wish is indivisible also because either the wish will be common or it will not be. In the first condition common declaration of wish is the expression of common wish and this is the law as well. Whereas in the second condition this can be personal wish of a particular person. Here Rousseau has clarified that the writers by dividing the sovereignty in legislative and administrative, transform the sovereign into a gifted person as they are imagining a person with various bodies in whose one body only eyes are there and in other only arms are there, in one body there are only legs and in everybody there is nothing except only one part. Rousseau has considered this division of sovereignty as a myth and has expressed that they have considered the emanations of sovereignty as its parts.

According to Rousseau, Sovereignty is true and definite because common wish is always right. Sovereignty is indivisible because it was unlimited power on its members. Sovereignty expresses through common wish represents unity, stability, appropriateness and self-realised authority.

In short, from the view point of rule, Rousseau has brought the same conclusions which Hobbs had taken out in the name of ruler and king where Hobbs has transformed the complete personality of the state and government and people in the personality of the ruler; there Rousseau by giving the same logic has transferred both people and Government in the wish of the people. According to Rousseau, this theory has three specialities: (i) A person can attain its personality and freedom by following the real wish. (ii) There is a real wish. (iii) It is the common wish which is state.

Many times popular sovereignty is taken as the wish of the common population. Infact wish is not of the population, it is of people. People imply to the population which is involved in the fulfillment of works as per the legal theories Rousseau's implication was almost the same. That is why Rousseau expressed the idea that common wish can be of a person also. It is not necessary that the wish of the majority will be the common wish.

The theory of popular sovereignty is attractive and satisfied the ego of the common man but it is difficult to give it a definite meaning. Here, the most difficult problem is to define the people. There can be two probable meanings of it: (i) the sum total of indefinite and unorganized human community or (ii) Voters. According to the first meaning people can not be sovereign because sovereign is a definite, organized and best authority. In the second situation, people instead of taking direct part in sovereign authority, take part through established institution. As Garner has written, "However powerful is the unorganized human community, it can not be a sovereign till it takes the legal form. From the practical view point popular sovereignty does not mean more than 'public opinion, during peace and 'power of revolution' during the condition of disturbance.

In the basis of the above description, there is not much difference in political and popular sovereignty. But as Gilchrist has written, "Popular sovereignty is synonym for political freedom on public control. This mean instead of power of one person or group it is the power of people. It includes public adult voting right, control of the public representatives on the legislative and the control of the public elected members on the public economy." According to Lasky, popular sovereignty can be meant that the welfare popular in society should be the welfare of common man and not for a specific part or class of the society.

The definition of the popular sovereignty is indefinite. But even then it has contributed very significantly from the historical view point. This theory has stressed in the point that the existence of the Government is for the welfare of general public. If the wishes of the people are ignored internationally then there

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are chances of revolution. There should be legal means provided to express the public opinion. Government is directly responsible to the people. Government should use his authority under the established law and by its own will.

Dejure and Defacto Sovereignty

Sovereignty is the problem of reality. So on international level many times differentiation has been made between dejure and defacto sovereignty. Dejure sovereign means the legal sovereign whereas defacto, sovereign is the one whose orders are actually followed by the people irrespective of the fact that he has a legal position or not. The basis of the defacto sovereignty could be either material power or religions effect whereas legal sovereign makes the people follow his orders on the legal basis. During war or revolution, the difference between the two becomes apparent. If war or the revolution removes the legal sovereign and establishes a new sovereign, it becomes a problem for the people that whom should they follow – to the one established by the law or to the one who has removed the legal sovereign by his power. There are innumerable examples of the defacto sovereigns in the history. After the dissolution of Long Parliament, Cromwell becomes the defacto sovereign. Napoleon took the form of defacto sovereign after destroying the French Directory. In Spain, General Frencho took the form of defacto sovereign after destroying the legal government. In Russian revolutions after revolting against Tzar, Lennin and his socialist party became the defacto sovereign. Pakistan forcibly taking the political power by Aayub Khan, Yahyahkhan and Zia-ul-Haque are such examples of defacto sovereigns. In the same manner in the Civil War of Iraq in 1978, the following of the orders of Aayatullah Khumani against the orders of their King is a living example of defacto sovereignty.

Austein has not accepted any difference between the dejure and defacto sovereignty because according to him both these words can be used for the Government, but can not be used for sovereignty. It is not right to called defacto sovereignty invalid because the essence of sovereignty is in getting the orders followed. For peace and order it is necessary that both dejure and defacto sovereignty are included in only one person or a group of persons and if these emerges any difference between the two, it should finish quickly. In other words power and rights should stay together.

In short, defacto sovereign state that effective power which is successful in implanting its orders. Whenever there is a emerges any difference between dejure and defacto sovereign, then are out of two has to end or they both intermingle. defacto sovereign tries its level best to transform in dejure because if it does not do so then there always remain a danger of having a conflict between the dejure and defacto Sovereigns.

Self Assessment

Multiple Choice Questions:

4. Who has defined sovereignty as the supreme power to make law?
(a) Hobbs (b) Benthem
(c) Lasky (d) Austein
5. Which theory of sovereignty has been clearly described by John Austein?
(a) Political (b) Defacto
(c) Legal (d) Popular
6. According to Rousseau, sovereign is
(a) Specific wish (b) Public wish
(c) Imaginary wish (d) None of these.

4.4 External Sovereignty – Some Contemporary Problems

Notes

Though sovereignty has a multifaceted conception, yet for the last 50 years, the external factor of the sovereignty has become quite dominant. As discussed earlier, internal sovereignty is the use of the supreme authority inside the boundaries of the state. External authority means the legal equality of all states on international level. According to Morgenthau external sovereignty is the combination of three elements namely **Freedom, Equality and Unanimity**. From **freedom** the implication is the supreme authority of every state over the other states on international level. This means that every state is free to manage its internal and external relation as per its wishes, till it is not bound in the international law. Equality means that every state is the supreme authority in the internal works. No country has a right to tell the other country that what sort of laws it should make and how these laws have to be implemented. On the international level states follow only international laws. **Unanimity** means that in the process of making international laws all the nations are equal irrespective of their land, area, population or power. For example, in the international conferences the position of America and Bangladesh is the same. Unanimity means that without the consent of any nation, no international decision can be taken. Even then, the external sovereignty does not mean freedom from legal boundations, neither it is the prohibition of the international laws and pact as per the wishes of a particular state.

As within its own boundaries, a state despite being tyrant and infinite it is surrounded by many boundations to get its orders implemented; similarly, from the international view point despite freedom, equality and unanimity, nation states have a lot of restrictions on their ability to their own decisions. There is continuous increase in the difference in the formal and actual rights of a nation. In various nations, due to the past and continuous changes in the scientific technical, industrial and economic level, as a result the boundaries are becoming vague and there is a decrease in the ability to take decision on their own level. In various states, there are many issues which are going across the border like army pact, international debt, war equipped with technological weapons, race for nuclear weapons, compt in the international trade and environmental imbalance etc. Similarly, United Nations and European communities, which have the power to make law for nation states, have brought a lot of change in traditional meaning of sovereignty. In this context, we would discuss, three important changes which are gradually decreasing the external sovereignty of nation states. These elements are:

1. Imperialism
2. International military groups
3. World Economy

1. Sovereignty and Imperialism

On the international level where small big, weak strong, developed-undeveloped states are together in these the concept of sovereignty seems to be a myth. The reason for this myth is that in order to be a part of the international, organizational and national has to independent both internally and externally. But this right of sovereignty has been over-ruled many times. In the last 250 years, England and many countries of Europe have over-ruled the sovereignty of many developing and backward countries of Africa and American continent and used them for their selfish motives. The process used for this is called imperialism.

The word 'Imperialism' is used in a no. of contexts. On a boarder level it can be anything like a worldly arrangement of the economic exploitation and political sovereignty, defence and expansion of a state, an ideology to support imperialistic ambitions from the political view point, this was such a historical process which was started by the industrial states like England, Europe, America and Japan and through which the backward countries by direct defeat, were used for military pact, as

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resource for raw material by economic pressure, as market for mechanic thing, and as a means for the investment. In this context, this form of Imperialism came in front of us in the form of colonialism due to which in the beginning of twentieth century, all the backward countries were divided by the industrial countries among themselves. Most of the backward countries became the part of the there were Imperialistic states. Some other countries which did not come under the colonial rule directly, but even there, no such ruler was there who can be called sovereign. Imperialist countries used many solutions to keep these backward countries under them. Some of the examples are:

- (i) The establishment of International rules to manage the debt of Egypt in 1876 and to manage Kango state in 1885.
- (ii) Starting of protectorate system in Africa.
- (iii) Condominium System in Sudan.
- (iv) Semi-sovereign state systems in North Africa.
- (v) Mandate and Trusteeship.

The mix result of these solutions was that these backward states lost their sovereignty. These state could neither make or implement the law for their citizens. Similarly they were denoid of the right to establish relations with the other countries and the right of equality under International law. In these countries the making and implementation of law was done by the imperialist countries. These colonies became an integral part of the empire. For example due to the colonialism of Britain, where major part of India directly came under British rule, on the other hand, other districts of India lost their relations with the other countries due to some parts. Though, these Indian districts have the freedom for their internal affair, but even then ultimately they were under British control and were not sovereign.

Similarly in 1901, America got the complete right to interfere in the freedom of Cuba and to secure the life and property of its people due to the Hawana pact between America and Cuba. This pact gave the right to America to take the Government under her control and finish their sovereignty, if required.

After the Second World War, many colonies got the political independence and theoretically, all these countries were declared the sovereign within their boundaries, though many of them were not able to rule effectively. This happened because (i) Many countries got independence all together. (ii) Though their ruling arrangement was not effect, inspite of it no foreign power could rule on an independent country. Even then, this wave of opposition for the colonialism made many countries sovereign, at the same time, America and Soviet Union emerged as two super powers and they created new policies to effect the sovereignty of the all countries of the world.

2. Sovereignty and Power Blocs

One of the significant result of the international politics after Second World War was the fall of England and France as the Great Empirical powers and rise of America and Soviet Union as super powers. Here America and Western European countries were representing the welfare of the liberal capitalist countries and Soviet Union took the charge to lead the socialist communist state emerged in Eastern European communist countries and in China. Though the relation of America and Russia had become worst after the Russian revolution, but after the Second World War these difference came on the extreme point in order to establish he authority of World politics. As a result, on the international level most of the countries divided in two groups under the leadership of these two superpower. This competition between the two superpowers gave rise to cold war which was infact a plan of the two countries to divide the entire world in two group. These had been so many agreements between the state groups of these two groups like NATO, SEATO, CENTO and Warsaw but etc. These agreement had a negative effect on the sovereignty of the national states.

This groupism of these super powers did not only increased the army organization during peace time, but also gave encouragement to such a process of political and administrative policy due to which all

the defence and civil welfare to every nation joined ultimately with the priorities and welfares of the superpower. Every group made up of various nation states are based on the complex process of many types of two sided or many sided pacts and agreement, for example establishment and management of defence depots, recruitment of army, combined army practice, purchase of arms, production of nuclear weapon and its maintenance. Though, these various pacts and agreements were done by various sovereign states but even then it gave the right to interfere in the internal affairs of the nations of the group of superpower. As a result, the foreign policy of the nations of the group, cutting away from their welfare became the part of the welfare of the superpower. But this does not mean that there was a complete consent among the various nations of the group. In the NATO pact, there had been strong conflicting debates about the purchase of armaments or stationing of army. For example, due to strong conflict, France left this pact. Similarly in Warsaw Pact, due to the difference with Chekoslovakiya, Russia had to used the army to bring him back to senses. In short, there was one thing very clear that various nations of the group imposed limitation on their sovereignty in many ways. In spite of the mutual differences, defence and civil policies of every group, remained influenced basically with the priorities and wide welfare of the superpowers. Even the non-alligned countries had to fix their foreign policies in context of the competition between these two super-powers.

Detente and End of Power Blocs

Has the end of cold war and dissolution of Soviet Union and communists countries, made the national states as complete sovereign? According to some writers answer to this question is no, because this process of relation between sovereignty and authority was very complex. The meaning of the decrease in tension in the groups and the agreement between super-powers, is not any looseness in the International defense and neither is this a proclamation of the sovereignty by the various nations. After 1945, international structure was based on two elements – International defence arrangement and organized world economy. Even though the Soviet Union has dissolved but Russia is still an important power which has a huge shore of nuclear weapons and defence equipments. The success in the decrease in the tense depends upon the active participation of America and Asia. As both these superpower have not been able to put their complete influence on the countries, this has compelled them to work together. In order to control the regional conflict on the international level, and to depower the UNO, this combination of America and Russia had been very effective.

3. Sovereignty and Globalisation of Economy

Superpower groups and military pact are one side of the international politics. The other side was making the creation of military pact stronger by economic support. For this, both the superpower established many economic organizations like Atlantic Economic Community, Organization of Economic Cooperation, Organization of Economic Cooperation and Development, Asian Development Bank etc. Apart from same international organization like World Bank, International Revenue Fund etc., were also contribution of this age. All these economic organizations were important parts of world capitalism. They not only played their timely role in the world economy but also created many doubts in the context of sovereignty of modern nation-states.

Where military groups effected a lot the foreign freedom of the nation-states, there these countries are going through the phase of losing their independence in the management of national economy due to the changes in capitalism at international level. The revolutionary changes in the field of telecommunication and transportation have made the world very small. Nineteenth century was the century of internationalization. In the first part of the twentieth century revenue was internationalized and in the past few years production and technology has united the world economy. Today, the economy of every country is working in such world environment on which no nation has control but which effects the policy making and economy of that country. After 1970, due to the international

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labour division; whose main representatives are multi-national and International countries; today, national economy is declining. Many economic and commercial decisions are falling from the hands of national-states. Same can be said about international finance and banking institutes which are pressurizing the backward countries economically. This concept of liberalization and privatization of economy is contribution of these multinational companies and International financial institutions. This concept started in America, Europe and Japan and is now spreading in developing countries.

These new changes have negatively effected the sovereignty of the nation states. Today, though, every country has a right to take decision about formally, tax, policy of import and export, capital investment, rapo rates, etc. But how much, how and upto what extent this power should be used depends upon the bargaining power of that country. In this context, for the last few years backward and developing countries which were under the burden of foreign debt; obtained many concession in bargain while taking debt from the world bank and international revenue fund on under these concessions privatization of public sectors, entry of the multinational companies and their effective control over the economic policies. The control of the private companies has increased so much that today, a major portion of American economy has gone into the foreign investors. The change in the capital relations of the private and Government and international pressures on national economy has limit the sovereignty of the states upto a great extent.

But this does not mean that economic works of the state have minimized and the large legal, administrative and ideological structure of the state has now become powerless. The concept of the sovereign state is still there on the international level, but the difference is that now no state can manage its economic arrangement on its own. In spite of the liberalization and privatization, the works of the states are increasing in capitalists countries. Apart from making the policies, directions and management, the main work of the state is to distribute the social income by financial reforms and public welfare works, in such a way that social co-existence is enhanced. It is to be noted that even these works are done in such a way that the sovereignty of the state can become weak. The rules about economic management implemented by the state are the results of compulsion of world economy instead of the result of its own wish. A conflict has emerged in the economic compulsion and sovereignty of the state due to the economic development, technical renovation and international group of capital production among the states and in the states. Today, we are marching towards such an economy which is through controlled by nation states but is not in their control.

Self Assessment

State whether these statements are True or False:

7. According to Morgenthau, sovereignty is a combustion of four elements.
8. Superpower group and military parts are one side of the International politics.
9. Internationalization of Revenue was done in the first phase of twentieth century.

4.5 Summary

Today sovereignty is losing its existence because in the traditional definition of sovereignty, this was assumed as tyrant, free, unlimited and non-transferable. But in the early twentieth century, there had been major changes in the power and structure of the state. Even on the question of safety from the attacks of the external countries; the attack of Iraq on Kuwait and strong military reaction of America against Iraq has proved that there has come a tremendous change in the method of using power and institutions of power. Today the change is not only in the states but the entire national and international environment has changed. Maximum technical development, the entry of the foreign news in the houses of the people through satellites and cable TV have put a big question mark on the meaning and essence of the sovereignty.

Today the concept of sovereignty is in a doubtful condition. Due to the technical development, the physical power of the states is increasing day by day but this doesn't mean that there could be any

increase in the sovereignty of the state. Due to the development of democracy, now the decentralization of power is increasing where state is complete sovereign in the internal matters like law, order and defence, there also it finds itself incapable today. Minority revolution, terrorism, religious conservatism and private army are some of the elements where state cannot use its powers even if it wants. Similarly the military policies of the state also do not depend upon its own wish but depends upon the external elements like which country manufactures armaments, those financial or banking institutions which will finance, international agreements and pacts, types of armaments, relationship in the countries buying and selling armaments etc. In short today, the sovereignty of every country seems to be trapped in the local, district, national, political, military, international problem and circumstances.

Even then it doesn't mean that sovereignty is no longer a part of the state or the state has not remained as ultimate power to make law and institution to get the orders followed by the people of the society. The only difference is that there is a vast difference in the theory and practical now. According to Hinsley, though today many modern elements have given a great challenge to sovereignty but they have not considered the fundamental necessity to be wrong to use the power in an effective way in society. Due to day by day increasing social complexities, the need of this power is increasing more. If the increasing ambitions of the people have to be fulfilled then there is only one way and that is to find sovereignty in body politic rather than only in state. This means in state and organization both – organization as the source of sovereignty. Actually, in the context of the security of the social organization, modern incidents have stressed on the necessity of sovereignty rather than its disappear. New incidents have not marked the validity of that speciality of sovereignty according to which any legal structure cannot work effectively for long until it has that ultimate decision making power on whose basis it can get the orders followed and implement the law. That authority is whether formal or actual is state and sovereignty is an integral part of it which validates its ultimate orders and its following.

4.6 Keywords

1. **Sovereignty:** Complete right, Dominion
2. **Glorious:** Full of glory, Prestigious

4.7 Review Questions

1. Explain the concept of sovereignty.
2. Evaluate the concept of sovereignty.
3. Explain the legal point of view of sovereignty.
4. Analyse the Austein's ideas of sovereignty.
5. Describe the problems of external sovereignty.

Answers: Self Assessment

- | | | |
|----------|-------------|-------------|
| 1. Legal | 2. External | 3. Medieval |
| 4. (b) | 5. (c) | 6. (b) |
| 7. False | 8. True | 9. True |

4.8 Further Readings



Books

1. Political Theory: Idea and Concept – By S.Ramaswami.
2. Political Theory : Ramanand Gayarola, Radha Publication.

Unit 5: Pluralism

CONTENTS

Objectives

Introduction

5.1 Pluralism

5.1.1 Assisting Elements in Origin of Pluralism

5.1.2 Main Features of Pluralism

5.1.3 Criticism

5.2 Summary

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Objectives

After reading this unit, students will be able to:

- understand the meaning of Pluralism.
- understand the main features of Pluralism
- describe Laski's view on Pluralism
- present critical analysis of Pluralism.

Introduction

Pluralists are the greatest opponents of the theory of monism. According to monists, sovereignty is completely definite, tyrant, unlimited, undividable, omnipresent and non-transferable. As per monists this is with the state and is the source of the entire political authority. All the people and communities living in the state are under it. The main duty of the people and communities is to follow the instructions of the king. State is the source of law; all laws are made by it. People have no right against the state. They use only those rights which are permissible by the state. The supremacy and monopoly of the state is called political monism. Pluralism originated as the reaction to this monism of the sovereignty.

5.1 Pluralism

According to pluralism sovereignty is divided in the state and much organization. This is not the property of only the state. According to pluralism, instead of being the supreme institution, state is like other organization. Man established various types of social, political, religious, cultural and financial organization to fulfill his need state is also an organization to develop the political requirements of

the man. So sovereignty instead of being with the state, is divided in many organization state does not have the right to finish these organization. According to **Prof. Hasiao**, "Pluralist state is that state where there is no single source of the supreme authority and there is no centralization of the authority. There is no united policy of the law and where is no emphasis on for the common political wish. There is a variety in sovereignty and can be divided in many parts." In **Gettell's** words, "Pluralism does not give emphasis to state, they oppose the theory of unity of sovereignty and demand for a major part for the other institutions in social control."

Pluralist do not want to destroy state but they want to make it sovereignty free. According to Laski, "If we give up the imagination of sovereignty, then the state will become permanently useful for the science."

Development of Theory: Though pluralism developed in the end of 19th century and in the beginning of 20th century, even then it can be traced in the medieval times as well. In medieval age, state in Europe was very weak and church, Vocational Association and guilds were very important in society and these groups had lot of freedom. But in 16th and 17th century nation, states emerged, which made the states very strong and various organization became independent. Though the powers of tyrant reduced but these powers went to the cabinet. State remained the supreme power as it is. Due to the rise of the states increased due to which the area of the state extended and the importance of the states diminished. As a reaction to the state being the supreme power, pluralism was born.

5.1.1 Assisting Elements in Origin of Pluralism

The following elements have contributed in the origin of pluralism.

1. Contribution of Individualists : Individualists emphasized on reducing the powers of the state and to give maximum freedom to the individuals thinkers like J.S. Mill, Herbert Spencer and Montesquieu etc., opposed the centralisation of power in state and stressed on the individual freedom. Pluralist also stressed on minimizing the sovereignty of the state but where individualist emphasized on the freedom of an individual, pluralists stressed on the freedom of organization.

2. Effect of Medieval Classic Thinkers : At the end of 19th Century writers like **Gierke, Maitland and Figgis**, etc. emphasized that when in the medieval times church and Guilds had freedom then in the modern world organization should have freedom.

3. Incapability of the State : Incapability of the modern state is also a reason of the development of Pluralism. In the present time, the work area of the state has increased a lot and is continuously increasing. But practically this has proved the incapability of the state. In **Prof. Ward's** words, "Due to this these comes a favourism or profit in the centre and bloodlessness or paralysis in the exterior parts. Pluralists want to rectify the defect of modern state by decentralized state."

4. Dissatisfaction due to regional representation in democracy : In the end of 19th Century and in the beginning of 20th Century, the method of democratic representation was adopted; but dissatisfaction emerged in it and class and union socialists thinkers demanded for **functional representation** on its place. The supporters of functional representation wanted to give equal importance to organization like state. Thus it helped a lot in the development of pluralism.

5. Anarchism : Cynicism and class-socialism have campaign the power of which helped pluralism.

6. Law is not order of state : Many scholars like Duguit and Krabbe have said that law is not order of state. According to them law is above and better than state should also work in accordance to the law. Only the state does not have the monopoly to make law. Views of these scholars strengthened the Pluralism.

7. Objective of state public welfare : The objective of the state is public welfare and objective of the organization is also to fulfill the needs of their members. So there has to be a mutual cooperation in the state and other organizations.

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8. Sequential Development of Internationalism—In the modern age no state is self-reliant. In this present age it is necessary to limit the sovereignty of the states. Every country should follow the international laws. This ideology has given stress to pluralism.

Main supporters of pluralism are Girkae, Figgis, Barker, Maciber, G.D.H. Koll, Lindasy, Krabbe, Met land, Duguit and Laski. According to pluralists Sovereignty, instead of being with the state is divided among various organizations which are established by the men to fulfill their needs.

According to Lindasy, "If we look at the facts then it becomes clear that the theory of State with the sovereignty has been diminished." According to him the needs of the people cannot be fulfilled only by the state and for this various organizations are necessary. This state should work together with the other organizations. In **Prof. Lindasy's** words, "State is one of the organizations which have their own social personalities and desires and which are doing a lot of public works like the states." That is why "State in all its parts can control the organization only till the time public is ready to give their desires to the state. State has no independent existence state is an organization of organizations".

According to **Prof. Barker**, "Any political had been as lifeless and fait as the theory of a sovereign state."

According to **Dr. Figgis**, "State is an organization like other organization and its work is to coordinate the work of other organization. That is why the concept of the sovereignty of the state is a myth."

According to **Duguit**, "The theory of the sovereignty of the state is only an imagination and the sovereign country has either died or is about to die."

Thoughts of Laski

Pro. Laski is one of the best thinkers of pluralism. Sovereignty in his primitive creations like "Studies in the Problem of sovereignty Authority in Modern State," "Foundations of sovereignty". He has attacked on the traditional theories of sovereignty and this had an effect of his teacher Barker, class socialist thinker **Koll, Metland** etc. **Laski** has defied the theory of sovereignty proposed by **Bourn, Hobbs, Rousseau and Austein**. According to these, Austein's description of sovereignty has three elements, which are:

1. To be called a state from the legal view point it is necessary to have a definite authoritarian who is the source of entire power.
2. The power of the authoritarian is unlimited and indefinite.
3. Authoritarian order is law and if it is not followed by anyone; then that person can be punished.

According to Laski, the traditional concept of the sovereignty is against the facts.

1. It is difficult to decide the authoritarian: Laski says that Austein's theory to finalise the authoritarian is not right. **Laski** believes that "Actual rulers of the soviety can not be discovered. So it is very far off to call them definite". While giving example of U.S.A. he has said that there neither president nor congress can take the place of sovereign. There no person can be called sovereign. The same fact implies for the union-states. There also it is difficult to find out about sovereign. If in any state the public decision policy is popular and ultimate legal authority remains in the hand of electro-committee, then this can also not be called sovereign as per Austein. According to Laski, "Any electoral committee is such an undetermined department which work through its parts from legal point of view. Whereas Austein believes that the "Speciality of Sovereignty is to determined and unlimited." In this condition Laski presents the view that **Henry Maine's** idea is right when he says, "From the historical view point, Austein's theory is artificial up to the limit of foolishness".

2. Criticism of Sovereignty being unlimited and Supreme: According to Laski, till today, these had never been the unlimited authority with sovereign and wherever such sovereign had been that there had been some or the other protective covering while giving example of the Sultan of Turkey, that

inspite of being at the extreme of his powers he could not do everything as per his whims and fancy. He has the same opinion about England's King-in-Parliament. He believes that from the legal view point this has unlimited authority and is sovereign authority as per **Austein's**. But even the parliament cannot use these unlimited powers against public opinions or customs. Practically, they use their unlimited legal authority as per the situation. There are many internal and external controls over it which they have to follow. British parliament could not implement the anti-strike against **Munitions Act** due to the opposition of Blush Miners. Similarly, American Congress had to make a law against its wishes due to the pressure of the railway workers. Due to the division of power in the union states, the power of the sovereign is not unlimited.

3. Order of Sovereign is not law: **Laski** does not agree with this idea of **Austein** that order of sovereign is law. According to **Laski** order and law are separate things law is equal for everyone whether he is a member of legislative assembly or ordinary man reason is given by such an institution which is fixed by the law itself. So the order is not applicable to the one who gives order but law is the same for everyone. Thus it is not right to consider law as a form of order.

Laski considers the theory of a sovereign state invalid from the moral view point as well. He says that it is morally incorrect to demand from anybody to follow the orders blindly without moral reason for it. This deviates his moral development. State has a right to obtain the devotion of a man till the person's conscious agrees to it. "This claim for authority one me is right only in the proportion of his moral appeal".

According to **Laski** from the international point view, the theory of the sovereignty of the state is against the welfare of the human beings **Laski** has said "From the international view point, the concept of a free sovereign state is dangerous. The state itself should be the sole judge to decide that now the state should behave for to establish relationship with the other states." In this way in **Laski's** view point, the traditions of the International behavior (Law) limits the sovereignty of the state.

Laski has criticized the theory of sovereignty from the individual or the group's point of view. He was the organization of the state in such away that individuals and groups should often have independence. He wants to give central place to the individual and give more prominence to the desires of the state then to the desires of the individuals up to the extent that desires are made with such brilliance that they are publically acceptable.

In this way, it is clear that **Laski** is strict opponent of Monist from the moral or practical view point. So **Laski** in his book "Grammar of politics" has written that, "It will be matter of a permanent benefit. The political science that imagination of complete sovereignty is given up." This can not be ultimate order of the state. It works only to give directions and only clarifies those objectives towards which individual, society and union - everyone wants to proceed. Tyrant and unaccountable state cannot last for long.



Did You Know?

Society is pluralist, state is representative. So, state is also pluralist and imagination of sovereignty is a myth.

Laski says, "As the form of the society is of union so the form of the authority should also be of union." This means that there is no such power which has a right of tyrant control. At the most state can have partial control over the life of the human beings. Man has many needs like social, political economic, cultural and religious, etc. In order to fulfill his requirement, man becomes member of many organizations and these organizations contribute greatly in the development of an individual's personality. For example in our society club, church, trade union or similarly in economic, religion, culture, etc., areas, these organizations have existence. These organizations have their own life and their

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own disease. According to Laski, if they are studied in context of the state, then in no meaning they are less important than it. On the other hand, if we evaluate this state, then this does not give information about these organization or groups. Similarly the study of various organizations also does not give information about the state. Thus, it is proved that state is not an external or controlling power over these organizations. State is an organization like any other organization which protects the political welfares of the individuals. So state has no moral right to be supreme among other organization. State can control only partial power of an individual. That means when state fulfills our desires only partially then it can compel us to follow the order in the same proportion. In Italy **Mussolini** and in Germany **Hitler**, established Supreme Authority State. They claimed that all the organizations and people of the society can be sacrificed for the existence of the state, but the existence of their state is not permanent but it was like the house of sand because they destroyed the free will and personality of individuals and organization. **Prof. Laski** calls state as a union to establish the balance and coordination between various organizations. He believes state to be the main in its equals.

According to **Laski**, power is union in every aspect of life. As the constitutional power cannot be given in a specific person because this cannot do for the masses. Monist state is opposed to the freedom and public opinion and people does not get a chance to get their voice reach the administration. If any state wants to be capable, and the public opinion has to be effective, then the power of the state should be decentralized *i.e.*, it is divided in various organization. In this way union authority will be established which is very essential for the development of the personality of an individual. Laski believes that the major defect of Monist state is that in this the authority of the organizations are ignored where other organizations are also equally important for the development of the individual as state. That is why constitutional process should be based on the wishes of all those whom they effect. Laski also says that state is a danger for the external sovereign power and is also an obstacle for the international organization. Sovereignty of the state should give up all these aspects and practice for the international organization and should work for the welfare of the entire humanity. Pluralism of Laski is a theory of Aggressive individualism. Person is a member of different communities and states. There is always a competition in the state and organization to obtain the devotion of the person. In case of having difference of opinion in state and community or communities it depends upon the person to decide whose orders and rules he has to follow. State cannot compel the individual to follow its rules. Laski has clearly stated that a person does not follow the order due to fear but he follows it due to the fact that those benefit is included in following the order of the state. If any harm is done by following the order of the state, then the person has a right to defy the order.



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If state does any work against the public welfare or does not safeguard those rights which are helpful in the development of the individual, then the person has a right to protest against the order of the state.

Ideas of Robert Maciber

Like **Laski**, **Maciber** is also an important Pluralist. **Maciber** criticized the theory of sovereignty by **Hobbs**, **Bentham** and **Austein**. Pluralist ideas of **Maciber** are as follow:

1. **Criticism of monist's theory of Sovereignty:** Like **Laski**, **Maciber** also does not consider sovereignty as tyrant and undivisible. In this context **Maciber** believe, "Sovereignty is a speciality of an community so it cannot be more powerful than community." **Maciber** says that as the state is the source of law so state cannot be tyrant because church is the source of religious law. According to **Maciber** power does not make state tyrant. In his words, "Legal theories are based on power and not on service but

power is just a means of service. No states believe service to be unlimited. So, the concept of unlimited sovereignty is a great lie.

2. Difference in State and Society: Maciber believes in a difference between state and society and he has criticized all those scholars who believe state and society. In **Maciber's** words, "It is a result of hurry to assume social and political to be synonym for each other and through this neither the meaning of state nor of society can be understood." According to him society was established before state. Though state is in the society but its arrangements are different from state.

3. State is type of community as other communities: Maciber considers state is a community among other communities. State is a type of institution like family, church, etc. and it has same aim as several communities. As state is established for definite purpose in the same way other communities are established for fixed definite purpose. In the development of a person the important of such communities is not less than the state. In Maciber words, "Each community has same control and power as state cannot fulfill the aim of family, church, trade union or cultural union." Today great community is neither the part of state nor slave. They hold same authority as state. They use their power same as state."

4. Law is not just an order of state: According to Austein, law is the order of the sovereign, but Maciber opposes this notion. According to Maciber, law is just the opposite of order whenever an order is given, it separate the one who has given the order from the one who has received the order. It creates differences in the level and welfare of the both whereas through law unity is created and law is implemented equally on everyone. Maciber takes law to be superior than the people of law because those who have created law also make it under same law. Maciber says that, "there is part of truth in the words of **Craib** that the power of law is more than the power of state. State is more like a guardian than the creator of the law. The main objective of the state is to implement the rule of the law which means that it is under the law.

5. The right to sovereignty is not power: According to Hobbs, Bentham and Austein power is the basis of sovereignty. But according to **Maciber**, power can neither be the basis of sovereignty nor of the state. Maciber states that the state cannot be created only by using power. If it had been so then the ship of the pirates or the rebellion army had also been called state.

In short, according to **Maciber** sovereignty is limited and state is also a community like other communities. Thus sovereignty is divided in state and other communities. In the international area **Maciber** considers Monist sovereignty to be the enemy of the internationality. **Maciber** believes that the changing circumstances of society will compell the state to give up sovereignty.



Task

Express your views on Pluralism.

Self Assessment

Fill in the blanks:

1. Pluralists are the strongest opponent of the sovereignists theory of
2. The objective of the state should be the welfare of
3. Laski believes that as the form of is union, so the form of the authority should also be union.

5.1.2 Main Features of Pluralism

On the basis of the ideas of the various scholars of the pluralism, main characteristic/features of the pluralism are as follows:

1. State is not complete: According to this theory the life of a man is multifaceted. In order to fulfill his needs, man establishes various communities. In these communities, political, social, religion, economic and cultural organizations are there. They can develop each and every aspect of their lives fully only when these communities are free in their area. communities should have sovereignty in their own areas. Sovereignty should be divided in all organizations instead of being only with the state. State should have the monopoly on the sovereignty.

2. Individual has a relation with the other communities also: Individual is loyal not only to the state but he is loyal to all those communities. Most of the people are so loyal to their religious or economic communities that they get ready to oppose even the state. Thus state is not the only righteous to get the loyalty and neither it should be only one to have sovereignty.

3. Work area of the state should be limited: The main objective of the state is to develop the political life of a person. According to pluralists he should limit his works till the political areas so that it could give complete contribution in the development of the individual. State has no connection with the things like what kind of education should be, what should be the arrangement of the means of productions, etc.

4. Permission of the Existence of the state: Pluralism are not in favour to finish the state. They consider state to be useful but they want to give freedom to the other communities as well. Thus pluralist are against the Monopoly of the state and not against the state itself.

5. Sovereignty should be union based: According to pluralist, organization of society is union based. The way in which many state join to make union state, but they do not finish their sovereignty. Similarly, in a union based society should have freedom to fulfill their objectives. In society various communities should unit for the security of public welfare but every community must maintain its authority.

6. Law is followed due to utility: According to pluralists, individual does not obey the orders of the state because it is a sovereign state and he will be punished if he will not follow the order. Instead he follows the law because of its utility. In this way pluralists consider state to be a useful institution. The way in which other organizations help to develop the life of an individual, similarly, state also develops the political life of a person. In this way the basis of the law is its utility and not the power.

7. In the favour of decentralization: Pluralists want decentralization of the sovereignty. According to them by centralization, the freedom of organizations finishes. So, sovereignty should be divided in state and other communities.

8. Opposition to the tyrant of the state: Pluralists oppose the tyranny and unlimited powers of the state but they are hot in the favour of uncontrolled freedom of individual pluralists emphasize more on the rights and freedom of the organization rather than of individual.

9. Difference between state and society: Like Idealists, pluralist also do not consider state and society to be one. According to pluralists, the statement of Fascist is wrong that everything is inside the state and there is nothing outside and in opposition to the state. According to pluralists, state is that part of society which cannot be its fellow from the view point of objectives and work-area. In this context **Maciber** has written, "State is such an organization which cannot be called the contemporary to the society. State is created under society in the form of a definite arrangements to obtain some specific objectives.

10. State under social institution: Pluralists say that history witness the fact that state has always based down in front of the social institutions. **Prof. Laski** states that state had never been tyrant and omnipresent. In the first World War, British Government could not implement the **Munitions Act**

against rebellions workers of relish mines. Similarly, American Railway workers union made the Government accept eight hours working by giving a threat of strike. In India there are innumerable such examples. This clarifies that Government has to accept the demands of the social organization.

Lets explain the theory of pluralists in **Gettel's** words, "According to **Gettle** pluralist do not accept state as a unique institution. According to them, other organization are also equally natural and important. They believe that these organizations are sovereign in their area in the same manner as the state is in its area.

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Self Assessment

Multiple Choice Questions:

4. What do the Pluralists want for sovereignty?

(a) Centralization	(b) Decentralization
(c) Neither (a) nor (b)	(d) None of these
5. Who has said, "State is such an organization which cannot be called contemporary to society."

(a) Maciber	(b) Laski
(c) Austein	(d) Rousseau
6. Who has said, "State has never been most powerful and tyrant"?

(a) Laski	(b) Maciber
(c) Austein	(d) Rousseau

5.1.3 Criticism

Pluralism has been criticized on the following basis:

1. Pluralism Supports Anarchy: If the ideas of pluralists are implemented practically, then its result will be anarchy. By dividing sovereignty in the other institutions of the state, only the anarchy and misarrangement will spread. When every community has sovereignty, then every communities will create law for their own members and this is natural as well that the laws made by many communities will be conflicting to each other. Apart from that it will be a problem for the individuals to decide which law is to be obeyed. In the medieval period, there was a conflict in church, state, lords and economic unions and as a result there was anarchy.

2. State is necessary for the existence of other communities: This is right that man established various communities to fulfill his needs and these communities have an important effect on his life. But these communities depend upon the state for their existence. Various communities implement their rules with the help of the state. These organizations cannot be established without state. Thus, the level of communities is not equal to the level of the state. State has sovereignty.

3. State resolves the conflicts of the organizations: If we consider this idea of pluralist that society is made up of groups of various organizations then we need such a supreme institution which can resolve the conflicts of various organizations. If there had been no such supreme institution, then due to the conflicts among the various organization, the life of the man will become polluted. In such circumstances, society will not be able to develop so it is necessary to have the supreme institution *i.e.*, state in the society.

4. Pluralism is not clear: Pluralism is not clear. This is not a contribution of any one scholar. Many scholars have given their logics in its support. No particular scholar has described it clearly. Girke and Metland have explained the actual personality of the communities but these scholars have not said

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anything about the legal authority of the state. Many communists themselves have given the work to establish fraternity in various communities to the state and this clarifies the supremacy of the state.

5. How to divide sovereignty: Even if we accept the theory of the pluralists that sovereignty instead of being with the state is divided among various communities, then the question arises about the basis on which sovereignty has to be divided among various communities. In society there are many communities like social, religious, political, economical and cultural etc. It is very difficult to solve the issue related to the distribution of power to the communities for making law and also if decide about the topics on which these laws have to be made.

6. Division of Sovereignty is destruction of State: Pluralists divide the sovereignty. But its division leads to its destruction sovereignty is a complete unit which cannot be divided. If sovereignty is divided then the state will destroy. Pluralists theory is very strange. Because they want to divide the authority as well as want to keep the state. Both these cannot happen altogether.

7. All communities are not of equal level: Pluralism is criticised on the basis that it takes the level of all the communities of the society to be the same. But it is a great mistake to consider every organization equal to state. Due to special work, the condition of the state had been different and special from the other communities. In Dr. Garner's words, "By doing the work of keeping in appropriate limitations to the various classes and groups which are in competition with each other; state works as a judge to resolve the conflicting welfares and to establish harmony among these communities."

8. In order to stop the torture on the members of the communities, it is necessary to have state as Supreme: If communities are given complete freedom then the managers of these communities will start torturing the members. In order to protect from the tortures of the managers, it is necessary that state should have the supremacy or the sovereignty so that state can have control over the communities state can compel the communities to work under their rules and can also protect the rights of the members.

Self Assessment

State whether these statements are True or False:

7. Pluralism has not been contributed by any single scholar.
8. Pluralists divide the sovereignty.
9. There will be no anarchy or mis-arrangement by dividing sovereignty among other institutions of the state.

5.2 Summary

- According to pluralism, sovereignty instead of being with the state, is divided among various organization. This not the sole property of the state.
- Though pluralism has developed in end of 19th century and in the beginning of 20th century; yet its signs can be traced in medieval period.
- The incapability of the modern state is the reason of the progress of pluralism. In the modern age work area of the state and increased and is continuously increasing.
- State is one of those communities organizations which have their own social individuality and desires and which like state are involved in many public works.
- An individual is not loyal to the state but he is loyal to all those organization which he is a member.
- Pluralists divide sovereignty. But dividing sovereignty is destroying it. Sovereignty is a complete unit which cannot be divided.

5.3 Keywords

Notes

1. **Pluralism:** Theory that universe is made up of many elements.
2. **Community:** Group of people, Society.

5.4 Review Questions

1. What is the meaning of pluralism?
2. Explain the elements helpful in the origin of pluralism.
3. Critically analyze the ideas of Laski on pluralism.
4. Write main characteristics of pluralism.
5. On what basis, pluralism can be criticized?

Answers : Self Assessment

- | | | |
|-----------|-----------|------------|
| 1. Monist | 2. People | 3. Society |
| 4. (b) | 5. (a) | 6. (a) |
| 7. True | 8. True | 9. False |

5.5 Further Readings



Books

1. Political Theory: *R.K. Pruthy*.
2. Principles of Political Science: *Shailender Sainger, Atlantic Publishers*.

Unit 6: Rights

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Objectives

Introduction

6.1 Rights: Meaning and Nature

6.1.1 Basis of Rights

6.2 Human Rights

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6.6 Further Readings

Objectives

After reading this unit, students will be able to:

- understand the meaning of rights
- know the basis of the rights.
- know the human rights.
- understand the legitimacy of the rights.

Introduction

One of the important work of the modern state has been related to redefining the relation between the individual and the state. All the ideologies before liberalism had sacrificed the individual on the state *i.e.*, they took state as the devotion and the individual as the means. But liberalist on the contrary declared that state and society are for the individual means that they are just the means to fulfill the aims of the individual liberalism has stressed on absolute moral worth of the human individual and personal freedom. In order to strengthen this new individualism liberalism aimed the freedom of the individual and secured this freedom by keeping control over the power of the state as well as through the development of the concept of rights, equality, wealth, justice, democracy etc. As we have seen in the practice of citizens, with the rise of the modern democratic liberal state rights became the strong basis of the citizenship. The implementation of their rights, their working and their security became the measurement of the goodness or badness of a state. Today alongwith the rights of the citizen, we also talk about the rights of the women and children and rights of minority as well. In 1948, the universal declaration of Human rights by UNO popularized the concept of human right in the western countries which gradually spread Asian and African countries and has become a critical issue in the contemporary political dialogue.

6.1 Rights: Meaning and Nature

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On the broader aspect right is a “Group of opportunities” which secure the man’s personal dignity. These are the fundamental terms of a good life which are recognized by the state. According to Laski, “Rights are those circumstances of human life without which, usually a person cannot do the best development of his personality.” According to T.H. Green, “This is that power of working of a man to achieve his objectives which is defines by the social community on the condition that he will do the welfare of the community also through these works.” According to Salmond, “Legal right is such a benefit which is recognized and secured by the legal rule and to follow it is a legal duty.” According to Bosanke, “Right is such a claim of the individual which is recognized by the society and is implemented by the state” According to Baker, “To help in the development of the personal power of the individual is the ultimate goal and supreme political value of the state. The law of the state remain right and just till the time they guarantee the security to the people for the development of their personality from the external circumstances. All these circumstances fixed and guaranteed by the state are rights.”

On the basis of the above definition, we can take some common inferences about the nature of rights. **First**, rights are the result of the right and just normal arrangement of any society on which state and laws are based. Infact rights are a portion of right. Thus without the concept of “right and just”, we can’t even imagine the rights. Right secured from the legal view point cannot be just till the basis of the law is not right on which they are based. Apart from that, rights are given on two levels – **temporary and permanent**. Temporary basis means that rights in society are based of the notion of right on which the legal structure is based. Permanent means that rights are those circumstances that fulfill the objective of society related to notion of right e.g. maximum development of the individual. Rights are those demands of the individual from the society which are protected by the law because these are necessary for the personal development of the man.

Second, Speciality is about the sources of the rights. There are two sources. First source is the personality of the individual. Rights are the results of the moral personality and his social nature. In these contexts rights can be called natural or human. But this is not the complete answer. Despite being involved in the personality of an individual if the state does not implement and secure then, then these rights cannot be attained. Thus these are two sources of the rights – (i) Personality of an individual and the condition to develop it. (ii) State and its law which secures and implements them.

Third, in reality, rights are joined with the human relationships on the social level. The use of rights demands to follow some fundamental rules for social welfare. These rights are never unlimited and uncontrollable. These are influenced by some social welfare. They expect some moral duties from the individual while using the rights, a person should always keep in mind that these right are equally applicable for the other persons also. So, the rights should be used with a view point that they contribute in the social welfare alongwith the personal benefits. Rights and duties are complementary to each other. Every right is a duty from the social view point. These are the two sides of the same coin. The importance of rights can be identified in the context of rights only. Rights are not the selfish demands of a person. Rights are equally given to everybody in the society.



Did You Know?

Where special rights are limited to some people or groups or some specific group; there rights are given equally to all the citizens irrespective of birth, caste, economic conditions, religion etc.

Fourth, Rights are subject to change development is a part of their nature. New demands emerge in the society as a result of social and economic development which conflict from time to time to get

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recognition as the right. When these demands get the guarantee of security from the law of the state, these became rights. Some of the rights which got recognition in 20th Century are social security, work, strike, rest etc.

Fifth: Mostly rights are limited to the time and circumstances because their reality is in a special society *i.e.*, the society which was neither in past and will not be in future; For example, the rights obtained by the citizen of India had been in existence before the independence and will neither remain the same in the next 100 years. Similarly, the subject matter of the same right can be different for the different country. For example the limitations and subject, matter of the right of property given by India and America are totally different. There is no doubt that some rights are acceptable every everyone, but their implementation is a big question. Answer to this question will be given under human rights.

6.1.1 Basis of Rights

The development of rights took place in the context of criticism and strong reaction against the medieval social political arrangements and rise of modern nation state. The ways to obtain them were aggressive and their subject matter was revolutionary. From the historical view point, the demand for the personal rights was raised first of all by middle class which came in existence due to the result of the first Industrial Revolution. This was the fundamental ideology of revolutionaries of America and France which was later on materialized as 'Bill of Rights of America and Declaration of Rights of Man in France. Since the time of the beginner scholars like Lock to Bentham, Roussau, J.S. Mill, T.H. Green, Laski, Barker etc. have considered the demand of the rights to be right. After the second world war, the development of the concept of the rights was done through the writers like Rolce, Nauzile, Darkin etc.

On what basis a man should get the rights ? – There is no commonly acceptable answer to it. Many answers have been provided for the last 300 years. Various rights have been justified on the various basis. We knew all these basis as theories some of the important theories in this context are as follows:

1. Theory of natural rights.
2. Theory of legal rights.
3. Theory of historical rights.
4. Theory of moral rights.
5. Social welfare theory of rights.
6. Contemporary liberal-individualistic theory of rights.
7. Marxist theory of rights.

1. Theory of Natural Rights

The first basis of the reason of the rights is known as natural rights. Since the seventeenth and Eighteenth century a strong idea had been popular in Europe that inspite of the existence of social legal and political institution, individual has got some rights from the nature which can be exhibited by the human tolerance. John Lock, the main supporter of this theory declared that an individual is boar with certain rights by birth. This means that these are not dependent on society or state. These rights are given by the God to his children as he gives them eye, nose, ear, hand etc. Man has taken birth as the earth to live and if he has to live life with all capabilities, he has to be given some freedom. God not only give life to the man but also gives internal power to get the best benefits in life. "Right is the same internal and born power." Rights given by any state are infact natural rights of a person and wherever he lives these rights cannot be denied because these are not given by any institution or group.

The source of natural rights is the Natural Law. This theory was propagated by the writers like Hobbs, Lock and Roussau etc. These writers believed that before the origin of the state man had save rights from the nature and after the origin of the state, he gave some of these rights to society so that it can guarantee the rest of the rights. What are these natural rights? Various writers had difference of opinion about it. Hobbs considered the right to live as the natural right. Lock considered life, freedom and wealth – these three rights to be the natural rights. Roussau gave provenance to the right to freedom and equality. These writers believed that man cannot give these rights to the state. These rights are non-transferrable because whatever the God gives, remains throughout the life. If a man gives up these rights or these rights are taken away from him, then the man cannot be considered a human being. State which tries to snatch away these rights of the people, creates such situation in which instead of being citizens, people came under the condition of slaves.

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Natural rights are included in the personality of an individual. These are non-transferable, non-viable sacred and non-changeable rights for which an individual is not dependent on society, instead the state was created to save these rights.

Criticism

The theory of natural rights was not accepted by the liberalist writers who came later on. Berk even hampered on the fundamental concept of the natural rights and declared that the basis of rights could only be the tradition and feelings of any society. Bentham criticized all such rights which are before the state or against it. Rights can be given only by the law. Actually, there were many drawbacks in the natural rights. **First**, if the rights of a person are unlimited and insecure, then we cannot resolve the opposition of individual and society. For example, in the condition of a famine or epidemic if one person collects the grain and does not give to the others inspite of being asked, then due to this other rights to live can be damaged and if people snatch it from him forcibly then his right to wealth is in danger. This means that if two natural rights conflict with each other, then there is no solution. As Ben and peters write that social rules are a continuous process to bring propriety between various claims of society and the theory of natural rights makes the process impossible.

Second, criticism is regarding the serious difference in opinion about the definitions of the natural rights. What is the meaning of 'Natural'? Various thinkers have used this word as per their own wish. For instance natural in the sense of 'universe', in the sense of 'non-human part of this world', as an ideal, in the form of an ordinary man etc. As a result, the concept of the natural rights remain unclear in various writers.

Third, rights is intermingled in the nature of the individual. This logic also has not been accepted by many writers. Any right can never be without any rule or law. Rights also expect same duties and they create some human relationship on which duties are based. As Green has written, "Every rights has to prove its reason in some such objectives of the society which cannot be achieved without rights." Apart from it, rights are also influenced by the community welfare of the society. But theory of natural rights considered these included in the individual and separated them from state and society.

Fourth, by separating the benefits of individual and society, theory of natural rights separates all those basis on which they have reason. This theory assumes that rights and duty are free from society. This was a wrong idea because the question of rights sizes only in society and social context.

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Even then, the theory natural right was a special theory influenced by the contemporary circumstances. This laid the foundation of the values like the freedom of individual, self-reliance, expression of thought and labour in the opposition of an authority based on traditions and blind religious beliefs. Being the ideology of the upcoming middle class, this theory tried to save the individual from the interference of the state in economic field and in its contemporary context, this remained as an inspiration for many revolutionary movements.

2. Theory of Legal Rights

In nineteenth century, the legal rights took the place of the natural rights. The theory of legal rights believe that rights instead of being natural are given by the state. Only the rights given by the state are the rights. Rights are not included in the man but these are artificial because no demand of a person can become right, till it is fixed and secured by the state. Parts of this theory are found in the thinking of Hobbs who believed that every person has a right of self-defence (natural) but this right can be secured in the best way only by the state. Clarification and description of this theory is evident in the ideas of the legal thinkers like Bentham, Austin and others.

Bentham has rejected the theory of natural rights propagated by the preliminary liberalist writers and by the supporters of American and French revolutions. He considered this theory to be foolish, useless and illogical. May be this theory limits the dictatorship of majority theoretically, but on the practical aspect, declaration of rights of man, could not save any such person from capital punishment who was presented before the revolutionary Court of France. Neither, this theory could free the people of America from slavery. Thus, the practical utility of the natural rights was almost nil. According to Bentham, the basis of rights is only law which itself is based on the concept of utility. Bentham called natural rights as the nonsense upon stilts. According to him law and rights are compulsorily one – Law is objective and right is subjective.

The theory of legal rights has three specialities; (i) State defines the rights and finalise them in the form of Bill of Rights. Rights are not before state instead state is the source of rights. (ii) State provides that legal and institutional structure which is necessary to use these rights. State implements these rights and (iii) As the creation and implementation of the rights is done by state, so whenever the change in law comes, then these comes a change in rights also.

Legal theory believes that it is not necessary that the state should be the source of rights, but in the deficiency of the recognition and safety of the state, rights are not valid. These are implemented by the state because these are rights and not because these are rights so these have to be implemented. All these demands are necessary for the moral development of the man, but they do not have the recognition and security of the state. At the most they can be called probable rights. They can only be the basis of the rights and not complete rights.

Rights given by the state are called '**Positive Rights**' also. In the modern state, citizens have only these positive rights for example rights of life, freedom, property, education old age pension etc. which are all recognized by the state. Apart from it, these rights are contextual *i.e.*, these are given to only those citizen who came under their area. These rights exist till the related laws exist or till the court declares them against law.

Criticism

Like natural rights, the theory of legal rights is also incomplete. **First**, legal theory has not included all rights in it. It describes only those rights which have been recognized and secured by the state through its law. This was incomplete from the view point that it did not clarify that the rights which have been secured are valid and as per the law and they really wanted recognition. This theory assumes the fact that those who have been given recognition by the state must be right.

Second, legal theory has not taken care of the rights of various groups. As Laski has written, people use right, not only as the members of the state but as member of society also. Thus, to limit the right to only state is to destroy the personality of an individual and its protection.

Third, state does not create rights, it only gives them recognition and security and coordinates them. As wild writes, existence of rights remain, whether state gives them recognition or not. The concept of right and wrong remains above the law of the state. The basis of the rights should be the concept of correct right on the social level.

Fourth, if the state and its legal rights are consideral supreme then there will be no right against the state. Green and Laski believed that in some circumstances it becomes necessary to oppose the state. The obedience to state is also limited and prohibited. Obedience is to the reason of the state and not due to the power and strength of the state. This is in its legal concept and not in its power. So the materialistic legal foundation of the rights is the concept of the society and not only law. Law is only a solid form of that legal concept.

3. Theory of Historical Rights

As a result of the opposite reaction of intellectualism of eighteenth century, historical branch of law, philosophy and legal was originated. This ideology was a strong reaction against the paper constitution, traditional political institution and disobedience to these circumstances and to the belief that a magical transformation can be brought in society by the law made by the human intellect. This historical branch of thought was mainly popularized by Saivgini and Puta of Germany, Berk and Henry Maine of England and James Carter of America. There was one common thought among all these that the character of state and law is historical and the same implies to the rights also.

According to this idea, state, law and rights are neither based on the human wish nor are given by nature on the contrary; these are the results of the origin of the historical circumstances. These are the expression of the special talent of the specific national awareness. According to Puta, "All humanitarian rights imagine about a collective awareness as source. Right takes the form of reality when it becomes a part of the group awareness of those people on whom it is implemented. Through the medium of this collective awareness like language and religion, people of society unite in one thread. This awareness which flows in these social members in a collective form and is born with them, then this is called national feeling. This national feeling is infact the source of human rights.

Similarly, while differentiating the formless and historical rights, Berk has written that the French Revolution was influenced by the formless theories of freedom, equality and brotherhood whereas the golden revolution of England in 1688 was based on the traditional rights, on those rights which were being used by the citizens of England for a long time. The rights declared by the French Revolution were not the part of the group awareness of the people, so inspite of giving capital punishment to the kind and declaring the rights; people were not able to get them. As a result this revolution gradually turned into dictatorship.

According to this theory, the foundation of rights is history. Rights are the essence elements of the customs. These essence elements become rights with the passage of time. According to Reeckae, those rights which people think to be theirs are actually rights for which they have been habituated or which they have used earlier. The first law of rights is traditions. If we analyse many of the rights then it would be found that they are in continuation for a long time in the form of customs and tradition. On the contrary, those demands which have no historical rights are not useful inspite of being rights.

In short, rights are the result of historical development. All those rules which are implemented on the historical theory of law can be implemented on the rights. According to them:

- (i) Rights are not universal, these are limited to the time and circumstances and are related to the specific social group.

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- (ii) The basis of rights is a historical process instead of intellect and tolerance and a specific individual has no role in its construction.
- (iii) The concept of public right should be changed with the historical rights of French and German.
- (iv) It is impossible to reform and it is better to give chance to the historical process without any interference.
- (v) It is right to replace the idea of transcendent natural order to the concept of order eminent in historical process.

Criticism

It is evident from the above discussions that theory of historical rights was a reaction against the theory of natural and legal rights. Even then, in totality, this theory has presented the traditional view point of history. Its main drawback was that this theory did not differentiate in good and bad tradition. If rights are the results of the history and tradition then the question is that if in any society slavery, polygamy, sati or apartheid are considered tradition, then should all these be considered to be the rights? Should the society keep on waiting till the day when the social awareness will arise and people will give these a new meaning which will be called right. In short, if traditions are the basis of the rights then there is no doubt in the fact that no society can snatch its relationship with its traditions and culture, but it is also equally true that these are not reliable. Aggressive social transformation of society demands for a new description of history as has been told by the Marx and Angel and their disciples. Similarly to take help of the law to end the old narrow customs is also not wrong. Theory of historical rights has limit the basis and description of the rights by limiting them to the development of the traditions. It has not given need towards the continuing and changable nature of the rights.

4. Theory of Moral Rights

According to this theory rights take their validity from that moral collection in which the members of one particular groups are mutually partners. Rights are implemented by the inner-self of the man. Though T.H. Green has combined it with liberalism. The main propagators of this theory were Roussau in France, Haigel in Germany, Bonsankar Green in England. Theory of moral rights joins the rights to that moral freedom which a person obtains as a member of society. According to this theory there is only one fundamental basis of the rights the personality of a person. Whether it is the right to live or freedom, or property, or education or health, all these ultimately are inspired by the development of personality. So rights are those powers which a person demands from the society on moral grounds and which are implemented and secured by the state through its law. The internal development of a person does not depend upon the state; this is a personal matter of a person state's work is only to create those external circumstances in which an individual can obtain his moral freedom. Rights are the external circumstances of the internal development of a person which are secured by the state through its law. According to Green, Rights are the essential powers to fulfill the capabilities of an individual as a moral creature. This concept of Green is different from the concept of Lock. Rights on one side are the demand of the intellectual nature of the individual so that he could give solid form to the capabilities. These demands are rights because on the social level this is a group awareness that man should get the rights. Rights instead of being natural are ideal. So as the change comes in the group awareness, these rights also change with the time and circumstances. In this awareness so many changes which came as a result of this development which used to be legal, lose their importance with the passage of time. Apart from it, every right of an individual should coordinate with the common welfare of the society because ultimately social welfare and not the humanity, decides the rights of the man. Like Kant, Green also had the same opinion, that there could be no right against state. The opposition of the state will give rise to anarchy and the destruction of state like this will be harmful

for the individual. Before opposing state, it will be necessary to compare between the freedom of individual and the anarchy rising due to it.

According to moral concepts, the basis of rights is moral instead of being natural or legal rights are those demands which are helpful in bringing the personality of an individual to the highest position. As the development of the personality is the objective of every individual, so the question of the rights becomes social instead of being just personal and it becomes necessary to coordinate the rights of a person with the rights of the other persons also rights are the combination of personal and social welfare. The objectives of the rights is not the fulfillment of the selfish benefits of the individual but it is to raise his moral level. Rights have the recognition by the society and state implements them through its laws. There is no question of the existence of rights in the absence of society and state. By combining the personal benefits with social benefits the foundation of welfare state was laid down in twentieth century by the moral theory of rights.

Like historical theory, moral theory of rights was also contextual and not public because this is in fact is the right of those people who believe in the same moral code of conduct. There is no doubt that there could be same facts common in various code of moral conduct but this a subject of discussion and the unanimity could be established on this.

5. Social Welfare Theory of Rights

In 20th Century all the basis of rights like natural, legal, historical, idealistic got included in one broad theory which was called the concept of rights related to social welfare. This concept of social welfare was recognized in the last decades of nineteenth and in twentieth century by the liberalise writers like T.H. Green, G.D.H. Cole, L.T. Hobbhouse, Laski, Barker etc. According to this concept, law, customs traditions natural rights etc. have the same measurement and that is social welfare. As Hobbhouse writes, "Real rights are the conditions of the social welfare and the reason of the various rights is one the fact that what role they play for the coordinated development of the society". The best description of the social welfare theory of rights is found in Laski's book, "A Grammar of Politics". According to him, "Rights are those circumstances of social life, without which a person cannot attain his best." The existence of the state is to help. The individual to obtain this and the state can do this work in a better way by securing the rights. While describing the specialties of this theory, Laski writes that the question of rights rises only in the context of society. Through rights are the demands of an individual yet these demands are common with the others. Thus, rights get combined with the common welfare and similar objectives. State helps in doing good for both individual and society by securing these rights. Personal benefit is an integral part of social benefit.

Second, rights are combined with the welfare work in society. The meaning of the rights are in the beneficiary works done on the social level. The use of the rights of the individual can be considered right only in the context of the works contributing to the social welfare.

Third, rights are some demands of the individual from the state and this is the duty of the state that it collects the circumstances so that the benefit can be taken from these rights. In this context Laski's idea is that rights are not dictator, while considering the social benefits, state can put some limits on these rights. But these limits should be logical. If these are as per the whims and fancies then they lose their validity and then their opposition of these not only become the individual's rights but his duty as well.

Fourth, due to the condition of the social life, Laski gives special importance to economical and social rights alongwith political and legal rights e.g. right to work, right to rest, right hours of working partnership of labour class in the management of industries, education, right of limited property etc.

Fifth, according to Laski, for the security of these rights, it is necessary that state is of democratic, limited and decentralized because due to this there could be better and more believable coordination between the individual and the state.

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In short, the concept about the social welfare believes that (i) Rights are the condition of the social life. (ii) The question of rights arises only in the society. (iii) No person can get any right against social welfare. (iv) Rights are given to an individual so that he can contribute to the social benefits. If every state is known by the fact that how many rights does it give to its citizens then rights are also known by the fact that upto what limit, social welfare was obtained through them.

6. Contemporary Liberal-Individualistic Theory of Rights

In the last thirty years, contemporary liberal individualistic theory of rights has been effected by the ideas of two writers. These writers are John Rawls and Robert Nozick. Both the writers had been very famous under the tradition of liberalization and have inspired many other writers; like Derolice, Galstone, Ekeman, Berry etc. to propagate the optional theories of rights. These thinkers represent the two important contemporary social economic view points. Robert Nozick supports the free market free commercial capitalism, liberalization and minimal state. On the contrary, Rawls supports the tradition of Keans of equality based liberalism. This is influenced by the effectiveness of capitalist economy but because this economy gives birth to many types of inequalities, thus without ending the fundamental basis of the capitalist economy, they tell the ways to minimize its inequalities by welfare and state directed work.

According to Nozick, the main source of rights is the rule of Natural Right of self ownership which means that every individual should be considered as a means in itself. The first sentence of his book is, "Individuals have rights and there are no things persons or group may do to them (without violating their rights). Society has to compulsorily honour these rights because individual is a not means it in itself. Rights are the mark of the independent existence of the individual and if taken seriously their meaning is that man is not the source to fulfill others selfish deeds. To honour the rights means to honour the claim of being everyone equal. By honoring the individual of a free will society it in fact honors the individual and it also gives the freedom to every individual to finalise the objectives or to select the ways in life either on individual level or alongwith others.

As far as the subject matter of the rights are concerned, Nozick supports only the pure personal rights specially the freedom to obtain and keep the property and to do mutual agreements. In Nozick's concept of property, there is no place of the welfare rights of the individual and their security by the state. According to him each individual is his own lord of himself and his capabilities and is free to use his capacities. Every person has a personal free area in which there should no interference without his consent. All the political institutions are basically suppressive, so they should obtain the common acceptance of those who are ruled. These institutions should be based on free will. State has no appropriate work except arrangement, security and justice. Rights are before the citizen laws and the law of the state is for their safety.

Rolls uses, the words 'Rights' and 'Justice' in the similar meanings. According to him, rights should be intermingled in the justice. In his book, 'A Theory of Justice' while describing the process of the creation of the state, Rolls writes that rights are before the veil of ignorance of all individuals, but people had no natural rights except for those rights which they unanimously chose while creating the state. These rights were also accepted because this was the unanimous decision of the people. The rights which were selected at time of agreement of the people, were of the two types. (i) the fundamental right of everyone for maximum equal freedom which matches with the others right for the same. (ii) Social and economical inequalities should be managed in such a way that (a) they give maximum benefit to the people with minimum facilities in the society and (b) Equal and unbiased opportunity should remain the basis for all posts and situation.

By fundamental freedoms Rolls means all the citizen and political rights which are given in today's liberal countries e.g. voting right, right to obtain political position, rule to the law, right to speech and expression of thought etc. But for Rolls, the importance of the rights, is in the fact that the justified

part of the economic sources of the society should be obtained by everyone. Thus, the second part of the rights talks about giving the citizens some equality based rights. According to it, social and economic inequalities are to be regularized in such a way that all those people who have minimum materialistic means like in income, wealth and education, they should be given more part. Thus Rolls, imagines for such a market arrangement where materialistic inequalities work as the motivators and help to increase the store of the goods for distributors. On practical level, the tax-process of the state is arranged in a proportionate manner that the lowest people should get the maximum benefits. Rolls believes that the rights of the common men on the social things does not depend only on their capabilities. Capable people have no right for the more income. Income and facilities of the capable people can be justified only when they go for the benefit of the lowest people.

Rolls and Nozik both have rejected the theory of utilitarianism. Both have the opinion that man its itself is a means. Though where as per Nozik, the most important right is the right to self ownership; these as per Rolls this right is "the appropriate part in the social sources." According to Nozik, there is no need to do welfare of the poor from the things produced by the able people because "if I have complete right on myself, then a sole owner of my capability and the produce made by my capability." Thus, it is wrong to re-distribute these sources by tax process. According to Rolls, the right of the ownership of the capabilities does not mean that there should be right for the unequal result of these capabilities because capabilities are unevenly distributed by nature. Thus, this is the duty of the state that it gives the assurance that there will no harm to the incapable people due to the capable people.

Ronald Dworkin has described another theory of Rights in his book "Taking Rights Seriously." Dworkin tries to establish a new political theory based on the moral rights. According to him a man has only two rights which can be justified on the moral level; (i) the right of equality for every individual and (ii) the right of respect to the human status. This theory is not based on history, philosophy or tradition and is an imaginative theory based on the logic. Dworkin's theory is different from the view point of the liberalist writers that they do not accept any common right of freedom. According to it, the idea of the right of freedom is a wrong conception, which has brought harm to the political thinking. There is no doubt that the freedoms are very important but just because they are based on the right to equality. He writes, "Citizens have specific rights of some freedom like expression of thought and freedom in their personal sex relations but they do not have a freedom to use the wealth." Another speciality of the Dworkin's theory is their aggressive individualism. In context of the freedom to expression, he writes that in any public demonstration there should be no ban as the loudspeakers even in the name of security because. This can hinder the expression of thoughts of any individual or the demonstrators. Similarly in the name of equality and human states he considers it right to give admission to the Blacks in university inspite of their law scores.

In short, after 1960, under Liberalism, many conceptions of personal rights were presented. But the question is that can a new theory of the fundamental rights be made on the basis of these theories. According to Birch, this does not seem possible because in these new conceptions lack of clear ideas about the nature of individual, view point about society or the works of the stated. Similarly Peter Johns also writes that "What is the meaning of rights? There is still fundamental differences in the various philosophers on this question. In the present time, if there had been any progress in the context of rights, then this progress is towards variety and not towards any only truth.

7. Marxist Theory of Rights

Despite the variety of definition, description and validity, existence of the rights of individual is the fundamental concept of liberalism. Rights are such demands of an individual on the social level which are safeguard by state through its law. The basis of these rights may be natural, or legal or historical, moral or welfare, these are the fundamental rights of the individual. On the contrary, in Marxism we find lack of any fixed theory. The ideas related to the rights of Marxism are connected to the concept of

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personal wealth. The main objective of Marx had been the criticism of capitalist society and economy. He has not presented any definite theory about the relations between state and the individual. Even then, his ideas on rights have highlighted the hollowness of the Bourgeois rights and this tradition was followed by the later Marxists writers. After the revolutions in the constitutions of Soviet Union and China, new chapters were added but on the practical level obtaining their remained a dream.

Criticism of Bourgeois Rights

In his primitive writing, Marx has analysed the nature of rights given in Bourgeois state. His idea was that economic inequalities give rise to political inequalities. As a result, instead of being in majority, labour class could never get the standard of ruling class in the government and their rights remained hollow. In his book '*The Jewish Question 1843*' while analyzing the human rights given in French and American constitution, Marx says that human rights were political rights upto a great extent which can be used with the other people in the society. Their subject matter and nature depends upon the nature of the state. These came under the "political freedom" and 'citizen freedom'. But apart from them, there are some human rights also which can be differentiated from the citizen rights e.g. freedom of soul or religious freedom. In Bourgeoisie society 'Rights of Individual' and 'rights of citizen' are differentiated. An individual is an individual being the member of a citizen society. So why should we call the rights of the individual as human rights? According to Marx, these can be described in context of the relation of state with the citizen society and the nature of political freedom.

Rights of an individual are due to being the member of the citizen society which means that these are the rights of a selfish person of such a person which is different from other individuals and groups. French constitution of 1793 declared the equality, freedom wealth and security as the rights of an individual. According to it the meaning of freedom was the freedom any person to do what he wishes provided he does no harm to others. According to Marx, this was the freedom of such a selfish person which was limited to himself. This right of freedom was not to unite people but to separate them. Similarly the meaning of the right to wealth was to use buy or sell. Our labour, things and income as per our own wish and without caring for the society i.e. the right of clear selfishness. Freedom and wealth are the basis of the citizen society. These rights consider other individuals as obstacles in the personal freedom. Similarly equality is also another form of freedom. This means every will be considered as an aim in himself without any disparity. This means that law is equal for everyone whether it gives security or punishes. The meaning of security is the security of life and wealth of every person in society. The concept of security does not give chance to the society to rise above its selfishness instead it is a surety to strengthen the selfishness. In short, according to Marx, no right can rise above the concept of a selfish person. These are the right of such a citizen who is limited only to his personal benefits and selfishness and is totally cut off from the citizen society. These are not the rights of a person as a part of the human race. In these society is an artificial institutions and is an obstacle in his self-reliance. The means to unite the people together are nothing apart from natural necessities personal benefit and security of wealth.

Marx found this situation very conflicting that liberalism which had taken the task to break the walls of differences between the various classes of the society; is appropriating the nature of such an individual who is selfish and is cut-off from the society. Liberalism has not cared for the community side of the individual. In short, in the context of liberalism, individual is a real individual only in the form of Bourgeois individual' and not in the form of citizen.

Apart from it, modern state claims that this is a society not based the special rights but rather it is such a society which has special rights. This has free the individual from the special rights, but according to Marx, liberalism has started a conflict in individual to individual. In this every individual considers the other individual as an enemy to his freedom and wealth and is in the tension to save them. Infact

this is taking the individual towards the inhumanity and slavery. Here rights have taken the form of special rights.

In short, the criticism of Bourgeois rights of Liberalism are as follows:

1. Right remain formless and informal till such institutional changes are not made in which these rights are possible. For example, the meaning of the right to live is the achievement to live the life and nourishment. Marx was quiet sure about the fact that is our social relations, wealth is not only a power above the things but this a power to control the people as well. This the ownership of the production means to devoid a large part of the society to use them. The power of wealth is the real wealth which compels the people to be dependent on others. This compulsion effects the use of rights in a negative way.
2. Though the right to equality is a necessary condition for social justice but even them it is not satisfactory in itself. Where liberalist writers declared that individuals are equal in front of law, Marxist had a logic that with the economic inequality, the legal equality can neither provide security equally to everyone and nor it can punish those who prohibit it. In the class divided society; the equality of rights demands that in this reconstruction of the society is very essential. Similarly when Marx said that every right from the core is the right to inequality, then he does not deny the validity of the right to equality.
3. Every right, whether is the right to education or the right to education or the freedom to love; is effected by the circumstances of its management. Apart from this, rights are never above the economic structure and cultural development of the society but are rather effective of them.
4. From the economic view point, in order to conflict for the establishment of a class devoid society; which will emphasize on social and economic democracy; it is necessary to abide by the rules of the political democracy. In the context of the high aim of the establishment of communist society, rights are only formal and if they became obstacles in the way of the class conflict, then there is nothing wrong in prohibiting them.

Rights in Communist Societies

While discussing about the change in the communist society after revolution, Marx talks about the "Dictatorship of lowest class". The political demands of the dictatorship of the lowest class will not be different from the old democratic states like adult voting rights, direct making of law, favourite right, public army etc. All these are infact Bourgeois demands which have been obtained upto a great extent. The only difference will be that if after the revolution such kind of state will be demanded then these will be no Bourgeois state. In this primitive condition of communism, everyone will get wages as per his labour. This is possible that are individual is better than the other from physical or mental view point and can give comparatively can contribute more time and labour. Thus, here the meaning of the equal rights will be unequal rights for unequal labour. Here instead of class-difference, unequal productive capacity and talents of the individual will be given importance. In short, all rights of equality will infact be the rights of inequality. Similarly, one labour could be unmarried and the other could be a family man. Thus, inspite of equal labour and equal portion from the social store, an individual can obtained more than the other and become rich. These drawbacks can be rectified only when rights are unequal.

But these kinds of drawbacks are obvious in the first phase of communism because this will be such a society which has emerged from capitalism. As discussed above, rights can never be above the economic structure of the society and the cultural development made by it. Only in the last condition of the communism, when the difference between the physical and mental labour of the individual will finish, and when productive powers will be completely developed only then in society. The rule that every individual will work as per his capability and will be paid as per his requirement; can be implemented. In a communist society, this will be the basis of rights.

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In Russia, China and Eastern European countries, chapters about the rights and duties were included in their constitution after the communist revolution. Following the Marxist theory, more priority was given to the economic rights than the political rights in these states. Rights and duties were considered in the conflicting relation. This means that duties are included in rights and in duties there are rights. For example, to work is a right as well as duty. Whosoever will work has a right to eat and one who eats, has a duty to work. In the constitution social and cultural rights were the main similarly, citizen rights like expression of thought, to make groups to demonstrate etc. were also added. The right to have private property was almost finished. All these rights are joined with the duties in which to safeguard the public property, compulsory; defense, service, security of 'Soviet Fatherland' etc. were included. Even then, same negative aspects also came forwards in context of these rights specifically political and citizen obtainance right. Complete authority of communist party on the state, society and economy, common use of oppressive means by state, unity of structures of party and state, absence of citizen freedom, ban on the difference of opinion etc. were some such specialities which converted the rights into mere relaxations given by the state. From the economic, social, political and cultural view points, these states could not obtain much in the direction of making the life of common man prosper.

Self Assessment

Fill in the blanks:

1. Some of the rights like social security, work, strike, rest etc. got recognition only in..... century.
2. Right to have property has almost been finished.
3. After..... many concepts the personal rights were presented under liberalism.



Task

'How far are the rights essential for an individual', express your views.

6.2 Human Rights

In order to prove the importance of the rights, many adjectives like 'natural' fundamental and 'human' etc. are being added to them from time to time. In twentieth century the concept of human rights has become very popular. This century is called the century of human rights because the concept of human rights has become very popular in liberalist – democratic and communist countries. On the practical level, all states have a believe in one or the other concept of the human rights which declares their society and political institution as justified.

Human Rights: Meaning and Characteristics

The meaning of the concept of human rights is that every members of the human society possesses same fundamental rights due to his humanity. Instead of being legal or national, these are universal rights which have to be given to the people in every state under any circumstances or deficiency. These are included in the individual himself rather than being given by the state or the society. If seen from the philosophical view point, then these rights are influenced by the concept of natural rights of seventeenth century but in twentieth century these were called human rights because today

they are believed to be based on the human needs rather than human intellect. The inspiring source of these human rights is the reality that an individual who is hungry, is behind the bars, is illiterate, is not getting appropriate wages for work, is exploited; this individual is living a life not appropriate for a human being.

According to Macfarlane, "Human rights are those moral rights which a male or a female gets for being human." These rights can be identified on the basis of the five specialities: (i) Universality (ii) Individuality (iii) Paramountity (iv) Practicability and (v) Enforceability.

While describing these specialities, Macfarlane writes that they are universal in the sense that these rights are for all people at all times and under all circumstances. The declaration of human rights by the UNO, is for the entire human race in whatever kind of rule or circumstances they are living. Individuality means that the concept of human rights is based on the belief that man is a free creature; he has his own prestige, is master of his own conscious and logic and is able to take his own decision on the social level. So where these values of the personality of the individual are not given recognition, then these rights no longer remain rights and remain just a part of the customs and tradition. Rights are paramount also from the view point that any person can prohibit these rights only at the cost of injustice. The meaning of paramountity is that the human rights represent "some such work which should not be done, some such freedoms which should not be at risk and some such values which are sacred". According to Dworkin, human rights are those rights which cannot be prohibited in the name of public benefit and they can be utilized even in the absence of law of the state. Practicability means that human rights are some such demands which are impossible and cannot be limited only to some countable number of society. But this does not mean that everyone can be made equal. Any ordinary person of the undeveloped country can lead a life like a person of developed country. Even then, the right for the security of the minimum facilities of living life is a right of every individual. Practicality means that the state arrangement is managed in such a way that the minimum economic and social necessities are fulfilled. Last speciality is enforceability. Though there are many conflicts regarding this speciality but this fact is also clear that with enforcing these rights, no demand of the people can be fulfilled. On the practical level, the human rights can be followed only under the legal structure of the state which grants some rights to its citizens.

Human rights is that safety jacked which try to save a person from violence and disobedience. An individual needs one or the other structure of the safety because nature had made him very weak. Though this safety is never complete, yet in the beginning of modern age, this fact started emerging that individual has got some rights by birth which safeguard him morally from the other persons and the dictatorship of the government. These natural rights have been given the name human rights in twentieth century.

Human rights are infact rights against the state means that it is the duty of the state to respect these rights. Infact it is a measurement through which the works of the government can be accounted. After second world war, developed human rights can be divided in two parts – **persimistic and optimistic**.

Persimistic rights are those rights which impose some bindings on the Government of any country even other country even other persons like no man will be mistreated without doing any crime against the law of the state, he is not be made disable by cutting off any part of his body, he will not be put in prison, nor will be murdered or will not be stopped to get security under the legal rule. State will not ban on the expression of thought of an individual and his religious freedom. There could be difference in the quality of enforcement of these differences on the basis of the state's political, social and economical conditions, but fundamentally these are every persons universal rights.

From the optimistic view point, human rights means that only equality is not enough in front of law right to live means that food, cloth house and medicines etc. are available to the individual in the quantity that he could make his life meaningful. Similarly right to expression demands education so

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that individual can increase his knowledge. These rights means that state through its optimistic works should provide these facilities of an individual's life.

In short, human right means:

1. Rights are by birth for an individual and are included in his personality.
2. These are necessary for the fundamental human life and its development.
3. They expect such social circumstances in which these can be obtained.
4. By considering these to be the fundamental demands, these have to be made the part of the constitution and law of the state.

U.N. Declaration on Human Rights

In the large history of the concept of rights, the idea of human rights is the contribution after the second world war. Its immediate context was the strong hatred against the massacre by the Fascist rule of Hitler during war. As a result of this hatred, the Victorian countries had criminal cases against many German leaders which has no mention in the legal books of the nation but which were based on judgement of International Court of Justice. These crimes were called Crimes Against Humanity and in order to finalise the standards for the future, UNO created a special committee in 1948 for universal declaration of human rights. This declaration suggested a same standard for the achievements of all citizens of all countries. According to this, all people are born with the same prestige and rights so all the rights which are written in the "Declaration of UNO" should be obtained by the people irrespective of any caste, colour, language, sex, religion, opinion, variety, national wealth and birth etc.

Which rights can be called human rights? The declaration letter of UNO talks about two types of rights – (i) Citizen and political right; (ii) Economic, social and cultural rights. Among the citizen and political rights, the significant ones are the rights of life, freedom, security, freedom from slavery, same legal security, freedom to move, expression, conscious and religious freedom, make groups, participating in election on the basis of adult voting rights etc. On under social, economic and cultural rights came the rights of social security, work, to rest, minimal life standard, education and to participate in the cultural heritage of their community. The declaration letter also recognizes the fact that every person has a right to live in such a national or international arrangement in which these freedom can be utilized effectively.

This declaration letter of UNO expresses its strong belief in the human race and talks about these rights to be universal so that there can be obtained by a person inspite of the deficiency the national laws of the specific state. This discusses about important aspects of human freedom and circumstances of life and requests the government that they try to implement them. This letter is based on the rule that rights are the means to obtain a good life for a person on the social level and it is the duty of the Government is to manage their claims in such a way that the circumstances of good life become possible for everyone.

Self Assessment

Multiple Choice Questions:

4. Who has said, "Human rights are those moral rights which are obtained by every male and female only for being human beings".
(a) Macferlain (b) Laski
(c) Austein (d) None of these.
5. What do we call the rights which impose restrictions on the Government of any country or other people?
(a) Optimistic Rights (b) Persimistic Rights
(c) Neither (a) Nor (b) (d) None of these.

6. Who have contributed the criticism of human rights:
- | | |
|----------------|--------------------|
| (a) Capitalist | (b) Communists |
| (c) Marxist | (d) None of these. |

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Justification of Rights: A Critique of Human Rights

How far are human rights valid? Is the declaration regarding the human rights is a self proclaimed truth which does not demand any validity? Critics of human rights do not accept them as partial concepts. Natural rights were considered right on the basis of Natural Law but human rights were differentiated from the concept of natural law. Contemporary political thinkers consider human rights valid on the basis of freedom, equality, self-reliance and human welfare. Even then in various nation – states, the problem of human rights become more complete due to the different kinds of political, social, economic and cultural circumstances. In spite of being popular, these are not accepted equally in all the countries of the world. Some countries have rejected them even on the theoretical basis. Whereas some other countries do not stop criticizing some special rights. Some of the logics about the criticism of the human rights and the problems in their validity are as under:

1. Utilitarian writers think that we talk about the existence of human with such faith that these are the part of legal rights. There is a fundamental difference between the human rights and legal rights and we accept this difference then the human right is nothing more than a moral demand. From the view point of the practical utility the claim of the human rights is very weak because in most of the countries of the world still there is dictatorship and memorandum of the UNO could not stop these states to prohibit these rights. The appeal made in the name of declaration has merely remained a hollow one. Human rights have been proved more like a means of cold war by the super powers and some strong nations.

2. Lot of importance has been given to the social, economic and cultural rights like education, work, social security, rest and minimal life style. But some critics have put a question of doubt not only on the social justice obtained by these rights but also on the intelligence of their being human rights. According to Morris Keranston, economic and social rights seem to be invalid because most of the backward and developing nations, these are not more than any imagination. Their inclusion the memorandum, compels the other rights also to be imaginative. Most of the developing countries lack the favourable condition for these rights and it becomes very abstract to say their citizens that though then have got the rights but they cannot use it, whereas in the other corners of the world there are countries where the citizens have been utilizing the rights for a long time. As a result, in spite of claiming to be universal and equal, human rights become unequal for various countries. Apart from it, one more questionable speciality of the social and economical rights is that it is the government's responsibility to provide these facilities to everyone which means rights are humanitarian and the duty to provide facilities is national. In other words rights were made universal but there was no economic source according to these rights on the worldly level.

3. Another important criticism is that behind the universalities of the human rights the sovereignty of cultural imperialism is also hidden. Most of the rights given under memorandum are those rights which had been the integral part of western liberal democratic values, institutions and traditions. Many developing and backward states have put a question mark on the inspirational source and meaningfulness of these rights. They claim that through the medium of human rights, western countries are imposing their value systems on the social cultural structure of the undeveloped states. For example, the right to express has not much importance for an uneducated, unemployed and hungry person. In such societies, the need of food, cloth, shelter and education are more important than the political or moral rights (Though there is no doubt that in many countries, taking economic development as an excuse, many times citizen freedom has been tried to be suppressed). If all the citizens of the world are given these human rights, then this will an authority of the European culture on other cultures which

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do not accept the “European concept of a good and just society.” Apart from this, the concept of human rights have disobeyed the group rights like of class nations and caste. Liberal democrats have given less importance to the question of class exploitation, national self-decision and caste discrimination.

4. Another criticism of the human rights is a contribution of Marxist writers. According to Marxist writers, along with the freedom, equality is also an important human value. They call this liberal individualist concept of rights as Bourgeois Illusion. Due to a wide gap in the rich and poor class, income of liberal capitalist societies, life standard, inequality in the economic and political power, these rights have become very hollow. Thus, this western concept of human rights in fact promises to give equal opportunities to every person to be unequal for example, the right of every person to remain richer than his neighbour. Similarly, this opportunity for equality also remains as a myth as the money, power and speciality remains limited to some people. This centralization gives opportunity to one specific group to control the common people and so the exploitation of the majority by minority is considered justified. In these circumstances, human rights can never be more than a myth.

Self Assessment

State whether these statements are True or False:

7. Rights are in fact connected with the human relations on social level.
8. Rights are non-changeable.
9. Every right is duty from the social view point.
10. Source of natural rights is natural law.

6.3 Summary

Today, we are passing through such a phase of human civilization when human rights have been recognized through the public declaration and many countries have made them a part of their national constitution. It is claimed that a person is born with some universal and known human rights. But the second tragedy of this era is that these human rights are being prohibited and disobeyed at a very large scale. The number of people without rights is increasing day by day and people are becoming victims of blood-shed, terror, tears and exploitation. This inhumanity comes in front of us in many forms. Social disparity, political instability, dictator political structure and lack of economic sources are making it almost impossible to materialize the Memorandum of UNO. The logic given is that either the rights declared by UNO are not clear in proving that any right is being overruled in reality or this the idea behind this declaration was that every country should be given the freedom to describe these rights as per their resources, culture and values.

Most of the human rights have been defined in the context of citizen and political freedoms given in the western democratic states. Citizens of these countries are mostly using these rights. Where socialist countries have criticized these since the beginning, there it has become impossible to follow these rights in the developing countries due to misarrangements and problems due to the process of nation building liberal democracy was developed in such societies where industrialization, urbanization, income per capita and telecom arrangements were at the higher level. In other words, liberal democracy and strength of institutions, there is a need for the minimal level of social and economic development. Social and political structures of developing countries are yet weak and temporary from this perspective and thus we cannot expect the safety of human rights from them. As a result, despite the memorandum of UNO, millions of people are still devoid of minimal human rights.

6.4 Keywords

Notes

1. **Natural:** Something that happens because of nature.
2. **Autonomous:** Independent, having power to taken our decisions.

6.5 Review Questions

1. What do you mean by 'rights'?
2. Explain the basis of the rights.
3. Describe the specialities of human rights.
4. Review the 'Rights'.

Answers: Self Assessment

- | | | |
|--------------|-------------|---------|
| 1. Twentieth | 2. Personal | 3. 1960 |
| 4. (a) | 5. (b) | 6. (c) |
| 7. True | 8. False | 9. True |
| 10. True | | |

6.6 Further Readings



Books

1. Introduction to Modern Political Theory : *N.P. Berry.*
2. Political Theory : *S. Ramaswami.*

Unit 7: Economic and Social Rights

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Introduction

7.1 Economic Rights

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Objectives

After reading this unit, students will be able to:

- understand the meaning of economic rights.
- understand the meaning of social rights.

Introduction

Modern state is a welfare state whose objective is to provide maximum facilities to its citizens. Rights are very important in the development of citizens. Modern state tries to give maximum rights to its citizens so that citizens can develop their personality. In these economic and social rights are noteworthy.

7.1 Economic Rights

In democratic states, citizens have economic rights also for the economic development. Mostly citizen have the following rights:

- 1. Right to get work:** Right to get work implies that citizen demands to get the paid job. It is the duty of the state to provide work to every citizen so that citizen can earn their livelihood.
- 2. Right to get proper wages:** It is not enough to get work but they should get proper wages for their work. In Russia right to get proper wages is given by the constitution. In capitalist countries, minimal wages laws are being made.
- 3. Right to get leave:** Labors have a right to get leave after work in order to safeguard their health. In Russia, this right is constitutional. During leave period, salary is gives.
- 4. Right to have fixed hours of working:** In the modern states, working hours are fixed so that capitalist cannot exploit their labours. Before fixing the hours of work, labourers were forced to work for 12 to 15 hours. Now-a-days, labourer use only 8 hours.
- 5. Right to economic security:** Citizens have right to economic security also. Under this right if any person becomes handicapped or blind while working, then government gives him economic help.

Due to this arrangement, the person is dependent on the other and nor he has to beg. A person can use the political freedom properly after being free from the economic worries.

6. Right to property: Usually in all the modern states citizens have right to property. This right implied that a citizen can either buy, sell or give his property to anyone. Citizen also have right to ancestral property. According to Lock, right to property is a natural right and it is the first duty of the state to protect this right of its citizens.

Many people think that citizen should not have a right to property because due to this right capitalists exploit the poor. Those who have property, control the government and they use all the governments' power for their own benefits. In Russia state has a right on the means of production.

Changing form of Rights: Change is the rule of nature and every creature is developing. Human society is also developing. It is natural to have changes in the rights alongwith the changes in the human society; so it is very difficult rather impossible to call the rights of a person to be definite and permanent. Subject area of the rights depends upon the social economic, political and cultural circumstances and time. Rights of a 20th Century man are different from that of a 19th Century. In 19th Century, individualism was very popular and democracy had not developed property. Life of an individual depended upon the mercy of the tyrant rulers, so in 19th Century, people did not have the right to education, social security and right to work etc. But twentieth century is the age of democracy, internationalism and welfare states so every welfare state has provided such rights to its citizens through which a person can develop all aspects of his personality. In the modern democratic state, citizens not only have political rights but they are given social, religious and economic right as well. But in the communist countries like Soviet Russia and China, right to work is the first and foremost. But in India, all economic rights have not been given completely. Thus the form of the rights keeps on changing as per the political, economic and social circumstances of the country.



Task

Express your views on the right to economic security.

Self Assessment

Fill in the blanks:

1. Citizen should get wages as per their work.
2. According to....., right to property is a natural right and it is the first duty of the state to safeguard their right of its citizens.
3. In Russia and China, right to work is, Right.

7.2 Social Rights

In civilized states, citizen usually have the following social rights:

1. Right to live: The most important social right is the right to live. Every state gives the right to live to its citizens. According to Aristotle, state is formed for the security of life and is working for a good life.

Prof. Laski has written about this right: "If the man will not have this right, then he will his entire life for safety." According to Hobbs, people left the natural conditions because their life was not safe. According to him right to live is the most important right.

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None has a right to suicide. This life is for society so this life should be used for society. Whosoever is found guilty to commit suicide, state punishes him.

King can even give capital punishment. A murder is usually given the capital punishment, but many people believe that the objective of the state is to secure the human life and not to end it. So, capital punishment should not be given. Today this idea is supported by many people.

2. Right to Education: Education is very essential for the personality development. Illiterate person is considered backward or like animal. Without education, he does not know anything about his rights and duties. It is the duty of the state that it should make proper arrangement for the education of the citizens. If possible, citizens should be given free and compulsory education to the citizens. In the constitution of India, right to education has been given. Citizens cannot be denied admission in schools and colleges on the basis of caste, creed, poor-rich, colour etc. In many states of India, education is free upto a particular level. In Jammu Kashmir, education is free upto M.A. In Russia, England and America also people have been given the right to education.

3. Right to have family: Family is an important unit of society. Man has a right to make family so every citizen has complete freedom to marry with whom he want and has complete freedom to manage his family. But state creates some rules regarding family. Indian Government has fixed the age for the civil marriage as 21 years for male and 18 years for female. It is to be noted that consent of both bride and groom is essential for the marriage.

4. Right to speech and expression of thought: Man has freedom to express thoughts for the development of personality. He can express his thoughts by speech. J.S. Mill was in favour of giving complete freedom to the individual. According to him, a person should have complete freedom to express his thoughts, there should be no control on this freedom. According to his opinion when a man expresses his thoughts, then that thought can either be completely right or completely wrong or can be some right and some wrong.

Today, usually in all democratic countries, citizens have right to express thoughts and give speech. But this right should be used for the welfare of the country and society. No man has a right to find faults in the other and to spread rumors.



Did You Know?

Whenever by any write-up or speech there is a chance of spreading hatred among two classes of society, then Government can ban on this right.

5. Right to make institution and gather peacefully: usually, all the countries have given right to their citizens to make institutions and assemble peacefully. Citizens can use their right to speech only when they will have the right to assemble peacefully. But they cannot assemble with arms. They have right to make institutions also. He establishes political, economic and social institutions also. He can establish these institutions but the objective of these institutions should not be against the welfare of the country. Apart from this, these institutions should use the peaceful means.

6. Right to personal freedom: Right to personal freedom means that a person has a freedom to develop his personality. Personal freedom also means that a person should not be arrested or house arrest without any reason. If any body is imprisoned without any reason, then that person can defend himself by giving application in the court. In many countries, people have been given right that he or his relatives can apply for an arrest warrant. Under this warrant, Government has to present the

criminal in the court and if the reason for his arrest is not appropriate then court can give order to leave him. During emergency Government can ban this right.

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7. Right to Religious Freedom: Right to religious freedom implies to the fact that every person is completely free to have faith in whatever religion he wants, to worship whichever god or goddess he wishes and in whatever manner he wants. State should not interfere in the religious matters of the citizens. State should not compel the citizens to follow a particular religion. State should not declare any specific religion as the state religion. Disciples of all the religion should get equal opportunity for growth. In India this is a constitutional right. India is a state which means India has no religion but Indians have religion. In India, citizens cannot be denied admission in schools and colleges on the basis of religion. But no one can spread the unmoral things in the name of religion. No person has a right that he should spread hatred about other religions.

8. Right to Equality: All citizens should have equal rights. Every person should be considered equal in the state. There should be no disparity in the name of religion, language, colour, caste or creed among the citizens.

9. Right to more freely: Citizens have right to move freely inside the boundaries of the country. They can live, or go for tour to any part of the country. Without the freedom to move, man considers himself imprisoned. Indian constitution has given its citizen freedom to move. But if any citizen misuses this right then Government can put a ban on his freedom.

10. Right to cultural freedom: Citizens have a right to have faith and to develop their culture. They can develop their language, customs and morality. Indian citizens have been given this right by the constitution. Every community has a right to develop their culture.

Self Assessment

Multiple Choice Questions:

4. Which of the given below is essential for the personality development of man?

(a) Employment	(b) Property
(c) Education	(d) None of these.
5. Who has said, "Right to live is the most important right."

(a) Laski	(b) Hobbs
(c) Aristotle	(d) None of these.
6. According to Indian Government, the minimum age for the civil marriage is 21 years for males and years for females:

(a) 17	(b) 18
(c) 19	(d) 20

7.3 Summary

- Only getting work is not enough for the citizens, they should get appropriate wages for their work.
- If any person has got bodiless or blind during work; then the government gives him financial support.
- Usually, in all modern states, citizens have a right to property. The implication of this right is that citizen can buy, sell or give their property to anyone.
- Most important right in the social rights is the right to live. Every state gives right to live to all the citizens.

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- Meaning of the personal freedom is that no body can be arrested or house arrested without any reason. If any person is imprisoned without any reason then that person can defend himself by giving application in the court.
- Right to religious freedom means that every person is completely free to have faith in any religion worship any God or Goddess or worship in whatever manner he wants.

7.4 Keywords

1. **Freedom:** to feel free, Independence
2. **Entrusted:** Delegate

7.5 Review Questions

1. What do you understand by economic rights?
2. How far are economic rights important for a person?
3. What do you understand by social rights?
4. Comment on the Right to life and education.

Answers: Self Assessment

- | | | |
|----------|---------|------------------|
| 1. Right | 2. Lock | 3. First of fall |
| 4. (c) | 5. (b) | 6. (b) |

7.6 Further Readings



Books

1. Introduction to Modern Political Theory : *N.P. Berry.*
2. Political Theory: *V.C. Narula, Commonwealth Publishers.*

Unit 8: Liberty

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Objectives

After reading this unit, students will be able to:

- know the meaning of liberty.
- know the difference between negative and positive liberty.
- know the idea formulated by J.S. Mill about Liberty.

Introduction

Liberty is the central concept and fundamental social recognition of the liberalism. From the beginning the main slogan of the liberalism has been liberation from all those authority which do what they want and liberty to develop his capabilities for every human being for being an individual. To obtain this liberty for the individual and to limit the tyrant power of the tyranny of the state, liberalism demanded for the liberty in every field of human beings. For example personal, social, economical, political, religious and intellectual freedom. Thinkers of the liberalist tradition have been searching the answers to the questions that what are the justified limitations and nature of the liberty. In the western political thinking concept of freedom and its importance had been so strong that its supporters and critics both agree to the fact that liberty is the essence of all political, economical and social relationships.

8.1 Meaning of Liberty

In spite of being the central element and essence of the liberalist thought, liberty is a vogue and indefinite, but an important concept. Its meaning has remained different for various thinkers. What

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is liberty? What are those limitation which end the liberty? Does liberty do what it desires without any prohibition? There are no any universal answer to such questions. There is no doubt that on social level, liberty is impossible without any limitations. In spite of being unanimity on the definition of liberty, there had been strong differences regarding its limitations. Kodwell has rightly said that freedom is such a concept whose nature has always remained very conflicting among the people. Similarly, another writer thinks that liberalist tradition has made liberty as the central concept but every writer perceives it with his own perspective.

If we try to understand liberty according to definitions, then as per Hobbs, by liberty, we mean "absence of external obstacles — those obstacles which minimize the working capacity of an individual". According to Rousseau liberty is in following the "Public Wish". According to Heigel Liberty means to follow the laws of the state. According to Mill, Liberty is "an opportunity to find one's happiness till it does not obstructs the others happiness". According to Laski Liberty is "The deficiency of any kind of obstacles in social circumstances necessary for the happiness of the individual." According to Macfersan, Liberty means, "liberty to work in the form of a complete human being". Marxist tradition saw the liberty in two phases: (i) freedom from those social institutions and institutions which compel and (ii) to establish such social circumstances in which man can live as per the necessities of humanity.

In a special phase of history, liberty is considered as an absence of any bindings on the individuals who are in the competition to get their own happiness and on the free economic competition in the society. In this context liberty meant an environment "Where law is quiet and where interference of the state is minimal. But very soon the conflict of the liberty was removed and this was considered in a wider perspective. With the changed in circumstances, we strated being attracted towards those means which state and social institution could provide to obtain this liberty. As a result, the concept of liberty become more vast though the old concept of liberty did not finish. In the context of the development of liberty, these are known as negative and positive aspects. We shall discuss these in details.

In order to understand the concept of liberty in right background, it is necessary that we understand it in the context of "problems included in liberty." Mainly there are three such problems: (i) Nature of liberty. (ii) Safety of liberty and (iii) Obstacles in obtaining liberty. Primitive liberalism took the meaning of the liberty with the liberty of an individual which means that every individual the liberty to work as per his wishes and to find his own happiness. According to primitive liberalist writers, every person is influenced by his own welfare and happiness. These writers were working hard against the medieval fame conservative, feudalism, ignorance and customs and they believed that these obstacles and difficulties can be faced by personal experience. So they did not give any importance to the social aspect of the liberty. They believed that if once we get freedom from the cruel power of dictatorship government then the human race can find out the way for its happiness and prosperity. To obtain this liberty, they supported all those institutions which can express the political, economical and cultural desires. Thus, they stressed on the institutions like representative government, rule of law, political rights, decentralization of power and liberty of judiciary, economic liberty and free-market economy.

In the cause of time, political parties were accepted as an important means of security of liberty. The most important things in the field of liberty is the bill of rights of constitutional law and rule. Citizen, economic and political rights given in the modern states are not the ancestry of the liberalism but these are also the standards of the liberty given by any state. Liberalist Institutions are the means of the safety of the 'people'. But unfortunately in any liberalist country this no. of the 'people' only a small portion of the total population. This is a major fault of the liberalism in the context of liberty. Socialism claims to develop a new society after getting rid of these faults.

Marxist concept of liberty is materialistic. This starts the beginning of the problems of liberty by the obstacles in his way. According to this, the list of obstacles coming in the way of liberty does not finish on getting rid of exploiter, dictator and tyrant Government. In the way of the happiness of a man

there are so many bigger and more difficult problems like poverty, ignorance, disease, hunger, and migration etc. To have victory over these obstacles Marxism expect the group efforts of the human race more than the individual efforts. In this process, people might lose the liberties which liberalism considers supreme and sacred. This had remained the similar irony as that of the liberalist theory.

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Both Marxism and Liberalism had remained incapable in solving the problem originated in the field of liberty.

How is the life we are leading from the perspective of quality. In the present age, this is the fundamental question of the liberty related thinking. Man does not have to just live his life, but he has to live his life completely. This means those circumstances which can make life meaningful from both quantitatively and qualitatively. Contemporary concepts of liberty and moving around these questions.

8.1.1 Two Views of Liberty: Negative and Positive

There had been a change in the concept of liberty for the last three hundred years. According to a writer, from Adam Smith to Hobb House, this changing concept of the liberty is one of the best way to understand the development the political thinking of last 150 years. We call this change as 'Negative' and 'Positive' aspects, in which the concept of freedom slowly changed from "Silence of law" to the "presence of Socio-Economic-Political conditions". Lets study these in details.

1. Negative Liberty

The concept which emerged due to the primitive liberalist theory and behavior is called Negative Liberty. This was clearly expressed in the creations of the writers like John Lock, David Hume, Adam Smith, Thomas Pen, Herbert Spencer, Benthem, James Mill and J.S. Mill. In twentieth Century, the supporters of this concept are Michael Awkshot, Isaya Berlin, Milton Fiedman, Hawyek and Nowxik etc.

The basis of the primitive liberalism was individualism. This considered every person as self living unit and to society as self satisfied, self wishes and a group of people involved in the competition of selfish motifs. In this context liberty meant as **deficiency of bindings**. These bindings were considered economic, political, religious and moral. On the political level this meant the binding of the desired wish of the state noninterference of state is the economic and social works and the idea of minimal state. On the economic level, liberty meant laissez-faire which means leaving the individual free in the economic matters, deficiency of any kind of state interference in the economy based on the natural rule of demand and supply and in believe in the idea that "economic world is self regulatory and it should be left alone." On the individual level, liberty means every person should be left freely in his personal affairs and state and society should not interfere in the personal matters. There is no conflict in the personal liberty and social welfare fulfillment of social benefit is included in the fulfillment of personal benefits. Social welfare is in the individual welfare.

Hobbs considered liberty as 'silence of law' which means as far as no law of the state binds, individual can do what he wishes. Lock also viewed doubtfully state as sovereign and the power and tried to put limitation by law on this. According to this law and liberty are not contradictory to each other, the objective of the law is to increase and secure the liberty of the individual. We cannot expect liberty where there is no law. Similarly Benjamin idea was that at least liberty of religion, ideas and property should be defended against the state. Montesque accepted such a liberty that state gives obey. Here one thing is to be considered that when in eighteenth and nineteenth century stress was being given to safeguard the liberty through law, then at that time the role of law was comparatively limited

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which means at that time there were neither any parliamentary sessions were held to make law and nor any optimistic works were expected through law. Parliament was the dominated by the wealthy people of the society which had no interest in the interference in the daily life of common people. Many writers have given their ideas about the negative liberty but its clear expression is found in the ideas of J.S. Mill.

Self Assessment

Fill in the blanks:

1. According to, liberty means "common wish".
2. The concept originated by the theory and behavior of primitive liberalism is called liberty.
3. said, "Liberty is an encouraging guardian of the that environment where people can get the opportunities of best development".

Contemporary Exponents of Negative Liberty

Though the negative concept of liberty changed into the positive concept in twentieth century, yet some contemporary thinkers have tried to re-establish this negative concept. In these Awkshot, Berlin, Friedman, Nogik and Hayek etc. are these. According to Awkshot, "rights are liberties". Thus they are in the "Silence of the law" rather than in the law. According to Berlin, the essence of liberty is infact negative which means absence of any kind of interference. Every request made for the citizen or individual's rights, every demonstration by public authority the prohibition of public tradition, infact originates from the feeling of personal liberty of an individual. No society is liberal till (i) not the power but the rights are considered so supreme that people can oppose the inhumave behavior. (ii) those limits are not made clear in which a person can line by his own ways. In short, liberty means, "absence of forcibility". To use force against any person means to avoid hike of liberty. In the simple language, that working place where an individual can work without any interference. As much the place will be large, greater will be the liberty. In this context Berlin's idea was that liberty has a relationship with democracy, equality or law. He writes, "Liberty is liberty. Neither it is equality nor it is law, culture, human happiness or self-consciousness. If my liberty is minimized then its compensation can be done with law, or happiness or with the law and order, but even then, this deficiency remains. Liberty can not be redistributed in the name of the redistribution of welfare, justice, property etc. Law and social welfare can be related to the liberty but they cannot take their place.

Similarly, Friedman in his book "Capitalism and Freedom" writes that the meaning of the liberty is that "Absence of forcibility on any individual by every individual." His idea is that in economic matters interference of the state is harmful for the economic liberty of the people. Economic liberty means free-market capitalist economy liberalist writers have also considered the freedom as the absence of social and legal bindings. According to Nauzik, liberty means, natural right to self-ownership. Legal liberty can be obtained only under the limitation of natural rights which can be understood only in the context of ownership. Though, they believe in the writers equal right of the ownership but they do not support liberty in the name of equality. They support equal liberty because they believe in liberty and because every person can be free and he should be free. Alongwith that, it is also believed that only capitalist in free economy and state's non-interference can increase the liberty.

Characteristics of Negative Liberty

On the basis of the above discussion, following specialities of the negative liberty can be identified:

1. The concept of negative liberty is based on the fundamental philosophical idea of primitive liberalism towards individual, society and state. This believes in the personal wish, his intellectual and the basic

goodwill of an individual. Every person knows what is good for him and can do the same. For his personal development, he wants to free himself from all those free authorities which can work against his wishes. Negative concept limits liberty upto the individual and his personality and considers society and state to be the enemy of individuals liberty. This disobeys the social aspect of the liberty. Supporters of this theory consider the interference as the forcibility.

2. Liberty means “absence of bindings”. This is freedom from and not “freedom to”. Hobbs considered liberty as “silence of law”, Berlin considered it as “absence of forcibility” and Friedman thinks it to be “absence of forcibility to a person by state, society and other citizens.” Another writer considers it to be the absence of legal obstackles. According to Nauzik this is “natural right of self-ownership”.

3. Concept of absence of bindings very vast. These bindings can be anything like political, economical, citizen and personal etc. On the political level means to have control over the power of the state and minimal interference of state on the life of an individual. On economic level it means free-trade, liaises faire capitalist economy and right to unlimited property. On the citizen level, it means freedom to speech, idea and conscious and on personal level this means decisions by the individual related to his life and without any pressure of the state.

4. The law of the state cannot snatch away the liberty of an individual. They can only control it in the context of social arrangement. Because this liberty is infact liberty from state. So state can secure this liberty only by minimizing its works. Law and liberty are contradictory to each other that means as much as laws are more, liberty is less and as liberty is more then accordingly law is less.

5. Liberty no doubt has a relation with democracy, equality and property but these are not its necessary conditions. Equality and democracy can become danger for liberty.

6. There is a difference in liberty and ‘conditions of liberty’ simple meaning of liberty is the lack of interference by the other people, state and society in the life of an individual.

These are some elements of negative liberty which need to be focused on. First, negative liberty fixes such an area where law is silent and an individual can do something without any interference. In Berlin’s words, negative liberty is answer to the question that which is the area where individual is left to do all that which he is able to do without the interference of any other person or group. Though various writers have a difference of opinion on this subject that what should be the limits of the area to be left free. Secondly, in negative liberty, limitations are put by the individual which means that these are not the limitation arouse due to natural incapability and deficiency.

Criticism of Negative Liberty

Negative liberty is criticized only three basis: Philosophical, Moral and Economic.

On Philosophical Level Critics say that primitive liberalist and utilitarian writers did not recognize man’s nature properly. An individual is neither selfish nor intellectual as presented by the writers. Similarly, man’s history is not the history of the people living and roaming separately who created the civilized society all of a sudden. On the contrary individual had always been living in the community and is a social creature. All the norms of his life and finalized on the social levels. These social law are made for life norms and it is not necessary that they minimize the liberty of an individual.

On **Moral** level, the logic was given that liberty does not mean that man has freedom to do whatever he wishes rather he has freedom to do whatever is right from the moral view point. Moral values are not against liberty, rather they guarantee for the correct use of the liberty.



Did You Know?

Negative liberty is incomplete upto the point it rejects the importance of moral values.

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On economic level negative liberty is meaningless. This defines in the context of laissez fair which means that economy should be left for the natural rule of demand and supply and free competition. This does not see liberty in the context of economic security and freedom from shortage. Negative liberty and from competition centralized the property in some hands and gives birth to exploitation of majority of people. Negative liberty in fact establishes a coordination with the security of the personal property and also devoid the poor people of the society to get benefit from those opportunities for which they are legally righteous. So from historical view point the concept of negative liberalism is provided in complete and insufficient. Not only Marxism has given challenge to this concept; whose thought was that till there is private property, liberty cannot be obtained, but the liberalist writers who came later, also redefined the freedom and called it positive liberty.

2. Positive Liberty

Positive concept of liberty unites liberty with society, socio-economic-circumstances, rights, equality and justice. This is based on that changed concept of individual and society which came into existence due to the criticism of socialist and liberalist writers. From the historical view point this change became clear by the creations of T.H. Green, Bosanke, Hobb House, Barker, Laski and Macaiver etc. Macfersen, Rolls and Berlin are contemporary supporters of this concept.

Positive change in the liberalist thought began in the last decades of nineteenth century when it was experienced that this philosophy cannot be made to stand permanently on the narrow foundation of individualism. This new view point had a faith that central concept of liberalism is the idea of social welfare (opposite to individual welfare) in which all can become partners. The standard of freedom is not only individual wish or minimum bindings on his free wish. Because free wish is used only in a particular circumstances and at times these circumstances are such that free wish remains just as a joke. In other words, on formal level, right to fulfill the desires can be without obstacles on an informal level there but could be unlimited limitation on the circumstances. For example, to give employment to an unemployed or to educate an illiterate person or to give facility of an artificial limb to a handicapped person are the positive aspects of the concept of liberty. But just leaving it by saying that who has stopped the handicapped to take artificial limb or an uneducated to be educated; this is an incomplete description of the liberty because in this even if the individual has not been denied, he has not got anything. This means if liberty implies the free wish then this free wish demands some opportunities. Opportunities means that society which will create such social, economic and political structures and institutions where the fulfillment of this free will become effective. Liberty is also a social concept alongwith being an individual concept. As Green has clarified, "Liberty is not the absence of bindings rather it is the positive power to use all that which is usable alongwith the other people of the society." This is the positive power to fall those norms and aims which are related to the social welfare. This is not only legal rather actual possibility to develop the capabilities of the man. In short, liberty implies to the equal of an individual to be a partner in the services and things produce by society and his capability to give his contribution in social welfare.

Similarly, Bosanko had the opinion that liberty depends upon two elements — nature of the individual and nature of liberty. Individual is a part of social completeness and it can be studied only in the social context. The roots of the individual is in society. These are the external circumstances of an individual's internal development. According to Bosanke, negative liberty means lack of bindings which means "freedom from" whereas positive liberty means "freedom to" means pressure of all those circumstances which are necessary for the free and complete development of an individual and to secure them is the duty of the state.

Laski's Views on Positive Liberty

The best expression of positive liberty is available in Laski's book, "A Grammar of Politics".

Laski has investigated liberty on three levels in these books:

1. Nature of Liberty.

2. Forms of Liberty.
3. Safeguards of Liberty.

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While describing **the nature of liberty**, Laski writes that, "Liberty is that enthusiastic guarding of that environment where people can get opportunities for the best development." Liberty is a gift of rights. Liberty is a positive concept and not a lack of limitations. Laski does not consider liberty only "absence of bindings" because man's all behaviors are social. Whatever he does, or want to do, can be done only being the member of the society. So, liberty and limitations are not separate rather they are joined with each other. Binding of the liberty is the result of the social nature of the man because man cannot live without law. Important thing is that these rules or laws should be made on the basis of the experience of the community. These should be based on the desires of the people whom they are going to effect. Even then, liberty is not following the law blindly. Even the government can become a danger for the liberty of an individuals in the name of public welfare. Every individual want to finalise some work area in order to rise his personal moral level. All those bindings which obstruct the profits obtained from this personal work area are infact destructors of liberty.

Laski also joins liberty with the availability of opportunities. Liberty are those opportunities which are necessary for the personality development from the historical view point. In this context liberty cannot be separated from the rights because these opportunities of development are finalized by the rights. Laski did not want to leave the liberty on the mercy of state because a person cannot obtain actual liberty till he is not able to take account of the works of the government whenever the government kills the rights, then this account needs to be taken.

Various forms of the freedom are joined with the circumstances in accordance to these rights. Laski talks about three forms of the liberty – personal, political and economical. Personal liberty means those opportunities which are related to the personal life of the man. Religion is its best example. Personal liberty, in a way, is negative because it does not effect others. Laski believes that in modern state it has become very easy to overrule personal liberty. For example if a person is not able to obtain enough legal safety in case of prohibition of his rights, then this will be called the killing of the personal liberty. In short personal liberty means opportunity to work as per own wish in the personal relations of life.

Political liberty means the opportunity for the works of the state to be active. This means obtaining all democratic political rights. Political liberty is possible only when every person is so intelligent from the political view point that he can express his ideas and news are broadcasted honestly so that public opinion can be prepared on that basis. Reliable news are the solid foundation of the political liberty.

Economic liberty means getting rid of the tension of daily livelihood. This means freedom from the continuous fear of unemployment and from the deficiency which destroy the complete power of the personality. Individual should get rid from the tensions of the future. Apart from that economic liberty means democracy in industry. This has two meanings: Arrangement of the rights which is for the general public should also be applicable to the industrial organizations and the direction and management of the industrialization should be based on the agreement and cooperation of all the workers rather than on the dictatorship of one or a group of persons. Industrial arrangement based on fear is against the liberty.

Third aspect of Laski's ideas on liberty is the safeguard of liberty. Laski believes that liberty cannot be available to the general public without special guarantee. For this Laski talks about three conditions: (i) Liberty cannot be safeguarded till there are special rights in the society. Presence of special rights gives rise of disappointment in the general public as a result people lose their capability to fulfill their

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benefits. As he writes, "Special rights and liberty do not match with each other. Liberty can be obtained only in the context of equality." (ii) Second condition of the positive liberty is presence of rights. In the society where the rights of public depends on the mercy of few people, liberty can not be obtained. Presence of rights means absence of those indefinite condition which become a major reason for the social loss. (iii) Government should be accountable to the public works of the state should be impartial. Here the availability of the rights becomes so important that they become minimal guarantee of liberty. They give security to the fact that political power should not be used for the benefit of few people.

Contemporary Writers on Positive Liberty

Some contemporary writers have deeply studied positive liberalism in which Macferson, Rolls, Berlin, John Grey etc. are the main where Berlin in his article "*Two concept of Liberty*" considered negative liberty as "lack of political and social interference in the life of an individual," there his concept of positive liberty is very wide. Positive liberty is infact an individual's "liberty to be self-owner, self-directed and to take his own decisions, to work and to influence by his objectives." "instead of the fact that these decisions and orders are given by some other person. Positive liberty means "to live in the form of a complete man." There are three elements mixed in Berlin's concept of positive liberty: (i) This is personal ownership and direction. (ii) Liberty is giving orders by self-master and self-directed people to those who have not yet achieved this condition. (iii) Liberty is a democratic concept to control state authority.

Macferson, in his book "*Democratic Theory*", sees liberty in the context of increase in individuals' developmental power. By development he implies the capability to develop and use the capacities by the individual." Liberty means "to remove the obstacles from the way to reach the means of life and labour of individual". In short, liberty is the name of decrease in the exploiting power and increase in the developmental power of an individual.

According to another writer John Grey, the political summary of the positive liberty is that if some sources, facilities and powers are required for the achievement of the self growth then these sources should be considered an integral part of the liberty. On these basis, modern liberalism has developed the concept of self are state in the institution to increase liberty. This is an indication of the fact that whatever facilities are necessary for the development of life of an individual, state has the means to provide them.

Similarly, Rolls has the logic that if we have to give solid form to the demand of maximum increase is liberty, then it should be divided in some fundamental liberties like freedom to speech, liberty to ake group and to move here and there and liberty to select life style etc. There is no fixed list for these fundamental liberties rather. These are included in the use of necessary conditions of historical circumstances and self-reliance, thinking and power to work.

Characteristics of Positive Liberty

On the basis of the above discussion, following specialities of the positive liberty can be underlined:

1. Liberty is a necessary condition of physical and moral development of an individual. This is not a hollow social idea like justice and equality rather this gets its subject matter by the historical circumstances of the society. In the contemporary context this is not "absence of limitation" but is the presence of those socio-economic circumstances without which development of the personality of an individual is not possible.

2. Right kind of limitations are not bad. Positive liberty has an idea that as per the social necessity, some limitations become guarantee rather than being contradictory. The concept of “freedom through compulsion” is practical and justified. According to Laski, liberty removes the wrong limitations and applies the right limitations. Social and welfare law can be proved right in this context only.
3. The form of liberty is social. The aim of the liberty is to development of an in the form of a social person. Liberty cannot be given against social welfare.
4. Positive liberty strongly believes that without equality, specially, without satisfactory economic equality, liberty is not possible. Only equality gives a positive form to liberty.
5. Another condition of liberty is presence of rights. Similarly, liberty is also joined with the justice and morality.
6. State instead of being enemy is rather an important means of its development. State’s work is not to leave individual alone rather it is to provide opportunity and facilities by positive work through which liberty can be obtained.
7. In the modern state, there are some measures to safeguard this liberty: These are democratic government, constitutional guarantee of the rights, political cooperation, decentralization of political power, freedom of judiciary and legal investigation etc.

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Assessment

On the basis of the above discussion, it seems that it is a bit difficult to find a true, clear and definite meaning of the liberty. There are two reasons for this. First, on the universal level, desire of liberty is so strong and valid that to prove that “Our liberty is real and our oppositions false” people can go to any extent. Secondly, on philosophical level also dealistic differences are very serious. Negative liberty claims that individual’s essence is in his being reliant and self-owner whereas positive liberty assumes that man is a social creature and all his moral values and objectives are influenced by the requirements of the social community. Even then, if we want to understand the true meaning of liberty then it will be wrong to limit to its any aspect. For example, from any vast concept of liberty, it will be wrong to keep the negative concept out because this is the concept which was used first of all and in day to day language people still understand the same meaning. Complaint against the negative concept is not that it is wrong or unwanted. In fact its drawback is that in the modern circumstances, this is incomplete and insufficient. The concept of positive liberty is a little bit complex because which facilities to be given under positive liberty can be different as per the requirement and circumstances of every state and society. In spite of it, this concept is the necessary requirement of modern state. Today liberty can not be left on the mercy of free market. According to Anthony Breach, the supporters of negative liberty should experience that today’s democratic states can be based on the agreement and recognition of the community. To increase in the capabilities and capacities of an individual is actually to increase the liberty. Similarly, supporters of the positive liberty should also not forget that a person should get negative liberty also in a large quantity. Liberty can not be imposed by the state. Positive and negative – these are the two aspects of liberty. On practical level, an individual needs both of these and if both the aspects understand each other view point, then it will be very easy to understand the meaning and importance of liberty.



Task

Express your view on the positive and negative aspects of liberty.

8.1.2 Limits of Negative and Positive Liberty Paradigm and Need to go Beyond

Freedom as a Triadic Concept

In 1967, a famous legal philosopher Gerald Macclumin has given a logic in his article that supporters of negative and positive liberty units together at the single definition of liberty, and the difference is only their difference view point. The only difference of opinion among the two aspects of the negative and positive liberty established by Berlin is only to the point that which concept is the best which can be called liberty. Does this fact not indicate about some and more basic agreement between these two aspects? How can they see their difference of opinion in the context of the definition of liberty if they do not have the inclination that they both are talking about the same thing? Macclumin's answer was that actually liberty has only one basic concept on which both the aspects of the discussion came in front. The only difference of opinion between the theorist of positive and negative liberty is about the explanation of this single definition. According to Macclumin liberty can be explained in many ways. But unfortunately Berlin's artificial division has limited it to only two aspects - negative and positive.

Macclumin defines the concept of liberty in this way; (i) One doer or the agent group. (ii) is free from some restrictions and prohibiting circumstances; (iii) to do some thing or to become something. Thus liberty is a triad relationship which means this is a relationship between three elements. (i) Individual or doer. (ii) Some prohibiting circumstances. (iii) The wish of the doer to do or be something. Any statement about of liberty and dependence can explained in the context of the above triadic form e.g. who is free or dependent? From whom is he free? And what is liberty or dependence related to do or be something? In any special circumstance, the claim for the presence of absence of liberty will be based on these assumptions that who is the doer, what are the limitations on liberty and what are those objectives for which the doer is free or dependent.

According to the analysis of Macclumin, there is no division is negative and positive liberty. Rather we should accept that there could be many explanation of the single concept of the liberty. Macclumin has even said that many thinkers of the concept of liberty cannot be clearly limited one or the other concept. For example John Lock is considered the father of classic liberalism, as a result he is supposed to be a strict supporter of negative liberalism. Lock has written clearly that the meaning of liberty is the freedom from violence and others bindings. But alongwith that Lock has also written that liberty cannot be joined with spontaneity – the obstacles which defend us from the dangers and swamps and cannot be called restriction where Lock explains such restrictions in the context of liberty which can be called negative according to Berlin, there he even supports the third aspect of triadic concept of which according to Berlin will be considered positive liberty. This means to limit liberty upto the works which are not immoral and which are in accordance to the welfare of the doer. This means that if I am saved to enter a swamp, my liberty increases. Contemporary writers like Nozik and Rothbard have also given similar definitions of liberty which are based on morality. All these examples clarify the claim of Macclumin that to divide liberty in two parts from historical and conceptional view point can be confusing that negative concept is liberal and positive concept is non-liberal.

In short, Macclumin's logic is that there is one basic concept of liberty which can be defined on the basis of triadic relation – doer, some restricted circumstances and some work by the doer to come out of these. According to negative liberty, doer is external, objectives are the wishes of the individual on the other hand, according to positive liberty, doer could be an individual or a group restriction could be internal or external and the objective to be achieved could be limited. This triadic concept of liberty is playing an important role in coordinating the two aspects of liberty.

Are the Concept of Negative and Positive Liberty Still Useful ?

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We started this chapter with the simple difference and have now reached to the triadic concept of liberty. In spite of the strong effect of the Macclumin's triadic formula on analytical philosophers and its utility; is the main discussions related to political and social liberty still Berlin's double divided concept is strong. But the question is: How fundamental this continuous reference to the negative and positive liberty from the philosophical view point. Another writer Erik Nelson has also criticized this negative/positive division. Nelson believes that many writers joined with positive liberty like Green and Bosanke have not divided liberty in the form of "absence of bindings" or "to do something or to be something." For him, liberty means absence of all kinds of bindings in the direction of attaining self-achievement. So the only difference that remains is that the classification of the various explanations of liberty demonstrates that upto what limit do they remain fit with the classic liberalist tradition. Infact, there is some family relationship in concepts of liberty which are usually seen bent toward one or the other side of the division done by Berlin and the decisive element to finalise this or limit of family form is the condition relation of theorist with the concept of 'soul'. Supporters of positive element, consider the questions of sources and nature of the beliefs, values and desires of an individual as beneficial to finalise the liberty of the individual whereas those who support negative aspect, they are loyal to the classic liberalist tradition and according to it to raise such questions is to have doubt on the honesty of the doer. Where one aspect, takes positive interest in the beliefs, values and desires of the doer, the other aspect thinks it beneficial to disobey these.

Inadequacy of Traditional Concepts of Freedom

Dissatisfied with these two traditional concepts of liberty, theorist is still working to create same necessary important social circumstances of liberty. These social circumstances for liberty are not limited to provide guarantee of security against the physical and legal obstacles and physical sources (like income, education or health etc.). Apart from it, they want to include two more provisions in it on which still complete agreement could not be achieved. Third provision of liberty is the safety of the cultural next of a person in which he lives. This cultural context is a part of the process through which that person creates his independent interest. The same is important against the demand of cultural rights. These believe that people in any society are not equally free till various cultures are not given equal respect. Fourth concept of liberty is the concept, "Group of liberty" which is more than the right to express and political freedom like voting right.

Post modernist writers have also criticized the modern concept of liberty. They consider it mask to conceal the reality of modern society of continuous increasing control arrangements. According to Fuka not only of the modern exploitation state structure but even regular institution and schools are expanded widely which compel the citizens to do the kind of work which increases their dependence. It is wrong on the part of the modern intellectuals to use the concept of liberty while disobeying this invisible authority. Apart from it some feminist writers have also attacked on the present theories of the liberty which according to them is based on the presumptions of the males and can create problems in the distribution of liberty. Their logic is that the concept of liberty has been created with the circumstances and experiences of only males. To accept this concept will mean to disobey many activities done by the women which will not be beneficial for the women. Even it has been claimed that more centralization on this concept of liberty can be anti-feminist. For example to define liberty in terms of absence of bindings can be a means to strongly support the in-humane conditions of the women. In short, both feminism and post modernism have given a strong challenge to the positive and negative aspect of the liberty.

Thus, the division of liberty in negative and positive aspect is considered insufficient today and attempts are being made to go beyond this.

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8.2 John Stuart Mill and the Value of Liberty

Mill's book '*On Liberty*' is considered the best book ever written. This is a strong request for the liberty to work according to a person's will, and to express himself against the state, social pressures, public opinion and customs. There was a specific goal in front of Mill, while defining liberty – aim for the self development of a man. According to Mill every person has a special right to live as per his own wishes and experiences. There is no recognition of a person following the customs and the traditions, there is no option in his life, he has nothing except to ape his ancestors. Different people of the society should have a right to live in different ways because, this variety is the basis of liberty. Liberty which Mill talks about is the liberty a man to develop and expand his personality. So, there is no wonder that he defines liberty in the following words. "Liberty to fulfill his welfares as per his wishes provided he does not obstruct other's welfare". Defining in this manner, liberty becomes a means to obtain a goal and that goal is; "happiness of man." He further writes, "An individual is responsible for only that part of his behavior which effects others. He is completely free for the behavior which effects only him. On himself, on his body and his heart, individual is master of himself...the justified use of power of the state can be used only to stop any member of the society from harming others. "Any interference in the name of moral or physical benefit of an individual is unjust. No one can be compelled to do any work with the saying that this will increase in his happiness or this is for his well being or it is right as per elders. These all could be good reasons in themselves but if somebody doesn't do the same then it is wrong to punish him for the same.

On the basis of the above definitions, save specialities can be underlined. First, the liberty that Mill is talking about is the liberty of the individual. Individual is the master of his body and heart and he should be left to live as per his wishes. Society does not need to put restriction on him because all types of limitation are basically wrong. In the context of liberty to work, Mill has divided the activities of the individual in two parts – those works which effect the individual and works which effect the others. In self-effective works, Mill has supported the complete liberty. Only those works of an individuals can be restricted which effect others. For the self-processed works, society should leave the individual alone. In these self effective works, Mill has included the liberty of individual freedom, Soul's freedom, thinking, emotions, religion, opinion about morality etc., aims of life, marriage, business etc.

Second, Mill Wants to Secure the Liberty of Individual from State and Society. Mill was writing his creations at the time when democracy was rising and right to take part in politics was going to be obtained by those people who were going to be benefited by the interference of the state. It was experienced that state was playing a positive and justified role in the welfare of the people. Even then, Mill was not in favour of the democracy which gave equal opting rights to all. His idea was that the concept of self rule or power of people are more of a myth rather than truth. Meaning of public power is that it is the power of the majority of society and active people from the political view point of society or we can say majority. But in this dictatorship of majority, the liberty of minority is destroyed. Democracy does not mean that it finishes the liberty of minority. So, the liberty of an individuals needs to be secured from a democratic state. Mill has strongly criticized those people who are ready to sacrifice the individual liberty for the sake of a strong sate because state is not more than the people who make it. According to Mill, "State that makes his citizen so tiny that they remain merely a obedient machine, will soon experience that big goals cannot be achieved by the small people".

Third, the manner in which Mill brome the myth that tyrant government if changed in democratic government then liberty will automobilically become secure. In the same way, he stressed on the fact that social tyranny is at times more terrible than the political exploitation because this does not leave any way for defense and has been successful is reaching at the depth of life. So, liberty need not to be defended only from political tyranny but also from the tyranny popular ideas, emotions and traditions. Biggest obstacles in the personal expression of thought is the opposition of the society. Whenever some such people came forward who want to live unconventionally manner, then some powers in the society stand to oppose them. Mill wanted to remove all the obstacles from the way of

free expression of thought. As he writes; "When society itself becomes tyrant then this tyranny can not be limited to the level of the political rulers. Society has its own rules and when in order to fulfill these it interferes in the life of an individual then this playing such a tyranny which is more terrible than political exploitation."

Fourth, in the context of liberty Mill has given special importance to the liberty of individual rather than popular opinion and tyranny of emotions and feelings. According to him no government or society has a right to suppress the ideas of an individual even if it has an agreement from the entire society. Anybody with the difference of opinion can have unconventional ideas which can be either completely or partially right or wrong. If they are true then it will be a blot for the society to suppress these. To forcibly suppress any type of idea or opinion is based on the preconception of myth. Mill's popular sentence was, "If the opinion of the entire society is one and the opinion of one person is different from it, then even the entire human race has no right to suppress the opinion of that person and neither that person has a right to suppress the entire human race if he has power."

Similarly Mill believed that any kind of discussion should be without any pressure. Mill had no faith in this traditional lie that "truth always trumps. There are innumerable examples in the history where truth was sacrificed. So he refused to accept any old formulae of truth with any discussion or logic. He believed that in order to strengthen truth, it is necessary that it is discussed again and again and without any pressure or fear. Truth can emerge only through challenge. In short, Mill considered the liberty of idea valid on three basis: (i) Suppressed idea can be right. (ii) Even if the suppressed idea is wrong, it will be partially correct because on any social subject, public opinion is not unanimous; the probability for the truth comes only by the conflict of the opposite ideas. (iii) Even if popular ideas are right, they will not be challenged by the opposing idea. In this condition, they will take form of a convention.

Fifth, on a wider level, Mill's ideas are considered negative. He considered interference of state or society in the self-effective works of an individual to be wrong because in his opinion, all bindings are bad. Individual is not accountable to the society for those works whose relation is only with him. Welfare of society is in the fact that they give complete opportunity for the self-development to the individual. Liberty is in the deficiency of binding. Mill limited the liberty to the individual and considered state and society as enemy of the liberty. The aim of the liberty is to safeguard such a place for the individual in which he can work without any external interference. Though, Mill took the concept of liberty to higher standards but its roots were in the liberty of an individual.

And in the end, according to Mill, liberty cannot be considered right only on the basis of utilitarian. Liberty also implies to such social utilizes whose aim is not only increasing the happiness of individual but also to develop the humanitarian personality in context of social variety. Mill believed that only through amendment in human character and social condition, the way to the development can be clear. Only with the small amendments on the government level, there could no deficit in the problems of the individual. Mill was much worried on the tyranny of majority on the minority in parliament and wanted to safeguard the individual from the tyranny of public opinion.

Assessment

On the basis of the above explanation, we can discuss Mill's concept of liberty:

- (i) This concept of liberty implies only to the education intellectual class and not on the children, youth and backward classes. According to Mill, for backward class dictatorship is the best rule. Till a human community does not become capable to discuss liberty freely and equally, for them obey the dictators like Akbar and Changezkhan is the best option.
- (ii) There is no doubt that on idealistic level, Mill supports the uncontrolled freedom for expression of thought for the personality development of the person and the development of civilization. But on the practical level, he believed that every person should use his liberty upto the limit that he does not obstruct others liberty.

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- (iii) Free development of the personality can give rise to inequality. Mill rejected Bentham's theory of rule of majority. Mill wanted that the experienced leaders and specialist should lead the society so that they can show right path to the lower class. So, there seems to be a dilemma in Mill's ideas about liberty and equality.
- (iv) According to Barker, Mill is a messenger of "Hollow Liberty". In his book 'On Liberty' is just an attempt to put new wine in old bottle. This is so because he was bound with the concept of individualism. He was far away from the idea of social completion which can establish co-ordination between individual and society. Later writers like Green, Hobb House, Laski etc., did not accept the difference between individual's self effective and society effective works.

Even then Mill's importance is a stressing the fact that social and political growth upto a large extent, depends upon the personal capabilities and selection of liberty. Mill had a strong belief that any kind of increase in the power of state, whatever is the form of Government, is in opposition to the liberty of an individual. Any work done under force minimizes the opportunities to choose and as a result liberty is prohibited. Similarly, logics given for ideas, speech and liberty of expression because the fundamental basis of the liberalist philosophy.

Self Assessment

Multiple Choice Questions:

- 4. Who has written the book "On Liberty",
 - (a) John Stuart Mill
 - (b) Laski
 - (c) Aristotle
 - (d) Hobbs
- 5. Who has said, Mill is a messenger of "Hollow Liberty"?
 - (a) Hobbs
 - (b) Laski
 - (c) Barker
 - (d) Aristotle

8.3 Liberty as Emancipation : Marxist Notion of Freedom

Marxism views the concept of liberty in the context of large scale human freedom. According to it, in human history, class struggle had always been a form of struggle for liberty – those special liberties for which people have struggled. Traditionally, these liberties can be called positive or negative. Common-man wants to be free from some limitations laid on them so that they can do something as per their wish. In the process of the struggle for their class, people have got rid of many types of suppression and exploitation and have also obtained some special rights. But alongwith that, this is also a fact that inspite of the various struggles, the lower and exploited class of the society could not get rid of their exploitation. Special rights of the exploiters are still there. Major contribution of Marx and Marxist writers was to prove that how on the level of production right to personal property has devoid majority of the people in society from their liberty and to prepare this problem on a theoretical level that how liberty can be obtained for lower class. Marxist concept of liberty can be understood on the following basis:

- 1. Meaning of liberty
- 2. Criticism of the Bourgeois concept of liberty
- 3. Liberty: end of alienation
- 4. Liberty: end of exploitation
- 5. Liberty: end of necessities
- 6. Liberty: A collective enterprises.

1. Meaning of Liberty

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According to the traditional meaning of Liberalism, liberty is the deficiency of bindings. Marxism was the heir of the vast and dense view point whose sources were Spinoza, Rousseau, Kant, and Hegel etc. These writers saw liberty in the philosophical context like self-determination, self-attainment, self-development and self-creation. Even if liberty is considered the deficiency of bindings, Marx has explained these bindings very vastly. Marx and Marxism have assumed liberty as deficiency of obstacles in the way of human freedom which means all-round development of humanly powers and to create such social community which are in accordance of human nature. These important obstacles are: pitiable condition of labours, those circumstances of life and existence on which labours have no control and neither social organization can get them any kind of control. Socialist writer Huberman and Siveeji meaning of Marxist Liberty is "to live life completely" means power to satisfy basic physical requirements like, bread and shelter, to develop the personality, to make personal identification and solid effective opportunities of development." Similarly, Pretosyan has written, "Marx concept of liberty is to collect circumstances for the all-round development of the individual and personality development of an individual". It is a collective effort to finish the obstacles in the way of human liberty. So the concept of liberty is collective from this view point. This is an organized and directed human control on the nature and social circumstances of production. According to Marx, the question of individual liberty is united with the question of social liberty in a conflicting manner. True personal liberty is joined with liberty of the society. This social liberty can be attained by the destruction of capitalist productive structure based on personal property and by establishing such liberal social community which takes the free development of people in its control. Only then every person will get a chance to develop his creative powers in the social community.

2. Criticism of the Bourgeois Concept of Liberty

In his earlier creations, Marx has criticised the doubtful explanation of popularized liberty by liberalism. Liberalism considers liberty in the form of a human right. Marx believed that Bourgeois revolution has attained political liberty to the individual but political liberty doesn't mean complete human liberty. Liberalism has mistaken political liberty to be human liberty. Similarly, equality has been attained only on the legal level, but actual equality (economic, cultural and social etc.) is far away. In the absence of property, common man and labour class depends upon the capitalist class which is the master of the means of production. So, in a society based on the class-division and class conflict, there is no meaning of liberty for the lower class. In a society based on free economy relations of man to man are mainly related to money and transaction. They are ruled on political level by law and economic level by transaction value. In such circumstances, individual can never be free for example, he can be free from religion, he can only attain religious liberty. He cannot be free from property but can attain liberty for property. He cannot be free from labour but can obtain labour in the open market. In spite of being free in the state he can attain political freedom in the state. Though, Bourgeois state, gives right of liberty for religion, property, labour etc. but this is not enough for the labour, class. **Marxist concept of liberty is extremely vast and deep so far this view point this is name of freedom from all types of necessities, exploitation, alienation and sovereignty.** From negative view point this means freedom from free market arrangement, that meant absence of authority of external inhumane powers on the individual, deficiency of physical dependence, deficiency of social division of labour, absence of state in the form of a particular class. Liberty from religion (in the sense of a false conscious) mean, liberty not from something but for something. This means all-round development of the man. Man by nature is a creator of the circumstances of his life capacities of man are bounders. Though he is not born in the form of a door, yet in the long process of human liberation, he can become doer. Meaning of this human liberation is active partnership in the process of suppression of obstacles in the way of human development. According to Marx, man is a social creature and by bringing changes in the circumstances, he can bring changes in himself.

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In short, Marx combined the concept of liberty with human liberty and created such a revolutionary theory of liberty which can be obtained in a classless and state less society by changing the ownership of the physical means in the society.

3. Liberty: End of Alienation

Marx in his theory alienation classified the inhumane effects of the capitalist society based on the means of production and personal ownership of property. In simple words Alienation means, "losing one's personal identity or the feeling of personal identify." As Marx has written that personal ownership in the means of production separates the individual from his labour and the product of its labour. Like other things labour also becomes an object to buy and sell. As a result, the keeper of this labour *i.e.*, the labourer also becomes a mere object who has to sell his labour as per the market rate. Even the object produced by him by this labour is not owned by him but it is of the owner. Labour which is a creative power of the human being, remains just as a means to fulfill his requirements. Natural element of the human life (which is the essence of life) becomes a tool of human existence. This labour separates the individual with his fellow beings. In this competitive society, everyone became strangers for each other. In this condition, it becomes impossible to have community life and fellowship on social level life takes form of conflicting egos. Personal property which is a result of separatism, becomes the main source of division in society. It effects both wealthy and poor people where the life of labour limits upto the animal needs, where in a capitalist society, power of wealth becomes the synthol of wealth collection and its human values also change accordingly. In this condition where majority of labours are living a life of slavery, suppression and exploitation what could be the meaning of liberty for them. A dependent person is infact not more than a slave. He cannot go for development of physical and mental or spiritual power freely, rather destroys his own body and soul.

True liberty is the meeting of essence and existence in the life of a man by finishing the alienation. For this, it is compulsory to finish the existence of personal property on the level of production and the group division originated by it. This object can be achieved by establishing socialist/communist society in place of the capitalist society by using revolutionary ways.

4. Liberty: End of Exploitation

Like liberalism, Marxism also believes that liberty is the absence of bindings. But what are these bindings. Here has the fundamental difference between Marxism and liberalism. According to Marxism, there are more bindings apart from those of law and state. These are long hours of working, difficult and boring work, deficiency of healthy food and circumstances to live, deficiency of education and good health, unemployment etc. Due to these, a person can be free despite his wishes. Liberalization believed that if once the powers of the rulers are controlled, then rest of the liberty will be achieved automatically. But Marx believed that even after political freedom, labour class has to undergo economic Slavery. So only by socializing the means of production, a person can attain real liberty such true liberty when the exploitation of an individual will finish.

True liberty means instead of an individual, the entire society is made the owner of the means of production so that the social sources can be used according to the social scheme and the slavery and exploitation of an individual can be finished. This will mean to give opportunity to every individual for the all sound development of his physical and marital capabilities. True liberty will begging when the labour society will rise above the necessities of dependence on the problem of bread and butter.

In short, liberty means, the schematic, social and ownership production of the means of production, end of the sickening effects of the labour division and end of the exploitation. In other words, only the establishment of socialism is the true beginning of liberty. For this only the democratic control

over the political rulers is not enough, rather drastic changes in the social and economic relation is also necessary.

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5. Liberty: End of Necessities

According to Marx and Engels, an individual attains real liberty when he becomes capable of controlling and using the physical circumstances for his objectives. So the achievement of freedom is to understand the requirements and limitation of our physical existence and to overcome them. According to Engels: "Liberty is the victory over limitation". Liberty doesn't mean to imagine the rules of the rapture rather it is to get complete knowledge about these and to mould them in accordance to the human welfare, limitation are always there is both nature and society for example, law of gravitation force, law of production process, law of personal property, laws of hunger and thirst etc. Till the time, we do not understand the laws of the nature, we remain slaves of the blind limitation and if we understand these, then we become their masters. Thus, liberty is the knowledge of these limitations so that we can mould them as per our own wish after winning them. In the beginning of the civilization, individual was not able to understand the secrets of nature so he was the slave of this strange nature. As he started getting the knowledge of these secrets/laws, he started more liberal and conscious. Like nature other important obstacles in the liberty of an individual are the social powers which control him in a special historical circumstances. In the class divided society all the people are divided as a result the lower class finds itself incapable of fulfilling their physical requirements. In this context the liberty means to understand the structure of capitalist production, class division and class conflict and by destroying the class conflict by revolution and to provide liberty to people by establishing the socialist society. "Only then individual would be able to jump from limitations and step into the area of liberty". So liberty starts where the limitations end.

6. Liberty: A Collective Enterprises

Marxism views liberty as a collective concept. This means to give liberty to an individual, it is necessary to have liberty for society (classes, castes, nationality etc.). On the contrary, liberty of the society cannot be obtained without the liberty of individual personal and social. Liberties have a conflicting relationship. In other words, the basis of the right to liberty is the man to man relation and not the alienation of man from man. The right of such a social community where individual considers himself to be a part of the community and not the liberty to live in such a citizen society where man considers himself a personal individual. Man is a social creature and the feeling of community is the essence of humanity. Only in community and through community, an individual becomes social. Marx while talking about the communist community, writes that this will be such a community which will be based on general feelings, welfares, ideas and values, such a community where classes will have finished where power would have transformed in authority, and which will be based on mutual help, self rule and self-management. But before the people to this world of liberty they have to give up the personal property. For this there is a need of a revolutionary change. According to Marx, this revolution is necessary for two reasons: (i) The ruling class cannot be deputed without revolution and (ii) the class which is done revolution cannot become a part of a new society without getting rid of the old arrangement. So before enjoying the true liberty, man has to change himself and has to re-education himself in accordance to the new society through revolution.

In short, this concept of liberty is an integral part of the Marxism Humanitism. Its meaning is more vast in comparison to liberalism. This views liberty in the context of liberal society (which they call communism). This does not limit liberty to the absence of bindings, but also considers it to be deficiency of alienation, exploitation, authority and limitation. For common man, this liberty is possible only under communism. The broad concept of liberty and all round development of the man that Marxism

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talks about in this, negative liberty of selfish person, and legal liberty of Bourgeois democracy, both seem to be meaningless.

Self Assessment

State whether these statements are True or False:

6. As per the traditional meaning of liberalism, liberty is the absence of limitations.
7. Alienation means to make the feeling of our personal identity.
8. True liberty is to unite essence and existnic of an individual by finishing alienation from his life.

8.4 Important Issue : Liberty of Expression and Belief

Lets talk about an important subject related to liberty which is called freedom of expression and devotion.

Liberty of Expression

Without the fundamental right of Liberty of expression, we cannot even imagine about any democratic society. Development of the people living in any society depends upon the possibilities of exchange of ideas and informations. This liberty implies only on such expressions which are regarded favourable and non-objectionable but it implies on the freedom of the ideas which can excite, orangery or crazy any community of state or society. Freedom of expression is the foundation of any democratic society. This is the basic human right used by all people of the society irrespective of their cultural, religious, or political form. Liberty for freedom and speech means liberty for freedom of expression, speech, write or transmit without any limitation or prohibition. This does not imply only to the oral speech but it is the right to receive or give ideas, views and informations from any medium. Inspite of being united with each other, freedom of expression and freedom of speech are different from the freedom of ideas and conscious. Based on the logic of J.S. Mill, freedom of expression and speech is considered as a multidimensional right which not only includes right of expression and transmission and freedom of information and ideas but it also has three more dimensions: (i) right to get information and ideas. (ii) Right to search information and ideas. (iii) Right to give information and ideas. Even national, international and regional standards, give recognition to the right of freedom of speech and expression which includes all forms like written, oral, printed, internet, artistic etc.

Freedom of expression, pluralism, freedom of media, development of community newspapers, radio stations, TV etc., are very important to re-establish the social bindings in society and for the social fellowship process. Freedom of expression is considered as an integral part of modern democratic societies where it opposed the censorship. Another logic is given that freedom of expression is very essential for any democracy because at the time of election it is mandatory for the voters to take a decision about the candidates by free discussion. People can effect the government only on the basis of their oratory skills. Similarly, Government employees can also be hold responsible by criticizing them and if required they can even be changed. It is believed that if citizen stop then expression of their dissatisfaction due to the fear the Government will take revenge, then Government does not remain responsible for the people. So, at times, it is said that it is the reason for banning the freedom of expression by the Government so as to avoid responsibility.

Right of speech and expression has got recognition under the international and regional law also. This right has been included in para 19 of international convention of Civil and Political Rights, Para 10 of European Convention on Human Rights, Para 13 of American Convention of Human Rights and

Para 9 of African Charter of Human Rights. Similarly, Summit of Information Society has specially stressed the right to expression in their Declaration of Principles. According to it, "We again revise the fact that freedom of expression and speech is every one's right. This right means without any external interference, to have faith in your ideas, to search, receive or give information and ideas through any medium and without any national boundaries. Uniteness is a basic social process, is a foundation stone of all social organization and is a human necessity. This is the focus of an Information Society. Every person should get chance for partnership at every place and no one should be devoid of getting the benefits from the Information Society."

Development of Right to Freedom of Speech

Freedom of speech and expression has a long history and it is an integral part of the modern liberalist democratic ideology. Among the primitive writers supporting right to expression, poet and political writer of England, John Milton needs to be mentioned. He has given many logics in favour of the right to expression in his book *Aeropagitica* (1644). He has written that unity of any state can be attained by binding together the personal differences of opinion rather than by imposing the similarity, that the ability to investigate maximum different ideas related to any subject is necessary for attaining any kind of education; that till we do not check all the view points, we cannot reach the truth, that by considering free ideas and thinking works like censorship are obstacles in physical growth. Milton believed that if all the facts are opened then in this competition truth will defeat the lie. According to Milton every person has a right to reveal on his arm, no body is so intelligent that he can work as a censor for others.

Apart from Milton, J.S. Mill, in his book '*On Liberty*' has strongly advocated right to freedom of speech. He writes that there should be freedom in the form of a moral concept to express any idea or to discuss about despite its assuming as immoral. Mill's logic was that the maximum freedom for expression is essential so that any logic can be taken to its logical limits after taking it out from the social limits of shame. Mill believed that till guarantee of the complete freedom scientific, moral and religious of ideas and feelings is not given, no society can be completely free. As classified earlier, famous sentence of Mill was, "If the idea of the entire human society is one and the idea of an individual is different from it, then even the entire human race has no right to suppress that individual's idea and neither that person has a right that if he has power then he worked suppress the entire human race." It is not only wrong rather harmful to suppress any new non-conventional idea. This loses the chance of the human race to come face to face with a new idea which might be better or true (or even may be practically true). To suppress all types of discussion means to believe in Infallibility.

Mill has considered the theory of freedom to expression and speech to be justified on this basis: (i) Idea which is being suppression can be right. (ii) If the suppressed idea is wrong, even then it will be partially right because on any social subject, public opinion is never unanimous. The possibility of truth originates only by the conflict in the opposing ideas. (iii) If the popular idea is right and even if it is not given the challenge of the opposing idea, it will gradually take the form of convention. Alongwith that he created the harm principle in the context of freedom of expression in which same limitations can be put on this right. The only objective for which valid use of power can be done on any member of community, against his wishes is to stop him to harm others.

Limitations on the Right to Freedom of Expression and the Issue of Censorship

On the practical level, right to freedom of expression is not uncontrolled in any country and normally some limitations are put on it like Hate Speech. This is so because freedom to speak is used always in context of competition. According to International law, the limitation on the right to expression

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should be legislative and in accordance to the necessary legal basis. In short, these limitations have to undergo three kinds of tests: (i) these limitations should be determined by the law. (ii) These should be influenced by a legislative objective. (iii) these should be very essential for those objectives which are regarded legislative, among which main are: to safeguard others right, national security and public arrangement, security of health and morality.

There are many theories of the freedom of expression. One of its view point is that people hesitate to express their idea, not because the Government will try to take revenge but because they have many social pressures. Whenever any person presents his unpopular or new ideas then has to face the hatred or criticized of the society or even same violent reaction can also happen against him. Though, it is a bit difficult to stop this kind of suppression, but here question can be raised that freedom of speech is usually considered free from the action of citizen freedom or Government

The Issue of Censorship

Right to expression is considered the fundamental theory of democratic states. Even then there are so many limitations can be laid on it like censorship, arrest, burning the books, propaganda etc. and all these work discourage the right to express. The most popular method of putting limitations of freedom of expression is censorship. Censorship implies to such a policy which prohibits the public expression of ideas, opinion, concepts and feelings – on the basis that these can harm the rule, authority or moral arrangement of the society to which Government is securing the guarding. This prohibition of ideas can be put either before or after the expression. Censorship is based on the rule that “idea usually work to excite”. So these are and should be the subject of social tension. Free interchange of ideas a gift of twentieth century but it is not recognized every where till now. Fortunately, the history of censorship, infact is history of conflict for freedom and tolerance also because without it the development of various social or religious ideas was not possible and human race would have remained devoid of intellectual development. Actually, history of freedom had also remained as a conflict for change, and against suppression, prohibition ignorance and blind beliefs. The use of censorship is not a speciality of only dictatorship states, this is an integral part of the democratic countries as well, though here comparatively much liberty is used in the subject matter and limitations of censorship. Censorship is implied on both Government and non-Government institutions. On a wider level, it is joined with state but use in society by various religious and class groups is a very common thing.

Censorship can be divided mainly on four types of groups: (i) Political censorship. (ii) Religious censorship. (iii) Censorship against obscenity (moral). (iv) Censorship against intellectual freedom. In any order of censorship all elements political, religious or moral, can be included. People or groups opposing or supporting censorship give testimony of two different view points established under classic tradition. Groups supporting censorship depend upon ideas of plato, Augustive and Macaivly whose fundamental belief was, “Those who have the power to identify evil in the society they should also have to power to remove and stop it from spreading more.” On the contrary, those who oppose censorship, give reference to the ideas of Aristotle and John Deux that every person is free only when he has the power to select on his own in society which means there should be no prohibition on him.

Is Censorship Justified ?

Censorship is related to ideas which are presented in written or oral form and which need to be censored. This means that some specific ideas are not legislative and they should not be presented and these are dangerous for the health of the society. Censorship is related to stop the dangerous ideas from spreading in society and to control them. These ideas are controlled by the state or the authoritative groups in the society. Most successful in the context of censorship had been religious groups, tyrant king, democratic or dictatorship authorities. These administrative authentic have always tried to prohibit on all those ideas which are considered dangerous, by using political, economical and ideological powers. There are many ways used by the censorship like – ban on the publication of

books or comics, to blacklist various literary figures or play writers, to stop them by expressing their ideas by media or other telecom means, to take prior-permission for the films and T.V. programmes, to check the textbooks of schools and college. In this context, the condition of newspaper and press is a bit different in liberalist countries. Usually they have no ban and they don't need to take prior-permission to publish any news.

On the theoretical level, idea of censorship is against freedom and liberal individualistic ideology but in spite of it, censorship can be proved valid on three basis:

- (i) In the eyes of the ruling class ideas presented as per the established standard are false or dangerous and need to be suppressed. In a multicultural and multi-caste society such ideas can harm the cultural or social ideas and feelings of any community of a society and can also arouse problems. (For example ban imposed in India on Salman Rushdie's book *The Satanic Verses*).
- (ii) The second of the validity of the censorship, is found in Plato's 'Republic'. Here the idea is given that common men on whom censorship is imposed are the usually those people whose mind is not able to differentiate between truth and false and right and wrong. As a result, they can get deviated. Though western liberalist tradition does not accept this idea but most of the social/religious/ cultural communities in the society stress on this fact. In the modern society ban on the films, comics, magazines, papers and textbooks come under the same category. Even then historical facts also prove the fact that the influential social, communities who are imposing ban are equally wrong as those whose ideas are being banned.
- (iii) The ideas which give rise to the anti-social activities need a strong censorship e.g., pornography. In today's age of SMS/MMS and internet, this problem is taking a disastrous form.

We agree with the statement of Wendell Holmes in the context of right to express. He states "Every idea is exciting." There is no doubt that there should be a free exchange of ideas in a society but only of the healthy ideas. When state or social communities impose censorship, then they don't censor the ideas but they are banning the result arising due to those ideas. Here the most important necessity is of the fact that this censor should not be more than bringing a balance between the free expression of the individual and public arrangements/ morality. This should not be used in the form of. Ideas should be faced with the ideas and not with bans.

Liberty of Belief

Liberty of Belief/ideas means the right of an individual to have independent ideas, perspective, faith and explain different from others. This is joined with the right to expression but it is different from that right because the complete concept of freedom of ideas is based on the freedom of a man to keep any idea which he believes to be the supreme. So the concept of freedom of religion is joined with it. Modern liberalist states, societies and governments feel proud on this kind of freedom. Even then, still there are many states and societies in the world where freedom of religion or belief means right to chose and follow religion as per wish of a person. This also actual right to be atheist. To fortune the people in the name of religion has a long history and still this custom has not been completely controlled. Religious freedom means guarantee by the Government for the fact that a person can have faith any religion, sect or belief and has a right to worship as per his religion or belief. This is called freedom to follow any religion. Freedom is usually considered as a fundamental human right by most of the countries and communities. In the form of a legal concept, the right of religious freedom is related to the religious tolerance, separation of state and religion. From historical view point, word freedom of religion has been used for the regards towards the various religious arrangement of belief, whereas 'freedom of workshop' is related to the freedom of the activities of the man. On personal level meaning of is taken to be the view point of making the others accept the religion. This does not mean that the

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ideas of any person about other religion are not its right or true or he is agree with them. This only means that the others also have an equal right to have their own religion or belief.

Right to have belief is an integral part of the International Law of Human Rights. In the 18th para of universal manifesto of the human rights, this has been described. According to it every person has a right for ideas, conscious, and religion and this right also includes the right to change religion as well. This also includes freedom of worshipping, tea practicing following and his religion, collectively or individually, on personal level or public level. According to human rights committee after the implementation of citizens and political rights internationally, this para has been, legally implemented on all countries. According to this right of freedom of ideas, conscious, religion and belief is much wider than presentation of religion or belief. This does not accept any kind of limitations on the freedom of ideas, conscious or to accept any religion or belief and to do any change in it. These freedoms have to be safeguarded without any condition. This security implies on those also do not belief in any religion like humanitarians, atheist, intellectual etc. In this context one of the forever secretary has talked about the union of civilization whose objective is to undergo a movement to do solid solutions against wrong explanation, polarization and prejudices on institutional or on citizens society level. Any kind of serious dialogue can start only if there is a actual respect and understanding towards other societies and cultures. Things like respect towards human rights, democracy, rule and responsibility of law etc. are the result of collective understanding, progress and conscious of human race.

In the context of the religious freedom, the most debatable issue is the right to change religion. Apart from that in some countries there are discussions about banning some kind of missionary activities. In some Islamic states and countries like china, there is a ban on the missionary activities of the other religions. Similarly, among European countries, Greece does not give permission of any kind of missionary activities to any other religion except their majority church. In India also, discussion is going on for a long time for law against changing religion either under pressure, due to greed or cleverly.

Religious Pluralism and Social Integration

Growth in the religious pluralism in the multicultural societies of Europe, America and Asia has brought so many varieties in the religious and other recognition which has given rise to the problems in the social relationships. Where the religion had started weakening in the form of a social power after Second World War, there, in the decade of 1980s, especially after the fall of Soviet Union and socialist group, circumstances had changed a lot. Today, once again, religion is being made an important source of political power and identity. On the global level, these are such kinds of examples, like Islamic revolution of Iran in 1979, rise of American Christians in the 1981 and rise of Islamic Terrorism on global level in 21st Century. There could be difference in opinion in the philosophical and theoretical explanations of religion on the political level but this is definite that the fall of socialist/communist group has finished a parallel ideology against the western global authority and the politicalization of religion has got a chance as one of its option. Apart from it, globalization has comparatively minimized the old relevance of national boundaries in the context of religion and culture with the increasing para nationalism, it is being clear that the means to control the religions activities used by the national rulers on their own land have become comparatively limited.

In multicultural societies, the increasing variety in religion and other beliefs have raised many challenges. These circumstances demand for accepting new changed circumstances and self analysis by citizens, states and other characteristics which include religious institutions and media etc. Public discussion is one of the days through which subjects can be identified, challenged and an agreement can be made on them. But we should not forget that they are joined with a vast social reality because on general religious feelings and specially of the Muslim have been politicalized so it is clear that religion is gradually becoming one of the most important area in social discussion . This means that religious activities are becoming the platform of the importance where this can be discussed using all

kinds of issues or using the language of religion. Liberalist are facing lots of problems in making these religious demands valid. Though it is possible that ultimately if these claims are translated in particular language then they do not look very different. Claims of caste or breed are easily accepted. Pluralist societies based on many beliefs, freedom of expression rises many problems where even obtaining inters personal relation is very difficult, leaving aside respect and understanding for each other.

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Conclusion

Idea of freedom is the central subject of the liberalist ideology. This makes a tolerant person its basis for philosophy and draws a definite line between individual and his self-reliance and society and state under liberalist thinking, liberty emerged in two forms which is called negative and positive liberty. Its beginning was from negative liberty which finalized an area for the freedom of an individual. This was given the name of lack of boundation. In this we talked about the bindings blamed by man and not of the natural or deficiency of any capability. But this theory was not successful in thinking about the fact that liberty's self defining concept also demand for the analysis social circumstances. Positive liberty experienced that for liberty apart from legal obstacles, some external sources are also required. It gave reference of opportunities and abilities to complete the capabilities of the individual. It combined liberty with facilities of equality and equal rights. But this dual of negative and positive liberty was considered useless by Marx or Marxism. They not only criticized the liberalist concept of liberty but also presented a different concept of human freedom.

Critical theorist of post liberalism have been very depressed with the fact that the concept of liberty has remained unsuccessful in keeping its promise. They also criticised the present liberalist tradition of liberty which is not more than a mask to hide the reality of growth controlled arrangement formed modern society. According to post liberalist writers, intellectuals of modernity have done a mistake by disobeying this hidden authority using the concept of freedom. Similarly, feminist writers have also criticized the present concept of liberty on the basis that this is male dominated and can bring problems in the extension of liberty of women. So, dissatisfied with the two traditional main concepts of liberty, today theorist are conflicting to define social circumstances of liberty logic is given that these social circumstances of liberty do not finish just by giving public guarantee against physical or legal obstacles or providing social provisions like income, education, health etc. It is experienced that in the concept of liberty should also include that cultural in which the person lives because this is the part of that process through which finalises his priorities. This also implies that in any society people will not feel free till different cultures are treated differently. Apart from that alongwith the concept of personal concept of community freedom should also be included.

Most interesting the fact is that the discovery of appropriate concept of freedom was not done by taking favour of any the group from negative or positive in which traditional supporters of liberty were also divided. Contemporary political philosophers have stopped concentrating on the some specific freedom and have started asking questions such as – can we find some meaning for such claims? Is a person or society is free from each other? Or of the idealistic claim of the liberalism that maximum freedom should be obtained, or people should use the same freedom or every person has the right of minimum liberty etc. The realistic meaning of these claims depends upon the possibility of measuring the degree of over all free done (at times from critical view point or at times from tyrant viewpoint) which is called overall concept of freedom.

Self Assessment

Fill in the blanks:

9. Right to belief is an integral part of human right law.
10. On theoretical level Idea is against the liberalist individualist ideology and liberty.

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8.5 Summary

- Freedom implies, “absence of external obstacles” ... those obstacles which decrease the power of working of an individual.
- Marxist concept of freedom is Objective. This begins the problem of freedom with the obstacles coming in its way.
- While explaining the freedom, Mill had a specific objective - objective of individual’s self-development. According to Mill, every person has a special right to live as per his wish and his experiences.
- Concept of ‘Absence of Limitation’ is very vast. These binding can be anything like political, economic civilian, personal etc.
- Meaning of political freedom is the opportunity to be active in the works of state means achievement of all democratic political rights.
- Negative liberty claims that the essence of an individual is being self-reliant and self-master whereas positive liberty believes that man is a social creature and his all moral values and objectives are influenced by the necessities of social community.
- Meaning of true liberty is make complete society instead of an individual, as the owner of the means of production so that the social sources can be used as per a social project and slavery and exploitation of the man can be finished.

8.6 Keywords

1. **Participatory:** Partners in happiness & sadness.
2. **Belief:** Personal faith.

8.7 Review Questions

1. What do you mean by liberty?
2. Distinguish between positive and negative liberty.
3. Mention J.S. Mill’s ideas of liberty.
4. Explain Marxist theory of liberty.

Answers: Self Assessment

- | | | |
|-----------------|-------------|------------------|
| 1. Rousseau | 2. Negative | 3. Laski |
| 4. (a) | 5. (c) | 6. True |
| 7. False | 8. True | 9. International |
| 10. Censorship. | | |

8.8 Further Readings



Books

1. On Liberty : *J.S. Mill.*
2. Political Theory: *R.K. Pruthy.*

Unit 9: Equality

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Objectives

After reading this unit, students will be able to:

- understand the meaning of equality.
- know various dimensions of equality.
- know opportunities of equality.

Introduction

Generally, equality meant that all individual are equal by birth and so every person should have equal right of behavior and income. But this meaning of **equality is as doubtful as saying that earth is a surface**. Even nature has not given equal power to everyone. In human society, we find people of different kinds like fat, thinly, short, tall, intelligent and foolish. These are the examples of natural inequality. Apart from it, acceptance of this kind of concept of inequality is not only incorrect but also impossible.

In the modern times, the inequality found in the society has two types of reasons and on that basis inequality is also of two types. One type of inequality is the natural difference in the basic human beings. Nature has distinguished different people from the point of intellect, power and capability and the inequality due to this difference is called Natural Inequality. To finish this inequality is neither right nor possible.

Another type of inequality present in society is difficulties created by the society. Many times inspite of being better in intelligence, power capability of poor people are not able to get the kind of personality development of their children which the intelligent level but rich children can get. The main reason of this kind of social inequality is the creation of such kind of circumstances by the society due to which everyone cannot get the equal opportunities of personality development. The meaning of equality as a concept of political science is related to this difference of inequality originated due to the social. **This means that everyone should be given equal opportunities for personality development so**

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that no one gets a chance to say that if he had got the appropriate facilities, he would have made much progress in his life. Thus inequality can be properly defined as:

“Equality implies to the existence of such circumstances due to which equal opportunities can be obtained for the development of individuals and the kind of inequality based on the similar society which can be finished.”

While expressing the same thought, Laski has written, “Equality is basically a process of equalization. So first of all equality implies to the deficiency of special right. Secondly, it implies that everyone should get enough opportunities for growth.”

9.1 Meaning of Equality

Equality is the basic foundation of democracy. There had been so many conflicts in human history to obtain this high norm. In the ancient time, there was deficiency of equality because at that time slavery was popular and this was considered natural and an ideal declaration in American declaration of Independence was made about equality. It was said in it that we consider the truth clear that all human beings are born equal. General meaning of equality is natural equality of all human beings. But this kind of equality is not possible in any society. In short, we can say that equality means all human beings are equal, all should be treated equally and all should get equal wages.



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If there will be natural inequalities in society, then there will be no benefit of equality of opportunities.

9.1.1 Various Dimensions of Equality

Equality is possibly the most popular concept of the modern times and various thinkers and ideologies have propagated the concept of equality in their own ways. This situation has given rise to various dimensions of equality various dimensions of equality are as follows:

1. Legal Dimensions of Equality
2. Political Dimensions of Equality
3. Social Dimensions of Equality
4. Economical Dimensions of Equality

1. Legal Dimensions of Equality

Legal equality means that state cannot behave as per its wishes with its citizens. As per the law all citizens are equal and everyone should get the same protection by the law. British constitutional arrangement “**Rule of Law**” is the arrangement to obtain legal equality. Following things come under legal equality:

1. Equality before law: This means that everyone is equal in front of law. State will make only one law for all citizens and will implement these laws equally. According to **Aaiwer Jennings**, this means that “**in same circumstances, behavior of the law will remain same for everyone**”. English lawyer **Daicee** has described, “equality before law” as: “In our country every officer whether he is prime minister or police constable or a tax collector, all will be held equally responsible for the illegal work as any other ordinary citizen.”

2. Equal Protection of Law: Equality in front of law is negative aspect of law but alongwith that there is a positive aspect of law also which means that all the citizens of the state will get equal protection of law. State will not have any differentiation in regards of the freedom provided to its citizens through law and the facilities provided in the fields of life and health. This includes the fact, that every person get protection from the law to protect his rights. In **para 14** of Indian Constitution it is said, "State will not devoid anybody from the equality of law and equal protection of law in India."

3. Equality in context of Duties: In the concept of equality of law it is also included that alongwith the rights every citizen will have equal duties. No one will get special facilities on the basis of birth, family, religion or property and neither their duties will be considered separately.

4. Equality in the tax-fixation: While fixing the tax it should be taken care will be levied equally on everyone. In this context differentiation can be done on the basis of capability of giving tax. More burden on rich and loss on poor is in accordance with the theory of equality of law.

5. Discrimination on the basis of reasonability is acceptable: The idea of equality of law prohibits only the discrimination based on spontaneity. It does not prohibit giving special facilities to a specific group on the reasonable basis but the condition is that in such condition these facilities are for everyone in that group. For example state can make a law that all those earning less than a particular amount of money will get grain at lower rate from the ration shops and the children of such families will get discount in fee. In Indian state arrangement facilities given to the schedule caste and schedule tribes come under this category. Such kind of facilities provided to specific group cannot be challenged in the court with the stand that these are against the theory of equal protection of law.

2. Political Dimensions of Equality

Political equality means that all citizens should get equal opportunities to effect the political processes. B. Kingdom, aristocracy and dictatorship does not believe in the theory of political equality. In these arrangement discrimination on the basis of birth and family is a common condition but democratic arrangement is based on the theory of political equality. Following equalities came under the political equality:

1. Voting Right : Voting right is the first condition of political equality. This means that without any discrimination on the basis of religion, caste, property education etc. every one should have voting right. Only on the constitutional basis of being minor, bankrupt, insolvency etc. people can be devoid of voting rights.

2. Right to become a candidate in an election : Citizens should have an equal right to become a candidate in a election. A person who has effected from incapacibilities. Which are described in the constitution, can be declared incapable for candidate. Such capabilities are determined in "public representative Act. 1991 in India."

3. Right to Give Application: Citizens should have an equal right to write application to send their complaints to the government.

4. Right to get Government Recruitment and Awards: Everyone should be considered equally eligible to get Government recruitments and awards. Only on the basis of education, service or any other special capability discrimination can be done in this context.

5. Right to express and to make parties: This should also be obtained by everyone equally.

3. Social Dimensions of Equality

Social equality is an important aspect of equality. Social equality implies that every person should be considered equal in society and social life and there should be no discrimination in the name of religion, caste, family, gender or place of birth.

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In the past time slavery was popular in America and some other countries. Today also there is discrimination on the basis of colour in countries like South Africa. Negroes in America and lower caste in India are still striated badly. All these situations are against the theory of social equality. In the fundamental rights given under the Indian constitution special provision for the right of equality has been given and in **Para 17**, untouchability has been declared as a punishable offence. Social equality demands that there should be **no inhumane conditions like sati pratha and female feticide**. Following things come under social equality:

- (i) No one should be considered inferior or superior on the basis of family, caste or creed.
- (ii) Women should not be given less rights than men. Social equality demands that women should get behavior in equally respectable condition.
- (iii) Social equality stresses on the establishment of such a society in which social intercourse between the human beings should get encouragement. Social intercourse means absence of prohibitions in marriage relations and eating habits. Social inequalities can be removed by liberal education. Along with that for the growth of the socially backward people and for their economic development it is very necessary to arrange the special facilities.

Social equality doesn't mean that state cannot gather special facilities for women, children or backward classes. On contrast social equality demands that special facilities should be arranged for all weaker sections. It is necessary that there should be no such discrimination should be made. While providing these special facilities which cannot be justified. Social equality is a condition of social life and this cannot be obtained only by law.

4. Economic Dimensions of Equality

In today's life 'wealth' is most important and if we want to attain equality not only theoretically but also practically then it is very essential to obtain economic equality. Rousseau in his famous book "Social contract" has written - "Policy of the government should be such that it neither increase the no. of beggars and nor of the rich people." This implies that there should not be economic disparities in society. Economic disparities pollute the entire structure of the society". According to **Laski** "In the country in which wealth and means of production are in the hands of some limited people, there money completely over powers the politics, culture educational institutes and judiciary". Not only this but even religious organizations are directed by money. **Robert Dahl** has considered political stability and economic equalities related to each other. According to **Dahl**, "If we want to maintain the political stability and democratic form of government then we have to bring economic equality by appropriate distribution of land, reforms in tax process and extension of education facilities."

Implication of Economic Equality

Economic equality doesn't mean that every one should get same wages or everyone should use equal materialistic means. This type of situation can neither be achieve nor it is right. "Economic equality implies that fundamental requirements of everyone should be fulfilled and there should be no inequalities in the society from the view point of wealth."

Main Aspects of Economic Equality

Following are the main aspects of Economic Equality:

- (i) Minimum materialistic requirements of everyone should be fulfilled. Till everyone does not get the facilities of food, cloth and shelter, no one should get the right to obtain the means of luxury.
- (ii) Everyone should get the facility of employment, enough wages and appropriate leave.
- (iii) People should get help from the state in the condition of unemployment, old age, sickness or handicap.

- (iv) Men and women should get equal wages for equal work and such arrangement should be made that women and children are not exploited for economic compulsions.
- (v) Everyone should get such opportunities through which they can develop their personalities. It includes the fact that children of poor families and of the socially backward classes, should get such facilities that they get do their personality development through these.
- (vi) Wealth and means of production of the state should not be centralized in some people. In this context, such an arrangement should be made that few people on the basis of the ownership of the means of production should not be able to exploit others.
- (vii) Severe economic inequalities should be finished. It is not possible to obtain the condition of complete inequality, but the policy of the state to enhance the equality. Economic equality can be obtained only on the basis of the solid work.

Notes

Self Assessment

Fill in the blanks:

1. First speciality of the equality is that no class in the society should not get.....
2. No one should get facility on the basis religion, gender or wealth.
3. There should not be millionaires on one side and on the other.

Relation of Freedom and Equality

There is a difference of opinion among political thinkers about the inter-relation between freedom and equality. Some people on the basis of the popular meanings of freedom and equality, called it contradictory to each other. According to them, freedom is the name of the power to work as per over will whereas equality means to understand all kinds of people equal. These people thinks that if all the people given freedom then the result of the life will be very unequal and if all the people are made equal on the basis of power then this equality will destroy freedom. Not only common men, but even famous scholars of political science like **D. Talkville and Lord Actin** also believe that freedom and equality are opposite to each other. **Lord Actin** has said, **“Due to the best desire for the equality, hope for the freedom has spoiled.”**

But this idea of Talkville and Lord Actins is not true. Actually, form of freedom and equality imagined by scholars like Lord Actin etc. This form of freedom and equality is neither obtained in the society and nor is accepted in the political science. In this **context Laski** has written that, **“D. Talkville and Lord Actin considered freedom and equality opposite to each other as they had a strong desire for freedom in their mind. But this is a wrong inference and this was done so as they mistook the meaning of equality.”**Freedom to do the work as per their will was available even in the Barbaric society of Hobbs, in which there was no freedom in the real sense. Similarly natural equality or equality of income is a matter of imagination which was called **“foolish nonsense”** even by Stalin, Chief of the Communist rule.

In the political science as per the meaning of the equality and freedom, these are complementary to each other. By correcting the definition of freedom, we can say, “Freedom is the name of such arrangement of life in which there should be minimum bindings on the life of a person, there will be deficiency of special right and people should have maximum facilities for their personal development”.



Did You Know?

Equality implies to the existence of such circumstances in which everyone should get equal opportunities for their personality development and in this way the equality whose base is the social inequality can be finished.

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According to these definition of freedom and equality both of these have an objective of highest development of human personality and in this way freedom and equality are complementary and supportive to each other. In this context Actin has written, **“The only contrast is that equality and freedom which start as contrast to each other, after analyzing become necessary for each other. This is true that the right explanation of the meaning of the equality can be done in context of freedom only.”** If the doors of the equal opportunities are open for everyone, then a person can utilize the real freedom to develop his powers according to his interest. In the societies where a particular class gets special rights and social and economical differences are found, there this class gets the power to pressurize the lower class and the lower class has freedom only for namesake. According to Laski, **“Inequality of wealth is opposite to the freedom. Due to the absence of means, poor people can get appropriate justice in the court and judiciary being a long process rich people destroy their poor neighbors.”**

Infact, equality works in the form of the basis for freedom. In such a state, where there is no equality, there can be no freedom. This can be classified in the following ways:

1. If there will be no political equality then freedom will be useless and a huge part of the population will not get any part of the rule.
2. If there will be no equality of the citizens, then those who are suffering from incapacibilities should not get freedom.
3. If there will be no social equality then freedom will remain as a special right only for a few people.
4. If there will be no economic equality then wealth will remain centralized in the hands of only few people and only that section will be able to get the benefit of freedom.

In such condition, **Dr. Ashirwadam** has rightly said, **“French revolutionaries were neither craze nor fools when they raised the slogan of freedom, equality and brotherhood.”**

Prof. Pollard has expressed this truth in one sentence, **“There is only one solution to the problem of freedom and that solution is included in the equality.”** Infact, freedom and equality are the two shores of the river of life, these are the wheels of the chariot of human welfare. These are the integral part of human life like ‘Truth’ and ‘God’.

This is very much possible that the poor farmers of India are equally capable of Tagore and Nehru but due to the lack of enough facilities they could not develop their life. Infact, in the absence of equality, discovery of most capable people is as difficult as a race in which to identify the fastest runner when all the runners have to start from the different places. In this way, freedom and equality are supporters and complementary to each other. R.H. Tony has rightly said, **“A large amount of equality is necessary for it rather than being its opposite.”**

Self Assessment

Multiple Choice Questions:

4. Real meaning of equality is:
 - (a) Everyone should be equal.
 - (b) There should be no discrimination among people.
 - (c) Everyone should get equal wages.
 - (d) Everyone should get equal opportunities of development.
5. “All human beings are fundamentally equal. “The form of equality, propagated by this concept is:
 - (a) Social equality
 - (b) Natural equality
 - (c) Political equality
 - (d) Economic equality

6. Who has called the freedom to work as per own wishes as “foolish nonsense”?
- | | |
|------------|---------------|
| (a) Stalin | (b) Aristotle |
| (c) Lenin | (d) Karl Marx |

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9.2 Equality of Opportunity

Every person should get equality of opportunity. No one should be remain devoid to obtain anything due to the deficiency of opportunities. Equality of opportunity can be understood in the following way:

1. Deficiency of Special Rights: First speciality of equality is that no class in the society should get any special right. No one should get facility of opportunity on the basis of religion, gender or wealth. Wherever a particular class has special rights, there is no question of equality of opportunity.

2. Destruction of Natural Inequalities: Specialities of the equality of the opportunities should be that natural inequalities should be destroyed in the society.



Task

Express your views on Equality.

3. Fulfillment of the fundamental requirement of everyone: Speciality of the equality of opportunity is that fundamental requirements of everyone should be fulfilled. Everyone cannot be given the same wages but everyone’s requirements should be fulfilled. There should not be millionaires on one side and beggars on the other side. A person should not remain hungry after work.

Self Assessment

State whether these statements are True or False:

7. Equality is the fundamental right of democracy.
8. Everyone is not equal in front of law.
9. An important aspect of equality is social equality.
10. According to Prof. Pollard, there is only one solution to the problem of freedom and that solution is included in equality.

9.3 Summary

- Equality implies to the existence of such circumstances due to which equal opportunities can be obtained for the development of the people and in this way that inequality can be finished whose basic reason is social inequality.
- Idea of legal equality prohibits the discrimination on the basis of free will by state. On the basis of prudence if some special facilities are provided to same particular class then, theory of equality does not prohibit it.
- Meaning of political equality is that all the citizens should get equal opportunities to effect the political processes.
- An important aspect of equality is social equality. Social equality means that everyone should be treated equally in society and in social life and there should be no discrimination on the basis of religion, caste, gender or place of birth etc.

Notes

9.4 Keywords

1. **Conventional** : Traditional
2. **Process** : Procedure, Method

9.5 Review Questions

1. Analyse the legal, political, social and economic forms of equality.
2. Define equality and analyse the statement, "In the deficiency of economic equality, political freedom is just an imagination".
3. Clarify the relation between freedom and equality.

Answers: Self Assessment

- | | | |
|------------------|----------------|-----------|
| 1. Special right | 2. Opportunity | 3. Hungry |
| 4. (d) | 5. (b) | 6. (a) |
| 7. True | 8. False | 9. True |
| 10. True | | |

9.6 Further Readings



Books

1. Political Theory : *R.K. Pruthy*.
2. Political theory – Ideas and Concept : *S. Ramaswami*.

Unit 10: Justice

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Objectives

After reading this unit, students will be able to:

- define justice
- understand Procedural Justice
- understand Rawl's Theory of Justice
- understand Global Justice

Introduction

Justice is the supreme objective of political life. Though the topic of the political discussion is usually injustice. It is easy to identify and criticize injustice whereas to define law and to obtain it is very difficult. Various political ideologies have explained justice in various ways. Justice is the ultimate determining concept of any society. This is such a fundamental concept in front of which all other concepts bow down. Justice coordinates among the other concepts like right, freedom, equality, and wealth. So, in any explanation of justice it is necessary to take care of its multidimensional character.

In political theories justice is regarded as **the property of distribution**. According to Kolb, justice can be understood in two meanings – (i) to give one one's due and (ii) To set the wrong's right either by compensation or punishment. In **the first** meaning justice is related to determine the theory of distribution of right and duty, metabolic things, security, self respect, opportunity etc. in society. Because distribution of things and services depends upon the historical circumstance of every society. So various of justice are never tyrant omnipresent and similar. They change with the change in economic and social circumstances of every society. In the second meaning justice is related to the explanation of law, arrangement and rules to punish. If any body has a right on the basis of humanity then this is

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called natural justice. If this right is due to such a law for which the person is accountable to the state then this is called legal justice.

According to D.D. Raffel, justice is a Janus like concept. This is both legal and moral. This as much related to the social arrangement and to the rights of society as to the personal rights. This is the nourisher of both traditional and reform specialities. According to another writer justice can be understood in two ways: (i) To protect the society from the wrong people by seriously abiding the present laws and by punishing the people who prohibit them; (ii) Law is also related to the study of the philosophical basis behind law which means what is the objective of the law which is being protected in the law? What do we want to obtain through the medium of securing law? In this meaning implication of the law becomes very deep and ideas of various ideologies and thinkers also become totally different. Here concept of law also becomes very vast and gets united with everything like morality, economics, society etc. In the political theory justice is discussed mainly in the context of this meaning.

Criteria for Justice

In the contemporary political thinking justice is regarded as property of distribution. Explanation of justice depends upon the fact that what is the criteria of distribution of materialistic things and services. In the modern democratic societies, mainly three criterias of justice has been finalized: equality, merit and need.

Since the last 200 years, when human equality and rights of an individual has got recognition on the universal level, **equality** has become an important basis of any theory of justice. This is the fundamental demand of the justice that everybody has equal rights in the society till there are no such circumstances which consider inequality right. Today equality before law is an integral part of the legal arrangement. Similarly, in the form of Equalism, economic equality, in the form of indiscrimination in the name of caste, religion, colour, language, adult voting rights and equality in the form of one person one vote are considered the minimum necessities of justice. Even then the meaning of belief in equality does not necessarily mean that just society will establish automatically because in society people are different from the view point of their capabilities and circumstances and expect a different behavior. Equality can be established when same people similarly and different people differently behaved. Even then concept of similar behavior is included in the theory of justice.

Second criteria of justice is **merit**. This criteria differentiate people on the basis of their merits and validates the various rewards of various people in society. A person's moral or internal characteristics and capacities are good to be paid and they should be get their wages on the basis of their contribution in the social welfare. From the historical point of view this idea of merit has played a pivotal role in challenging the concept that people necessarily are righteous of doing all that which they have inherited which means rich their money and poor their poverty with the rise of capitalism, merit because an important basis of justice. Liberalism supported the idea that those who produce more or have more merit should get more wages. Merit examined by the contribution is an important part of liberalist justice which is expressed by the "equality of opportunities which means that every one will get an equal opportunity to prove his merit and to contribute in the production but reward will be given on the basis of actual merit.

Third basis of justice is **necessity**. According to this criteria every person has some minimum necessities for being human which have to be satisfied irrespective of having merit or not. Every person has some fundamental rights like prestige, respect and freedom which cannot be fulfilled till the basic requirement of bread, cloth and shelter are not fulfilled. But the practical problem of this basis is that there is no clear answer to the question – "What is necessary?" For example wages required to keep an American below poverty line will bring an Indian in comparatively rich class. Similarly, health is a universal necessity but in every country. There are different criteria for health which depends upon

the availability of facilities of health security. Apart from it, at times giving wages as per the necessity also because dangerous because this will degrade the capability or merit.

In short, no basis of justice is free from problems. There is no criteria for equality. Criteria of necessity indicates towards the fundamental idea of human equality but sacrifices merits and capability. Similarly, basis of merit differentiates in various people of society and in such a society there is no place of incapables. True criteria of justice lies in the coordination of these three basis.

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10.1 Meaning of Justice and Concepts

Word 'Justice' is originated from Latin word 'Jus' which means 'to bind'. So in this way, justice implies to that social arrangement in which people bind with each other with inter relationship. In simple words, justice is the name of that arrangement in which there is appropriate arrangement, coordination in personal and social relation, impartiality, selflessness and logic. In which people follow their duties and rights". According to Plato, "Justice is the right condition of human soul and natural demand of human nature".

Greek and Roman Concepts of Justice

Concept of justice has been changeable and multidimensions. In every society justice has always had its specific concept. Plato has presented a normative concept of justice, in his book 'Republic'. According this, justice is completely in accordance to the nature of human being and it can be discovered and understood on the basis human intellectual logic. Justice has been considered as one of the four parts of good characteristic. (Other three are intellect, courage and tolerance). Justice has been considered as the supreme characteristic because it coordinates the rest three characteristics. According to Plato, nature has made some people philosophers and thinkers who called elite. Some have been made aggressive and brave as warriors and other good labourers or sculpturers. Justice demands that "every person should remain at the station allotted by the nature which means he should fulfill the duties for which he is capable." Apart from it, nature of justice can be studied on the basis of coordinating nature of the state as personal characteristics are the miniature of the social completeness i.e. characterizes of the state. This coordination is included in doing the work fixed by the state. According to Plato, justice, is the name of that balance and coordination which originates as its resultant.

Plato's disciple Aristotle made change in the theory of justice and believed that equality is also included in the concept of justice upto a limit. The basis of this equality can be equal treatment and proportion ability. Commutative equality of behavior takes towards justice whereas proportionality is included in distributive justice. To fix the criteria of distributive justice is the work of legislation where commutative justice is the duty of the judge. According to Aristotle, political rights, special rights, wealth, property, materialistic things, prestige etc. should be allotted on the basis of distributive justice. On the contrary, those prohibiting the laws made under commutative justice should be penalized and fined. Apart from it, the supreme criteria of the social welfare, while believing in this concept is the right middle or the balanced way in the various classes. Aristotle has given recognition to a third aspect of justice as well in the form of such a moving equilibrium which continuously coordinates in the distributive and commutative justice.

Dawn of Liberalism and Changes in the Concepts of Justice

As a result of renaissance religious reformation movement and commercial revolution new concepts and basis of justice were developed in Europe. Propagators of this new concept of justice were Grocius, Hobbs, Lock, Rousseau and Kant etc. Hobbs considered justice as the following of authoritative orders of the state. Lock, Rousseau and Kant joined it with the freedom, equality and coordination in man

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made laws. Special rights based on the feudalism, tyrant imperialism and caste were considered in just and illegal. Justice could be obtained only through such a social agreement based on the consent of the people which secures the freedom and equality of the people.

In 19th Century, same contrasting concepts of justice were also found. Bentham and Mill joined justice with the of the individual by their theory of utility. This comfort is included in individual's rights and freedom and in the creation of such rules which are helpful in human welfare. Even then these writers did not consider the inequalities arise due to the capitalist economy as unjust. On the contrary, Marxist believed the fundamental element of the justice to be the end of capitalist production structure, class division and class conflict and establishment of class free society. Even then, inspite of criticism, the utilitarian point of view of the justice remained the main theory of the Second World War and liberalist ideology. After the World War, as a result of the establishment of the welfare states in Europe, this view point seemed in complete. In this, context John Rawl's book 'A Theory of Justice' which was published in 1971, is a great contribution in the development of a new concept of justice. By Cabining freedom, equality and social welfare, Rawls has presented a theory of justice in accordance with the contemporary liberalist – equality based state. Apart from it, rise of self independtship and its support of open market economy, minimal state, and personal rights of freedom and wealth, presented a parallel concept of justice which is called 'Entitlement Theory of Justice'. Nazik has explained this concept in his book, "*Anarchy, State and Utopia*". Let us study about these contemporary theories in detail.

10.1.1 Procedural Justice

As described above, justice is of two types – (i) To give one, one's right. (ii) To amend the mistakes by punishments and penalties, Where the first type of justice is related to take decision about those theories which will allot the rights/duties and materials in the society, there second type of justice is related to legal arrangement and punishment/compensation. It is related to implement the present law against the wishful prohibition. This is also called procedural justice. The idea of procedural justice is very effective in the concept of law. Procedural Justice indicates towards the impartiality in that process which resolves the conflicts and allots the resources.

This idea is very popular and is the best guarantee of the impartial results. This justice is related to implementation and creation of the decisions by an impartial process. If this kind of processes are used then they consider people with respect and dignity and so people feel ensured to the law and so in this way it becomes easier to accept those result which are not liked by the people.

One aspect of the procedural justice is related to discussion of the administration of the law and details of the legal proceedings. This type of procedural justice is called in India "Procedure established by law", in America, "Due process of law, in Australia", "Procedural Fairness" in Canada, "Primary law". Apart from it, the idea of procedural justice can be used in the non-legal context as well, where some processes are required to resolve the conflicts and to distribute the social profits and loss.

Though, the concept of procedural law is there since the time of Aristotle but liberalism has given it a formal form in which it was assumed that the process of allotment of valuable things, services and benefits should be justified. But after this 'What one gets' is not a topic of discussion. Theory of procedural justice opposes the any discrimination on the basis of caste, religion, place, area, breed, language or culture and accepts the equal dignity and equal importance of everyone in the society.



Did You Know?

Procedural justice indicates towards the justification of legal processes implementation their validity and impartiality through which any decision, policy or rule can be reached and utilized.

John Rawls in his book '*A Theory of Justice*' has classified three forms of justice. After finalizing the priorities of justice, Rawls distinguishes in the three types of justice. These are (i) Perfect procedural justice (ii) Imperfect procedural justice and (iii) Pure procedural justice. Perfect procedural justice is related to those circumstances where there is a free basis of unbiased distribution and there should be such process also through which unbiasedness can be finalized. Imperfect justice means those circumstances where there is a free basis of the unbiased justice but also there is a lack of such a procedure through which it can be fixed. In such situation, at the most, we can say that to get the expected result from a particular procedure is just an expectation. Pure Procedural justice is related to that condition where there is no free basis of the unbiased result. There is basis only of the unbiased procedures and processes.

Models of Procedural Fairness

Theory of Procedural justice is little debatable from this view point that "What is unbiased procedure". There are many answers given. We can distribute these in three categories. (i) Outcome model, (ii) balance model and, (iii) partnership model.

According to the **Outcome model** of procedural justice, impartiality of any process depends upon its working procedure which gives right outcome. For example, if it is a criminal case, then its right outcome will be to punish the criminal and free the innocent. If the process is legislative, then the limit of this impartial procedure will be till it makes the right law. It will be wrong till it makes incorrect law. Even then, it has many limitations on theoretical ground if these two procedures create the same results, then these both as per this model should be right. Even then, as classified in the next two forms that any procedure has some other specialities which make it appropriate or inappropriate. For example, some people can give a logic that a benevolent tyrant cannot be as just as a democratic government, even if they both have same result.

Balance model is related to the expenses. These procedures are very expensive. Balance model believes that it an appropriate and impartial procedure which can create a balance between the cost of the procedure and the profit obtained by the procedure. Thus according to the view point of the balance of the procedural impartiality in order to avoid the excessive expense one can be prepared to accept or tolerate the wrong decision.

According to the **partnership model**, an impartial procedure is that process which allows even the terrified ones also to participate in the process of creation of judgement. For example, during a court case, partnership model experts that defense should also get the opportunity to present their side, evidences and to ask questions from the evidence. Condition for any procedure to be impartial is that all the people related to that process should get the chance to participate in it. For this partnership minimum rights should be followed like sending a formal notice and giving him a chance to explain his side so that this procedure becomes impartial.

Apart from the above, there are some other elements to make any procedure impartial. **First** of them is stress on the consistency which means impartial procedure should ensure that same people should be treated similarly and any kind of difference should be on the basis of personal specification and not on the basis of the external specialities of different process.

Second, people who would implement procedural justice should be impartial. It is necessary for an impartial decision makers to make these procedures reach the appropriate and impartial results. Both the parties involved in this procedure should have faith the intentions of the court and that they want to do the impartial treatment with the people and they will think about the requirements and view points of effective parties. If the people will have faith on this third party, then they will also have faith on the impartiality of this decision making procedure.

Third, those being directly effective by the decisions should get the opportunity to raise their voice and representation in this procedure. This kind of representation will make the situation of the

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members strong and creates belief in the decision – making process. Specially, this is very necessary for the weaker party whose voice is never heard and at the end the implemented procedures should be transparent. All the decisions should be taken on the basis of open procedures and there should be no secrecy or deceit in these. Procedural justice is joined with the impartiality and transparency of those processes through which decisions are taken. This is different from the distributive justice which is related to the rights and distribution of resources and revengeful justice which means impartiality in the compensation of mistakes and impartiality in punishment.

Impartial procedures raises the feeling of loyalty towards political arrangement, validates the power of the politicians and helps in following the rule of law willingly. This kind of following is expressed in many forms like in political organization at workplace or in legal context. So issues related to the procedural justice emerge out in context of various types of decisions. For example, in the context of legal procedure, procedural justice has to ensure that the process of case is impartial. It is expected from the working of law that it should ensure the impartiality coordinates and transparency. Similarly to ensure that there should be revengeful justice and criminals should be punished. It is compulsory that the judges and juries should be impartial at the time of judgement. Impartial procedures of agreements and legal proceedings are also centralized in the validity of decisions. In such cases where various parties experience that they are being compelled to accept the result of decision making process which are wrong as per his thinking. Then it can have some reactive effects also. Even then many people believe that procedural justice is not enough in itself. It is more important to reach the right result rather than implementing rights procedures.



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Balance Model is related to expenses.

10.1.2 Rawl’s Theory of Justice

1. Contractarian Theory of Justice–Views of John Rawls

Utilitarian theory of justice has been replaced by an optional theory which has been clarified by famous philosopher John Rawl’s famous book, “*A theory of Justice*”. This book has been compared with the book of Plato, Mill and Kant. Main objective of this book has been providing a fixed theoretical basis to the concept of justice which can take place of utilitarian concept and which is in accordance with the requirements of the modern liberalist democratic welfare state.

Rawls considers justice to be the first and fundamental characteristic of all social institutions and analyses the fact that which theories of the justice can be considered best. While doing this, he created a theory of justice like hobbs, Lock and Rousseau based on the social contract. According to Rowls, as justice is the foundation of any social arrangement, so all the political and legislative decisions should be taken under these rules. According to Rawls, justice is property of distribution and it is related to the distribution of things and services in the society. Rawls has called these things primary goods. These are of two types:

- (1) **Social Goods:** All those goods which are distributed by the social institutions directly like wages, wealth, opportunity, material goods, rights, freedom etc.
- (2) **Natural Goods:** Like health, intelligence, imaginative power and capacity which are not distributed directly by the social institutions but they are effected by these. How these goods are distributed in a justified society – this depends upon the fact that which theory of justice is included in their arrangement of rights, legal process and designation etc.

Some Basic Assumptions

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Before describing the basic theory of justice, Rawls describes some basic assumptions which need to be given importance. **First**, Rawls develops the concept of justice with the viewpoint that at everyone in the society is free and equal. This freedom is joined with the ownership of their two moral rules – (i) Capacity for a sense of justice, (ii) Concept of good. Till the limit, these rules are available to live in the form of a complete cooperative member of the society, that society is equal. While describing it more, Rawls has written that “Understanding of justice’ means “Understanding implementing and capacity of working according to the universal concept of justice which demands right cooperation.” This understanding expresses a desire that in the context of the relation with the others such kind of behavior should be done which can be supported publically and in the ‘concept of welfare’ all that is valuable for the human life is included. Generally, all those ultimate objectives are included which we want to achieve for ourselves and alongwith that attachment with the others and loyalty towards other groups or communities.

Second, Rawls assures theory of politics as a political concept in the form of impartiality. This type of concept has three specialities – First, This is a moral concept which is related to the basic structure of the society which means that all the social, economic and political institutions should collectively fit in such an arrangement of mutual cooperation and should pass on from generation to generation. Secondly, such a network of concepts is present in the “public political culture” through which political concept can be explained and its validity can be presented. Thirdly, its subject matter is expressed in the context of some fundamental idea which can be seen included in the public political culture of any democratic society. This public culture is made with the combination of political institutions of a legislative rule and the public traditions of its explanations.

Thirdly, political concept of justice indicates towards the concept of reasonable citizen. Citizen can be considered reasonable in the condition when considering each other free and equal in an arrangement of cooperation they remain eager to present appropriate conditions of social cooperation to each other. This means giving recognitions to the decisions taken and to be prepared to bear the burden of its results. We must be ready to accept that a reasonable person without any presumption or without unnecessarily caring for the group welfare, can keep the difference of opinion with each other. A reasonable person will consider it unreasonable to use the political power to suppress such vast ideas which are not unreasonable, even if these ideas do not match with his own ideas. This means a reasonable person will never suppress a religion different from his own religion and will never declare it illegal. He will not do so even in the condition when his religion is in majority and there is no fear for them to be suppressed.

Fourth, Rawls ideas of justice are based on the traditions of theory of social contract of Hobbs and Lock. According to this theory, in order to understand the political obedience, we should imagine the condition that before the organized society under Government or law, how was the man and then should ask the questions: (i) What must have inspired the man to make an organized society. (ii) Which theories must have been chosen in this pre-political condition to direct the social relations. Social contract has three specialities which make it specific; (i) Pre-political condition. (ii) Political condition which people made after causing out of pre-political conditions. (iii) That Actual condition which is unjust and in which we all are living now. In this sequence Rawls has talked about three conditions in his theory: (i) Original position. (ii) A just social arrangement whose structure has been classified in context of the two theories of justice. (iii) Actual Society.

Because Rawls theory; like Hobbs and Lock, is based on the social contract so Rawls also talks about the pre-social state of nature in which people will fix the form of that society on the basis of mutual consent in which they would like to live and which will be just under conditions of impartial choice. In this context, Rawls has given many assumption. **First**, everyone is neutral towards each other. Till their personal welfares are fulfilled they neither interfere in the others works and nor feel jealous of each other. **Second**, while taking decision about a new society, everyone would like to keep a provision

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for the satisfaction of their maximum welfare e.g. rights, equality, opportunity, money etc. **Third**, they all will be under the veil of ignorance which will keep them devoid of the knowledge about other's capabilities. This condition of contract is called 'Original Position' by Rawls in which every person is in the condition of individual wisdom and general ignorance. **Fourth**, though they are under the veil of ignorance, even then, they are aware of the fact that man remembers his past and can imagine about future and in the present condition man can exchange with the things and other persons. They are aware of the fact that people have different benefits and merits. They are also aware about those usual conditions in which usually people are involved (e.g. people can be either sick or healthy, rich or poor, educated or uneducated, expert or raw, a natural environment or a polluted environment, free or slave etc.).

Here the question can be raised that why did Rawls accepted only the concept of political contract. Its main reason was to show that the rule of justice which creates the basic structure of the society in fact should be based on the consent of the common men. These rules will be accepted by the free and reasonable person in the fundamental conditions with the objective of unceasing their benefits. According to Kalley, Rawls theory of social contract is based on the assumption that political and social arrangements will be valid only when the society is created on the basis of self willed plan of impartial social cooperation in which people are considered free and equal. For Rawls, the concept of contract is very resides because this provides such a reason which is inclusive with the concept of being free and equal. In short inspite of being imaginative social contract fulfills two objectives – (i) It helps in selecting two theories of justice. (ii) It tries to show that why people should accept the conditions given under these two theories.

Two Principles of Justice

On the basis of the above imagination and if got a chance, every one would like to increase his benefits. But because of the veil of ignorance is not able to differentiate between the benefits of his own and other so he would like to support such rules which will give opportunity to every person for maximum development of his benefits. In other words, everyone would like to create such a society which will minimize their loses and give an assurance that poorest of the poor will not remain unsheltered (because may be tomorrow he himself becomes poor). Rawls calls this Maximization principle because this want to achieve the minimum welfare at the maximum limit. For example, none would like to live in society where there is slavery because nobody wants to be slave. (It's a different thing that he becomes the owner tomorrow).

So, increasing their benefits to the maximum limit and from the view point of the distribution of the primary goods, according to Rawls, people will select two rules:

- (1) **Each person to have an equal right to the most extensive basic liberties compatible with similar liberties of others and;**
- (2) **Social and economic inequalities are to be so arranged that both are (A) attached to position and offices open to all under condition of fair equality of opportunity and (B) to the greatest benefit to the last advantaged.**

These theories of justice are based on the sequence of lexical priority. This means that the theory of equal freedom is on the first place in the sequence of priority. On the second no. comes 'Principle of same opportunities' (2A) and on third no. it will be differentiation based Principle (2B) based on the social and economic inequalities. According to Rawls, here it is to be noticed that first theory from logical view point first principle is higher than the second principle. This means that in order to achieve justice, it is compulsory to implement theory 1 before reaching Principle 2A and 2B. In other words, the meaning of the logical priority of the first principle on the second principle implies that prohibition of any kind of fundamental rights can be called right by giving the logic that there should be social or economic benefit out of it. Similarly, the logical rule of the second principle that first the equality

of opportunity is to be implemented and after this to reach the differentiation based principle. This means, in the direction of satisfying the differentiation based principle, it is compulsory to satisfy the principle, appropriate equality of opportunity. Let's discuss these principles in detail.

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First Principle

According to Rawls, first principle of justice i.e. the principle of equal freedom, is of the first category among the two principles and it needs to be satisfied before the second principle. This means that any limitation on freedom can be put only in the context of freedom and not from the view point of increase in the money or income. As Rawls has written, it is common concept to put legal or other limitations against the behavior of man without enough reasons but this concept does not create any specific priority for any special freedom. On the contrary priority of freedom means that the first principle of justice give **special** place to the fundamental freedoms. Universal welfare and completeness values cannot be devoid just because they are most important. In this any of the social community cannot be devoid of the equal freedoms because this freedom obstructs the policies related to economic expertise and development. Priority of the freedom implies that fundamental freedom can be devoid only in the context of increase in any other freedom. In short, these fundamental freedoms; (i) Freedom of ideas; (ii) freedom of conscience (it includes our moral ideas towards this world, religious and philosophical freedom). (iii) Political freedoms. These freedoms demand representative democratic institutions, speech, expression and freedom of press and freedom to collect. (iv) freedom to make organization. (v) Freedom and integrity of personality. This means freedom from slavery and bonded labour, freedom to travel and freedom to select the business. (vi) Rights and freedoms which come under the legal rule. Apart from this, among the basic freedoms which Rawls includes are – right to keep personal property and right to use it. Even then, among these basic freedom two vast concepts have not been included – save rights related to requisition and will, right of ownership of means of production and natural sources and right of partnership in the control of natural sources which according to Rawls should be social wealth. These basic freedoms make us capable to; (i) Understand implement and follow the principles of justice and (ii) Create, make amendments and to achieve the concept of goodness.

Second Principle

Second Principle related to the arrangement of social and economic inequalities means that society can start some such programmes in which some people are given comparatively more power, income and respect. For example, high management's specialists and accountants should be given more wages and facilities in comparison to the common labourers and clerk etc. provided they fulfill both of these conditions – (i) Such programmes should bring reforms in the life of those people whose life is worse at this time which means that this should improve the living standards of every person and should strengthen the people of lower group of the society according to their welfare and; (ii) these special positing of the society should be open for everyone on the basis of the appropriate equality of the opportunity. This means that they should not be prohibited on the discrimination based on useless criteria. This second principle of justice gives us a glimpse of socialist ideas, according to which allotment of responsibilities and burden should be according to capability and distribution of benefits according to necessity. We can easily estimate that the necessities of the lowest group are maximum and those who are given special powers (which can bring social inequality) and their responsibilities and burden is also more. Even then this principle of capability; that specific expertise should be awarded, is a part of Rawls principle of discrimination based principle. But the speciality of this principle is that it does not permit any kind of change in those social and economic institutions which make the life of those people better who already have a better life rather it should do something for those whose life is worse or those who belong to the lower class of the society.

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As the distribution of social primary good has to respect the equality, freedom and welfare of all the members of society, so this cannot be the uncontrollable equal distribution. According to Rawls, once the primary necessities of the people are fulfilled, then the second rule of their primary freedom i.e. equality of opportunity and discrimination based principle can be taken care of where Rawls is not in favour of the unequal distribution of primary freedom, where he believes that some inequalities in money and income are possible and are not unwanted so, the main aim of the second principle is to keep these inequalities under the circumference of "Justice in the form of Impartiality". In Rawls theory there is important difference between the appropriate and just inequalities and inappropriate inequalities. From the positive viewpoint, equality of right opportunity is that state should provide appropriate equality of opportunities in the educational, cultural and economic areas and also provide sickness and unemployment allowance. For these, there is a need of an interfering state which manage the educational institution and regularize the economy.

According to Rawls, excessive equality in money and income can destroy better creative power and economic consolation necessary for the production. This will be harmful for both rich and poor. From the view point of the poor, justice does not want to finish economic inequalities completely. Rawls believes that some inequalities which work as encouragement for the better creative power and better production, they must be included in the social structures and constitutional arrangements so that they can benefit everyone in society specially the lowest class. Its logic is that benefiting the lowest class of society will mean benefitting everyone. Society can create and renovate the structure of its primary structures in such a way so that inequalities of income and money will benefit the lowest class the most. The objective of discrimination based principle is not to convert inequalities of the society into equalities but to change the incorrect and partial aspect of economic inequalities into appropriate and impartial aspect so that the lowest class of the society can get benefit. According to this those inequalities, which do good only for the rich and not of poor are inappropriate.

On economic and social level Rawls is in favour of Redistributive justice. According to it, states work is not only the security of the social arrangement but the most important work is to make available the primary goods by making the requirements of needy people highest ideal. Even then, Rawls does not support the equality based distribution completely. He supports inequalities also not from the utilitarian view point of maximum welfare but from the view point of the reformation in the living condition of the lower class of the society. Rawls gives a logic that natural capabilities and circumstances of birth give birth to the special rights and inequalities. Because these inequalities cannot be finished so this is the duty of a just society that it should utilize its sources which include the efforts and capabilities of able people in such a way that it can improve the condition of the lowest class of the society and inequalities can be compensated. Rewarding only capable people will not a true justice. Real meaning of justice is not to reward the capable people but to compensate the lowest class people. As Rawls writes, "Justice is not an ethics of reward but an ethics of redress."

After finalizing the theory and priority of Justice, according to Rawls, next step of the agreement is the creation of such a constitution which can satisfy these theories of justice and can become the basis of a just and effective judiciary. For this constitution has to secure the freedom of conscious, expression of thoughts, personal freedom and equal political rights. In other words, on constitutional level also Rawls gives priority to the rule of the freedom only. After the creation of constitution, people will have to think about making policy and law for the society. Creation of judiciary is related to from one side to the achievement of long term social and economic objectives and from other side following of the 'second rule' of justice according to which the objective of social and economic policies will be to provide maximum and benefit to the long term aspirations of the lower class of the society in the circumstances of justified equality in the opportunities. So, all the laws supporting the special rights will be declared unjust upto the extent where they do not make the maximum benefit available to the lowest class of society.

Collectively, Rawls propagated such a theory of justice which is in accordance to the necessities of contemporary liberal democratic welfare state and is above both the theories i.e. theory of traditional

liberalism which strongly believes in the freedom of individual and was in the favour of leaving him alone and socialism's theory of maximum control which sacrifices the freedom of individual in the name of social equality. Rawls principle believes in such a constitutional democracy which is limited, prestigious and responsible. It wants to control free capitalism in many ways. As Rawls writes, "If law and Government keep the market economy competitive in an effective way; materialistic and human resources are best utilized, wealth and money is distributed, all the minimal demands of everyone in society fulfilled, there is equality of opportunities in society on the basis of universal education; then this type of distribution will be justified.

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Evaluation

There is no doubt that Rawls book '*A Theory of Justice*' has given an important contribution in re-establishing interest in political philosophy but even then it is not free from criticism. Some of its criticisms can be underlined as:-

1. Like other theories of justice, Rawls has also been criticised. Bryan Berri has expressed many objections on the theory of Rawls e.g., it is difficult to find out the people or groups of minimum facilities, concept of self respect is not clear, this theory is not clear in the concept of making of constitution etc.
2. Similarly, Norman Berry to also says that Rawls theory is just a re-description of Liberal-capitalist theory and in its legal arrangement, comforts of rich cannot compensate the poverty of poor.
3. According to Macpherson, Rawls theory assumes that capitalist society is a class divided society and to bring expertise in production, inequality of income in society is still necessary as a motivator. So in a welfare state, transfer of wealth and money from rich class to poor class is possible only up to the extent that it does not become a danger for the prosperity of the rich class. Rawls forgets the fact that this inequality of wealth gives rise to the inequality of power and income and so gives opportunity to one class to establish ownership of the other.
4. Writes like Nozick completely reject this logic of Rawls that personal capabilities and capacities are the property of the state and they should be re-distributed on the basis of social justice. Nozick has criticized Rawls theory by saying that by implementing this, rich class might refuse to cooperate with the poor class in the same way in which Rawls implies that in the name of social cooperation, rich class will cooperate with the poor class. Nozick asks why will the rich class be bound to cooperate with the poor class for the sale of their inequality and social cooperation; it is also possible that they might get the inequality and expenses of riches, accepted by the poor. Apart from this Nozick also believes that natural benefits used by the rich class do not take away any body's right of self-ownership. Nozick believes that this idea of Rawls that the inequalities should be managed according to the help of the poor; in itself is illogical from moral view point.
5. Another criticism of Rawls theory has been done by the communalist like Maciber Walzer and Sandel who believe that Rawls asks us to think about the justice by separating us from our values, traditions and aspirations.
6. Feminist writer like Susan Awkin, focuses on the fact that how much does the Rawls theory of justices focuses on the injustice and hierarchical patterns imbibe in the family relation. Rawls logic is that justice should be related to the "basic structure of society," whereas feminist writers while working around the idea of "personal is political criticized Rawls on the basis that he has never given attention towards the injustice in the social relation in the society based on patriarchy and the division of labour based on gender specially the family.
7. Some critics have shown concern on Rawls giving excess emphasis on the 'primary social goods'. For example, Amritya Sen gives a logic that our aim should not be only the distribution of primary goods but also to see that how effectively can the people use these goods to fulfill their objectives.

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2. Entitlement Theory of Justice : Views of Robert Nozick

Entitlement theory of Justice has been propagated by Robert Nozick. In the form of a political theory self-independence is support of free-market economy and wants to limit the welfare policies of the state. This is against the re-distribution of money by the tax-policy to bring economic and social equality. This believes that re-distribution tax process is fundamentally wrong and prohibits the rights of an individual. Everyone in the society has a right to buy or sell the things as per his wish. As Nozick writes, “people have rights and there are some such things in which a person or group cannot interfere”. There rights are so strong and deep that they raise the question that what should the state and its officers do. (If they have to do something). According to self-independence, interference of Government is like bonded labour because this usurps our fundamental and moral rights self-independence joins justice with market.

Entitlement theory of Nozick is influenced by the ideas of John Lock and Fredrick Hawyk. This takes individual as a means on itself and basis any kind of re-distribution of social goods on the clear consent of the people. Nozick’s book, *Anarchy – State and Utopia*, strongly supports self-independence Nozick’s discussion on the theory of Rawls, brings the idea of liberalism and self-independence to a higher level. Theory of self-independence has been underlined in this sentence. “Every person should give as per his wish and should get as per his selection”.

Before discussing Nozick theory of justice, it is necessary that we understand about some common concepts of the theory of justice. **First**, Nozick believes that every adult has some strong natural rights in which right of physical security is also included (which prohibits to kill, trouble or handicap the righteous). This right is natural in the view point that this is not dependent on any law or social tradition. **Second**, everyone has some equal minimal specialities e.g. as per the concept of good life, capability to select sensibility. **Third**, this concept of justice is historical from the view point that what is legal depends upon the fact that what has been happening in past. For example, stepping on one’s chek is not regarded justified but this will not be wrong in a boxing match. Similarly, locking somebody in a room is not good but it is not wrong for a criminal. In other words, in order to finalise what is justified a particular time, both the consent and mistakes of past become referential. This aspect of the theory of Nozick is very effective and the emphasize on this speciality has very positively effected the theorization.



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Any theory without being pure historical (means considering the coming results useless) can be historical means sensitive towards past.

Fourth, Nozick Theory of justice is based on the right of property. It claims that people either have right of complete ownership on various things or they can earn them. Here complete ownership means. (i) Right to use or to control others use of one or many things. (ii) Right to get compensation from those who have overruled someone’s right. (iii) Right to use power, punish and get compensation from those who have overruled somebody’s right. (iv) Right to transfer this right to another person. (v) Freedom from losing such right when nobody overrules or tries to overrule others’ rights.

The essence of Nozick’s theory of justice is like this. If we assumes that everyone is righteous of all the goods and wealth which he possesses at this time. The justified distribution will be such in which will be the result of free exchange by the people. Any distribution which is the result of a free transaction in a justified appropriate situation, is just. It is injustice on the part of the Government to levy tax on these exchanges without the consent of the people, even though this tax can be used to compensate the natural handicap of some people. The only reason of levying tax is the compulsory guardianship

to maintain the environment and arrangement of this free exchange. This means such a condition of police and justice which can implement the mutual consent of the people. Theory of official justice is based on three rules:

- (i) **Principle of Transfer:** Something which is earned in a justified manner can be transferred willingly.
- (ii) **Principle of Just Acquisition:** How do the people get the transferable things at primary level.
- (iii) **Principle of Rectification of Justice:** How to deal with the achievement obtained by transfer or by unjust manner.

For example, if I have a piece of land, so according to the first principle, I can transfer it to anyone and second principle demands how have I obtained this piece of land i.e. this should have been obtained in a justified way and third principle tells that if any of these principles have been overruled then how to exclude it. If we combine all these three principles then it can be said that "If the goods of the people have been obtained in a justified manner, then the theory of justified distribution should be **"From each as they choose and to each as they are chosen"**".

Now the question is why should Nozick's theory of justice be accepted. For this, Nozick gives the logic: (1) Free exercise of property is more attractive and (2) Property right lies in self-ownership.

According to First logic – Free exercise of property is more attractive if we have obtained something properly then we have complete ownership on it. We can sell it as we wish if even the result of this exercise gives birth to the unequal income or opportunities because some people are born in the society with better natural capabilities so it is natural to award them more than those whose merit is not saleable in the market. Due to the difference in the natural merits, some people can be prosperous where others can die of hunger. According to Nozick these inequalities are the probable results of free capitalism. Nozick says that we should finalise any criteria of primary distribution which we consider right and after this if free exchange among the people again gives rise to the inequalities, then these will not only be justified but even and it will be unjust to levy tax on those who have become rich as a result of this exchange. According to Nozick "No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements over. Though, there is no doubt that it is unjust to fall prey to the inappropriate inequalities by devoicing the benefits of social cooperation, but problem is that other people also have a right to keep their earned income and property and it wrong to take it away in any condition.

Second logic of the official justice is – "Theory of self-ownership". According to Nozick individual in himself is a means. Individual has some rights and other persons and society cannot overrule these. It is the duty of the society that it should respect the rights of the individual because this is symbolic of the fact that individual is a tool and not a means. They cannot be killed to fulfill the aim of other without their permission. Because there is separate identification of each person and different authority; So there is limitation of sacrifice for the gain of others. Self independent person cannot be considered as 'resource and machine for others.' It recognizes to such people who as same personal rights and similar reputation. To obey the rights by obeying people gives options to select respectable life, to fulfill our aim, and gives liberty to understand ourselves. In short theory of law depend on two matters:

1. To understand people equal they have to understand self-owners
2. Only enthusiastic capitalistic can accept the theory of self-owners.

Inference of the official justice of Nozick is that "State should be minimum. It should be limited to the security against the use of force, theft and problems in implementing the agreements. More than these work will nullify the rights of a person, so they will be unjust. According to this theory, there is neither necessity of universal education nor of the health facilities, nor of the transportation roads or parks. For all these is forcibly levied on people which demolish the fundamental principles of justice according to which from each as they choose, to each as they are chosen.

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Evaluation

According to Nozick, most important right of an individual is the right of self-ownership. This means, the thing which I own and the things whose master I am both are the same and they both combine to make a complete individual. In other words if I am my own master then I am also master of my merits and the achievements obtained by my merits. So it is the prohibition of the right of 'self ownership; by benefiting incapable through levying the tax on the income of capable in the name of demand of redistribution. On the contrary, equalitarian writer, Rawls says that though every person is an appropriate owner of his merits yet getting merit is a matter of chance which everyone does not get. Those who are incapable from the natural view point have some same right on those who are capable from the natural view point. Capable people will get the real benefit of their merits only when the poor will get benefit from their capabilities. Nozick believes that this is the assassination of the right of self-ownership. So this can not be accepted. Secondly, the logic of self independence that by limiting the right of property, welfare works of liberalism interfere in the self-decision of people equalitarian writers also do not accept it.

There is no doubt that programme of redistribution limit the freedom of wealthy class upto a limit but these programme also give opportunity of self-decision to those who had not got this opportunity earlier. This redistribution does not sacrifice self-decision for any other objective rather it redistributes for necessary means for the self-decision. Idea of self-independence accepts those unnecessary inequalities in the distribution which can harm those people who need. These as will Kimilika writes, "If every person believes him to be a means in himself then the Equalitarian theory of justice is better than the self-independence theory.

Self Assessment

Fill in the blanks:

1. Concept of justice has been changeable and
2. has written 'A Theory of Justice'.
3. Theory of Justice is based on the right of property.

10.2 Global Justice

Global justice is such an issue in the political theories which is based on the concept, "We do not live in a just world." At this time most of the people in the world are poor whereas the rest are very prosperous. Many are still living under tyrant rulers. Uncountable people are victims of violence, ailment and hunger. So many die untimely. So the main question is - how to understand such issues and how to react on these. If the people living in this world are indebted to each other, then what kind of institutions and moral criteria should be accepted and implemented.

From the beginning of the modern age to 20th Century, nation-state had been a major political and sovereign institution which keeps the valid right of use of power on the people living on a fixed piece of land. Alongwith that this is a part of an international arrangement based on the other sovereign states. In this complete period, political philosophers who had interest in the concept of justice focused themselves only on the national issues inside the nation i.e. how should the state behave with its citizens and what kind of relationship would be there among the citizens. Justice had been a negligible issue among the sovereign states and the people beyond their boundaries which they had left for the theorists of the international relations. Even then, in the last three decades, as a result of rise of globalization and organization of various political and economic institution like UNO, World Bank, World Trade Organization international monetary fund and various international cooperation and

non-governmental, nation-arrangement based on nation state is going through a process of change. As a result, global justice has become an important issue of the contemporary political philosophy especially after 1980.

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Issues in Global Justice

The concept of global justice revalues around three issues which are as follows:

1. First issue is the work area of global justice i.e. as the moral Universalists claims that if there are such moral criteria which can be implemented on the people of the entire world irrespecting their culture, gender, religion national or specific elements or old these moral criteria implement under the limited context of only culture, nation-community and voluntary communities.
2. Second issue is related to the distributive law. For example 1.1 more than million people i.e. 18% of the world population lives below poverty line of 2 dollars per day as fixed by the World Bank where as Canadian Government gives 3 dollars per day to their farmers for the fodder of their animals. This means that the eating arrangement of the animals of Canada is better than that of the people living in the third world. So, here the serious question is – Is the present distribution of money sources and wealth is justified? What are the fundamental reasons of poverty and is there any inclusive defect in the global economy. Is it the duty of the rich to help poor or is it limited to just donations which are praiseworthy but is not compulsory from moral view point. Moreover if the poor are to be helped then up to what extent – (i) Till they are able to fulfill their basic needs. (ii) till they are able to live a respectable life as human being; (iii) till they become equal to the rich.
3. Which institutions will be best to get the norm of global justice. Are they state or community or unions or global economic institutions like World Bank, International Private Organizations, multinational's corporation, international court or a global state? How world they get our support and who, will be responsible for the establishment and maintenance of these institutions? How much normal will be the transaction of these institutions among various regional units.

Biggest challenge of globalization is moral challenge. Do the prosperous nations of west should focus more on the ignored classes, traditions and culture of the undeveloped and underdeveloped countries with whom their own future is joined in an inseparable manner or they should be limited to the extraction of natural and human resources. These various options raise the question of global justice. Till now subjects like justice, freedom, equality rights etc. were under the province of nation states. But the concept of globalization has challenged these traditional values. Implication of globalization is the increase and expense in the social relation. In many areas of human life difference between the national and international is fading away. If we think seriously on the concepts of democracy and justice, then we find that national and international areas of the global world have joined with each other. Thus on the global level lack of justice and democracy can adversely effect their achievements.

Major text of the globalization in the context of justice is – does it increase the freedom? Does it encourage the democracy? Does it provide opportunity to the poor to overcome poverty? Does it strengthen the common man? Does this blessing shared by most of the people? Is it beneficial for the labour? If we see in the context of these questions, then it becomes clear that is the kind of global market established within last two decades, these is no place of global justice. All these problems have emerged because the economics dependence of the nations is dependent on the inequal distributions of power. In this dependence self with of the weak state becomes compulsion because neither they have any power of transaction nor any way to stop the exploitation of their resources.

Positions on Global Justice

The main issue of the global justice which needs to be think over is – How far is the project of global justice is possible on the international level. In this context five major view points can be

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recognized. These are – **Nationalism, Realism, particularism, society of states tradition and cosmopolitanism.**

Nationalists like David Miller have a point that the tradition of required interpersonal responsibility is created by a special type of valuable community nation. It can be our human duty to help the needy people in save part of the world but this duty is comparatively less immediate, strong and necessary. In nationalism, since the beginning, this feeling had been inclusive that there is a fundamental difference in the internal and external moral duties. Its example is reflected in the fact that welfare benefits of a particular state are not available to the people beyond the boundaries of the state. They believe that the issue of the distributive justice is in context to the people living in the state and not in the states.

Second, realists like Montagau, Kenneth wage believe that there is no concept like global justice criteria and universal morality is also a myth. In this age of international anarchy, only state is the only main player who works for the safety of their own welfare. It is not a duty to help the people of the save poor country till this help does not instigate the contemporary welfare of any nation.

Thirdly, particularism (for example Walzer) believes that any kind of moral criteria emerge from the shared traditions and values which are created and nourished by save special culture or society. Moral and social criticism is also possible only under the boundaries of such group and not outside them. Every society has its own different criteria and only those who are living in these societies are bound to them and can also criticize themselves in a right manner. So universal moralism is a myth because unbiased moral criteria of various societies and cultures are different. We cannot use these criteria of distribution with the strangers which we use for our own people/citizens and nation state is the most appropriate institutions to provide local and difficult justice as it expresses the shared and specific moral intelligence. Though communalist are not against finishing the global inequality, but they do not consider it necessary to have any such legal or political reform where 18 million people die of hunger. They do not deny the fact that globalization is a bitter truth but they also doubt that humanity has obtained such a clear and prosperous thinking of shared luck which will be successful in getting justice (i.e. redistribution from rich to poor). Communists believe that if there is any leniency given at the boundaries of state then these may arise many problems like coming of migrants in a large number of problem of public arrangement, unemployment, alienation of labour in the markets, more burden as the public services like education, health, transport and residents. Their political effects are also very serious as reaction against public welfare, blind patriotism, racism cultural alienation and conservation. In this process communalists have a fear of losing that cultural speciality which is the nourished of history and anonymity of any specific common unity. Apart from this, there is a danger of losing the sovereignty of the state due to which there can be decrease in the concept of self-determination and security.

Fourth, states are seen as specific personal unit in the **social tradition** of state which can collect consent on their shared benefits and inter-personal relation, and moral rules in the same way, as two individuals do with each other consent of the different people is given a formal form through social agreement. Main supporter of this tradition is Rawls who has extended the concept of justice in his book, '*The Law of People*' from his first book, '*The theory of justice*'. His point is that we can say that the global rule is right by showing that an imagined original position will be selected by the representatives in which no one will know that whom is he representing. This decision based on ignorance will be right because there is a lack of any selfish motives in it when Rawls used this model in the context of domestic justice the representatives taking part in its basic condition were all types of members of society in which he supported a equalitarian, redistributive, Liberalist politics. Even then, when Rawls accepts this method on the global justice level then this supports a traditional theory (Kant's Concept of International Morality) in which the main duty of the state is to follow the facts and putting strong restriction on war but this is not at all redistribution of wealthy and resources on global level. Thus, Rawls has taken different criteria for justice on both national and international level. Even if there is a necessity of Equalitarianism in the state, it is not required at international level. That is why concept of

global justice is limited to arrangement of free states. Rawls has given this name of 'Realistic Utopia'. We shall study in detail about in the next part of this chapter.

Fifth, supports of **cosmopolitanism** say that the concept of Moral Universalism is true upto a large extent. All the people come under the concept of vast justice not only for being each other's companions or belonging to the same nation, but also because we all are human beings. Its logic is as under:

- (i) Moral condition of people on some important specialties from the moral viewpoint.
- (ii) All these specialties are for the complete human race and not meant only for a few states, cultures or states.
- (iii) Thus the entire human race is a concept of a moral condition and in this context it is useless to set boundaries in nations, cultures societies and states. On the supporter communities of cosmo-politanism special community whose first pertaining duty is to supported. But demolish the danger of globalisation. They believe that between nation state members of communities and pertaining responsibility nature, political behaviour and institutions fast demolish group has a aimless and too professional representative.

Ideology of Globalisation

As the question of global justice has emerged in the context of globalization so it is better that we get some knowledge about the main ideology of globalization. It is assured that one of the main factor responsible for the deficiency of global justice had been its ideology. Since 1990, when the process of globalization started, its main ideology had been neo-liberalism. World Trade organization and International Revenue Bank also had the some ideology countries under NAFTA pact are also following the same ideology at theoretical level. In European countries also European Union has the same ideology. This policy mainly reflects the authority of financial capacity and key role of financial institutions. The central point of the Neo-liberalist ideology is the concept of financial capital. In the relational and global development, capital and financial matters play the role of policy elements. As there is no relation in International trade and finance so in up and down of revenues and in other financial certificates, speculation has become more important than production and commerce 24 hrs. ups and downs of business in the share market has given a global form to the danger. Relation between the profit and tax has become fade. There is continuous decrease in the tax rate of private financial institutions. Place of tax has been taken way by the economic subsidy and encouragement of the Government lenient rules, cyber space and recommendations has helped the financial institutions to get themselves registered outside the country and get their profits deposited in the foreign banks.

In this neo-liberalist ideology, there are many elements of instability like; (i) financial instability in the new emerging countries; (ii) development of unemployment and maximum use of automation in job works; (iii) Inequality and poverty in society; (iv) environment related dangers; (v) danger of maximum supply on the global level; (vi) the conflicts in the benefits of market and national administration etc. All these elements put a question mark on the right distribution of material and social goods between rich and poor countries.

According to some specialists liberalization is not the solution to the problem of privatization and free trading. Regulation of one or the other type is compulsory, for both strong and weak. Similarly, this is also a fact that it is not possible to provide facilities related to the fundamental structure of society like education, health, residence etc. without collecting tax. Infact, without tax, public area with vanish and without public area, validity of the state will diminish and without validity, fundamental security can also be endangered. In fact, there is continuous conflict between the international monetary fund and world bank and UNO institutions like UNDP, UNCTAD, UNICEF, UNESCO, UNEP etc. Where world bank transacts in the context of the strong subjects like finance and commerce, at the same time UNO institutions are related to the delicate subjects like social welfare, education, environment and human rights.

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Injustice at Global Level

Lets get some knowledge about the injustice at the global level. Injustice at the global level is the result of omissions and commissions faults. First, under omission reasons. In global economy benefits of distributive structures, apart from others, depend upon the various institutional managements like trade agreements, educational exchange, circumstantial encouragements, environmental and payment of the debts taken by the tyrant rulers of the past and impartial behavior. Secondly, due to commissions also many serious problems arise which are must to be solved to get global justice like ineffective and unequal trade limits which pressurizes the poor countries to import from rich countries, patent laws which lay restrictive on the life saving drugs (like AIDS), global trade in arms and weapons which encourage the terrorism. Local wars and military conflicts, not only increase the local tensions but they also encourage global trade in armaments. For the more than 4/5 part of the export of the armaments, G-8 countries had been responsible.

In the contemporary form of globalization transnational institutional arrangements have been obtaining the more important place in the life style of an individual. According to Pogi, inspite of globalization, reality is that present global institutional arrangement is very in just because it gives rise to extreme poverty. Almost half of the population of the world (2700 million) are still below the poverty line fixed by the World Bank (2 dollar per day). Almost 18 million people become victim of hunger and other related diseases. This no. is one third of the total annual deaths. The biggest irony of these untimely deaths which makes them unjust is that these can be overcome because global social production per person is 5000 dollars which is 20 times more than an average family above poverty line. Total income of all 2700 million people is 2100 billion dollar which is only 1.2% of the global production. On the contrary, citizens of rich countries which is 16.1% of the world population are owner of 81% product of the world. The important fact is that extreme poverty can be minimized if rich countries and their citizens do a little hike in the present amount of 11 million dollar per year. This had not been so extreme if the rules of global institutional arrangement had not been such as to benefit the rich countries and specific political or economic group. Many reforms are possible to eradicate poverty but they can also face the opposition of the local population. For example, if rich countries want they can finish all those reservation which they have obtained under WTO pact like their quota rate list, dumping against tax, export debts and extended subsidy to the domestic producers. If the rich countries want they can limit the special right to obtain international resources and debts which enable an individual or a group in a developing country to use the power to sell the resources or to take debt in his name. If rich countries want they can start a global resource dividend of 300 billion dollar per year or any similar project which will be essential in the initial years of any serious programme to eradicate poverty.

How to Achieve Global Justice

If this is the condition of the injustice global level then the next question is what is the nature of justice and how is it possible to achieve it. There is no simple and direct answer to this question. In this context where some writers, stress on following the international pacts honestly; some support the transfer of some other resources from rich to the poor countries. Here we shall talk about getting global justice in context of John Rawls, Amritya Sen and UNDP report.

Rawls Views on Global Justice

Rawl's book '*The Law of People*' is a book writers on the international relation. In this book, Rawls has tried that how the subject matter of justice in state can be taken out from the liberalist concept of justice which is like justice of fairness but is more elaborative than this. As on the national level, citizens are the partners of agreement, similarly on international level, there are many states which are given the

name of 'Society of Peoples'. Though '*The law of peoples*' is basically, a part of liberalist foreign policy, but all the states about which Rawls talks about are not liberalist.

In this book Rawls with the help of an elaborating plan and facts, has tried to clarify that how various nations should understand about their moral duties and human rights. This is an extension of his first book '*A Theory of Justice*' in which he established the theory of justice in a single state. This book focuses on a little difficult work of developing the international rules which will be implemented on an extreme, liberal and non-liberal societies. In this first Rawls establishes an international concept of justice of liberal people (state). Here Rawls's people's concept is different from the traditional concept of state because he does not give the right to uncontrolled wars to the states. In order to create the International concept of justice, Rawls imagines a theoretical basic condition where the sensible representatives of liberalist society will collect and they will take a decision about '*Laws of Peoples*'.

These representatives of the people (State) are behind the veil of ignorance and they do not know anything about the conditions of that specific country which they are representing. For example, these representatives do not know that what is the shape, population, and industrial and military power of that country. From the Law of Peoples Rawls implied that a specific political concept of rights and justice which is implemented on the rules and norms of international law. This political concept of justice can be achieved through the basic condition i.e. through management where representatives of every state collect together with an aim to finalise such rules which will rule the condition of their organization. Rules emerged through this process will be the subject list of 'Law of People'. These are mainly 8 rules.

1. People (Ruled by their Government) are independent and self-reliant and their independence and self-reliance has to be respected by the others.
2. In their agreement everyone is equal and partners.
3. People have a right to self-defense but have no right of war.
4. People should follow the rule of non-interference.
5. People should follow the agreements and pacts.
6. In the context of the management of war some people should follow some specific restrictions (i.e. this can be fought only for self-defense).
7. People should respect the human rights.
8. People should have a duty to help such people who are living in such adverse circumstances which are becoming obstacles in obtaining a just and respectable political and social rule.

Rawls' main challenge was not only to find an international theory of justice for liberalist states but also to develop such a theory which can be implemented on those when he can divide in non-liberal and non-western (decent and non-decent peoples).

From decent people, Rawls implies to those states which are basically sequential society which do not give compel political equality to their citizens but do take their consultation on same policies and guarantee them for the rights such as life, freedom, wealth and formal equality. Rawls' logic is that liberalist people should respect such people because to tolerate. The perspectives of the other world is the basic element of the liberalism and then deny for the respect will only increase bitterness. Even then liberalism is also a limit to fraternity. It is compulsory for decent societies to safeguard human rights, which are specific type of contemporary rights which include subjects like freedom from slavery, massacre and freedom of conscious. For Rawls these are the minimum conditions for human rights and are not equivalent to the wide public rights given by the liberalist states.

After the establishment of a decent and liberalist society, Rawls focuses on the point that how the society of people will deal with the non-decent. He divides non-decent in two parts – Those non-decent people who are to outlawed state i.e. who are always ready to accept the war for their imaginary benefits and secondly, that burdened society whose historical, social and economic circumstances are rising problems in creating a well organized society. According to Rawls the objective of foreign

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policy will be to bring the people of burdened society in the main stream of society of people. In order to organize the foreign policies of for burdened societies, "Rawls described three directions. First, it is not necessary for a well organized society only to be prosperous but it requires that minimum capital to establish and guard its own institutions of justice. Second, In order to bring reform in the political and society institution, political culture is the central element. Political values of any society are more important than all other resources of it. So only sending money at times, proves to be useless and Rawls is against any kind of interference. Thus he believes that a well organized society should limit only up to giving suggestions. Rawls accepts this fact that there is no perfect medicine to bring changes in the political culture of the burdened societies. Third, the directions according to Rawls is that these burdened societies should be given a chance for self management so that ultimately they become the part of the main streams of the society of peoples.

Rawls describe three points to arrange foreign policy of suppress society. First, it is not necessary that a well organised society should be developed; they need only negotiable capital so that it establish and save its institutions of law. Second, to improve conditions of political and social institutions political culture is a centralised element. Political value of any society is of great importance rather than other resources of sending money is useless several times and Rawls in against of any interference. So his consideration is only advice is the limit for a well organised society. Rawls accepts this statement that change status of political culture of suppressed society there is no any accurate method. Third, according to Rawls point of suggestions is that self management option should be given to the suppressed society so that they may be a part of active society in last.

On international level, Rawls does not consider inequality as a problem and he also believes that no state is compelled to finish it. Only compulsion of the societies of all states is to guard a basic minimum level for every-one. Once this level is achieved then after this there is no other responsibility left. So responsibility is only towards the help of the burdened society which are unable to create a well organized society due to the adverse circumstances (whether historical or natural). Another responsibility of well organized societies is to encourage the respect towards the human rights among the other societies which Rawls defines as the right of security and survival. Those states who remain unsuccessful in respecting the rights of their citizen came under the category of outlawed states and which encourage the well organized states for many types of interference so that the respect for the human rights can be brought back. Rawls thinks it a collective duty of all countries to remove global poverty even then this important limit on the responsibilities of the distributive justice is a claim that it does not have any responsibility such as finish or minimize the global inequality.

Important fact is that in this concept global justice of Rawls, there is no extension of the distributive justice given in "*A Theory of Justice*". Many critics of Rawls had a hope that Rawls would implement differential principle on the global level in which prosperous countries will be compelled to implement world treasure theory for the development of the poorest countries or at least will supply primary goods for these countries. But Rawls differentiates between a national society and society of peoples. For example, inequality in domestic society may lead to blame game and favourism in politics but these issues do not affect the international society. If political culture and not the national resources finalize the wealth of a country, then there is no need for the global redistribution and this will be incorrect for the societies which do not organize these societies from the perspective of growing wealth. This can be duty of the wealthy society that they give assurance of supply of the basic necessities of the people but there is no logic of redistribution of wealth. So in the context of global justice Rawls limits himself to the responsibilities under international law, human rights and international parts.

Amartya Sen on Global Justice

According to Amrtya Sen, while thinking about the merits and demerits of globalization, it is necessary to think about the necessity of the justice. Many reasons can be given of the logic that globalization

is a good objective but it is very difficult to remove the doubts of many people in the world about the fact that this is a blessing this doesn't mean that globalization is a wrong objective but this means that some corrections should be made in it so that everyone likes it. The basis of the justice is fair distribution of resources. So, the important question in the context of globalization is – Have the benefits of the globalisation been distributed correctly and acceptably. In other words, the question is if they can get comparatively better justice by less unequal distribution than by economic, social and political opportunities and if it is so then what will be the national and international arrangements for this. This is the real issue. In the context of globalization these should be a trial of a corrected worldly arrangement and there should be comparatively better justice and better distribution of opportunities.

Amartya Sen on the contrary to Rawls talks about the redistributive justice by changing the present ideology of globalization. Though this is not in favour of the neo-liberalist world market economy, yet he believes that solution is not in finishing this market economy. Actually this market economy is possible along with many types of parallel patterns of ownership, achievement of resources, patent law and rules against the trust. On depending upon such new circumstances, market economy various costs, form of business income distribution and at a broader level, market economy can produce different results. But the most important factor to be added to this is the social security. Both reforms in market economy and social security can bring a downfall in the present level of inequality and poverty. There is no need to finish market economy for it. Results of the reformed market arrangement will be different from the present arrangement and then will depend upon the allotment of physical resources, types of law related to business and the arrangements for social security etc. All these circumstances depend upon the economic, social and political institution working at the national and international level similarly, nature of the market result are also get very much affected by public policies like education, right of land, minute debt facility and legal security. On the global level, in the context of the justice we need to develop this kind of inter dependence to bring prosperity, equality and security.

Another aspect to think about is the relation between the human rights and removal of poverty as Amartya Sen writes that economic progress is not possible in a right manner till it is not joined with the citizen freedom (like freedom of expression and freedom to collect). Those Governments who guard the human rights infact also assure that the economic developed will be largely enjoyed by the people there will be less possibility that corruption will interfere in the works of such people and businessmen who follow the law. Many surveys have clarified that govts have tension of diminishing of human rights by police and bureaucrats in the same portion as they have towards the reformed economic possibilities.

Similarly, another writer Toad Slone believes that there is no need to end globalization from below instead of forcing it from the up. Though corporate capitalism also has some merits but its basic principle – maximum benefits to collect money – goes against the welfare of majority in society. This is also against the environmental protection. The biggest challenge of the future is to save global economy and benefits of markets as well as there is no harm to the community, environment and human resources. This is possible only by focusing on the issues like human rights and social justice on various levels of inter-defense. For this there is a need for international organizations (Government and non-Government both); national organizations, community organizations and citizen to join with the new network of partnership so that something can be done for the fulfillment of physical and social requirements of the devoid groups of the world.

Human Development Report of UNDP, 1999

In the context of obtaining global justice, human development report of UNDP, 1999 has presented a planning of a global structure which is as follows:

1. Central global bank should help the poor countries is giving them debts, and to regularize the financial market.

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2. Global Investment Trust should balance the flow of arrival and departure of the foreign capital in the countries of the third world and should collect the fund for development by levying tax on the global pollution and short term investment.
3. New rules and power against monopoly should be established for WTO so that it can stop the multinational global corporations to have authority.
4. Establishment of new global rules which stop the patent arrangement to become an obstacle in the development education and wealth service of third world country.
5. New dialogue on global investment pact in which respect for the developing countries and local laws should be included.
6. More flexible revenue rules which can enable the developing countries to implement the capital control in order to safeguard their economy.
7. A global code of conduct for international corporation so that they follow the same rules related to labour and environment which are popular in their countries.

Many international organizations and non-Government institutions are working in the direction to bring reform in the global economy so that the exploitation of the lower class and inequality can be minimized. But the hopes of this third area (after Government and market) will only be fulfilled if these non-government institutions should work on the democratic level and do not become tyrants. These new groups can be pressurized by demonstration and strikes on financial and commercial organizations of the world to bring changes in the laws, to turn the investment of the Government towards the necessities of the poor and on the corporate affecting the communities in a negative manner.

Hurdles in the Way of Achieving Global Justice – Globalization Vs State Sovereignty

It is very difficult to get global justice. The main obstacle in getting global justice is that for these states name to separate from some part of their authority which is not so easy. These are innumerable reasons which will interfere in the efforts of distributive justice on the traditional special rights on the state on the global level. For example, some of the parts of the authority of the state which can be controlled are: Revenue, saving rate, budget process, population policy, education and training, social programmes, defense policy, environment policy, rate of tax, NRI policy etc. In this context, the example of European Union is very appropriate because through this it is clarified that how these countries had to sacrifice their control on various areas as a part of the process of European Union. So that the programme of redistribution can be implemented to obtain regional justice. A state which is pressurized to maintain the part of his sovereignty, in fact declares that it is coming out of this cooperation and it wants to fulfill the national benefits at the cost of public welfare. The meaning of the declaration of the sovereignty is that rules of ordinary community justice do not imply on it. So those states who want to enter in the community relation of theory of distributive justice, they should be ready to partially sacrifice their sovereignty.

In short, the process of globalization has taken out justice from the boundaries of nation-states and has brought it to the international area. Even then international community is such a place where the norms of justice are not completely fulfilled. On the internal level every state has some or the other objective in obtaining justice. Issues like development of human capabilities, allotment of rights and physical things and unbiased behavior with everyone, are the important parts of the citizenship. It is comparatively easy to put a question that how the nation-states encourage justice for their citizens but it is a complex question that how the global justice is obtained. Many economic, social and political reforms are required for the global justice in which increase in partnership of developing countries in economic policy making is also included. Along with the exchange of goods, there is a need of exchange of ideas as well. In the context of global justice, like citizen rights, its issues are also global

like environment destruction misuse of human rights, AIDS etc. National-States cannot handle there on the individual level because their reasons are complex, and worldwide. These can be solved by the collective efforts of the national-states. For this nation state have to sacrifice their sovereignty so that the assurance of the allotment of other goods is maintained. Global justice is a mutual responsibility.

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Marxist Theory of Justice

In the contemporary thinking, we find two forms of Marxist ideas on justice. In the first category come those writers who oppose any idea of justice at theoretical level. In their idea justice is required when there is any conflict or difference of opinion in our social life which wants to resolve through justice. As the objective of communism is to finish all the conflicts and difference of opinions prevailing in the society, so in a communist society, there will be no need of justice. **Communism is beyond justice.** On the contrary, in the second category came those Marxist thinkers who respect the importance given to justice by liberalism but these writers analyze the justice in the personal ownership of the means of production. Their belief is that justice can be obtained only in a class less and state – less society. As the nature of the personal property is exploiting and alienating so it is the demand of the justice that means of **the production are socialized and a communist society is established.** Let's study these two forms in detail:

Communism is beyond justice

Where as per the Liberalist theory propagated by Rawls, justice is the fundamental element of all social institutions and is the criteria of all social recognition, there Marxism does not accept the fact that the justice of communism is based on some recognition. Many writers of the Marxists ideology do not give importance to justice. In this context they follow Marx in which equal rights or just distribution form, any explanation of justice was strongly criticized because such kind of definition makes the capitalist exploitation blurt. For example, according to Marx, as in the society capabilities of some people are comparatively less so the concept of equal rights change into the unequal rights for unequal labor. As a result, right of equality infact becomes the right of inequality. Similarly, the concept of just distribution focuses more on the distribution than the fundamental question of production. If there is re-distribution of the means of production of goods and income then also there will be wealthy and poor class in the society. So class-division and exploitation will also remain. In other words, injustice will also be there. So before the redistribution of goods and income there is a need of giving attention to the redistributing of the ownership of the means of production because if the redistribution of the means of the production become possible then the question of justified distribution will automatically be solved. On the level of the distribution of goods, meaning of the reform in injustice is that some balance can be maintained in the conflicts of the classes in the capitalist society. Apart from it, where justice resolves the conflicts of society, there it raises conflicts in the society and minimizes the natural sociability of man. So in the present society, justice is a 'necessary evil', in communist's society this will be an obstacle. It will be better that people instead of competing for the rights; people should live on the basis of the natural love for each other.

Above objections raise problems in creating any clear concept of justice under Marxism. Major objection of Marxist criticism of justice is idea of Judicial Community of Liberalism. According to Marxist writers the question of justice rises when we are in the circumstances of justice i.e. those circumstance which create such conflicts and opposition for which justice is required to solve them. These situations arise mainly due to two reasons (i) contradicting objectives due to class – division; (ii) Limited economic means. If the contradiction of objectives and limitation of economic means is finished then there will be no need of the theory of 'justice equality' in the society. The first objective of Marxism is to overcome these contradicting circumstances. For this, it wants to create such a class-less society where the benefits are the same for everyone so that there is no need of justice. Secondly it wants to finish

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lack of means. For this, by bringing the means of production in a community ownership, it wants to create such a class less and state less society where there is one form of benefits so that there is no need of justice. It wants to create such a communist society in which 'every person will work according to his capability and get as per his requirement'. Because this will be such a class less and state less society where there will be no conflicts and issues so there will be no need of justice to resolve them. In communist society, justice will remain as a useless thing. So communism is beyond justice.

Communist Concept of Justice

If justice is necessary for society then what will be its communist concept? As Marxism have always criticized both primitive negative liberalism and equalitarian - welfare so it is but natural that its concept of justice should be more equalitarian than the liberalist concept. Difference of the Marxist concept of liberalism from the Equalitarian theory is not only on the fact that upto what limit the sources should be equalized but it is also on the fact that how much equalism should be of the personal property. In this context the fundamental belief the Marxism is that no one has a moral right for the person ownership and control of the sources and means of production. This personal ownership should be finished because this gives rise to the relation of wage labour which is immoral, exploiting and alienated. Only after revolution, by creating a socialist society, by bringing the means of production under community control and by equalizing the property - foundation of a just society can be laid.

According to Marxism, the main root of the injustice is exploitation and in modern industrial societies this is the exploitation of the labour class by capitalist class. The main drawback of the capitalist state is that it makes the labour a thing of selling and buying and makes this exploitation just. According to a Marxist writer Kohen, Marxist logic can be presented in this way; (i) Only labour is such a person who produce such a thing which has a economic value; (ii) One part of this value is taken by the capitalist; (iii) So the labour gets comparatively less portion of the value of the product; (iv) because one part of the value of the product is taken by the capitalist (who has no right on it), so the labour is exploited by the capitalist. Labourers are compelled to work for the capitalist. Labourers do not have means of production so they can earn their livelihood by working for the wealthy class. So the relation of the labour is basically exploitation.

Another Marxist writer Roman has defined this concept of exploitation in the context of "unequal access to the means of production". According to it, women devoid of the voting rights, unemployed people and labourer all become victim of injustice. The benefit of this unequal reach to the means of production is enjoyed by the capitalists. Apart from it, exploitation of the labour by capitalist is one aspect and exploitation is a more devastating aspect where a major part of the society is devoid of selling their labour e.g. women, criminal, beggar and unemployed etc. This logic is also false that capitalist have earned their wealth by hard word, capability and saving intelligently. Marx has clarified it clearly that in this collection of wealth, theft, murder, slavery, bonded labour and political attacks have played a major role. This primitive in just collection of property, falsifies the logic that capitalist is righteous of his own benefit because he takes the danger by investing the capital. On the contrary, real danger is taken by the labour class who has to fall the unemployment, less wages, sickness, accidents in mills etc. In short, till there will be a provision of personal property and benefit, majority labour class will not get any justice.

Justice and Alienation

If Marxist writers want to finish personal property then they require some other basis also apart from exploitation. Here, Marx has presented a moral logic that personal property and the structure of production based on it, is an obstacle in the complete development of the personality and capacities of an individual speciality of the personal property is that this is not exploiting but those who get benefit

from this exploitation, also get alienated from their natural human nature. Apart from it, personal property alienates a person from its labour, production, relatives and nature. In this kind of alienated society, talking about justice is meaningless. Marx believed that in the society, the distribution of the sources will be in such a way that it encourages the continuous increase in the human capacities and efficiencies and discourage that life process which hinders these capacities. Marx has named this specific work efficiency as, "Our capacity for freely creative cooperative production." Any process of production which minimizes our capacity, infact alienates the individual from his natural nature.

In short, both concepts of Marxism, analyse the question of justice and injustice in the context of labour class. The form of the conflict against the capitalists injustice can only be the conflict of two classes capitalist and labour class. Only labour class has the capability and desire to challenge the entire structure of capitalist injustice Marxist concept of justice infact become the reason for this class-conflict. Even then, according to some critics, it is not justified to give central importance to only labour class in the revolutionary politics. Many important contemporary conflict have been done by those classes or communities who have not been the victims of wage labour e.g. caste communities minorities, women liberty revolution etc. Now it has become clear that the exploited labour class and other communities in a visit for justice can not always be taken equal.

Emphasizing on the necessity of the justice, Kimilika writes that the meaning of justice is not only to correct the faults of the society. There is no doubt that justice is the solution to the conflicts but more important than that is that it gives respect to an individual. Through the medium of rights, justice provides recognition to equal prestige and place to every individual, but this does not compel to use these rights at the cost of others. So this idea does not affect at all that we can create unequal and just society by giving up the concepts like rights, justice and duties.

Self Assessment

Multiple Choice Questions:

4. Who has said, "While thinking about the benefits and loses of the globalization, it is compulsory to think about the necessity of justice."

(a) Rousseau	(b) Amritya Sen
(c) Hobbs	(d) John Rawls
5. The book "The Law of Peoples" is written by –

(a) John Rawls	(b) Hobbs
(c) Amritya Sen	(d) Rousseau
6. According to Marxists the main rest of the injustice in society is:

(a) Poverty	(b) Richness
(c) Exploitation	(d) None of these

10.3 Summary

- According to Aristotle, political rights, special rights, money, wealth, materialistic things, prestige etc., should be allotted on the basis of distributive justice.
- After finalizing the theory of justice and priorities, according to Rawls, the next step of an agreement is to create such a constitution which can satisfy these principles of justice and can become the basis of justified and effective policy making.
- Nozik's theory of justice is based on the right of wealth. He claims that people have a right for complete answership on various things or they can earn them.

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- Capable people will get the real benefit of their capabilities when this capability will do welfare for the poor.
- The only difference between the Marxist concept of justice and the equalitarian theory of liberalism is not only on the fact that upto what limit the equalization of the sources should be but on the fact that how much equalization should how much equalization should be done of the personal property.
- According to Marxism, the root cause of injustice in society is exploitation and in the modern industrialist societies this is the exploitation of the labour class by the capitalists.

10.4 Keywords

1. **Globalisation** : The fact that different cultures an economic systems around the world are becoming connected an similar to each other.
2. **Movement** : Pace, Race, Information.

10.5 Review Questions

1. What do you mean by justice?
2. Explain procedural justice.
3. Analyse Rawls theory related to Justice.
4. Write a short note on 'Global Justice'.

Answers: Self Assessment

1. Multidimensional.
2. John Rawls
3. Nozick
4. (b)
5. (a)
6. (c)

10.6 Further Readings



Books

1. Political Theory : *R.K. Pruthy.*
2. Political Theory – Ideas and Concept : *S. Ramaswami.*

Unit 11: Social Justice

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Introduction

11.1 Social Justice

11.1.1 Ambedkar's View on Social Justice

11.2 Summary

11.3 Keywords

11.4 Review Questions

11.5 Further Readings

Objectives

After reading this unit, students will be able to:

- understand the meaning of social justice.
- know Ambedkar's views on social justice.

Introduction

The meaning of social justice is social equality. Theory of social justice demands that in social life everyone's importance should be accepted. There should be no discrimination in the name of gender, class, creed, religion and place and every individual should be provided all opportunities for self-development. Social justice does not accept exploitation done on any basis. Actually, social justice is an elaborate concept in which economic and political justice is also included. According to para 38, of constitution, it is said (social justice) "such a social arrangement in which social, economic and political justice should testify all institution of national life."

11.1 Social Justice

Social justice means that there should be no discrimination in the individuals living in a country on the basis of birth, caste, color, creed etc. Society in which some people have special rights in the name of birth, caste or color, in that society social justice cannot be obtained. Social justice is also not possible in the society where there is a major economic difference among the people or individual is exploited by another individual.

1. Equality in front of Law: To get social justice it is very essential that everyone should be considered equal from legal view point. In the world of law there should be no discrimination or special rebate on the basis of birth, caste, color or breed etc.

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There should be same type of law for the people of all classes and everyone should have equal guardianship of the law. It is very necessary to have existence of such type of right to obtain social justice.

2. End of Special Rights: People can get social justice only when there is an end of special right. If people of any class are given special facilities by the government then in such country social justice cannot be obtained. To obtain the social justice it is necessary to establish social equality. If a special class is given some rebate by the government, then in such country, social equality cannot be even imagined.

3. End of Castism: Nature has not divided people on the basis of caste. But on the contrary, human beings in many countries are hating their fellow human beings on the basis of caste. Our own country had been a victim of this inhumane customs for a long time and in the present time also in the name of caste there is a discrimination for the untouchables. Social justice can be obtained only when castism is completely banished and people should stop discriminating with their fellows in the name of caste.

4. Special facilities to the people of backward classes: Social equality can be established only if the backward classes are given some special facilities for development. These facilities should not be permanent but they should be for some limited time period. The objective of these special facilities is that people of the backward classes should be able to develop equally like other wealthy classes on the basis of these facilities.

5. Democratic Process: Social justice can be obtained in the real meaning when democratic process is accepted. In the democratic process all kinds of rights are available to everyone equally and no special facilities or rebates are given to the people of any special class. In democratic process, after some time public elections are held and in this election all the citizens of the country can participate equally.

6. Economic Security: It is not possible to have a satisfied life by anybody without the fulfillment of economic necessities. It should be the duty of the government to give work to every person as per his capability. Till the time government is not able to provide work to the individual, responsibility of economic security of the individual should be on the government. Economic security means that government should give unemployment allowance to these people, so that unemployed people can fulfill the primary necessities of their lives. Apart from this, to get social justice it is necessary that the economic security of ailing, old and handicapped should be included in the necessary duties of the government.

7. Security of the benefits of labourers: To get social justice it is necessary that the benefits of the labourers are secured. For this purpose it is compulsory to fix the maximum working hours of the labourers. Apart from this it is also necessary to arrange the appropriate wages and many other facilities for the labourers. Social justice cannot be obtained till the government does not do some special efforts to safeguard the benefits of the labourers.



Task

Express your views on social justice.

Self Assessment

Fill in the blanks:

1. Social justice is not possible in the society where there is vast difference in people.

2. Nature has not divided human beings on the basis of
3. It is necessary to get social justice that the benefits of are safeguarded.

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11.1.1 Ambedkar's View on Social Justice

Dr. Bhimrao Ramji Ambedkar (Baba Sahib Ambedkar) (1891-1956) was a modern Indian politician, thinker, intellectual, humanitarian and warrior of social justice. He is also known as the main creator of the Indian Constitution.

He organized the untouchable classes of Hindus and encouraged them to fight for social and political justice. In spite of being born in an untouchable family, he obtained higher education on the basis of self confidence and continuous conflict. He had to face insult since his childhood due to the castism and untouchability; which later on laid a great impact on then thoughts while taking higher education in Columbia University, he experienced the equal behavior which was not allowed to him in India. Ideas of Abraham Lincoln and Washington also put a great impact on him. He was also influenced with the devotion of Kabir, social reform of Phoolley and Sabu Maharaj's conflict against Brahmanism. There is a clear impact of western ideas of democracy, equality, freedom and fraternity on the ideology of Ambedkar. During his stay at America, he was much influenced by the fourteenth amendment of opposing the policy of apartheid. He believed that in order to make Dalits capable of living an independent life, instead of the man made rules, only the solutions of the constitutional security will be helpful. Among many books written by him "Annihilation of Caste", who were the Shudras and "The untouchable" are supposed to be their important contribution in the direction of social justice.

Social arrangement of Hindus: Criticism of Class-division

Ambedkar was a social revolutionary. He was the saviour of the dalit class which was being insulted by the Brahmins. He took out the Dalit community from the depth of insult and dependence in which Brahmins had trapped them. Like Tilak, he believed that everyone has to fight for his right. Rights are not donated. Similarly everyone has to fight against the pre-established social structure customs, faiths and behaviours.

In his famous book "Who were Shudras", he rejected the class-division given by Manu. He disapproved the four-class arrangement given in Vedas in which Brahmins are compared with the face, Kshatriya with arms, Vaishya with thighs and Shudras with legs. This theory is symbolic of inequality.

According to him, Hindu society based on class - arrangement encourages exploitation and inequality. Untouchable class is the origin of class-division. In this arrangement Brahmins have a high place and untouchables have to face exploitation and suppression. So to resolve untouchability and to reform the Indian society, the only solution is to finish the class-arrangement. Ambedkar came to a conclusion that in Hindu society equality is not possible. That is why ultimately he gave up Hindu religion and accepted Buddhism.



Did You Know?

The basis of castism is birth. Due to castism Hindu society has divided in innumerable units.

According to Ambedkar, due to caste conflict, Hindu could never be united and neither there was a social awareness. Ambedkar and Gandhi both were the saviours of the Dalits, but they both had a difference of opinion about the caste - arrangement. Gandhi believed in the rebirth and work.

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Whereas Ambedkar rejected this philosophy. In this book "Annihilation of caste he highlighted the faults of the Hindu Society and suggested to annihilate the caste arrangement. Not only this, but he also emphasized on destroying shastras.

Self Assessment

Multiple Choice Questions:

4. Dr. Bhimrao Ambedkar was born in:
(a) 1895 (b) 1891
(c) 1893 (d) 1898
5. Who is writer of the book "Who were Shudras"?
(a) Dr. Ambedkar (b) Atal Bihari Vajpayee
(c) Salman Khurshid (d) None of these
6. What is the basis of the Castism?
(a) Work (b) Religion
(c) Birth (d) None of these

11.2 Summary

- Social justice means that there should be no discrimination in the name of birth, caste, colour or breed.
- Social equality can be obtained only when some special facilities are given to the people of the backward classes for their development.
- It is almost impossible for anyone to live a satisfied life without the fulfillment of economic requirement. It should be the duty of the government to provide work to everyone as per his capability.
- Dr. Bhimrao Ramji Ambedkar (Baba Sahib Ambedkar) (1891-1956) was a modern Indian politician, thinker, intellectual, humanitarian and warrior of social justice.
- Ambedkar was a social revolutionary. He was the savior of the Dalit class who was being insulted by the Brahmins. He took out the Dalit Community from the depth of insults and dependence in which Brahmins had trapped them.

11.3 Keywords

1. **Culture** : living and dressing of any country, livelihood
2. **Concession** : Rebate, Authorisation by the owner to sell purchase or use.

11.4 Review Questions

1. Explain the concept of social justice.
2. Describe the Specialities the social justice.
3. Mention the ideas of Dr. Bhimrao Ambedkar on social justice.

Answers: Self Assessment

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- | | | |
|-------------|----------|--------------|
| 1. Economic | 2. Caste | 3. Labourers |
| 4. (b) | 5. (a) | 6. (c) |

11.5 Further Readings



Books

1. Political Theory : *R.K. Pruthy.*
2. Contemporary Political Theory – New Dimensions, Basic Concepts & Major Tenders : *J.C. Johri.*

Unit 12: Public Welfare and Welfare State

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12.1 Evaluation of Public Welfare State

12.1.1 Definition of Public Welfare State

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12.1.3 Democracy and Public Welfare State

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12.2 Summary

12.3 Keywords

12.4 Review Questions

12.5 Further Readings

Objectives

After reading this unit, students will be able to:

- understand the concept of public Welfare State.
- differentiate between democracy and public Welfare State.
- understand the appropriate work area of the modern state.

Introduction

Public welfare state implies to such a state in which the power of the rule is used not only for the welfare of a particular class but for the welfare of the entire population. In this form the idea of public welfare state is not new. In India the concept of Ram Rajya which is popular since ancient time, is symbolic of such state. Under this state efforts are being made to do all round development of the personality of each individual. Though, Indian political thinkers have propagated the godly rise of the kingship but along with that they have widely elaborated the duties of kings and their basic idea is that the king should do all the works from the view point of welfare.

12.1 Evaluation of Public Welfare State

This fact can be clearly seen in 'Mahabharata', 'Parashar Ki Smritian' and in the ideologies of Markandeya, Manu and Yagyawalkya, etc. For example, Vedvyas has said in Mahabharat, that "the king who does not try for the all round development for his subjects like his own son, then he is doomed to be in the hell. Almost this kind of concept was popular in Greek. Plato and Aristotle

have considered state a moral organization whose objective is not to work for only one class but for the welfare of all the citizen. In the medieval times, though this idea was not seen but in 18th & 19th Century, in ideologies of **Thomas Pen, Thomas Jafferson Kaunt Green and Bentham**, this ideal was again seen that state should work for the welfare of all its members.

In this way, in its basic form, the concept of public welfare state is always present; but in the present time, the specific meaning in which it is used, is the origin of the present circumstances. This can be called the contribution of Industrialisation. The rise of the concept of public welfare state is the result of mainly following:

1. Reaction towards individualism: In the end of 18th Century and in the beginning of 19th Century, most of the state in the world accepted the policy of '**Laissez Faire**' and according to this policy the working area of the state was limited. As a result of accepting this policy, European states became more and more wealthy but alongwith that wealth was centralized in same hand. From one side, a very wealthy group emerged and on the side there was such a labour class who did not have the means of livelihood. In this condition, majority of people were dissatisfied and **Ruskin, Carlyl and William Godwin** etc. expressed their dissatisfaction. A major part of the intellectuals demanded that instead of looking at the wretched condition of the majority of the population like a peaceful audience, state should take same active steps to bring reform in the condition.

2. Rise of marxism and its reaction on capitalists states: With the objective to destroy the individualist arrangement, Karl Marx and Engels published '**Communist Manifesto**' in 1848. By getting inspiration from the communist ideology, in 1917 a successful revolution was undertaken by the 'Sarihara' community in Soviet Union and inspite of all internal and external oppositions, communist rule was established in Soviet Russia. This communist arrangement was definitely a reason of fear for the capitalist arrangement prevailing in the Western countries. In this condition capitalist countries started rethinking on their arrangements and they came to the conclusion that in order to maintain the present arrangement it is necessary to bring some fundamental changes. In order to stop the increasing effect of communism they tried to make their ruling arrangement beneficial for public.

3. Effect of developmental socialism: In 19th and 20th Century, the effect of '**Developmental Socialism**' which is another form of socialism, started increasing. The objective of this ideology was to regulate the economy of the country in a socialist way by broadcasting the socialist ideas through education and constitutional means and keeping away from revolution and violence. Developmental socialism emphasized on the fact that state should do the necessary efforts to reform the lower classes of the society. Public Welfare state was the result of this.

4. Extension of voting right and development of democracy: By the end of 18th Century, democratic states like Britain had the arrangement of limited voting rights so the state could ignore the welfare of the lower classes. But after the reform law of 1832, there was an extension of voting right and in 20th Century; states like India accepted the adult voting right. For these states, it became essential to give attention to the condition of majority of voters (Lower Classes). It was necessary to widen the work area of the states in order to improve the condition of lower classes so the public welfare was accepted.

Apart from it, it was also thought that the meaning of democracy is not only voting right rather it means by making the life of people happy, respectable and morally better by providing various facilities in the political, social, cultural and economic areas. In order to provide actuality to democracy it was necessary to accept the nature of welfare and it was done so.

Due to the above ideas today, the concept of welfare has been accepted by most of the countries in the world.

12.1.1 Definition of Public Welfare State

In its present form, some of the definitions of the public welfare state are as follows:

Published in 1918, in 'Encyclopedia of Social Science' While defining a public welfare state it is said that Public Welfare state means such a state which thinks it to be its compulsory responsibility to provide minimal life standard to all its citizens.

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According to **T.W. Kent**, “Public welfare state is that state which arranges wide social services for its citizens”. These social services have various form. Under these there is an arrangement of education, health, employment and old age pension. Its main objective is to provide all type of security to its citizens.

According to **Dr. Abraham**, “Self are state is that state which regulates its economic arrangement with the objective of maximum equal distribution.”

Jawahar Lal Nehru while defining Public welfare state in one of his speech has said, “To provide equal opportunities to all, to diminish the difference between rich and poor and to raise the standard of life are the fundamental elements of a Public welfare state.”

In all the above definition economic aspect of Public welfare has been emphasized but the concept of welfare is not only materialistic but it is related to the human freedom and nature. In 1954, while giving a convocation speech at Mysore University, Justice **Chagall** describing the correct concept of Welfare state has said, “The work of the Public welfare state is to create such a bridge through which a person can enter from a lowest condition of life to a condition which is better and meaningful. The actual objective of a welfare to make it possible for the citizen to useful in freedom.

Similarly, the meaning of the welfare state is the extension of the work area of the state. Often the meaning of the extension of work area of state is taken with the binding on the personal freedom, but the meaning of the welfare state is the extension of work areas in such a way that there is no special binding on the personal freedom and along with the work area of the state, individual should also have free work area. Actually, the concept of welfare state is different from both western democracy and socialism. Western democracy provides such a condition to political freedom under which citizens have no economic security. On the contrary, in socialist bolshevism leadership based on the idea of economic security there is a deficiency of political freedom.

But the concept of Public welfare state is a successful effort of coordination between political freedom and economic security. In **Hobman’s** words “This (Public welfare state) is an agreement between two guests in which on side it is socialism and on the other it is uncontrolled individualism. Public welfare state is based on the public welfare and in this context from public welfare we mean to remove the inequality of opportunity from the political, social and economic perspective and to fulfill its normal necessities. The aim of this arrangement is not the devotion to the welfare of one particular class but it is the devotion to the welfare of all the classes of the people.

Characteristics of Public Welfare State

Considering the above concept of the welfare state following characteristics are there of their type of state:

1. Arrangement for economic security— Public welfare state is mainly based on the idea of economic security. Our experience classifies that whatever is the form of rule, practically the political power remains with those who are economically strong. So in order to include political power is public and to use it for the welfare of the public, arrangement for the economic security is very essential. In the context of welfare state, the implication of the economic security can be taken from the given three things:

(a) Employment for everyone — All those people who have the mental or physical capability to work should be compulsorily given some or the other work as per their capability by the state. One who is not able to do any kind of work or to when state could not provide any kind of work, for their livelihood, “**Unemployment Insurance**’ should be arranged by the state.

(b) Guarantee for the minimal standard of life— A person should get enough wages for his work so that he could attain at least minimal standard of living. **Economist Krauther** has said about minimal

standard of living that, “For citizens, in the form of right, there should be arrangement of enough food to keep them healthy. They should be tension free from the minimal standard of life for shelter, clothes etc. They should get completely equal opportunities for education and they should be defended from the problem of unemployment, ailment, and old age”. In a Public welfare state before maximum for one, there should be arrangements made for enough for everyone.

(c) **Establishment of maximum equality** – Complete equality of wealth and income is neither possible nor wanted, even then the income of an individual after the economic minimal should be in appropriate proportion to his works related to social service. As much as possible there should not be much difference in the minimum and maximum level of the income of the people. The equality of the income should be at least upto the limit that no one can exploit others on the basis of their money.

2. Arrangement of political security – Second speciality of a Public welfare state is the arrangement of the political protection. Arrangement should be such that political power is included in all individuals and they can use it as per their sensitivity to obtain this goal, following things are necessary:

(a) **Democratic rule** – In kingdom dictatorship and Empire, individual cannot edit his political duties on the basis of his sensibility. Usually, under this ruling arrangement he has no political rights. In Public welfare state, individual’s pursuit for political welfare is also considered equal to the pursuit for economic welfare so a state with the democratic rule can only be a Public welfare state.

(b) **Citizen freedom** – Political security doesn’t end with the establishment of democratic rule by constitution. Practically in order to obtain the aim of political security there should be an environment of a citizen freedom i.e. citizens should have freedom to expression and organize political parties. In the absence of these freedoms public welfare cannot be achieved and without the public welfare, Public welfare state will be like a body without soul.

Socialist countries like Soviet Russia due to the absence of citizen freedom i.e. political security, so they cannot be called Public welfare state.

3. Arrangement of social security – Social security implies to the social equality and to establish this social equality it is compulsory to end the differences originated on the basis of religion. Laste colour or property and give importance to an individual as an individual. In **Dr. Beni Prasad’s** words, “theory of social equality is based on the assumption that there could be the importance of everyone’s happiness and none can be taken as a means of other’s happiness”. So, in a Public welfare state, theory of equality should be included in all aspects of life.

4. Increase in the work area of the state – Theory of Public welfare state is a reaction against the individualistic idea and is based on the assumption that state should do all those public welfare works by which the freedom of the individual is neither destroyed nor minimized. This should work not only to arrange for economic, social and political security but as **Hobson** has said, in of the form of doctor, nurse, teacher, traders, producer, a insurance agents, constructors, Railway Controller and Thousands more”.

5. Feeling of international cooperation – Apart from all these a Public welfare state is not only related to the Public welfare of the specific state but it is international. The scientific progress and political awakening has brought all countries so near to each other that in the middle of tragic humanity, state alone cannot spend its life happily. A Public welfare state is based on the idea of “**Vasudhev Kutumbkam**” which means all world is my guest.

Self Assessment

Fill in the blanks:

1. It is said in Mahabharat that the who does not try for the all round development of his subjects like his own son, is doomed to go to hell.
2. Encyclopedia of social science was published in..... .
3. A person should get enough for his work so that he can attain at least the economic level.

12.1.2 Functions of Public Welfare State

Traditional ideology had been to divide the works of the state in two categories (Compulsory and Optional) and it is assumed that compulsory works are to be done to maintain the existence of the state but optional works despite of being in the welfare of the population it depends upon the special circumstances and view point of the ruler to do it. But as a result of the concept of the Public welfare state the border line between the compulsory and optional works has finished and now it is assumed that those works called optional in the traditional form are also as necessary for the state as the works considered compulsory. Main works of a welfare state are as follows:

1. Internal well arrangement and security from the foreign attacks – Any state who does not have the capacity to safeguard his land and respect from the foreign attack and does not give the assurance of the safety of the life of the people by establishing the internal peace and arrangement, till that timely it cannot be called state. In order to complete this work it keeps army and police, makes arrangement for justice and government servants and to meet the expenses related to these works, levies taxes on the citizens.

2. Arrangement of the interpersonal relations of the individuals and of state and individuals – There is a difference in the ideas and works as the human being is selfish and thinks differently and in the absence of any bindings this difference in thinking and works can take form of a conflict. So, state should control the inter-personal relation of the individuals. For this state creates the law and implements them with the help of police and judiciary. Apart from it, in the present time it has become essential to regulate the relation of individual and state and this work is also done by the state. This work of the state is very important and the freedom of individuals and authority of the state depends upon the completion of this work properly.

3. Regulation and development of agriculture, industry and trade – Responsibilities of a Public welfare state can be fulfilled by such a state which is prosperous from economic view point. So this type of state should regulate and develop the agriculture, industry and trade. In this revenue creation evidential measurement arrangement, regulation of profession, help to the farmers, making of canals, opening godowns for distribution of seeds and agriculture reforms are included. State should safeguard the natural resources and wealth like forests and should establish a balance between agriculture and industry.

4. Works related to economic security – One of the most important work of the Public welfare state is related to economic security. There are many things included in the economic security in which employment to the people and maximum equality are the main. All those people who have a capability to work from physical and mental view point, state must provide them same or the other work as per their capability. Those who are unable to do any kind of work or to whom state is not providing any work for their "livelihood allowance" should be arranged.

Though with the help of Public welfare state, a complete equality of the income cannot be established, but as far as possible there should be no difference in the highest and level in the income of the individuals. Equality of the income should be established at least upto the point that no one is able to exploit others on the basis of his wealth.

5. To raise the standard of living of the people – Welfare state should give guarantee of the minimum standard of living to its citizens. Such an arrangement should be done in which everyone should be able to get enough food, goods, residence education and ordinary healthy. Alongwith that state should try to raise the standard of living of its citizens.

6. Education and health related works – The aim of the Public welfare state is to arrange all those facilities for the people which are essential and helpful for their personality development. From this view point education and health facilities need a special mention. This type of state established the educational institution and upto a fixed level education is made free and compulsory. Technical and

mechanical education is provided. Similarly, hospitals and maternity centers and established which are used by the common people free of cost.

7. Public facility related works – Welfare state works related to the public facility like transportation means of telecommunication radio, means of irrigation, bank, electricity and scientific means of agriculture. Though facilities but these facilities are important from the view point that individual cannot arrange for these means for himself and only a resourceful state can do this. Apart from this, state takes only appropriate tax for these facilities and the benefit goes in the public treasure and its use is also done naturally to provide public facilities.

8. Social reforms – Aim of the welfare state is not only economic but is also social welfare. From this view point state should work to eradicate these traditional processes of alcoholism, childhood marriage, untouchability and castism etc.

9. Recreational Facilities – State should arrange public gardens, playgrounds, swimming pools, theaters, cinema halls, radio etc. to provide healthy entertainment facilities for the people.

10. Arrangement for citizen freedom – State should provide freedom to his citizens to express their thoughts, conference, organization etc. so that the democratic ideal can be practically obtained.

11. Works of international area – Ideal of Public Welfare is not related to a specific state but is related to the entire humanity so a welfare state should follow the way of goodwill and cooperation with more and more states and not only the way of war. Power can be used to safeguard its existence and boundaries but it should not use force against any state to fulfill its political or economical motifs. Some duties of the welfare state have been mentioned above but it is not possible to enlist all the duties of a welfare state. Nothing can be definitely said about the fact that when should the interference of the state start in a person's life and when would it end. The right answer to this question can be given only in the context of local and national circumstances and requirements. In today's complex circumstances no one can remain alive only for himself and only with his own efforts and respect of the public welfare works by the society has become a necessity of a good life. So state should provide all those facilities to its citizens which increase their collection welfare.

Though Public welfare state is the most favourite nature then too there are some statement against Public welfare state which is as following:

1. Destruction of personal freedom – Though welfare state is most important now a days yet some logic is given against the welfare when the works of the state increase a lot and their powers increase and a very strong state finished the individual freedom. American state secretary **Boynorse** got the glimpse of a **Big Government** on this basis.

2. Stroke of the voluntary community – When after accepting the Public welfare pursuit, the works of the state increase a lot their the state starts doing such works which are dangerous for the voluntary communities and the voluntary communities playing useful role in relation to the human life finish.

3. Fear of bureaucracy – After accepting the pursuit of Public welfare there will be an increase in the state bureaucracy and this increase will give rise to red-tapsim and corruption.

4. Very expensive – Welfare state is very expensive norm because state needs a lots of money to implement welfare services. State with the usual economic means cannot tolerate this type of expense. That is why **Senetar Taft** has said that "**The policy of welfare will take the state towards bankruptcy**".

Due to all the faults of the Public welfare state said above, welfare state cannot be rejected. Infact these faults are not of the welfare state, but of the human weakness. **First of all** there is a basic difference in the Public welfare state and a state which has all the rights and the meaning of Public welfare state does not mean right on the complete life of a person. In welfare state not only a large area for the freedom of an individual is left, but it also gives actual form to the freedom of an individual. Due to welfare state, there is no adverse effect on the work area of the voluntary communities. Due to this

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there is an increase in their work and importance. As far as the evils of bureaucracy are concerned, these are the results of defective state arrangements and weakness of human characters and these can be rectified by reforms. Apart from it, it is seen that the pursuit of Public welfare gives rise to heavy expense at immediate level but in a long run it gives a very good effect on the efficiency of its citizens which results in the increase in production and so the national income increases rapidly.



Did You Know?

Practically the pursuit of welfare has been accepted by almost all the states in one form or the other and there is no other way except to accept it.

12.1.3 Democracy and Public Welfare State

Some people specially individualistic thinkers believe that the pursuit of welfare is very dangerous for the democracy. They thought that democracy stresses on the maximum individual freedom but welfare state harms the freedom of individual by increasing its work area. Welfare state harms the self reliance and self confidence of the individuals. They start looking towards the state for everything and their condition is just that of the slaves. They say that there is no special difference in a welfare state and a communist state. Welfare state also extends its work area, taxes are levied on the people in the name of public welfare, a large portion of the justified property of the high class is taken away and if anybody dares to oppose these pursuits of the state then he is declared the **enemy of the public welfare** and is tortured. Welfare state gives rise to the '**Big Government**' and finishes the freedom and democracy of the people.

The above perspective about the democracy and the pursuit of welfare is not right. Infact, the pursuit of welfare accepted by the state has given strength to democracy. During the world wide economic crisis of 1920–30, American president Franklin D. Roosevelt finished the economic crisis against the democracy by implementing **the New Deal; Economic Policy**. Though **Wilson's Progressive Deal, Roosevelts' New Deal and Truman's Fair Deal** became the subject of contemporary criticism but today everyone accepts the fact that this policy saved American democracy. Similarly, Britain, Western Europe and other states of 19th Century implemented the policy of **Laissez Faire**, but as a result of this policy, condition of the lower classes (labourers and farmers) became pathetic. Dissatisfaction increased in the labour class and by the end of First World War there was probability that these states will go in the effect of socialism. But these states were successful in lessening the dissatisfaction of the labour class by making factory laws and various policies of the public welfare. In the present time in America and Western European Countries are doing the works of social security policies, half in the cost of agricultural product, free education, medical arrangement, residence arrangements, labour welfare schemes, development of natural resources and security from unemployment, ailment and old age etc. Due to these welfare schemes, communism is not establishing its influence in these states. In this way, welfare pursuit has worked as a safeguard to democracy in the changing circumstances.

As far as the new democracy of India, Africa and Asia is concerned, the pursuit of welfare can be called the only lifeline. These states have accepted democracy in the political field but the condition of economic field is worse. On one side there is a small wealthy class and on the other side there is such a huge poor class who are not getting even two times meals. This extreme poverty is a big danger for democracy. In this condition, it is very essential to provide minimal standard of living to everyone and to bridge the gap between rich and poor and this work is possible only by accepting the pursuit of welfare. Countries like India are doing the same. Infact democratic and welfare state are not opposite to each other rather they are complementary to one another and in the present situation it is very essential to accept the pursuit of welfare for the safeguard of democracy.



Task

Express your view on Democracy and Welfare State.

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Self Assessment

Multiple Choice Questions:

4. In how many parts does the traditional ideology divides the works of a state.

(a) 3	(b) 2
(c) 4	(d) 5
5. By welfare state, citizens should be given the guarantee of minimal

(a) Wages	(b) Wealth
(c) Income	(d) Standard of living
6. Ideal of welfare is not related to specific state but is related to entire.....

(a) Government	(b) human being
(c) Humanity	(d) Capitalism

12.1.4 Function of Modern State or Proper Sphere of State Action

Functions of state change with the circumstances. In the ancient times state used to perform only those functions which were very essential for its existence but today the functions of state have so much increased that it has become very difficult to enlist these.

Among the liberalist theory, socialist theory and concept welfare state, in the present time, in relation to the function of the state, only socialist theory or concept of welfare state are recognized. This has been accepted by all the parties that the work area of the modern state is very wide in the modern times. In this present time function of the state can be divided under two titles: (1) **Compulsory function.** (2) **Optional functions.**

Compulsory functions: These include all the function which is required to be done to maintain the existence of the state. However, backward is the state, it completes these necessary functions. These compulsory functions are as follows:

1. Safety from external attacks—This is such a function without which state cannot safeguard its existence state accomplished this function by well organized navy, army and air force.

2. Regulation of foreign relations—State keeps a well organized force to safe guard from the external attack but in order to avoid the condition of external attacks and to maintain healthy and friendly relations with the other states, state regularize the foreign relations. This work of establishing the relations with the other states have been done by the state since the ancient times. Under this work, state sends its ambassador in the other countries and keeps the ambassador of the other countries in it.

3. Arrangement of peace in internal areas—One of the main works of the state is the safety of the citizens, to defend them from the internal riots and to secure their personal independence. A state which is not able to establish peace and arrangement cannot be called a state. State arranges the police force to maintain law and order and in the special condition, state can even use army for this.

4. Management of law—Maintaining peace and law is not only done by the police and army but there has to be the best legal management also. So one of the compulsory works of the state is the management of law.

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Courts are established to solve the issues between two individuals and between individual and the state.

Gaitel includes the financial works also in the list of compulsory works of the state which includes levying the import-export tax, making revenue related arrangements, manage the forest and public property, management of post, telecom and railway etc.

Optional Functions: This implies to the which are not functions for the existence of the state but these are for the economic, social and political welfare of the citizens. These works are done independently by the individuals also, but in comparison to the individuals, state can do these works in a better manner. In the present time, it is assumed that the state should do maximum optional works like:

1. Education – Education is the first state of the good social life and none can develop his personality without education. So in the present time, every state emphasis on the function of educating the people. Usually, it is assumed that state should arrange for the free and compulsory primary education. Presently there should be more emphasis on the technical education and for the mental development of the people, reading rooms, libraries and laboratories should be established.

2. Health and hygiene – Happiness of life depends upon good health and only a healthy person can fulfill his social responsibilities properly. State makes various laws for the safety of the health of the people through which efforts are made to remove the harmful condition. Apart from it, cleanness, light, clean water, hospital, nursing home etc. are also arranged by the state so that there could be the physical and mental development of the citizens.

3. Arrangement for transport – In modern age, means of transport are the soul of the economic, social and political life. Now a days, no one can live without roads, trains, telecom, aeroplane, radio, telephone, and factories. State arranges these things for the convenience of the public and for the economic development of the country.

4. Help of trade and industry – One of the major functions of the state is to help trade and industry. This work is done by the state by various means like leaving the tax on the imported item, giving financial support to the industries, establishing industrial research centres, management of fares and demonstrators and proving scientific education etc.

5. Welfare of labourers – Welfare of the labourers is also an important function of the state and in present time state makes factory laws and minimum wages law etc. to the labourer from the capitalist.

6. Management of banking and revenue – In almost all the countries of the world revenue is managed by the state and the exchange rate of the revenue is finalized with the other countries.

7. Progress of agriculture and village organization – In the present time, government emphasizes on the progress of agriculture and village organization. For the progress of agriculture, electric well, agricultural research and such similar facilities are provided and for village organization, village panchayat are established.

8. Help of helpless handicapped and aged people – State is a welfare institution and many works are being done by the state for the help of old, poor, blind and handicapped people. In some states arrangements are made to help the unemployed and to give old age pension to the people.

9. Arrangement for entertainment – Healthy entertainment is the foundation stone of a successful personality and life. So state also does the function to provide means of healthy entertainment to its citizens. State arranges the gardens, parks, sports grounds, public swimming pools, cinema, radio, theatres etc. under this function state keeps control over the movies and bars so that entertainment is not vulgar.

10. Social Reforms – In the present time state works for the social progress and reforms. For example in India, state has put efforts against untouchability, caste discrimination, child-marriage and polygamy. It is the duty of every progressive state to remove the social evils.

In fact optional works of the state are so many that is impossible to enlist all of them. Function of the state is to provide all those facilities and stages through which there can be welfare and progress. Now a days optional works of state have become equally important as the compulsory works. Till yesterday, all those works which were considered optional, now seem to be compulsory with the development of civilization, work area of the state is also increasing.

All the compulsory and optional functions as stated above can be undertaken properly only by a democratic and welfare state.

Self Assessment

State whether these statements are True or False:

7. Healthy entertainment is the foundation stone of a successful personality.
8. Education cannot be called the first stage of a good social life.
9. Happiness of life depends upon good health.

12.2 Summary

- Welfare state is that state which arranges extended social services for its citizens.
- Welfare state is based on the public welfare and in this relation our meaning is to remove the inequality of opportunity from economic, social and political view point and to fulfill its normal requirements.
- Duties of a welfare state can be fulfilled by an economically sound state so this type of state should work for the development and regulation of agriculture, industry and trade.
- The ideal of welfare is not related to one particular state but is related to the entire humanity so a welfare state should follow the way to goodwill and cooperation with more and more states not only the way of war.
- In the present time in America and in Western European countries are doing the function of making social security policies, helping in the cost of agricultural product, providing free education and medical facilities, residence arrangement, labour welfare schemes, development of natural resources and security from unemployment, ailment and old age. Due to these welfare schemes, communism was not able to establish its effect on these states.
- Education is the first stage of a good life and without education no one can develop his personality.
- Happiness of life depends upon good health and only a healthy person can fulfill all his duties of a social life.
- Healthy entertainment is the foundation stone of a successful personality and life. So state also function to provide means of healthy entertainment.
- In the present time, state works for the social progress and reforms.

12.3 Keywords

1. **Welfare** : Benefit of peoples
2. **Guarantee** : Assurance, Bail, Surely happening something

Notes

12.4 Review Questions

1. What do you understand by Welfare?
2. Describe characteristics of a welfare state.
3. Mention the works of a welfare state.
4. Differentiate between democracy and welfare state.

Answers : Self Assessment

- | | | |
|---------|----------|-------------------|
| 1. King | 2. 1918 | 3. Wages, Minimal |
| 4. (b) | 5. (d) | 6. (c) |
| 7. True | 8. False | 9. True |

12.5 Further Readings



Books

1. Political Theory: *S. Ramaswami*.
2. Political Theory and Political Thinking: *N. D. Arora, Harvanand Publication*.

Unit 13: The Market and Public Welfare

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Objectives

After reading this unit, students will be able to:

- know the concept of market and public welfare.
- understand dimensions of equality.
- know various dimension of liberty.

Introduction

If in any society there is a deep division between those who have unlimited wealth and have the authority to use the power related to it and in those who are deprived, then we will say that there is a lack of social justice. Here, we are not talking only about the different standards living by the marina people in society. There is no need to have a uniformity and equality in the way of living of people. But the society will be unjust which has such a vast difference in the rich and poor that they both look like the creatures of different planets and where the deprived never get any opportunity to improve their condition inspite of the amount of hard work they put. In other words for a justified society, there should be the provision to fulfill basic requirements of the people so that they can live a healthy and safe life, can develop their talent and with the help of the equal opportunities can proceed towards their selected goal.

13.1 The Market and Public Welfare

How can we fix the minimum basic requirements for the people? Various government and International Organizations like world health organization have invented different ways to count the basic requirements of the people. But usually, there is a consensus on the fact that in order to remain healthy the important parts of the basic situation will be the basic quantity of the necessary nourishing elements, residence, pure drinking water, educations and minimal wages. It is the duty of the democratic government to fulfill the basic requirement of the citizens. Though the fulfillment of these fundamental requirements for all the citizens becomes a great burden for the government specially in a country like India where the number of the poor is so big. It can be a burden on the government.

If we agree to the point that state should help all the deprived members of the society so that they can enjoy equally along with the others upto a limit even thus there will be disagreement on the fact that what would be the best way to get this goal. Now a day not only in our society but in other parts of the world there is a debate going on that whether giving encouragement to the open competition by free market will be the best way to help the deprived without harming the members of society who have the facilities or the government has to take the responsibility to provide minimal basic requirements to the poor. In our country various political groups are supporting these different suggestions who keep on arguing on the comparative merits and demerits of various projects made the help of population of the border groups like rural or urban poor. In this unit we will test this issue in short.

Free Market Viz-a-viz Interference of State

Supporters of free markets believe that as far as possible, people should remain free to enter in any agreement or contracts with the other for earning property or in the matter of cost, wages and income. They should have maximum rebate to compete with the others to get maximum quantity of project. This is a simple picture of free market. Supporters of free market believe that if market are freed from the interference of states, then the sum total of the market business will finalize justified distribution of benefits and duties in society. As a people with capability and efficiency will get better results. When incapable people will get the work, then whatever will be result of the market distribution it will be justified.

Though all the supporters of the free market will not support a completely in prohibited market. Many people will now agree to accept some prohibitions. For example state should interfere to finalise the minimum basic standard of life for all people so that they are able to compete on equal conditions. But they can put a logic that here also the most appropriate way of providing these facility could be to give permission to the market for the development of health facility, education and other such services. In other words, private agencies should be encouraged to make these facilities available, whereas state should try to strengthen the people to buy these services. It can also be necessary for the state that it should provide special help to those ailing and old age people, who cannot compete. But after this state's role will be to maintain the structure of law and order. They believe that open market is the basic of right and justified society. It is said that market does not care for the caste and religion of any person. It also does not discriminate in male and female. This is most impartial and is concerned only with your efficiency and talent. If you have capability, then rest of all the things are useless.

A logic given in favour of the market distribution is that it provides more options. There is no doubt that market procedure gives us more option consumer. We can select whichever quality of rice that we like and go to whichever school we want provided we have means to pay them. But an important thing about the fundamental goods and services is good quality goods and services should be available at the affordable price to the people. If private agencies do not find it beneficial, then they would not enter in this particular market or would provide cheap and below standard services. This is the reason that in the remote rural areas, there are very few private school and those which are there are of lower standard. Same goes in the matter of health and residence. In these situations, government has to interfere.

Another common logic in the favour of free market and private industry is that the quality of the services provided by them is morally better than those provided by the government institute. But the cost of these services. Private business wants to go only to those places where it gets benefits and free market is influenced to work for the welfare of strong, rich and influential people. This can result in depriving the opportunities for weak people rather than extending these.

Logics can be given for both the aspects of the debate but free market show the preference towards working for the benefits of the wealthy people. That is why many people give the logic that in order to finalise the social justice state should attempt to assure that the fundamental facilities should be available to all the members of society.

In democratic society, disagreements on the issues of justice and distribution are both harmful as well as beneficial because they compel us to protect our ideas in sensible manner and to test various view points. Politics is the way to find a way among this disagreement through debate. In our own country, there are so many types of social and economic irregularity and there is a lot left to be done to minimize these. By the study of various theories of justice we get help to debate on the issues included in them and also to reach to a finalise the best way to follow the justice.

13.2 Dimensions of Equality

Freedom and equality are the main political ideas of the modern age. French revolution (1789) had three ideas - **Liberty, Equality and Fraternity** which work as the inspiring power in the direction of modern thinking. Leaders of freedom worked as inspiring source in the direction of thinking to the feudalist powers. These leaders of liberty started a new era after defeating the feudalist powers. But when primitive liberalists limited the idea of liberty in the forum of the fundamental theory of the Free Market Economy and new imbalance emerged in the society then the ideal of equality took the task of removing this imbalance. It was hoped that after the establishment of equality in society, the feeling of fraternity will develop automatically.

The problem of equality and inequality had been a major problem for the political thinking. For example, **Aristotle has said that irregularity proves to be reason for rebellion.** But the criteria for equality and irregularity keep on changing in every age. In the modern era, it has been tried to give the most logical definition of the theory of equality. Whatever it is, idea of equality is a complex idea and **some times those who oppose it, give such meanings to it which are not in the heart of its supporters.** So in the very beginning, it is very important to remove illusions about it.

Equality as a Statement of Right, Not of Fact

First of all it has to be clarified that equality is such an element which is demanded - as any right is demanded. This is not such a merit which we are describing. In other words we say that **there should be an equal treatment with every human being but we never say that human being are actually equal.** Yes, some times in symptomatic meaning we do flak about the equality of human beings. For example, we say that "all human beings are equal by birth." Or "God has made all the human being equal" or we say that "Human being is a sensible creature and from this view point all human beings are equal". All these things imply that all the human being should get equal rights. We do not claim that physical and mental capabilities, beauty and talent of all the human beings are equal or same.

Some times, in order to emphasize on the equality of human being, we mention their visible equalities and inequalities. For example, we give a logic that even if the colour of the skin is different of human beings but the colour of their blood is the same. Nature has not made different castes with different elements. Any herb or medicines effects on all human beings equally and doesn't discriminate in black and white. Blood group of the black can match with the white person and so can give new life to the white by donating blood or can give back his eye sight by donating eye. Even then we say that even

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if the colour of the human beings are different but their physical mental and intellectual requirements are the same so it is not right to discriminate in human beings. Similarly, some times on the basis of some visible equality we try to establish the fundamental equality in the human beings. What ever it is, equality is a thing to have faith in, and not a thing to search and find.

Some times, a logic is given against equality that equality is against the law of nature. When nature has made everything unequal – there is no match in earth and sky, moon and star, mountain peaks and valleys, rivers and sea, plants and trees, animals and birds, insects, men and women, black and white big and small etc. – all are unequal, then why should we try to implement the rules against equality? **These logics are given infact only by those people who are getting benefits by the inequalities prevailing in the society and those assuming it to be the prize of their capability want to keep others deprived of it.** Truth is that we do not accept nature as it is rather we continuously improve it as per the human requirements. The river which can destroy the houses and farms in flood, we not only prevent the possible destruction by making dam on it, but also we create electricity by it and irrigate the fields with extra water. So this is not right to oppose equality in social life in the name of nature.

Equality as a Modern Idea

In the present meaning, the idea of equality is a modern idea. Before the American revolution (1776) and French revolution (1789) the irregularities of wealth, position and power in society were accepted as natural and irrevocable arrangement and under the prevailing ideologies it was tried to prove them right and logical. **Since the beginning of the modern age, by putting a question mark on these irregularities it was tried to find that which irregularities are the origin of the social arrangement; which out of these irregularities are wrong and which of these irregularities can be removed with the social proceedings.** This means that equality of human beings is an acceptable theory and in social life only those irregularities are accepted which have same logical basis.

Idea of Equality Postulates Social Change

Supporters of equality demand to remove all those irregularities of the social life which seems to be inappropriate. Removal of irregularities means demand of social change.

J.J. Rousseau(1712–78) in his famous book “A Discourse on the Origin of Inequality” (1755), has differentiated in two types of irregularities in the human beings: **Natural inequality and conventional Inequality**. Natural inequality describes condition e.g. differences found in the age, health, beauty, strength or intellect of human beings. These differences are good gifted and most of the time these are unalterable. Humans can neither make them nor do any alternation in it. On the other side **conventional inequality** inform about disparities in wealth, prestige and power. Under this same specific people have some such privileges from which common people are deprived. These differences are the result of social arrangement and these are alterable, human beings have made them and so can alter them. For example, nature has made some people white and some black – this is an example of natural inequality. But if white people live in the grand houses and blacks in the huts then this arrangement is not made by nature but man has made it. When on the basis of the theory of equality, we say that black and white people should get equal rights and opportunities for education, prestige, wealth and facilities and luxuries, then we are definitely demanding a social change. **We cannot demand that all black should be turned in whites.**

The logic which Rousseau has given while differentiating between the natural and conventional inequalities can be taken forward in the present age. According to Rousseau, natural inequality are usually unalterable but conventional inequality can be altered upto a limit. If we see in the present context then with the development of science and technology, various types of natural inequalities have not remained unchangeable. We know that by proper nutrition health and boy of human beings can

be developed, by proper education and training, mental power can be increased, even with the help of cosmetics and surgery, beauty can also be developed. If proper care is taken timely then many diseases can be prevented and human, being can be kept free from physical and mental faults. But the possibility of this type of reform depends upon the socio-economic condition of the convinced personal how much developed is the society scientifically and technically and how vast and effective arrangements of social services have been made. In this manner, the border live between the conventional and natural inequalities does not diminish rather the area of the conventional inequalities increase and alongwith that the responsibility of the society to remove them also increases. In John Reece's words, "When everyone or some people see that some of these inequalities are unjust and can be changed, then only the ideal of the equality becomes the inspiring power of the political life." (Equality)(1971), Usually the inequalities for which human beings complain are not natural inequalities but these are such inequalities which have entered the social arrangement such inequalities which are visible in the social-economic and political situation of human beings and which effect the distribution of wealth and opportunities of self-development – and those inequalities due to which some people are more talents, beautiful or strong than others.



Did You Know?

Social services are those services which are arranged by the state to improve the quality of life of the citizens. In these, all those service which are managed for the poor and weak classes have special place like services related to the orphans, old people, health safety of women education, transportation, entertainment etc.

Equality does not Imply Literal Equality

The demand to remove any kind inequality can be made till this seems to be unjust or inappropriate. **Equality does not mean that every one is made equal blindly.** For example, we demand for equal pay for equal work for men and women because we think that it is unjust to pay less to the women who are working equal to men, but we do not say that men and women should get equal wages irrespective of the kind of work they are doing. Similarly, **it is not against the theory of equality to depute different people at different post on the basis of their capability, experience and performance.**

If we will try to bring literal equality in society, then there will be many deformities emerge in the society. If we imply the policy of giving equal marks to all the students in is examination, then now would we make selection of the eligible candidates for scholarship, higher education or to give entry in the respectable profession. **If there will be no special prize for special capability then there will no incentive to work with hard work and intelligence.** In this condition are society will remain deprive of those creations and inventions of great artists and scientists which require continuous devotion and diligence.

Apart from it, **by bringing literal equality, society will be deprived of excellence.** In this condition we will give same efficient artist bad quality instrument and inexperience a good quality instrument to the artists of an orchestra so that they can take out the equal noise. We will give intelligent students bad quality books and foolish students good books so that they all get equal result. We will not allow beautiful girls to do make-up whereas ugly girls will do lot of makeup and wear good clothes so that both look alike. Can we accept such a comical definition of equality.

Logical Grounds of Discrimination

As the positive image of liberty accepts some limitations by nature similarly, **positive image of equality also accepts some discrimination provided these discrimination. Confirm the equality and do not**

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assassinate it. This discrimination can have two basis. (a) Discrimination should have some logical reason; (b) in the situation of open competition, weaker party should be given some rebate so that it doesn't have to suffer in comparison to the stronger parts.

Here, from the first rule, we get an indication that these has to some logical basis to have or not to have any right. For example all those who are capable to use it, should get the right to vote for example, all adults. It will be wrong to give this right only to the wealthy class because the **capability to vote does not depend upon the ownership of wealth.** Before a few decades in some countries women were deprived of voting with a logic that they are weaker than men. This discrimination was not logical because there is no importance of physical strength in the use of voting right. On the other side **it is logical to deprive a mentally unstable person from the voting right** because we cannot expect from him to use this right appropriately. Similarly, when it is said that while distributing the residence or employment there should be no decimation between black and white then it means that the capability to-do some work or to use the house does not depend upon the colour of the skin. Apart from it, **even black people as much need employment and house as the white people.** So in the present context colour of the skin cannot taken as a logical basis for discrimination.

The test of logical basis should be implied in all those cases where one particular class has been given a specific right and the other classes are kept deprived of it. Otherwise this discrimination will give rise to such a situation in which one class would exploit the other. **Herald J. Laski**, in his important book, "The State in Theory and practice (1935) has written that where one particular is deprived of the equal rights on the basis that it does not have property or is not related to specific caste, religion or party; then here in the benefit of specific classes, there is a hidden with to maintain the balance of power. But on the logical testimony, these statement do not pass. **Aristotle has coated slavery, Lock supported to deprive Roman Catholic, Hitler supported to deprive Jews from the right of citizenship – but the people giving such logic were just trying give shape of sensible theories to their vested interests. When all the emotional prejudices on which these logics are based, are tested by the thinker who does not accept these, then none of these is proved right.**

Another basis of discrimination will be that while the distributing the right weaker section should be given same rebate. This is a universally accepted principle of social organization though from time to time this is being ignored very cleverly for personal benefits. At family level also a weaker or ailing member is always given extra care. **State also levies the taxes on the basis of paying capacity of the individual but any help like police or fire-fighters is send on the basis of the requirement of the individual.** All the social services like transportation, postal department, electricity, water, fuel, roads, sewage, gardens, playing grounds, schools, hospitals, libraries etc. are made on the basis that poor people can get maximum benefit from these.



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Government sends immediate help to the people suffering from accident, war, riots, fire draught, flood, epidemic etc. because they are in dire need of it.

Here giving protection to the weaker section n the socio-economic area will be equally logical. For example, giving appropriate representation to the weaker or minority section in the Derisean making bodies and public services etc. will be as per the theory of equality. In the present social circumstance, the classes which are able to start their education later than others should be given same relaxation in the age limit while giving them job. This will not be the prohibition of equality. In India many special arrangements have been made for the members of schedule caste and schedule tribes like, seats are reserved for them in parliament, legislative assembly, panchayats, public services and education,

they are given relaxation in tuition fee and are given scholarship, they are given free training for competitive examination, they are given age relaxation for job, they are not charged either anything or very minimal for application form etc. Apart from it, a detailed special reservation arrangement has been done for the other Backward classes. All this arrangement has been done because due to their age old backwardness they cannot compete with the other citizen on the level of equality. So, this special arrangement has to be maintained for them till it is finalized that their entire socio-economic development has taken place and now they can compete with others on the level of equality.

Debate on Reverse Discrimination

Recently in USA the in debate related to the theory of equality the question of reverse discrimination emerged. Its main issue was whenever an affirmative action is taken to benefit some deprived section which means whenever preferential treatment is done for the allotment of opportunities for the employment or higher education, then it includes the discrimination towards other groups. So the logic is given that if the meaning of equality is the removal of discrimination then there is no logic of changing this discrimination in opposite direction. Should the blacks and women will be given priorities in the rare courses of high education specially law and medicine – just on the basis that they were not given such opportunities in past. This means that in past whichever groups were discriminated on the basis of race or sex, now would it be right to discriminate with the other groups on the basis of the some illogical basis just for the compensation of these deprived groups of past. Infact this issue of reverse discrimination has been raised by those people who are being deprived of the equality of the opportunity in present circumstances.

Affirmative Action

Action in which at the time of appointment, promotion or admission in some educational institution etc; any backward class (e.g. women, blacks or any deprived group) is given concession so that the injustice done with him in the past can be compensated.

Many arguments are given in the favour of the 'Affirmative Action for deprived groups':

- (a) Some of its supporters consider it right from the view point of compensatory justice. According to this logic, in the past whatever unjustified discrimination has been done with the black races and women, in order to compensate for it, they should be given priority in the opportunities of progress.
- (b) Some people give the logic that the behavior of priority towards these groups will help to fulfill the goal of actual equality. For example by increase in the no. of black doctors and lawyers. White people will get a solid evidence of their equality and in the end.
- (c) Some people claim that as the opportunities of progress are rare so they should not be allotted according to the merit, rather 'need' should also be considered alongwith the merit. The necessity of the deprived groups is so strong that they should get priority in employment and educational opportunities after having minimum required capability so that they don't have to complete with the other powerful groups.

Those opposing the affirmative action also give many logics to justify then view points:

- (a) Supporters of Neo-conservation believe that in society equality can be implemented only the level of 'equal opportunities. This efforts of establishing literal equality in society through affirmative action will be devastating because it will hollow the foundation of excellence, authority and dignity which are the fundamental elements of social stability and progress.

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Neo Conservatism

The theory which on the basis of contemporary experiences repeats the belief of conservatism that it will be appropriate to use old and tested methods rather than the new and untested methods. American neo-conservatism gives the logic that by giving priority to the women or black people in the employment and higher education, bitterness has increased in society, efficiency has decreased and even then all the attempts to remove the poverty and discrimination in the American society have failed. So it is better to move on the path which is already tested.

Procedural and Substantive Justice

Procedural justice demands that the procedure of justice should be appropriate, whatever is the result, we must accept it. On the other hand, substantive justice demands that justice should be able to get the right objective and required adjustments are done for this in its procedure.

- (a) Some people give the logic that affirmative action is the prohibition of Procedural Justice because it ignores the logical basis of the comparison of the people and upto some limits against the substantive justice because present generation of whites and men cannot be held responsible for the injustice held with the older generation of black people and women then why should they be penalized for it?
- (b) Thirdly, in the context of the affirmative action, black races and women cannot be seen as individuals rather they are considered as a groups which were treated with injustice in the past. They are given priority only on the basis of race and gender and not on the basis of personal merits. For example, due to this comparatively rich and advanced black people get priority in comparison to the poor and disadvantaged white people. In other words, deserving cases do not get benefit by this priority rather more alert and vocal section among the deprived group take away the entire benefit. And in the end.
- (c) Personal dignity and feeling of self respect are the key words of the philosophy of equality. If any individual will come to know that he has got any rare opportunity on the basis of the priority which was fixed for his group and not on the basis of his capability, then his self respect will be hurt and will start having inferiority feeling.

In India the issue of reverse discriminations not raised so loudly, rather in the contemporary society we find special sympathy for the deprived groups. But here also the main problem is of the identification of the appropriate candidates. In a country where poverty is wide spread and the opportunities for progress are so rare, obviously there will be a fear that the more alert and vocal sections of so called backward classes might take away all the benefits by befooling the common people. In order to safeguard from this situation, Supreme Court of India has made a provision to keep the creamy layer of the 'other backward classes'. Out of the area of reservation so that its benefit can reach to the actual appropriate level. Then to protect the new generation from depression and discouragement, this idea also becomes strong that for the educational development of the backward-classes, enough help and facilities should be made available from the Public Fund, but when they obtain the above capability then they should be allowed to compete with the general categories on the basis of capabilities. Infact the question of Reverse discrimination is a complex problem for which we have to proceed very alertly.

Self Assessment

Fill in the blanks:

- 1. Just society should provide the minimum condition to the people.
- 2. process give more as customer.
- 3. For the educational development of the backward classes, help should be provided from

Theory of equality can be implemented in various areas of life. This is the reason that we discuss the legal, political and socio-economic dimensions of equality. In fact all these dimensions are closely joined with each other. Even when the theory of equality is seen from different angles, mainly these dimensions are visible.

Legal Equality

In the beginning of the modern era, demand for equality was first raised in the form of legal equality. This meant that in spite of the differences in the form of birth, physical or mental capacities, everyone in society should be given equal legal status. **J.J. Rousseau** in his famous book 'The Social Contract' (1762) has written that it is the important speciality of the civil society to provide legal equality to all its citizens. According to him the kind of inequality which nature has created in the form of physical and mental strength, social contract does not interfere in that, but it makes everyone equal from the view point of legal right. **Ernest Barker** in his famous book "Principles of Social and Political Theory" (1951) has written. "The fundamental principle of the state is that it gives us similar masks of legal personality. Whatever differences we have, in front of law, everyone is equally important. So the meaning of the theory of equality is that whatever situation are provided to me in the form of rights, these should be provided to the others also in the same quantity and the rights given to others will also be given to me."

In the present age, the theory of legal equality is given recognition in a natural way but it has taken time to get this recognition. **In the ancient societies the idea of legal equality was almost unknown.** For example under Manusmriti for the same crime, there is a provision of different punishments for different castes. This meant the lowest caste of the criminal, the hardest punishment will be given. Similarly **Aristotle has given the suggestion that for "the same crime, a slave should get more severe punishment than a freeman because slave is less sensitive."** In the history of Europe legal inequality had been very dominating since 18th Century. **Before the French revolution (1789), elite person could present the evidence from his side in the court whereas the common had no right to present evidence in his favour.** In England slave had no legal status which means slave had no personality from legal point of view. **Since 1918 there was a rule that those who would get the poor relief will have very ordinary legal position because they will not have right to vote like others.** Since 1870, married women did not have the legal right for the ownership of property and since 1918, all the women were deprived of the voting right. These inequalities were removed after a long battle.

An expression of legal equality is **the equality before law.** **J.R. Lucas** under "Principles of Politics" (1976) has given a very appropriate definition of "Equality before Law"; "Equality before law does not make sure that law will treat everyone equally, rather it finalises that the door of law will be open for everyone and in any matter only those things will be thought about which are relevant under law. No body is so small that he cannot go to the court and nobody is so powerful that he is not responsible towards courts. Anybody can demand help from the courts and everyone is bound to abide by their order. Courts will give decision only after listening both parties and without any fear or partiality and in a right and impartial manner." So the legal equality means that all the citizen will have equal subjection to the law and all the citizens will have equal protection of law.

Legal equality is no doubt the foundation stone of legal justice. But in a society where there is a vast gap between the wealth and poverty, legal equality is not enough to provide true justice. All people can get equal benefit from legal equality only when they are equally capable of taking help of the courts to protect their rights or get compensation of their loss. Till the legal expenses will remain very high, legal process will remain very incomplete and there will be strong economic inequalities in the country; the possibility of getting equal benefit of the guardianship of the law will remain very dim. We are well acquainted with such situation in India. **This is an irony that a innocent poor person is hardly able to present his innocence in the court whereas smugglers, black marketers, accumulators,**

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profit makers and those doing adultration and other anti-social elements have the cleverest and talented lawyers to fight their case.

Steps have been taken to providing **free legal aids** to the poor to give them benefit of legal equality. But even then it is difficult to hope that the matters of rich and poor can be presented in the court with equal efficiency lucus has warned, "If in the court matter of one party is presented in a lose manner and the others matter is presented very effectively by taking the services of a good lawyer on the basis of money." In this way the objective of the law is "Not Achieved". In this condition major responsibility comes of the judge. As Lucus has further written, "We have maximum faith on the judges that despite the difference in the capabilities of the lawyers of the various parties, they will be able to find out the realmerits and demerits of these matters. But with the help of the legal help we can definitely fix that the equal approach to the courts should not remain a hollow equality and no one is remained deprived of hearing due to poverty or lack of saying anything.

This matter doesn't finish here. Even **the judges have their own social ideas**. Most of the efficient and successful lawyers and judges come from the upper class of the society and it is possible that most of them will be having the faith in the benefit of the rich class in their heart. In this condition, they can explain the law and justice in such a way in which poor cannot get the true justice. It is a matter of great happiness that in the Indian judiciary social justice is given due importance due to which we are getting hints of giving legal equality a form of substantive equality.

Social Justice

The viewpoint related to the creation of social policies or with the solution of the issues in which urgency is shown in taking decision about the conflicting claim and providing relief and protection to the weak and poor.

Political Equality

Political equality **means equality of political rights of the citizens**. This means that the right of representation in the decision making bodies on the basis of equality i.e. following the rule of one man, one vote. This includes the idea that no one will be stopped to take political designation on the basis of birth, sex and religion. This means that there will be no privileged class in the society which will have the ruling right. Rulers will also not give special importance to the benefits or wishes of any group or individual in the society. **The theory of political equality is based on the belief that man himself is a sensible creative and has the political understanding despite the difference in the strength, intellect, education or wealth of different people"**. There is a belief associated with tit that when all the human beings will get equal political rights then they will be able to best express the common God and compel and influence the policy makers to make public policies in accordance with the universal welfare.

Demand for the political equality started with the demand for the legal equality. In the beginning there was no difference between the two. As **D.D. Rafeel** has written in "Problems of Political Philosophy" (1976). French revolutionary at the time of demanding for the equality were asking for that illogical special right under which political rights were restricted only to the rich and elite class". In the developed condition of the liberalist theory political equality was recognized as the democratic rights of the common men as the right of universal frenchise, right to keep any political opinion without any fear or partiality and the right to make organization for the equal freedom to express it and to influence the political decision.

Political equality began in the form of a progressive idea. Its result came in the form of establishment of democracy in the Western World. But later on it was experienced that this idea was not sufficient

for the fulfillment of the hopes and expectations of the general public because of soon as the capitalism develop the social-economic inequalities increased in the society. In order to remove these socio-economic equality was demanded. In the beginning of nineteenth century famous French writer **Alexi-de-Takweel** has written in "Democracy. In America (1835) that the fault found in the political equality and economic inequality, that will not be accepted by the democratic society till indefinite times. So he expressed the opinion that the first phase of democratic-world revolution was the phase of political changes but this will definitely give rise to its second phase which will be mainly the phase of social and economic change. He prophesized that after the phase of the political conflict there will came the conflict between the rich and poor classes. He wrote that the working class has started focusing on the social issues rather than the political questions and these people are making such an opinion or idea which will definitely eradicate the economic inequality from the society. In this way Takweel in his thinking has give a pre-indication of the development of the socialist theory which was mainly concerned with the social-economical equality.

Socio-Economic Equality

In the idea of socio-economic equality both the aspects of equality social and economic are combined with each other because both of those are closely related infact legal equality and political equality had been symbolic of **formal equality** in their basic form which can be expressed in the form of absence of discrimination. But social and economic equality demands for **substantive equality** which is the inspiring source of social change. **The idea of legal political equality was the slogan of primitive liberalism and the idea of socio-economic equality was presented in the form of the objective of the socialism.** Imagination of socio-economic equality was the logical result of the primitive idea of equality. So this was a progressive idea which was later on accepted by the positive liberal theory.

This is important that **demand of legal political equality was presented to strengthen the new middle class i.e., the group of managers of the industry and traders and the demand for socio-economic equality was raised to emphasize on the rights of working class.** Legal political equality contributed to the establishment of capitalism: the aim of socio-economic equality was to encourage socialism for the removal of the drawbacks of capitalism supporters of socio-economic equality gave the logic that it is only the wealthy class who was benefited by the legal political equality and in order to free the common men from the injustice it is necessary to establish socio-economic equality.

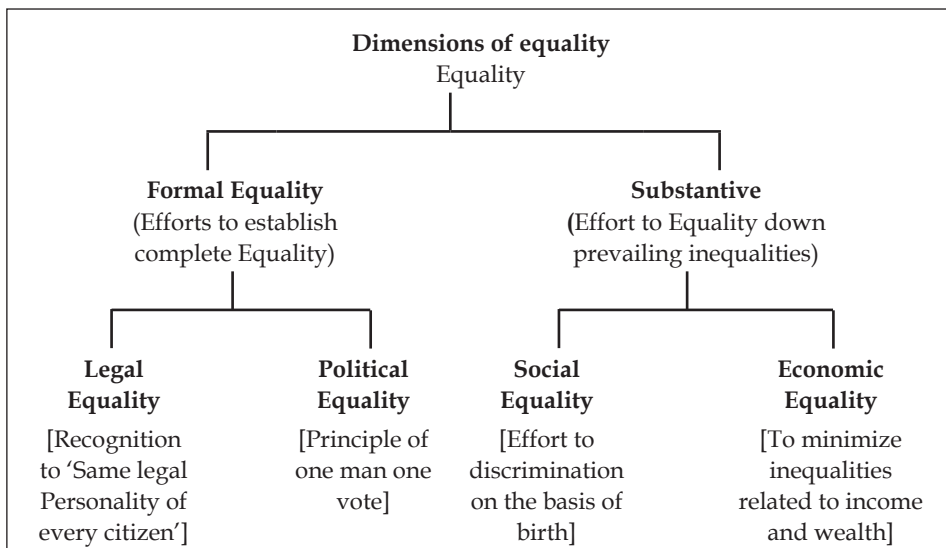


Fig. 13.1

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In the dictionary of legal political equality and socio-economic equality, the meaning of 'equality' is not the same. Legal equality gives recognition to equal legal personality for everyone, political equality also accepts the complete equality of the people on the basis of the theory of one man, one vote. But socio-economic equality does not demand for equal shares for all. **Socio-economic equality demands for the reduction of those inequalities which give rise to social injustice.** For example legal political equality can mean that the doors of education, employment, travel, entertainment etc. will be open to everyone without discrimination. But this does not finalises if the opportunities to use all these will be available to all the classes. **Socio-economic equality demands that the means to make life, happy, respectable and progressive should be made available to the poor and deprived classes also; their compulsion should not become the reason for their exploitation.**

The idea of socio-economic equality has given the modern state a form of welfare state. Welfare state by taxing the rich classes arranges for such social services from which mainly poor can be benefitted. Arrangement of education, health, employment resting-places and cheap transportation, grain and fuel etc. for public are same of the efforts of the state in the direction of socio-economic equality. Regularization of working conditions in industry, minimum wages, workmen's compensation old age pension etc. encourages the socio-economic equality. **In short socio-economic equality is the means to reform the imbalance arouse due to the market economy.**

13.2.1 Liberty and Equality

When are discussing about the relation of liberty and equality then it is necessary to see that **we are mixing which description of liberty with which description of equality.**

Liberty and Equality as Complementary principles

Principle of Liberty believes in the "Freedom of Man". **In other words liberty is meaningful only when it is described in the form of equal freedom for all.** If the freedom of one person becomes the unfreedom of the other, this condition will be against the feeling of liberty. If the freedom of powerful destroys the freedom of the weak, if freedom of clever person, traps the freedom of a simple person, if freedom of rich becomes the compulsion of poor, then the theory of liberty will become meaningless. **This idea demands to lay reasonable restraints on the freedom** so that the freedom of one person does not become an obstacle in another person's similar freedom. This means that I will not use my freedom to destroy another person's freedom. Now we have to see that in our civilized society how far can we implement this principle to regularize the inter personal relations".

"Liberty demand respect for other's liberty".

— Jawaharlal Nehru.

In the social organization of the tribals no one has the permission to harm their members of the community by his power or conspiracy. As the civilization develops, powerful class finds new areas to increase their powers and new and deep means of exploitation come in their hands. In this way in a civilized society not only by the power or intelligence but also on the basis of wealth also one class can exploit the other class. Then the power or intellect of a few people is necessarily limited and can not increased by collecting it. But there is no limit to the power of wealth because in the lack of proper regulation a small group can collect the wealth of the entire society at one place. Secondly, on the basis of their wealth this group puts the best talent and labour in his work by buying it and in this way extends its power unlimited. As a result, on one side. There are grand palaces for a few people and on the other common public has to live in slums. The gap of socio-economic inequalities is widening day-by-day and to fill up this gap voices are raised in favour of equality.

So the **most important demand of the affirmative equality is that one group should be stopped to exploit others on the basis of their wealth.** The management which keeps the economic inequality

with the excuse that wealthy people have earned the unlimited wealth, prestige or power by 'justified' ways, that arrangement can never nourish equality. The first condition of equality is the arrangement there should be a transformation in the arrangement which makes one group puppet in the hand of the other.

R.H. Tony (1880–1962), **H.J. Laski** (1893–1950) and **C.B. Macferson** (1911–87) consider the principle of equality complementary to liberty.

Idea of Equality as Impediment to Liberty

Many thinkers have indicated towards the circumstances in which the arrangement of equality becomes an obstacle in the way of liberty. French thinker **Alexide Takweel** (1805–59) has written that the most important problem of the modern age is to establish a coordination between liberty and equality. **Extension of democracy encourages the equality but alongwith that it gives rise to danger for it.** Democracy establishes the majority rule which takes form of tyranny of majority. Liberty demands for the respect of individuality of a person but democracy accepting the testimony of public opinion encourages the idea of uniformity. This idea compels the individual bow down in front of public opinion and in this way encourages the concentration of power. **Result is that those who are unconventional are mocked and those having a different opinion from the prevailing one are considered wrong.** The power of public opinion of democracy does not remain only the power to use the political power, it takes the form of social and moral power to destroy the unpopular views. Superficially, public opinion does not seem to do any torture, but in the deep, it extinguishes the spark of new ideas.

According to this view point where the principle of liberty demands variety in the interests and opinion, there the prevailing principle of equality in democracy encourages the conformity of opinions and view points. According to Takweel, democracy has almost solved the problem of equality but by solving this problem it has made the problem of liberty more complex. Infact **Takweel** has not condemned the principle of equality. **He has only given a warning that in the area of expression of the ideas the demand for the equality should not be given the form of demand of conformity and this demand should not encouraged to the point that it becomes the means of destruction of liberty.** After getting influenced with this logic, **British Philosopher John Stuart Mill**, (1806–73) gave the logic that **if the opinion of one person is different from the opinion of the rest of the society then the society has no right to quieten that person.**

But some thinkers **oppose the equality in the name of liberty in socio-economic area.** For example, contemporary British Philosopher, **Izia Berlin** (1909–97) in his famous essay, "Two concepts of liberty" (1958), in the beginning considering liberty and equality as independent values has given the logic that while analyzing various values, they cannot be changed in any one of these. But later on, **by establishing the liberty as the central value, he pushed back the claim of equality.** According to **Berlin the meaning of liberty is that in the fulfillment of one's aim, there should be no obstacles from the others.** Differentiating between the negative and positive form of the liberty, Berlin has given the logic that **state can defend only negative liberty; positive liberty is a person matter of an individual with which state should have no concern.** Berlin gave a logic that if a person cannot fly like a bird in the sky and cannot swim like a fish in the sea then this is his own deficiency similar if a person cannot bear the expenses for good food, world travel or going to the court and if there is no legal prohibition on these services, then he cannot complain the state that he does not have liberty. **In this way Berlin by keeping the solution of socio-economic inequalities outside the area of the state, rejected the claim for equality.** B.C. Parekh while indicating towards the inappropriateness of the logic of Berlin has written in his book "Contemporary political thinkers (1982)": If anybody think that the deficiency of means in his life is the result of social management and so is equal to the interference of other people in his liberty, then what would Berlin say? Infact **Berlin has presented**

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a very doubtful picture of principle of equality by keeping socio-economic inequalities equivalent to the natural and moral inequalities and by dividing the principle of liberty with the principle of equality he himself has brought great damage to the principle of liberty.

Then, contemporary Australian thinker, **A.F.A. Hayak** (1899-1992) in his famous book "Constitution of liberty" (1960), **considering the liberty and equality opposite theories** each other has given a logic that there are different talents and capabilities found in different people. Implementation of the rule of equality before law and inequality of income and wealth will be the natural results of this condition. One way to stop this inequality will be that by establishing authoritarian rule, personal talents and expectations are suppressed. **This suggestion of establishing equality forcibly cannot be accepted in a liberal society.** Infact Hayak has given so much importance to liberty in comparison to equality that he does not accept the claim of **equal freedom for all individuals.** According to him "individual freedom" is the necessary condition of social progress. May be only a few people want to do some great work which will help in the progress of society. They cannot be deprived of this liberty on the basis that only a few people will be benefit out of it. According to **Hayak, instead of not giving freedom to anybody it is better that some people should be given freedom and instead of giving little freedom to all, it is better some people should be given complete freedom even though rest of the people do not get anything.** While distributing the lake of freedom it is not necessary to give equal share to everyone rather while deciding about everyone's share it should be seen that how much he can contribute for the social progress.

Hayak wants to solve the problem of freedom of individual under market process as gives the suggestion that state should arrange for some public services outside the market structure. **But without touching the market structure, from where can the state arrange the social services.** In this context Haiyak has not presented any clear plan. So despite of being a strong supporter of individual freedom, Haiyak was not able to prepare any solid ground for it. **Haiyak has weaken the roots of freedom by separating the freedom and social justice from each other.**



Task

Discuss the relationship between liberty and equality.

13.2.2 Equality and Justice

When we discuss about the relationship between equality and justice then it is necessary to see that **which description of equality are we mixing with which description of justice.** **Aristotle has said,** "Meaning of justice is treating equals equally and unequals unequally". So before doing justice it is necessary to find who are equal and who are unequal. **Aristotle had warned that those who are equal in one way some times they thinking that they should be equal in all ways.** For example those who are equal with the others in the form of citizen, they start thinking that they should get power, wealth and respect equal to them. But **because they do not have these special rights so they start having a feeling of injustice.** This result in the rise of enmity in the society which later on takes the form of rebellion. In order to maintain peace in the society such kind of feeling should not rise. So in state the idea of equality should not be encouraged. In the present age, those people who want to maintain the prevailing inequalities of power, wealth and prestige, they also repeat Aristotle's logic. They warn again and again that people should not demand for a drastic change in the present arrangement of justice. For example, contemporary Australian thinker **F.A. Haiyak** (1899-1992) has given a logic in his latest book 'Law, Legislation and Liberty: the Mirage of Social Justice (Part-II)(1976) that the **very idea of social justice is useless.** Infact justice is a speciality of human conduct, no society can be just

or unjust. If for the benefit of equality, freedom is reduced then there should be tension, conflicts and abates on the question of unjust distribution of life's goods. **Search for justice is only a subject of procedure whose aim is to encourage freedom.** According to it, everyone should get maximum opportunity as per his knowledge and understanding of his welfare to fulfill his own means.

Libertarianism

A contemporary theory of politics which considers the liberty of an individual as the certified basis of the public policy. This theory condemning the welfare state believed free market economy to be the key factor for the liberty and supports minimum intervention of the state in the behavior of the individuals with each other.

Thinkers like Haiyak support **Libertarianism** in the name of liberty. **Libertarianism demands for such an arrangement in which capable and wealth members don't have to face any obstacle in way to progress.** They don't need to be concerned with the others bad luck or poverty. **Even the capable and wealthy class of the society should not be burdened for the welfare of weak and poor classes.** Libertarianism supports the procedural justice. In this only formal equality is demanded so that those who are capable and wealthy, don't have to face any obstacle in having transactions or contract with others for their benefit. **Procedural justice supports to convert all social relations in market relation.** For it, equality means equal implementation of all laws and rules on all members of society. According to it, **work of the state is only to see that no one is able to assassinate the benefits of others by cheating or by using power.** In this the behaviour of the human beings with each other is compared with the race. There is no need to take the tension that who will be the winner or loser. The work of the race referee is to see that no competitor cheats each other and no body prohibits the rules of the race and no body tries to win by using drugs.

Egalitarianism

A contemporary theory of politics which considers equality as the certified basis of public policy. This means that there is no need to search for a rational ground to provide equal opportunity, rights or benefits to the people. Above rational ground will be required only to prove inequality or discrimination right.

Those who do not want to maintain the prevailing inequalities of power, wealth and prestige in society, their view point is called **egalitarianism**. **Supporters of Egalitarianism believe that equality is always justified, only inequality needs to be proved unjust.** For example under the theory of justice of **John Rawls (1921-2002)** demand has been made to find justified basis for inequality by taking liberty and equality as the fundamental theory of justice. **So in contrast to libertarianism, egalitarianism supports such an arrangement in which alongwith the capable and wealthy classes, poor weak and deprived classes should also get the favourable circumstances and enough opportunities for their development.** His logic is that in the society where unlucky and deprived class compelled to live a sad, unhealthy and inhumane life, in that society lucky people cannot be given the unlimited opportunities for personal progress and to attain prosperity even if they are not responsible visibly for the wretched condition of those unlucky people. **Egalitarianism considers all the members of a society as part of chain in which strong parts cannot be left untouched and uninfluenced by the weaker parts.** Supporters of egalitarianism critics those thinkers who in the name of liberty and procedural justice do not give attention to the weak and needy people of the society.

On the contrary to the procedural justice, **egalitarianism supports substantive justice or the social justice.** According to it, open competition in the economic life gives rise to such circumstances in which poor class compels to work on the condition which are finalized by the rich class. Poor class is not able to obtain enough power even in the social cultural and political life so as to stop their exploitation

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and could use the cultural heritage along with the other classes. **So the aim of the justice is to remove the legal, political and socio-economic inequalities.** This means that those who were deprived of the opportunities of freedom or self-development due to inequalities, special arrangement should be made to defend their benefits.

This is an important fact that in the society a sense of respect and honour is found in the society for justice. But the theory of equality is not so immaterial. So **L.T. Hobb house** in his famous book "The elements of social Justice" (1922) has written: "Everyone bows down in the name of justice. But in the matter of equality many people get afraid and do not like the idea." This statement indicates that whether one is a supporter of 'Status Quo' or a supporter of change – he is ready to prove his aim as per the justice. But in the idea of equality there is a hidden demand for such a change which seems to be in contrast to the hopes of many people.

Self Assessment

Multiple Choice Questions:

4. Whose foundation stone is legal equality?
 - (a) Economic justice
 - (b) Legal justice
 - (c) Social Justice
 - (d) None of these.
5. While telling the meaning of justice who has said that equal should be treated equally and unequal unequally".
 - (a) Socrates
 - (b) John Rolls
 - (c) Aristotle
 - (d) Hobbs
6. Who has said, "Liberty demands respect for others liberty".
 - (a) Mahatma Gandhi
 - (b) Jawahar Lal Nehru
 - (c) Indira Gandhi
 - (d) Jyoti Basu

13.3 Liberty

When we think about the problem of liberty or freedom in the form of a political principle, then mainly its two meaning come in our mind:

1. In the first meaning **liberty is a property of the human being.** This means that where other elements of nature – things or animals are regularized by the immutable laws of the nature, there only human is such an element who by knowing about the laws of nature can make them means fulfillment of his aims., So he can give desirable form to his life. Infact civilization and culture are the gifts of his this merit. In this meaning liberty is a normal characteristic of the all human beings, but on the practical ground different individuals can have different situations.

2. Under second meaning, **liberty is a condition of human beings** in which human being is able to fulfil the self appointed goals and there are no external bindings on him which stop him to give desirable form to his life. This is an important fact that the idea of accepting the liberty comes in front of us only when we accept the capacity of liberty in human beings. Main concern of the political principle is with the condition of liberty. Here both the words 'liberty' and 'freedom' are used to denote the capacity of liberty.

Usually liberty is demanded on the basis that man is a rational creature while describing this idea, **J.R. Lucus**, in his book, 'the Principles of Politics' has written that "**The elemental (1976) meaning of freedom is that rational agent is able to do what seems best to him and his actions are not bound with any contract.**" If rational creature will not get freedom then he will not be able to use

his capabilities in a positive way. Not being free means – being unsuccessful, without power and depressed. To be free means to give future a desirable form, capacity to materialized our ideals, and to give materialistic form to our personal capacities. From the formal view point concept of freedom indicates the absence of restraint. It is to be noticed that demand of this type of freedom is made for rational agent. **The principle which believe that all the human beings are rational creature in the same manner, they demand to give same freedom to everybody.** But the theory which believes that the capability of reason is found only in a few people, they create the condition of non-freedom for the common people despite demanding for freedom. True freedom is that which is obtained by every human being equally.

Earnest Barker has given special emphasis on the moral basis of freedom in his book “Principles of Social and Political Theory” (1951). He has started his discussion with the saying of the German Philosopher **Inamuel Kant** (1724-1804) that “Rational nature exists as an end-in-itself”. As the human being comes under this rational category so human being must be considered as ways and not only just a means. Every member of this type of state should be recognized in the form of free agent, and it will be wrong to keep any one of them as slave. Aristotle supported slavery on the basis that some people do not come under the category of ‘Rational Nature’, they are only living tools so they are not righteous of freedom. This belief prevailed in the European thinking for centuries. But modern science has proved that there is no such elemental or meritorious difference in two human beings that one can be considered rational and other irrational. There was not much difference found in their capacities on the basis of which they can be placed in the separate categories ‘master’ and ‘slave’.

The opposite form of freedom is ‘slavery’ or ‘bondage’. A slave cannot do what he wishes, he has to do what his master want him to do. A free person is one who is nobody’s slave i.e. who is able to do anything as per his wishes. Infact this meaning of freedom is bound with many limitation because in spite having no formal bindings, actual circumstances stop the human beings to do a lot. For example, In spite of being in pain, human being cannot do what he wishes. **Man is not only a rational but is also a sensitive creature.** He can be compelled due to thirst, hunger or pain. So, **the most extensive meaning of the freedom will be that man is not suffering from any kind of compulsion from inside or outside so that he does not experience any obstacle in doing whatever he considers to be the best.** This means that freedom from hunger, thirst, disease, pain, fear and deficiency. There is no doubt that it is very difficult to attain this ideal condition. But we can test any state on the basis that how much capable is he to provide freedom to its civilization.

While discussing about the freedom, we assure **that it is the nature of the rational people to wish for the freedom. But in a specific condition rationality of the man can be dimish and he can be indifferent to freedom.** For example any slave can be contented with his slavery. Some people target the way of free decision by become slave to the blind beliefs, customs or social rituals. Some people after being involved in the consumer culture go far away from the beauty of nature and forget the taste of high quality literature, music and art, which helps a man to overcome his trivial level desires. Principle of liberty demands that **the human beings who despite of being dependent does not demand for the freedom from dependence, he should be shown the way of freedom and his rationality has to be awakening.**

Consumer Culture

Majority of such values and beliefs in a society in which the consumption of goods and services is considered to be the best objective of life and symbol of social prestige. In this life values like self control, public service or artistic interest are not given much importance.

13.3.1 Liberty and Licence

For the purposeful use of freedom in the society it is necessary that liberty of one person should not put obstacle in the liberty of the other; All the human beings had been perfectly rational then we can

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assure that they would have chosen the way which world is best for everyone. So while using their freedom they would never obstruct others freedom. But this kind of situation is only imagination. On the ground of reality people think differently in spite of using their own rationality. In other words, man has the rationality but till it is incomplete it can prove to be an obstacle in the unrestrained freedom of others. In this way liberty takes the form of licence. In this condition, liberty of one man can become compulsion for the other. **If the big fish wants the liberty to eat the small fish, then the small fish has to give up its life.**

Since liberty is used in society, so, it will be benefitted only when it is equally available to all. If dictators "liberty" is to suppress the people then it will be against the theory of liberty. If the liberty of a thief is to theft the materials of others then it will be a joke. If drivers liberty is to drive as his wish speed, and take turn where ever he wish then liberty of others may be sacrificed, and also there will be danger of life. **L.T Hobbhouse**, (the element of social justice 1992) had said "meaning of unrestraining liberty of a single person is that all should" get liberty only when there will little bit of restrain to all. This is the reason that liberty demands rule and arrangement and first condition is that others too get same liberty and authority; liberty of different people may not be restrained for others. In this way there is restrain on same liberty. But it will not be sufficient to adapt the rule similarly. To push others and make own way will not be the definition of equal right; theory of liberty should be used on the way to construction not on the way to destruction.

Liberty and Authority

Conflict on liberty and authority rises only when we think about close relation of Individual and state. In other words when conflict rises between liberty and state of the individual then it is necessary to keep balance between both. In beginning it feels necessary the authority of state for the security of liberty of people. Theory of liberty of individual demands the equal freedom for all peoples. It is necessary that an individual while using his liberty must not restraint the liberty of others for the same he is utilising. So to make it regular authority of state must be necessary to use. But to fullfil this aim all authority of state cannot be given. Authority of state many not destroy the liberty of individual - to make sure this restraint an authority of state is necessary.

The question of conflict on the liberty and authority keeps different thought of different thinkers. **Toms Hobbs (1588-1679)** one of the thinker considers that gain from authority of state should get only when there is very limited liberty of individual. Main link of Hobbs is from law and order state; he considers the liberty of individual at second place. This is the reason the Houbbs is considered of Absolutism. Just opposite to it thinkers like **John Lock (1632-1704)** and **J. S Mill (1806-73)** give logic that to make liberty of individual significant authority of state should be limited.

There is no any doubt on the vigil of law that state has unlimited powers. For example, British parliament is considered as supreme power in the vigil of law. But there is no any state in the world can use unlimited power. Any critical legislature-W/o wanted to keep their authority an state-will not engage in matters of law insteading indulge in political matters. He will not see with the use of law what he can do instead he will see what he can do with his behaviour? State has full right to coercion is a physical weapon but to arrange condition by which citizens of state follow or accept orders can be done by moral weapon.

In this way when individual follow the right and good orders of state themselves then their liberty is not restraint. So for the significant use of authority of law and orders of state, so that orders followed by citizens with their will and not by fork. From validity of any rule, decision or order we get intimation that people considers it good for themselves and society. So they heartily and happily accept it ready to follow. In any situation the present institution does not rise against soldiers, police or decision of court then there is no necessity of coercion.

Selfish authority rises disorder. Liberty is the mother of order.

Alexander Berkman (1920)

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Democratic freedom should be secured by state to get the moral support of the citizens. There is great importance of freedom of association freedom of thought and expression, and freedom of movement. If citizen do not get this type of right then lack of believe arose for the state. In the given figure relation between liberty, authority and licence is illustrated. Main function of authority is to restrain the necessary liberty of individual so that others may get same liberty. But if more liberty is given then it adapts the face of licence. In this situation the said liberty of individual becomes the helplessness or slave, in this way meaning of liberty of is demolished.

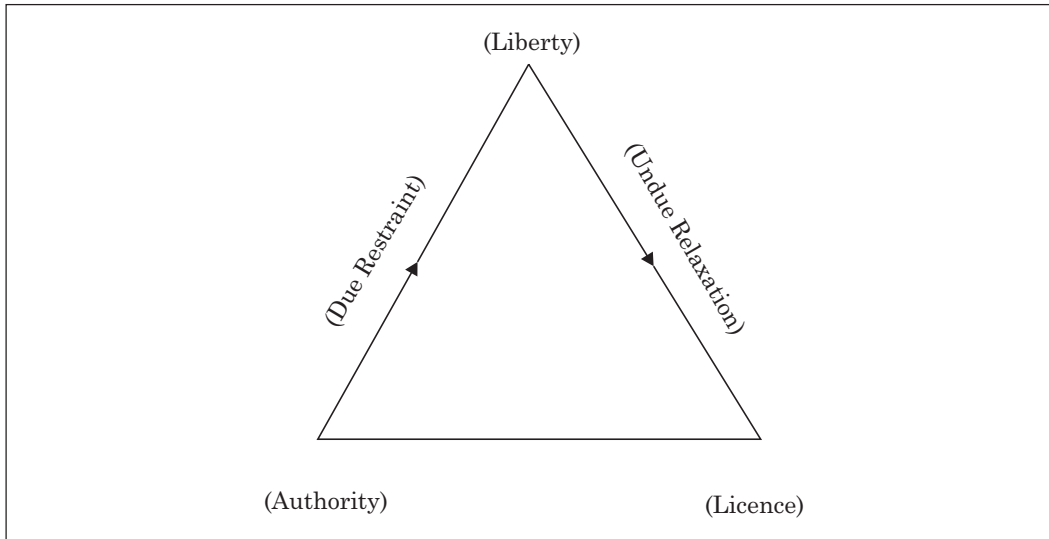


Fig. 13.2: Relation between Liberty, Authority and Licence.

13.3.2 Law and Liberty

The real meaning of liberty is 'Absence of Restraint'. But law restraint our functioning process. Whether law limited our liberty or it is the made of provide us comfortable Zane? This is a complex subject. The aim of democratic and good state is to save and increase the benefits of law. How does law finish its right?

We have seen that liberty is bound to the limitation of social life. Such any restraint can be law. Liberty will be given to anybody up to certain limit so that others may not face lack in liberty. **Which liberty of single person produces danger for other person, then it is necessary to restraint that person.** Such any restraint can be applied by law. **D.D. Rafil** has written in his important book "Problems of political Philosophy" (1976) that law restraint our liberty in front. We have to do certain things that we want to do otherwise after getting influence into it. There can be two aim of prohibiting the other or certain times it may protect our own liberty too, because as law stops our behaviour it may be problematic in our liberty. For example law ban us from mixing or do not allow us to cross the red light of traffic signal so that others liberty may not be disturbed and we will be safe too. In the same way there is law for not consuming alcohol or smoking because this habit may be dangerous for us in our future.

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Second aim of prohibition of law is to protect the social value and social ideal, for example law can prohibit our liberty to save equality and justice. For example, law prestraint us to disturb the que so that the authority of others may be protected. Law forces us to pay the taxes so that the public services can be arranged ad social justice may be followed.

Upto which limit law can restraint our personal liberty or which law restraint against the principle of liberty – it is a complex subject. Refel has given four indication in which restraint of law can be discussed:

In the sphere of crime: the ation of individual which is considered as dangerous for the society, those are taken in the custody of law and arrangement is made to punish them. The law related to crime is called criminal law. For example, to kill or to theft is crime and criminal law sentence them to punish properly in order to such crime. In the same way to avoid traffic rules is also a crime. Because for public order it may be dangerous.

Over and above this action of individual which may be harmful, those too considered as crime and on the bans of law it is stapped. For example, drug addiction makes hell the life of people that is why it is prohibited by law. Suicide is also considered as crime. So the individual who try to suicide is punished accordingly.

In the sphere of civil disputes: The conflict which arose between are settled by civil law. The action of individual which may be dangerous for whole society, those are considerable as crime, but harm caused to particular individual or corporate bodies by their actions are settled under civil law. For example, if anybody destroys the others property due to cardlessness then he has to pay fine or face, if any employer to remove his employee from the job working, if any husband leaves his wife alone or any body does not obey civil law then the such types of cases are decided by civil law, then the such types of cases are decides by civil law. But several times civil law becomes such a serious that criminal law has to interfare on this matter. For example, Breach of contract is considered as fraud and considered under criminal law; personal give and take matter or misappropriation or criminal Breach of Trust matter is considered under law. If cashier of any bank or organization invites the amount kept with himself at improper or illegal place, if any goldsmith takes gold for making ornament and deny then it will be case of criminal law and case can be registered at police station. In the same way, if anybody receives wound or dead while driving carelessly then it will be considered as criminal case.

In the sphere of Economic Control: Modern state control most of the Economic functions of the society so functions of many individuals or groups are prohibited. For example, law of the state fixes minimum wages for all types of worker and also arrange to release cost expenses of particular noticed area. Condition and situation of work inside the industry or factory is regularize according to labour law and owner is bound to law. Another way, some services are declared as essential services by law and workers are prohibited from the right to strike. Quality of articles which are sold in market are fixed and the person who sells low quality materials or involve in adulteration or involves in provide less quantity or measurement are punished. In the same way private banks have to functional according to rule and regulation of government.

In the Sphere of Provision of social welfare: With the support of welfare state many laws have been introduced and developed from which revenue is generated from rich and spend for the welfare of poor or whole society. For example, revenue collected are invested an schools, Hospitals etc. So the poor class people will be benefited, very less or free of costs services provided to them for schools and hospitals. In the same way, conditions are informed also they are formed to run their vehicle on profitable route also they are formed to run their vehicle on the route from which the get negotiable profit may be in loss, but the people who lived in that area may be benifixed. In the same way business class people forced to establish factory in backward class area also so that they earn less profit this is done in order to remove unemployment and backwardness. It is hoped that profit earned by these businessmen from developed area, may invest in development and in this way they involve themselves in the progress of society. From these examples it is clear that justice law of society is proved by restration of liberty of individuals.

13.3.3 Dimensions of Liberty

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Civil, Political and Economic Liberty

In the democracy theory of liberty functions in three important areas. From the point of liberty three areas are accepted: citizen freedom, political freedom, and Economic freedom. Many people considers freedom only as a lack of restraint and understand limited meaning, but the does not explains the real meaning of freedom.

According to **Ernest Burker's** (1874-1960) important writings "Principles of social and political Theory" (1951), **there are three points in Citizen Freedom** however they are described in different manner:

Physical Freedom: i.e., from any activities of state there should not any harm caused to life style and health of people or there may not arose any danger arose so the individual can move freely.

Intellectual Freedom, i.e., Person must be free to express their thoughts; and **practical freedom,** i.e., person can take his own decision before signing contract to others. First point is conflict less because physical freedom is prohibited only for the benefit of public security as well as law and order, and all these are the important conditions of the liberty Physical prohibition is considered only for the punishment of crime otherwise not.

Question of thought and manifestation is little bit complex according to **John Stuart** (1806-73), this freedom will be beneficial for both individual and society. Social progress depends on the development of knowledge. Development of knowledge takes place only where there is environment to describe thoughts. Better understandings can be developed in social policy only when there is no and prohibition on the expression of present problem or dislike thoughts. It will be offence not only on the individual who express his wish but also the whole huminity of present and future generation will be prohibited from benefit. If that thought was correct. We must have prohibit society to improve its mistake. If that thoughts was incorrect then we must prohibit the society to gain benefit because truth became stronger after conflicting with the lie. **Walter Bejhot** (1826-77) has shown the key of social progress is the balance between debate of liberty and opposite thought.

There is no uncertainty that freedom of thought and speech is important in itself. But can it be satisfy with negative approach of liberty? Whether there is any meaning of comprehensive illetercy and less knowledge for the general category people? If people is prohibited to express is correct though then his liberty of expression is of no use. If we see freedom of thought and speech is useful only when these two conditions are fulfilled — (a) there should be arrangement of sufficient education for all people so that there should be progress in the power of thought; and (b) Media of mass communication should not be for little or less number of people but they should get so that they can establish reliability. Then pluralism of media of mass communication is necessary so that citizen can confirm and select correct news from different sources. Thoughts and speech may not only remain negative freedom but also adopt positive freedom.

Where ever the question of freedom of contract that too is very complex. There is no any meaning of freedom of contract where present situation is left on the kindness of other person. So modern consciousness also demands this negative approach should be changed to positive approach.

Walter freedman (1967) has written under "Legal theory" that liberty of contract was considered as important part of personal freedom, but industrial revolution had proved that by providing essential freedom to large population at certain level. They are deprived off from original freedom. So protective laws of State bound the personal contract to responsibility of law. Not only this, according of decision of court manufacturers are responsible to the consumers and employers is responsible to employee.

Political liberty is seen succeed in democratic arrangement in todays world. According to **William Blawaston** (1723-80) meaning of political freedom is to control the power of ruling authority. But this is

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applied only where control is in the hand of outsider. But theoretical government is elected by citizen, the meaning is changed there. So according to **Berker**, Meaning of political freedom is not to stop.

The power of government but to prepare and control the ability of government. Meaning of prepare government is to participate in the election freely on the basis of universal franchise; Meaning of to control government is free and regular share of thoughts, in which every person participate freely according to their ability.

This point of view undoubtedly change the political liberty from negative approach to positive approach. But from theoretical point of view as easy it is seen – it is not easy from behaviour point of view. By making only Universal Adult Suffrage law it is not necessary the everyone get political freedom. There is two condition required to fulfill this: (a) comprehensive education and build character of nation, so that person can understand nation on tap; not to cast vote on the basis of selfishness, group enterfare and urgency; (b) use the power specially black money for election process must not so influenced that it may became the decision element in the election. If the economically help then there is corruption in government and Social welfare will be only as a name.

Black Money

That money which is earned by illegal way or the money kept secretly from government in order to save tax.

Problem of economics freedom is very complex. The important matter is that in the field of economics positive freedom and negative both presents opposite side of each other. It is considered generally in negative sense that economics function of a person is bound by restraint. In this way both employee and employer has complete freedom of contract. In other words this concept does not put any question mark on present situation of economic condition, but qualification and labour of a person is presented as cruel rule of demand and supply. **Just opposite to this, economic freedom of positive sense demands the solution of economic discapability of general person.** So he demands the change in economical structure of society in which haves and have-nots class may not differentiated so that first class may not harrass the second class. In short, positive sense of economics freedom demands that economic power should be used to encourage the freedom of everyone not for the discharge the freedom of every person.

Negative and Positive Liberty

When we define the liberty only by the absence of restrains then we concentrate only on the negative side. In other words, our ideas is like this any person wants to do something and can do it, then he should not stap to do this. This kind of freedom is said to be formal liberty or negative liberty. This is the only confirmation of permission an from this we do not get any intimation that person wanted do something and he will get the help. While giving negative liberty state control only herself, social arrangement is not disturbed. She does not see how many persons and who are the persons benefited from this?

It is clear that this type of liberty is not the sufficient for the citizen. When society in suffering from leave economic problem then she adapts the indifference between negative. The liberty which provides freedom for powerful and powerless. The rich and poor, on this basis the rich and the powerful should be banned, proper security should be provided to powerless group, condition of the poor should be improved. This situation demands the positive liberty. Meaning of positive or substantive liberty is that the solid steps should be taken to improve the social and economical insufficiency of the weaker section so the everyone get proper chance to earn their basic livelihood. For this social and economical life vast and huge regulation is necessary. All these regulation prohibit the liberty of powerful and dominant classes but for providing the real situation of theory of liberty.

Generally liberty of political, civil, and law have negative liberty on their limited meaning. For example freedom of speech, freedom of worship, etc., only informs that on which action there will not any type of prohibition. But social and economical liberty demands positive liberty. For Example, freedom from hunger and compulsion are the follower of positive liberty, because to establish this state has to take solid step. The positive side of liberty changes it to social desire, because theory of liberty society which is generated by social arrangement and removal will be a behavioural step. In many matter we feel disable in the lack of ability, then to we do not complain. We cannot complain, we are not free. There are some ability in disability of social arrangement, i.e., in other words disability can be removed by making certain changes in social activity.

If we look into matter deeply then in equality of power steps to get the logical result of theory of liberty. If every person get. Regular liberty then too inequality in power make it useless. **L.T Haushouse** (1922) has written true in his famous book 'Element of social justice' that - when weaker section get the freedom to use the available resources than too they do not benefited much, because in this we he won't get essential and beneficial result. It is clear that weaker section do not have right to complain but whatever power they have must be free to use it."

In short negative liberty is beneficial to those who is succeeded in the life by their wish. But those person who is surrounded by social and economical disability and not able to improve their livelihood, for them positive liberty is essential.

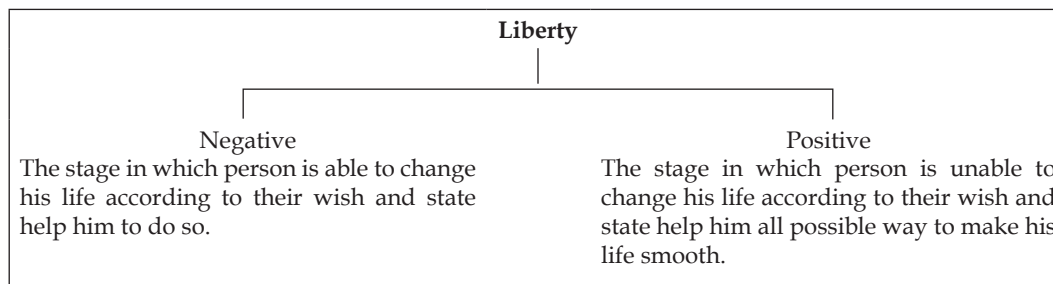


Fig. 13.3

Presently on the basis of noble thinking **Aiziya Berlin** (1909-97), **F.A. Heyak** (1899-92) and **Milton Feedman** (1912-) has harm the substantial element by giving much importance to the negative liberty instead of positive liberty.

Marxist Concept of Freedom

Thinking of Marxist concept of freedom is different from noble and individual thinking-

Freedom does not imply loneliness: According to Marxist point of view, freedom is not a situation in which individual is left alone. Just opposite to it situation of liberty and slavery is connected to social and economic condition. Individual who leaves alone from the society, individual who keep separate himself from the society cannot enjoy the liberty.

Marxist utilization do not accept that wish of different people can be combined the wishes of different people and fine own wish in the combine wish of society only with rational system of production individual cannot get real freedom, because in this situation the whole society owns the resources of production. No one will exploit anyone; and forces of production will be developed as much as everybody will fulfill their needs. In other words, only socialism can move forward the society. Freedom is not possible on the basis of capitalism and Free Market Economy.

Leap fram necessity of freedom: Fedric Angles (1820-95) has explained the difference between necessity and freedom in his book "Anti - During." Disability is that situation in which a person or physical

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elements is bound to rules and regulation of nature and nothing is activate according to individual person for example., law of Gravitational force is universal truth. Person can neither change it from his wish not involve in this. Person can follow this rule only and on the basis of scientific knowledge he can use this regulation. If person do not have knowledge of natural function then he will push it into any direction with his manpower. Then it will be situation of disability. Freedom does not mean to be free from dream of such operation of rule. The real meaning of freedom is to use fulfillment of fixed aim by utilising the natural law after getting sufficient knowledge. In this situation person is not servant to nature but fixed his aim of life and law of nature helps him to fullfill is necessity.

Among all the living and nonliving things only it is human being who has historically developed by slowly learn the laws of nature freed himself from the dependency of nature and mark possible the situation of Freedom. But this freedom is only half, because while controlling outer forces he forgets to control his inner forces. Human society is suppressed with forces of production from the beginning of civilization, for example only a small class of group owns the established sources of production and exploit the general people. During capitalism amount of production is increases tremendously by general person has suffered a lot and became helpless. This too is the situation of disability.

Scientific Socialism

The supporters of Marxist give name "Scientific Socialism" to their recognition. Their demand is logical on this basis that they convinces capitalistic and not dream to establish socialism but on the basis of historical Scientific category they consider United forces of labour class will take over the capitalism and it is difficult to establish socialism.

So in present time people has to gain knowledge about the forces of production and find way to control these forces. In the present era only the knowledge of history is not sufficient, ability to change the history is necessary. With the help of only scientific socialism human can enter into kingdom of freedom from Kingdom of necessity. On the basis of "Communist Manifesto" (1848) Marks and Angles draw the picture of Communist Society. That too has great importance of liberty. According to this after socialist revolution in the process of social development "When classical division is removed and all production is controlled by the large workers of nation, then political figure of public for us will be finished. Old society filled with classical and anti classical will be replaced by the association in which condition of free development is essential."

Humanist Basis of Freedom

Marx has included in "Economic and phylosphical manuscript of 1844" Critism of capitalism on the basis that he cannot man as a man. He destroyed the emotion and creative power of person with is creation, with nature, with society, even he lost his feelings for himself. In this situation his ability of liberty is destroyed. To get his liberty again there is correct way in which such situation should be changed which releases the person different or aliention.

- (a) First of all, person is deprived off will production and production process because in capitalistic society it is not asked that which article should be produced and how should be produced? His work cannot satisfy his creation. For example in federal society in any worker prepares a short then he has created a beneficial thing, May be it is prepared for particular person whom he can see by wearing it. So he feels ownness with his creation. But in capitalistic situation if any worker stich button then he does not feel ownness. No one knows who will wear it and how it looks on particular person.
- (b) Second, person is separated from nature. Relation with nature is finished after continue working an machine and he cannot enjoy the remarkable picture of atmosphere. Like farmer working in his field enjoyed by looking at the dark clouds or after harvesting grain all farmers

enjoyed and dance and sing together or celebrate the festival this type of situation is impossible for the workers of factory. In this way person is alien for nature and be as a part of machine. He has to do fixed and limited job in which he gets only one type of task.

- (c) Third, tough competition is on tap priority for economic process that person lost his relation in his association. In this competition there is lost of one and others due to this sharp friction is generated benefits. For example if one labours suffered from illness then other idle sitting labour get job.
- (d) In last man is Alien from himself because Kingdom of disability makes his life miserable due to this he lost his interest in literature, act, culture. In other words, capitalism process human ability and his characterstics make him servant to the situation which is generated from capital an personal owner. Meaning of situation to the workers is not that humanity of capitalism remained same as it is. Actually, included in capitalism society capitalistic too be the slave of money. Greed of more and more benefit cannot satisfy him and he becomes neutral from each and every character of human. So living in completeness he is deprived of true liberty.

Marxist has shown the way of communism to get rid of it. In which social ownership is established on the major means of production and all person give their full effort from their wish in order to production process. When they live together, work together and eat by sharing then feeling of alien is removed by self.

Deattachment theory of Marx give logic that this though is the pride of young Marx; this is introduced as poem format or literature format in which there is lack of Scientific precision. This is the reason that books we cannot find mentioned of this in the Malure marx. But supporters of this theory challenges that in the beginning book of Marx has mentioned about detachment, same is mentioned as scientific word like the private property, class domination, division of Labour and Exploitation.

IDEOLOGY

According to Marx from the beginning of civilization society is divided into opposition of haves and Have-nots. Rich class owns the sources of production and by using the political power he becomes the Dominant class. Poor class with the help of his labour remain disable throughout his life, he has no any power; he lives like dependent class. Dominant class try to fulfill their personal need by fulfilling comment Intrest with the help of social values and responsibilities. These complete value and responsibilities are said to be persuasion which provides legitimacy to rule to the Dominant class. Material needs of person moves forward in the process of social development, but their social feeling remail back. However formal persuasion produces illusion to the general people and staps to identify the main reason of exploitation, So Marx has said it false consciousness .

Marxist thinker of Hungry George lykcauch (1885-1971) has developed by combining the theory of detachment with Ideology of Marxist mentality. Marx had explained the Ideology as false consciousness. Lykcouch in his famous book "History and class consciousness" (1923) has written the theory of History of Marx is correct but incomplete. It is necessary to add context that different point of historical development looks different classes. In capitalism class everyone is suffering from false consciousness. In truth the original problem is that the consciousness which is confirmed at root class situation, by which process it can removed from this context and how social relation can be proved with actual world. Lyacauch express hope that pro letrait due to alienation reached at different historical situation by increasing his size in present social-economic life from where it can gain universal consciousness. If we compare the we found that the detachment theory of Lykcouch is very much near to Marx Apkesha Hegel (1770-1831) theory of detachment. Summary for this is capitalism included in labour class differentiated from class-situation caused as result in the gain of objective knowledge.

Contemporary Theory of Alienation

Views of Erich Fromm

Modern American physician and social thinker Erich Fromm (1900-80) has described in his famous book 'Escape from freedom' (1941) that including contemporary society pain aloofness of person. According to Fromm capitalism situation restraint the creative activity of person; it stops to relate from healthy relation; and differentiate it from himself/herself and destroys their self image. This situation give birth to Alienation. Modern people not only keep free themselves from boundation of Social culture but also left this boundation to be single.

Physical aloofness is very difficult for a person, but in contemporary world individual feels aloofness from formal thought, values, idols and social relation, this is his moral aloofness, which prove very dangerous. When this aloofness increased more then person suffers from dangerous mental disease called Schizophrenia. To, save from this disease one of he easy way is to indulge himself in modern world by spontaneous love and product work. So all thoughts of Fromm in Contemporary world is to add again the broken relation. But its main proble is that he communicate only individual; he has no any project to activate his social and political program.

Schizophrenia – A serious mental disease in which individual cannot processes his thoughts and experience with activeness of all around.

Views of Marcuse

New Marxist thinker **Herbat Marcuse** (1898-1997) has deeply presented contemporary situation in the alienation of a person. From his famous book 'One dimensional man: Studies in the Idelogy of advanced industrial Society' (1964) he included the logic that capitalism very cleverly using the media of mass communication make the suppressed class senceless, because he activate the trivial material wants whom satisfying is very easy. The result is that the person's multi-dimensional personality is vanished and there is only few physical wish. In this way consumer culture has taken over the human behaviour which pushes creative freedom very back and made him one dimensional man.

According to Marcuse, Modern technology society has increased false consciousness and controls the human. This false consciousness fear depends on consumer culture.

In the society of Capitalist and worker both are afraid of communism. Apart from this technological revolution has increased the accessories of life. In today world Society for more and more people hopes more and more pleasure. In this situation on important level alienation has vanished completely. With modernasiation of equipment the work of labours became very easier. He has not to do laborious work and also he is not paid less that he spent miserable life. So we can say the he is free from alienation. But to work an fixed and limited machines his minds is not free to experience sensitive work.

Today labour do not feel that when his relation is abandon with his creative activity. Artificial pleasure surrounds him in such a way that he cannot wish to have true happiness. In this way he has no information regarding alienation. He works in the subordination of false consciousness. This false consciousness not any religion, not any super sensuous pleasure but false consciousness is of Hedonistic pleasure which keeps veil an the alienation. **Person is arrested in the attraction of golden bars like a bird which forget the happiness of fly free in the sky.** In this way capitalism is the major critical situation in which person do not know that he know that he only loose his liberty but also lost it completely. To find his lost liberty he has to remain active is lost and started to find it. Whenever he wish to have self liberty, then there is no hope of getting it.

When the slave proud on his shackles, and accept it as precious jewellery, than there is no way out for freedom for them
 – Mahatama Gandhi

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Views of Harbermas

The effective speaker of Neo-Maxism yurgen Hebarmas (1929) how mention his famous book “**Legitimation of Crises**” (1975) and other from other books included problem of liberty as **Legitimation Crises**, According to Hebarmas in contemporary world result of development in Science, Technology and organization is that rationality or person is limited to Technical efficiency and reason of a person is diverted from Emancipation of a peron. In other words the rationality of person do not teach him the end of life but teach him to collect means. It does not shows the way to liberty but establish its domination and make him slave.

Other side institution of Liberal Democracy has made the relation of person as sell and purchase according to the need of market. Basis of Democracy is Political Discussion, but in the Contemporary Situation it never adapts the original discussion, because person involved in this hase relation with powerful pecan and organization. So political decision is the result of mix vested interests,it is not the result of free decision of people. Media of mass communication and information presents and pushed blank enjoyment along with business interest instead at free and liberal thoughts.

Hebarmas has written that progeny society encouraged historical cultural, philosophical, institutions. But capitalism has made it base of Scientific information and automatic machine, so it destroy the base of progeny legitimation. On this place it is considered as mutual benefit or Equal exchange its rule and regulation. Science and technology has produced the image of organization on restraint it from political Consciousness, i.e., these are not concentrated on the aim of society. They have encourages the thoughts that whole human problem are technical or organizational and it is solved by Scientific means. It seems that person is not capable to think and understand himself and take decision but he turns as machine by using ready made knowledge. In this situation to establish person has to turn again to the new reason so that it may think about the aim of human life.

Conclusion

There is no doubt that theory of Alienation is the live picture of person who is lost in the colourful mob of modern society, but this does not show the way of emancipation. If we go in deep then fond that theory of alienation shows the mistakes compared to reality with Utopia. In other words, it sees the present society with the imagination. Where all the basic needs of person is fulfilled, where organization of society is accepted by all persons from heart and only boundation remind which people adapts happily. This situation is accepted as a aim, but cannot considered as standard valuation of present society.

Self Assessment

State whether the following statements are True or False:

7. Liberty is a situation of person in which person is capable to fulfills his aim.
8. To gain moral support of citizen state has not to secure democratical liberty.
9. According to Marxist point of view, Liberty is such situation in which person should left alone.

13.4 Summary

- Now-a-days in our world and society it is discussed that whether from open market independent competition should be encouraged in society so that beneficial member may not harmed and unbeneficial should be stapped or poor should be provided basic need government should take responsibility.

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- Different creatures are not prepared from different element. Any root medicine have same effect on each person; it do not differentiate between black and white. Blood group of black person can match with the blood group of white and life can be save by donating blood or by donating eye his shight may be returned.
- Liberty or Independent has opposite word slavery or Bondage. Slave cannot do anything as he wish but he has to do how his owner wish.
- Modern society controls and regularize many functions of economic and so individuals and groups are prohibited.

13.5 Keywords

1. **Inequality** : Those who are not equal.
2. **Policy** : Process of give and take.

13.6 Review Questions

1. Define Market and Public Welfare State.
2. Do you agree that equality describe the authority and not the truth. Explain.
3. Explain the relation of equity and Justice.
4. What do you mean by Freedom?
5. Differentiate between Liberty and Power.
6. Explain the human base of Liberty.

Answers: Self Assessment

- | | | |
|---------|-------------------|--------------------|
| 1. Base | 2. Market, option | 3. Public treasury |
| 4. (b) | 5. (c) | 6. (b) |
| 7. True | 8. False | 9. True. |

13.7 Further Readings



Books

1. Introduction to Modern Political Theory: *N.P Berry*.
2. Political Theory: *R.K. Parathy*.

Unit 14: The Public Interest and Democracy

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Objectives

After reading this unit, students will be able to:

- understand the meaning of public interest.
- understand the meaning of democracy.
- know the pluralist theory of democracy.
- know the Marxist theory of democracy.

Introduction

The modern age of democracy, Sartori has called it the age of democratic confusion also, because democracy is the most confusing concept of political theories. Democracy is not only a selection of government or not a form of ruling system, but also has defined 'uniform society or types of living, 'On ideal or one purpose'. Each state either it is liberal of socialist or Marxism, one self called democratic and not lose a chance to call other dictator, As a result concept of democracy is became a matter of paradoxical definitions. Several dictator rule has been justified one the name of democracy. A number of writer's views are that democracy has changed its meaning several times. Besides this different ideologies have tried to its own color.

There was a time when democracy was a bad word. It was not look respectfully. The literal meaning of democracy means "rule by people or rule on majority basis' has not considered a good concept, it considered a danger for aristocracy or for cultured life. Democracy, as a respectful and rule established only after first world war. From that time democracy's 'profit or loss' or 'best government' on such subjects discussion ended; up to here that today each person and each government themselves claims to be democratic. Against imperialism and colonism, national freedom movement of Asia and Africa's

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people were the expression of plebiscite and democratic rights. Alike 'democracy of labour class' or 'Public-democracy' name, against western liberal democracy incidences had done several changes in the vague concept. 1949 UNESCO having taken democracy related ideals and paradoxes sent a questionnaire to different countries as a result of its two matter come clearly forward:

1. There was no argument against democracy. First time in history for political and social management, democracy accepted the best form; and

2. Democracy's ideals considered vague. Those writers were clear about the concept of democracy, they also accepted it that due to the differences of various countries cultural and historical conditions, to give a precise form of democracy ideals a little vagueness is occurred.

Contemporary democracy is not the monopoly of only western liberal countries. It can not connected only with western liberal democracy. Former Soviet Union and Eastern – European Communist States and in Asia and Africa developing countries has been democracy own system. There states developed some other characteristics of democracy.

14.1 Public Interest

Public interest can be called collectively interest of people. Its concepts is necessary for public policy, democracy, form of government, politics, policy based discussion, public welfare, government planning and justice. All peoples talk about public interest, but on this not unanimous that which is called public interest.

Theoretically public interest is called that in which all persons are benefitted or either one class benefitted without doing any harm to others. As such, in reality issues of public interest has many results besides aforesaid and where one class is benefitted, for others harmful also. Public interest or interest of people often seems separate to personal or own's interest, because which is good for society, that cannot be good for an individual or vice-versa. Since, society for peoples and public interest should be calculated in the perspective of interest of members. It is a issue of wide discussion that public interest is nurtured or vanished human rights, at what extents social interest is equal to interest of personal member and to which extend it against the interest of public, personal desire can be fulfilled. In political philosophy public interest is an important but undefined concept. It can be said also that in some cases it is possible, only increasing of public interest, some personal interest will be adverse effect. For example, in democracy majority's tyranny risk on minority. On the other hand, minority has been of many types. Thus, preservations of minority's right is become a part of public interest.

Public interest – Public interest's thinking is associated with public benefit works. Defence, law and order, transport and communication etc facilities are needed all persons of society. But, will fulfillment of these works be any public interest? Yes, it is such as, but generally in public interest service sentiments is considered more higher than responsibility. Due to this reason management of defence is the responsibility of government. Where as medical system will be called service. In public interest thinking, management of service and on their expansion are given emphasis. After that peace and management of defence comes. The synopsis of general interest is public welfare.

Public Welfare- Although, in concept of public interest, public welfareism is a part, but from all welfare works not necessary the attainment of general interest. Against foreign attack, defence system make prompt point of view, manufacture and test of missile increase is public interest, but for that hundreds of families decay are not called public interest works. Triumph of one, over may claims never serves public interests. It gets only by adjustment and cooperation among all claims. In this format general interest is- general minimum of all claims' If, it general interest gets (these claims may be paradoxical to one another) through coordination then definitely in it will be inclusion of good factors of all claims. Regarding this, scholars have different views "Full employment" stage, in which

extent unemployment can be born. But, one matter is complete clear that all agrees to keep minimum of unemployment ratio. Among different claims never be a generalization. Hence, in all claims that generally is public interest. Which is beneficial to all that is in interest of all. General interest a form of an aims, a general element, methods of on equilibrium, a types of accord and is a point, in which all find their interest. In the form of an aim, main characteristics of 'general interest' are as follows:

- (i) General interest is not the interest of any one. It is the interest of all.
- (ii) The meaning of general interest as in the form of all's interest will be interest of all in combined form.
- (iii) In general interest service sentiments considers much more than responsibility fulfill. Therefore, here giving more impassion on giving rather taking.
- (iv) General interest as in the form of interest of all is equilibrium point of all claims. In this inclusion of general facts of all claims.

Common Good as Norm of Procedure – Common good is known as a norm of procedure. It can be said a medium of justifiably doing work, not the attainment of minimum target. This argument some as follows- common good is not vested in this matter that what we do. It is depend upon that how we (that work) perform that Ben & Peetars's words "Common good is not a such purpose that all special interest are included in this in any form that everyone feels some having theirs". Common good is not the interest of majority, because needy minority help, tax impose on majority and similarly majority, on the basis of their number do tyranny on minority, then it should be condemned. Therefore the attain of common good effort. Will be an effort of right behaviour justifiably...." Hence as a norm of procedure, common good will meant- an appropriate and justifiable norm of doing work.

Hence, we can say as conclusion that common good should be assumed as such target through which attain all's purpose serve and attain of this target should be done in such a justifiable way that with any one (or against too) are not biased

Self Assessment

Fill in the blanks:

1. Public interest is called inform of interest of public.
2. Defence, law and order, transport etc. facilities are needed to all..... of society.
3. Common good should be considered as such target by which attain all'sserves.

14.2 Democracy

Democracy has been developed in previous 200 years in which conditions, on that basis it is impossible to reach its any universally accepted definition. According to one writer democracy is a various idea in various people's mind. C.D. Banrs writes in this context that very few terms have as democracy which has been defined as miscellaneous and loose format. In fact, questionnaire of democracy had indicated also towards vagueness of democracy. In this respect we can agree with Losky's view, according to him in every arena of life democracy has a context and it rises such a many problems of each arena that cannot be solved satisfactory at a general accepted level. To give a general accepted definition of democracy is difficult due to this reason because it is assumed not only a form of government, but also a way of living. In this sense democracy seems as wide perspective in which democratic person, democratic economic system, democratic morality, etc. are included. As a form of government democracy has been given several definitions, among those, some are following:

- Linchon : Democracy is a government of the people, for the people and by the people.
- Siley : Democracy is that form of government in which every men's participation

Notes	Sartory	:	Democratic Political system is that which make government to accountable and going after the people. Its significance depends upon leadership's efficiency and skill.
	Lipset	:	Democracy can be defined as such a political system which gives representatives of government changing after a fixed interval of time by constitutional methods. It is also on social system which having given permission to select major part of population, governments post candidature and given opportunity to affects main decisions.
	Macfarson	:	Democracy is only a instrument of, selection of government, to rule or make law by different methods and taking political decision.
	Schumpeter	:	Democratic form is such on institutional management of reaching of political decision that gives on opportunity to get his general interest by selecting their representative.

On the basis of above definitions, some general features of democracy can mentioned as follows.

1. The meaning of democracy is by common people after a fixed interval of time election of leader at public government post and participation in public policy formation. To take part in election, public political disputes and political process' other aspect is not only a person's right but also his duty.
2. Having gained government's public post meaningful and wide competition among persons and institutions.
3. Political competition and participation at large level preservations for, citizen and political freedoms as a constitutional state, fundamental right and fair election and provision of decentralization of power

In short the meaning of democracy is – cooperation, competition and citizen political freedom. Historical point of view democracy – equality, freedom, moral self development, social civility, efficiency and public opinion such as fundamental assumptions basis considered – Justifiable.

14.2.1 Theories of Democracy

As discussed above, the meaning of democracy is rule of people. Democracy defined as 'rule by people' arised much questions and its meaning is less cleared. What is the meaning of 'public'? and what meant for 'rule' – much differences over these questions. If '*Demos*'s meaning public then the question arise who are public and what is the limitations and scope of participation of its? What is the favorable conditions for participation? Similarly if '*craft*' meant for rule then this question arises what is the limitations of this rule? Does it means that law and order, on economy and public policy rule of people? There who does not participates what is alternate for them? In short, if there are a questions regarding democracy then its answer has been given by various writers on wide differences basis. If some writer's views are that in formulation of policy of state people's participation directly, then some other writers views are that it participation can be completed by representatives. Some writers' views are that ruler should be elected by people and accountable to public some others opinion are that ruler should be accountable for people's representative. Some other writers accordingly works in public interest then it is sufficient.

Different theories of democracy is answered above questions and alternatives systemically. From study point of view we can recognize following theories of democracy:

1. Classical-liberal theory

2. Specific class theory
3. Pluralist theory
4. Cooperative theory
5. Marxist theory or concept of public democracy.

Notes

Among these, where classical liberal, specific class and pluralist theories are added with representative democracy, where as cooperation and public democracy tries to mix some factors of direct democracy, so that policy formation process can be make forceful. Lets we study different theories in detail.

Theories of Representative Democracy

Modern democracy is representative democracy. Although in Greece states origin and development of democracy connected with direct participation of public in state activities, but modern nations state origin was become direct democracy inconsistent. Industrial revolution, developments of new cities and metro Politian, shifting of population in different continent and capitalistic economy as a changing arises a number of questions regarding direct participation, as a scope and limitations of participation, participation and able administration's problems etc., from population increase and area's point of view large state made direct democracy not only impossible and unnecessary but also undesirable. Hence, in modern states the ideal forms of democracy founds in representative democracy in which public uses their political power by their elected representative after a fixed period of time. *Democracy, this format finds in J.S. Mill's book (Considerations on Representative Government)*. According to his management of representative democracy speech, freedom of expression, to make the freedom of press and community together vigilance on government and a powerful medium to control it. By medium of election competition by political leaders got works for maximum people of society for maximum happiness. Supporting the Aristotal's view, Mill writes that if government is under direct control of public then society's superior and knowledgeable persons' (that is very few in numbers) always be in danger of control of foolish, unexperience and unskilled people (that is always in majority). Besides this "to control government' and 'doing government's work' has a difference. Control demands efficiency. Common people as much as interfere as less the efficiency of government as a result of this getting benefit of people will be least. Hence democracy's advantage, quality and efficiency can only get by representative democracy which separates control and function. Representative democracy is the combination of accountability, efficiency and professionility. This bureaucracy of government gain benefit without their loss. Different forms of representative governments give equal weight age to democracy and efficiency. Its different forms are as ahead mentioned.

1. Classical – Liberal Theory of Democracy

Liberalism has supported democratic thoughts right from inception. In fact, in England and Europe way of democracy opened only after liberalism and democracy will be look by a respectful rule. In fact, democratic thought was a logical need of that society which get free them self from kings and dictatorship of religious authority. Freedom, equality, right, secular, justice as such conceptions have made on this liberalism basis and democracy become that medium by which it could be obtained.

We know that liberal democracy it made first liberalism and after that democratic. According to macfarson before that democracy come in modem western states, here constructed such a society and politics which was based on selection, competition and market economy. It was liberal state whose democratic developed and in this process liberasation of democracy too happened.

The primary thought of classical liberal, we find in Thormas Moor, winstainley, English parents and Laivlras. Although it was social contract theory which played on important rule establishment of democracy, because any contract can be done only then accorder is of equal ranks. Likewise John Lock

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also public concernment based government and principles of common good clarified on following basis.

1. The final source of political power is public
2. The power of any justifiable government is limit, government should not avoided the rights of people, otherwise the contract between people and government can be disserve.
3. Men is the honour of natural rights; finally government is for the fulfillment of people not vice versa.

Lock's these ideas applied by Adam Smith in economy also. He has opposed the state intervention in economy and trade and present this argument that it should be Lessize – faire. Freedom of production and sell and purchase in the society, open competition, free economic exchange etc will provide an opportunity to entrepreneur in society to of progress and will help them to increase his richness. To check the dictatorship of government, French philosopher Montesquieu propagated theory "separation of power" in this context which affected the much of formation of constitution of America. In America Jaffarson, Maddison, Hamilton etc had tried to give established form of views of Lock, Adom Smith and Montesque.

Views of Jermy Bentham and J.S. Mill

Bentham was the first modern thinker who followed positive approach towards democracy with Jemes Mill and J.S. Mill he supported democracy on the basis of utility. His views was that people needed security both from other people and government. People should be assurance from government that government policy will not be of against public interest. The problem before Bentham was that how government kept the interests and aspirations of community in formation of policy. In other words, the problem of select such government and to hand over the power to him who make and apply such a law's which the society is needed. Bentham's accordingly, its solution representative and constitutional government, regular and confidential election, competition among political parties and leaders and in majority rule. Bentham assumed election maximum people's maximum increase in happiness tools. His views was that to save o government from corrupt only one method is that people should gave right to change him time to time by majority. Although Bentham's views on right to vote for democracy was not similar. He supported limited till 1802, in 1809 he recommended right of vote limited to wealthy persons, in 1817 he supported adult franchise for men. Despite of many limitations at large level public voting and constitutional government based democracy supposed the best preserver of right of people and arbitrary capitalist economy.

The theories of democracy in nineteenth century got powerful support by J.S. Mill's creations. Mill in his creation demand such a political system which a person's personality, representative government, efficient administration and preserved non – intervention economy. Benthom's views shows similarity that democracy is a powerful tools to save person from ruler's suppression, Mill Pay attention to one aspect of democracy also that democracy moral capacity in development mankind and reformation. Mill emphasized more that how democracy can helps in person's moral development. Macfarson has given name the Mill's theory of democracy Developmental democracy. According to Mill each person has the capacity to develop his inherited potenlities and a real society is that provides opportunity to develop it. Liberal democracy or representative democracy is important from this approach that it is forceful tools of personality development. Giving the right of vote to people democracy attracts public and subjected government from crown, make accountable to people. Besides this, participation in political life, as a giving vote, take part in local administration, judiciary, etc. make citizen aware towards his duty.



Did You Know?

Like Rowssou Mill's views was also that democracy is a powerful means of increase of man's moral development and his abilities

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Participation in election and interest in political problems are helpful in person's moral development, in spite of accepted these facts, Mill did not support adult franchise or single vote theory. He was afraid of this fact that due to majority of down trodden labor clals, single vote based democratic rule may, formation of such a law in tomorrow which is in interest of one class and against of other (wealthy class). Therefore, Mill proposed Plural voting system for minority so that any class of society (either wealthy or wealth less) cannot dominance on others and could not make class interest law. According to this system where each person will single vote, thereby some persons will be given right to more than one of his other book (Representative Government (1861) together with plural voting system he deprived of some categories people as a those person who take subsidy from government, bankrupt, illiterate or those who does not pay tax. Mills views was that there is no doubt in this that only participation in government affairs increase moral virtues in peoples although equal participation of all people can decrease the quality of rule and efficiency. Hence those who have obtained good moral and administrative qualities by medium of education or property, they should not be a pauper of illiterate and uneducated. As Mill wrote "This is not only harmful, but also sorrowful, if any country's constitution declared as much political power to a knowledgeable as much to a foolish". Therefore we observe pure mathematical point of view then we cannot say mill complete equanimity. Rather than its moral aspect is more democratic because he was desirable to form such a society which raised person from moral point of view. His conclusion at broad level was that only such a representative democracy whose scope and power are restricted by men's freedom and arbitrary economy, only is the best guarantee of an independent society and prosperity.

Classical-liberal democracy's above thought got support by Green, Hobbhouse, Lindsey, Barker Losky Maciber, John Due, Woodro willson etc. In twentieth century having formation of political parties, will get more rigidity of this theory. Mill's this thought that public adult franchise will take into administration, poor, illiterate and labour class, found to be baseless. Right to vote has been extended to whole adult people. In fact, in the beginning of 20th century liberal writer's thought was that development of political parties has been removed any kind of danger class interest based. For example Maciber views was that political parties have done an important work of limited upto reasonable level and simple alternative of different views of society. Due expressed similar view that democracy is the best form of scattered dynamic in society and following of different views or ganising public.

Characteristics of Classical Liberal Democracy

Following characteristics of classical libral democracy can be mentioned.

1. Democracy's classical liberal theory, in context of rule assumes public supreme.
2. Democracy's this concept gives importance to person's desire. This assumes men rational, moral, from political point of view active and selfish. This personal freedom and by minimum interfere of state, give more emphasis on men's right to search his happiness himself.
3. It is completely against of old monarchism and aristocracy. It for protection of person's right, participation of public is government and gives emphasis on hard control. State's activities participation is not necessary not only for the protection of person's right, but also, completely informed, promissory and moral approach, contrary for the existence of community. For the complete development of person political participation is inevitable.

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4. The gist of democracy is in participation. By this men's thinking is increased, his knowledge is extended, his approach having not narrow but become national political participation works of intellectual, emotional and moral education also.
5. This theory believes at institutional level representative government, elected leadership, regular election, confidential vote, constitutional state, independent judiciary, majority rule, personal right, and citizens freedom, expression of thought etc.
6. This make difference between elected representatives and bureaucracy. Public control and on efficient government both benefits is taken only making difference between political and administrative executives.
7. This theory at economic level based on economic inequality and political equality. It belived in competition, arbitrary market-system, private property and private ownership of factors of production. According to Macfarson, the purpose of this theory of democracy to maximize person's freedom, to protect his property and continuously running of capitalist economy. Liberal democracy neither weaken nor destroyed state, rather it make strong both state and capitalist economy. It is unable to solve. As a result during first and second world war it was criticized sharply. This criticism did on following basis.
 1. Classical-Liberal democracy based on this ideology that person is rational, active from political approach, and take active participation in politics creature. Lord Brice, Graham Walas and other behavioral writes gave this argument that man neither he is interested in politics. Besides this classical theory organized group in society and by leaders mislead people by sentimentally. As Devis wrote, on the name of democratic values irrational public sentiment, selfish, self of groups, categorized social and economic organization's cannot be ignored.
 2. The assumption of classical-liberal theory is that on every political problem, public have specific and rational opinion and elected by representative they practice their assumption. So that their views can be implemented. But this theory does not give both 'people' and 'rule' correct definition or clarification which is the central point of rule by the people. According to critic rule by people is nothing but only a political myth. Infect people does not formulate rule rather rule mould people according to his own way.
 3. Classical liberal theory assumes that person as self development, the purpose of common good is base of democracy which can be defined easily. And each person can understand by his own way. Although Schumpeter statement is that there is not any such public interest on which everybody agrees common good are separate.
 4. It is not necessary that public policy based on advice of masses is expressed common good. The process of policy formation defined like this type of public interest context is dangerous also because this approach public reactionary leadership, public mentality, pressure of groups and economic power holder's role disobey. According to waker, classical liberal theory is unrealistic because it present imaginary approach of persons and society nature.
 5. After political parties democracy in fact between special groups of society, having made only a competition. These special groups are run democracy and builds issues. We talk about that public desire at political level that is not real desire of peoples rather by special class formulated desire, as a for commercial advertisement formation of favorable desire. Public neither arise issue nor give decision about that. All these works are completed by political special class. People's desire is neither all in all nor selection of representative at public initiative. All these works are done by political parties public's work is only by giving vote make one or another candidate either defeat or conquer.

6. Classical liberal theory observes very simple the complicated process of decision formation in politics. Formulation of laws, implementation and explanation work is so complicated and technical that it is beyond scope of masses who busy with their daily works.
7. Classical liberal theory is based on political equality and economic inequality. As Bentham and Mills primary liberal writes has tried to fulfill aspirations of down trodden labour class by limited political participation, there by 20th century writers this class of liberal democracy and on its exploitative nature give complete curtain. Barker, MacIver, Duiy etc writer expressed this views that controlled and welfare state possess democracy is the best method of formation of a new society However these writers too were unaware of centralization of economic power, although they saw not any worthwhile Paradox between democracy and capitalist relation of production. Their views were that with the state and by redistribution of goods and services, democracy can established adjustment in various class and group's interest. As a result of this in 20th century democracy and welfare state both connected with each. But, despite of these too Macfarsan's views is that this redistribution has not possible completely in liberal democratic countries.

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Conclusion

Despite of behavioural and Marxist criticism, there is no doubt in this that classical liberal theory made much wide approach of democracy. It added democracy to democratic humanism. It addumed democracy itself a moral value and way of living. The central point of classical theory is its moral purpose. Doing defined this purpose to obtain it formulate essential institution and strategy. It give emphasis on due to rule through personal participation, free discussion on political issues, and by medium of coordination. However in 20th century expansion of technology and increasing scope of welfare state made this theory a little in consistent. As a result of this, its position take other theory of democracy elite theory and pluralist. But in recent prevail 'Co-operative democracy' had tried it to re-exist.

2 Elite Theory of Democracy

Classical-liberal theory of democracy gave the central importance of personal participation and political equality in government affairs' in 20th century many writers its sharply criticized. These thinker was mould democracy on actual experience. For them problems was these: How practical for a common people to take part in day-to-day politics? Can a common people bear the tension of public life? Will common people's different desire without any discipline inter fare in politics then it will adverse effect on freedom? In other words, is self rule possible? The answers of these questions gave birth new model of democracy under liberalism that was complete different to classical liberal theory. There models are known as elite and pluralist theory of democracy.

Why need experienced writer's to change in classical-liberal theory? From historical point of view, during two world wars such a conditions prevails which was responsible for this change. Among these main were war at large level, international competition for economic growth, economic depression, rise of fascism in Italy and Jermany, which gave more emphasis on leadership, remove political decision from democratic accountability and the rise of this thought that only experts can preserves democratic process. As a result of all there historical events on thing will be cleared that the management industrial society demands more specialty, categorization, and controlling of bureaucracy and in the process of policy formation common people's participation is impractical and impossible.

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Aggregately, in modern liberal society on government control by democratic equality, against this thought will be more expectation from common people modern writers Defined democracy only as maintenance of system. His argument was that common people should respect such a values at political level on a organized and constitutional government, political stability, and such a election system which made special class' responsible to people's powerful section.

Elite theory of democracy can be studied at following basis.

1. Meaning of concept of elite.
2. Elite theory of democracy.
3. Characteristics of elite theory.
4. Criticism and appraisal.

Meaning of Elite

The general meaning of elite or higher class, some such minority group which can be separated from masses on some characteristics basis such a specialty which provide him more beneficial condition with respect to common people. According to writer, elite are those minority group that can be separated from common people in context of power in society, achievements and distribution of awards. Although in context of study of democracy we mean such elite related to political power that are named as Governing elite, power Elite, political Elite etc. Harold Laswell accordingly the meaning of political elite holder of power in political system. We mean holder of power is leadership and that social organization from where leader comes and for whom they are responsible till a certain period. Similarly preys has statement is that the meaning of political elite "There elite minority leader community's activities, enjoys much power than common people. In short elite class to those group of peoples that on the basis of some special quality is holder of political power Elite ax due to this reason holder of political power because he is elite.

Elite tradition is very old. Plato is assumed as on elite thinker. But modern concept of elite goes credit to Parato, Mishal and Moska. In America James Berhaom, C. Mills etc were supported of this Elite concept based on this thinking that there are two types of people in society: common people and special people. Parato had written in his book **Mind and Society** that each group is ruled by minority group that possess essential qualities of whole social and economic power. There who are posted on higher post, they are always the best. They are special - those who reached at top in every profession or social status. Parato assumes this too there elite belongs to some social, economic background; means those who are rich and wise. Besides this parato gave the theory of circulation of elite, which is developed by Moska. According to Moska in every society two types of peoples rises - ruling and on ruling. Former are less in number but they do all political affairs, monopoly on power and enjoy benefit from power. Later are greater in number. But they are directed and controlled by former. According to Moska an organized minority supremacy on unorganized majority is inevitable. Similarly Mishal who is connected with Iron Law of oligarchy, declared that by majority of population to kneel in submission before supremacy of minority is predetermined. Leadership is an essential factor of any types of social life. Mostly people by nature are neutral, dull, slave nature and unlade to auto rule. Summarily, according to elite theory.

1. The division of society in higher and lower is an universal fact. Peoples are unequal on their abilities and capabilities point of view.
2. Elite influence his power and effectiveness due to his best merits as a intelligence, qualification, administrative ability, military and moral power.
3. Various elite are public groups and there groups are changing. New elite are existed and old one are vanished. Many a times by revolution whole elite is changed.

4. Mostly people of society are idle, passive and neutral towards politics. Leadership is needed in each field of society. Elite gives that leadership.
5. Elite of contemporary are formed by three types of people-intellectual, manager and administrator. C. Wright Mills for this has used 'Power Elite' and he mentioned three main elite, they are economic, military, and political

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3. Elite Theory of Democracy

Around second world war some as such political thinker arises who tried to combine elite theory with democratic theory. In modern political life accepted the existence of elite inevitable these writers welcomed elite and evaluated such a democratic theory in which elite not only play a main rule but also save from the danger of dictatorship. They imagined such a democracy in which different political parties in form of elite competition for common people vote, such a elite who relatively public, majority and transparent and elected on the basis of his ability and people among competitions of elite, choosing his like elite and by this medium participate in government affairs.

Elite theory of democracy was much inspired by Parato, Masca and Mishal's thought. In England and America clarified this theory systematically Schumpeter in his book '*Capitalism, Socialism and Democracy*.' After that this theory developed by many political thinker. Among those Barnad Baralson, Sartory, Robert Dahal, Raymond Arrow, Karl Manihyme, Almond and Sydnee etc. are main.

Elite theory of democracy today's industrial society, concept of rule by the people is tested at reality level. Assuming the argument of elite writer's concluded that there is no meaning of 'rule by the people'. State as very large organization can be organized only by categorization basis. In society some people are more powerful than others. Any institution can be divided in two groups- elite who take decision and common people who follow that decision. Its reason is natural. From each person of society can not be hoped that they keep each information's of administration related. Common people is interested only to make his livelihood and personal interest. It can not expect from them that take part in active politics. Besides this the complexities of modern society demands this matter that we produce that characteristics which can help this rule, in short the fundamental concept of elite theory of democracy is that mostly people of society are unable to understand government's laws and complexities of rules and take part in democratic process with enthusiasm continuously.

Elite theory of democracy looks doubt full participation of public in government affairs and try to limit it. This doubt was a reaction against those dictator and Fascism in which some leaders coming in power, got support by expose of public sentiment and coming in rule collated democracy. Where, for classical liberal theory enemy of democracy were king, aristocrate and landlord or rule of riches, thereby for elite theory the enemy of democracy is people's extensive and intensive participation. In politics more than a reasonable level public interfere and their organization as public movement can occurred dictator tendencies. Democratic and liberal values can be protected only by keep away public from politics. People's role should be only limited to election of representative so that there elected representative can formed government.

Democracy is not only a process of selection of government and give right to rule them, this is neither a form of society nor any moral norms. Common people's works is not taking decision on political issue and election of representative, rather to select those person who take decision and implement it. It is necessary for this that people select any one from two or more than two political parties and get a chance to work him upto next election. People's work is only to select or eliminate these representatives.

According to Sartory, democracy is a tough rule- so tough that only veteran and responsible elite can save it from a crowdism and public resentment. Sartory assumes concept of self rule a illusionary myth. His opinion is that elite is an vested evil.

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Hence, elite theory of democracy can be defined as – such a rule where majority gives support minority for rule. This is such a system through which competitive struggle some people are selected to give leadership to political society. Democracy can be only competitive in any wide and complicated society and representative is always minority and with respect to public, more political power holder. The meaning of democracy is rule by elite that elite who is elected by people.

How far democratic is elite theory? The answer of this question is given on four basis. **Firstly** this theory believes in majority of elite. Before people in election should be choice from various elite groups. However rule is doing only by elite but after a certain period this elite can be changed and for change, being of other elite is necessary. **Secondly**. As such rule is in the hands of elite, but the election of this elite is in the hand of public. People's right of taking this decision and changing in both public and elite based relationship make elite theory democratic. **Thirdly** elite come and go in rule. They do open competition to come in rule because about ruler elite final decision in the hand of public. The competition among different elite is only the base of democracy. **Fourthly**, the final power of public is sit one elite and to remove other elite. This characteristics made it democratic because through this final power comes to people. Hence, the fundamental base of this theory is election process. Only this process gives the people final controlling capacity on elite. Elite has to be responsible to people and if in this any short coming is then he can be removed. There are two aspects of elite theory- democratic aspect and elite aspect where as elite aspect emphasis on expertness and leadership there by democratic aspect majority of elite and their being in publics. Common people can be member of elite. The occurrence of elite from public have a full chance. According Botmore elite democracy should have following condition.

1. Elite should be opened.
2. It should be selected on properties basis
3. Continuous changing should have in elite
4. The participation of masses in rule should be limited to selection of ruler elite from various class.
5. The distance between elite and common people should be minimum.

Characteristics of Elitist Democracy

1. Elitist democracy is depended upon basically this hypothesis that common people is not able to rule. From political point of view active person is a myth. This theory passivity of common people not only a fact, but also assumes necessary for stability of political system. Democracy should depends upon elite intelligence, dedication and specialty rather active people contentment.
2. Elitist theory see democracy mainly a work procedure, methods to take decision and selection of government and a system giving right to rule. This does not add it with any social purpose or men's development. This system as a form of political party, among two or more than two on competition basis elected at some representative that will rule till next election. People's rule about political issues not taking decision selection of those representative that can preserve policy formation and efficiency of administration. This theory assumes that due to fear at support in election, leader will formation of public policies in favour of public interest.
3. Elitist theory's one important assumption is that in various elite group will have common consensus on democratic value. Means, in different political parties leaders, leaders of business associations and in other social-economic elites democratic process, citizen freedom, constitution, government etc. should have common consensus so that it can be saved from

crowdism and public resentment. This consensus is more needed in leaders, if it is not in common people make no difference.

4. Different elite writer's assume that too much political participation is a danger for democracy. Their views is that the mystery of success of democracy is idle and passivity of common people. If unskilled and unable people will take part in politics then in different elite groups peace full competition will be collapsed on which whole structure of democracy is rested upon.
5. Elitist theory's purpose was to make democracy realistic and come close it to behaviorism. His assumption was that classical liberal theory does not talk much about that procedure or institutions through which it system run on. But in the process of to reach reality it changed the very principle of democracy and rather than make it a theory which is without any social purpose or purposeless.
6. Elitist theory did fundamental change towards democracy outlooks means removing it form common people's participation in policy formation of government, limited it to security of democratic system. The purpose of this theory is not having increment in individual participation, efficient and effective rule. Its greatest worrynees is stability of democratic system. According to David Haild, elite theory substituted political participation by stability and efficiency.

Criticism and Evaluation

Democracy elite theory has been criticized by several writers. Among this main are: Macfarson, Barry Holden, Botomore, B.J. L. Waker, Robert Dahal etc. these criticism can be mentioned on following basis:

1. Elite theory is too much assumption theory a and it disobey the fundamental characteristics of democracy. According to Barry Holden, if we define democracy in form of taking decision by people then elite theory is not democratic. It people's role is limited to selection and elimination of elite and he has given not any role in policy formation then it is not democratic. It means that to rule country public has no voice.
2. The gist of classical liberal theory was its moral purpose. Elite theory deprived democracy from moral values completely. To add democracy with man's development is not wrong. Elite theory change the meaning of democracy change the direction of role of government in human development. The important aspect of human life is beyond the pure political activities and economic activities, education, art, culture etc. Elite theory excluded all there from definition of democracy, make too narrow its meaning.
3. For elite theory, active participation of common people has no importance. All types of elite theory ignore this fact that "rule by the people". The meaning of public government in classical liberal theory was active contribution of adult citizen in public politics. The meaning of participation for elite is to take part in election process after a fixed period. Botomore accordingly, this is a non-democratic factor which become more prominent when according to representative theory elected elite, elect higher elite among themselves which is that is giving right to rule.
4. The mewing of responsibility of government is elite in responsible to there who are the purpose of his policies. Otherwise masses have participation in government affairs are minimal. Public bother silently there elite's rule, policy and statements. In other words people have to test that system whose consignment he does not give. Although if any democratic governments for effective procedure, social unity and community sentiment is necessary then it cannot come by participating once only after years election. For its participation other methods discovery is needed.

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5. An important factor at elite theory is such a passive person who watch political drama silently, follow the rule of ruler, and whose have not time from his personal life, services, family happiness. When only doing or not doing by government, masses feels some danger, only then they become active to mould according to his their will government politics.
6. The priority of elite theory security of stability of democratic government, protection of democratic system and developing such a system that can construct a efficient administration of implementation of public policies. Hence, any type of social movement assumed danger for democracy or political terrorism. Just its contrary several writers assume these movement danger for democratic procedure and establishment of law and order.
7. Elite concept classical liberal theory's concept democratic humanism changing in democratic mechanism deprived it, its progressive and idealistic elements, due to this reason it become uncompleted for future guidelines theory. Contemporary democracy's institutional approach, lack of sharpness of classical liberal theory's extremist element. Elite theory is too much bounded with political realities' limitations. It assumes distribution of goods and posts at status quo level not only accept, but also with present political freedom consistent and an essential condition. Means it accepts present system at the basis of status quo. Those people want to see democracy as an ideal and guidelines for future, for that this theory is in vain.



Task

Give your views on elite democracy.

Self Assessment

Multiple Choice Questions:

4. Democracy's elite theory today's industrial society which concept do real test.

(a) Rule by the people	(b) Strike by the people
(c) Fasting by people	(d) none of these
5. Which Philosopher of the following had given the theory of "Isolation of Power"

(a) Aristotle	(b) Montague
(c) Socrates	(d) none of these
6. "Democracy is of the people, for the people and by the people" whose statement is

(a) Silley	(b) Abraham Lincon
(c) Sartory	(d) Schumpeter

14.2.2 Pluralist Theory of Democracy

Besides the elite theory of democracy, American political scientist pay attention towards a more aspect of democracy which is called pluralist theory of democracy. However between elite and pluralist theory of democracy is doing differences, but there are a number of similarities between these and some writers have been combined it. Both theories, in society masses together with power of groups toward attracts, as a result of this it become differ to classical liberal theory. Though in elite theory, importance is given to that elite who rules or try to rule, thereby in pluralist theory try to pay attention to that groups who try to effect that elite. Thus where the central factor of elite is election process by which ruler is elected and democracy is preserved also, thereby in pluralist theory besides election

given more emphasis on different social communities' mutual power relatives. To a great extent pluralist theory was a reaction against elite's non- democratic elements. It prevails against analysis of politics by elites. As such elite's argument was that peoples are unable to take decision on various political issues thereby pluralist writers, having faith in election process incompleteness to know the will of people, clarifying their interest and for effecting government's law and policy, besides election, searched other methods also. The explanation of pluralist theory of democracy can be done by following basis.

1. Meaning of Pluralism
2. Pluralist theory of democracy
3. Characteristics of pluralist theory
4. Criticism and appraisal

Meaning of Pluralism

Although the concept of pluralism is very old, however part of liberal tradition it become in 20th century. The gist of pluralism is in this original thought that power is divided into difference interest groups of society and should be distributed. Mostly writer are added Pluralism with popular in America group theory of politics that is propagated by Bantley and Truemen. Pluralism had added with group theory due to two reasons: **Firstly** it was this assumption that society infact is a combination of different groups. These groups are formed according to interest of people and works as a link between elite and common people. For example various economical, behavioral, cultural, educational groups tries to effects the laws of state. **Secondly** these groups works as pressure group in contemporary politics that special demand of masses keeping before government systematically and try to representative of people during two elections. Aggregated group provides opportunity to people take part in politics and to fulfill his demand and interest.

The basic thought of modern concept of pluralism is this that in industrial and technical society, power to widely scattered. This is so much unorganized, temporary and changeable that on one time only some people can user it. This power mostly user by mutually involved in competition minority public and by private groups jointly. It seems directly that who posted at higher post, they are more powerful. But, infact they are arbitrator doing agreement among various contradictory interest groups of society by their support they are reached at higher post. As Durk him writes "Public political activities are so complicated that it cannot be expressed by one person or state's best desire. A nation only can preserved, if between person and state some related groups are- such a group which is so close to men that it can attracts towards his activates and taking in social life's normal struggle' By the medium of his leader these groups doing arbitration between ruler and public tries to put before many interest to government. In this way masses get a change to reach his voice to government.

Pluralist writer's thought is that thought as a result of political and industrial organization, power has been limited to only few hands, although competition in small and big interest group goes in favour of common people. Industrialists, labours and government employees' competition among various groups try to stop the misuse of power to each interest groups. In society wealth, education, power etc approach, in spite of a number of inequalities, presentation of various groups, doing representative of private interests try to make democracy forceful.



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Pluralism believes that to run government is not only the responsibility of leaders and rulers, effected government indirectly.

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Pluralist writer assumed it that in modern society any type of elite rule is an essential factor of governments. However, if having not monopoly of any one elite on decision formation in any area, competition in various groups then pluralism is continued. If in three or four elite agreement or give and take process is going on then it can be called pluralism. In this context pluralist and elite theory are come very close.

Pluralist Theory of Democracy

Pluralist theory of democracy has been clarified by many American writers, among them Lipset, Robert Dahal, presthas, hunter etc name were main. According to them in any society power is divided among various interest group, communities, class and organizations whose leadership is done by elite. These different groups themselves or by different political parties puts their demand before government. The meaning of pluralist democracy is that such a political system in which formation of political policies is done by thought exchange of various groups and on mutual consent basis, so that any one special group or elite did not become so powerful in government that he only succeeded to fulfill his own demand. According to this theory political power should be distributed in various groups and in policy formation all organizations and groups should be participated. On government institutions should not be controlled of any one groups of society. According to presthas pluralist is such a social economical system in which power of state in many vested interest groups of society, Groups, organizations and among representative of there groups user mutually understanding. Pluralism is such a system in which power is distributed among different components of government and it is used collectively between government and infinite private groups and persons. According to Duvargar, pluralist democracy is such a system in which there is plurality of decision centers.

According to pluralist theory of democracy, participation of person in politics is not very important because social interest group fulfills all shortcomings of person's participation and successful to continue democracy. If he is unknow about his interest rather than interest groups preserves his interest. Likewise if a man has not any means to put before his demands before government then associated groups collecting their sources, collecting people's separate interest can put before government.

An another assumption of pluralist theory of democracy is that in political decision any one group or combination of many groups have not monopoly. Robert Dahal accordingly, democracy can be defined as such a process minority, majority groups rule. To make possible such a type of rule these writers, demand such a open political system in which each citizen organized his interest and to reach then before government should have legal right and economic sources. There opportunity is necessary due to this, because there law gives a means of expression of thought pro and against of law.

Pluralist theory of democracy assumes this also that the purpose of politics is establish adjustment among various groups related interest. Since a great number of people have not the ability to rule, hence if he is given a chance to fulfill his interest by these groups then democracy can do his work much efficiently. People should that he took active part in various groups and place his interest clearly.

The democratic aspect of pluralist theory only can be preserved if in society many groups existence continued and leaders of groups promissory to democratic rule. In its to democratic need common consensus is necessary means all these groups have faith in election process, membership of organization and other political activities.

There are a number of centre of power, influence and competition in any political group. Besides this many elite leaders and in groups healthy competition is the base of pluralist theory of democracy. As discussed above, difference between theory of democracy of elite and pluralist have become hazy. Pluralist theory comes very close to class. Infact, Robery Dahal has mixed both pluralist and elite theory.

Dehl's Polyarchy

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Dehl explained such a theory of democracy in his books '*A preface to democratic Theory and poliyarch*, in which he has tried to mix government's elite character and election competition pluralist concept of decentralization of power.

Dehl seems elite majority and groups majority through one sight. According to him common people takes part in both election process and groups process. This types of democracy, whom dehl named as polyarchy, in which a number of centre have taking decision as a business class, industrialist group, federation of commerce, groups of farmers, consumer political leader voter etc. besides this many types of community and organization are tried also to effect government policies. Not a single group from these is not to approve his demand. Some groups may be more powerful and effectful than other groups. Some groups are succeeded in protesting of undesirable policies. Dehl explains this concept of polyarch of democracy, such a political system in which all valid and active group, in different stage of policy formation have capacity to say his matters. In polyarch rule is done by minority groups.

According Dehl in contemporary political systems establishment of elive is very natural. But he refused both concept power elite and ruling elite. His book. 'Who Governs' (based on New haven city behavioral studies) he arrived at that conclusion that though this city was ruling by elite in cultural and economical field, but any one of them be called ruler class. He writes in American context that it can be said emphatically that here based on democratic competition majority elite comes from many fields of society. By government make law are the result of agreement among capital, lab our and other groups' organized power. However in both democracy and dictatorship rule is in the hands of minority, rather than in polyarchy number of minority, size, and differences are very vital and their demand and interest is effected, government and law formation.

Characteristics of Pluralist Democracy

On the above discussion pluralist democracy's following characteristics is mentioned.

1. Pluralist democracy is such a political system which is run by competitive minority because only in their hands can be preserved.
2. In the process of decision formation should not be monopoly of any one person or group power should be decentralized, participated, competitive and divided.
3. To check the centralizations of power, should be checks and balances on different departments of governments as a legislative, executive, judiciary and in bureaucracy.
4. State's duty is to establish coordination and to make agreement among different groups of society.
5. In society a number of centre should be of power, influence and competition and these centers have so much sources and facilities that they can effect policy formation.
6. Among there various groups should be common consensus over democratic process, policy alternatives delimited and political field.

Criticism and Evaluation

Pluralist theory of democracy assumes this that group process represents general will and general interest. Although Barry Holden views is that this is a wrong concept, because it is not necessary that groups desire and personal desire coincided. There are two reasons for this. First this type of thinking is wrong that the result of clash of interests certainly will be established coordination among personal interest. For example to remove an unauthorized slum area dissidents, local administration,

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environment officers, engineers and honour of land's different interest's clash, result can be this that nothing will be gotten and those huts stand at the some place which is not in favour of interest group. Secondly, it is also think to wrong that an individual wants some which is in favour of interest of groups. It may be also that personal interest and group interest clash. For example, having a industrial laborer the collective interest of labors is in increment of wage but at election time if asked to them then it can be also that at personal level they are in favour of healthy economy and ending of inflation, for this reason on his salave adversely effected.

Criticism is not effected to this argument also that election system and competition are the satisfactorily security of democracy. For example Micheal Mavgolis statement is that pluralist democracy does not give the answer of following question:

1. It shows no suggestion to control over vast bureaucracy by elected legislature.
2. This does not check control of army over budget sources any many types technical information's.
3. This has not possessed ability to check to wealth, income and opportunities of employment centred by some private corporation and multinational companies.
4. It shows any suggestion for redistribution of social sources so that traditionally backward class as a minority, women class and lower class from social and economical point of view, can get a chance to take part in politics and came on equal to others.

To improve in the image of pluralism and to give answers of above criticism, many writers try to redefined democracy of pluralist so that above difficulties can be removed. For example, Rebert Dahal opinions is that private corporation should be nationalist ion by public ownership and controlling. According to Dehl these corporation investment and plans related private decisions has much effected on public sector. Hence any political system can be calling democratic then. Public should be given a chance to interfere in their decisions.

Similarly others writers views is that common people should be given right to get information and to check different files of governments. After computerization it becomes easy to give information to common people. It can be proved a powerful measures to participate in government affairs by common people. An another writer's opinion is that right to take decision should given not only to some higher officer, but also small personal group organization.

Democratic theories and in democratic administration's behavior adjustment always have been a tough task. Contemporary welfare state's increasing scope has made it more complicated. Elite and pluralist theory are the result of the these shortcomings. These by medium of election process, political parties, elite and interest groups having established relation between common people and representatives try to safe democracy, althout its criticizer statements are that government based on these activities does not fulfills the conditions of democracy.

4. Theory of participatory Democracy

It has been the basic concept of different theories of democracy during previous 200 years that, that is the suitable management of government which provides opportunity for common people to take part in government affairs. As after a fixed periods of time to cast vote in election is minimal condition for democracy, thereby thinker of participatory democracy's statement is that ample opportunity of political participation and different forms only are the gist of democracy. Participatory theory, participation of public justifies from on ideal (means public should take part in political affairs) and a practical need (means that participation should be how and at which limit) both point of view.

'Participation democracy' term has been using with from Greek states to Marxism tradition democracy's many models, although we are talking about that participatory democratic theory here, that is a new

model of democracy whose origin credit give to some leftist writer after 1960. This theory leftist deals discussion, lack of liberal and Marxian theory of democracy and after 1960 in Europe and America prevails political tumult and result of combined efforts of student movements. A number of writers contribution are in this model of democracy, but mainly it is connected with three writers. These are Macfarson, Carrol Patman and Polananze. From historical point of view, this theory established against legal democracy postulated by Nojic. However to face the challenges of 20th century, many writers are assumed participatory democracy a suitable reaction.

The explanation of participatory democracy can be done on following basis.

- (i) What is participatory democracy
- (ii) Need of participatory democracy
- (iii) Scope and methods of participation
- (iv) Characteristics of participatory democracy
- (v) Problems of participatory democracy

What is Participatory Democracy?

The evolution of participatory democracy had reaction against as a result of elite and pluralist theory of democracy. In fact, it is a indignation of common people against experts. In elite and pluralist theories decision formation has been monopolized by some experts or groups. And consider common people to choose a means. Participatory democracy wants this power of decision formation stands on more equality basis. State's continuing scope, inability of persons and decision formation process limited to only some minority these two characteristics born such a movements. Whose purpose was to participate directly common people in decision making. Equality and majority having faith in rule, arriving upto local level participatory democracy decision formation process, wants to extension of political equality. According to cook and Morgan, the aspect of participatory democracy are: (i) To decentralize decision formation process, so that it come to those persons who are effected directly by these decisions and (ii) direct participation of common people in decision formation. Participatory democracy accepts classical liberal ideas that democracy is not only a form of government but also a means of equal right of self development. This development only can possible in participatory society—such a society which pay attention to general problems and from political point of view formulate such a active citizen group who are always take part in administration process. It believes in important institutions of society, direct participation of citizens, to make political parties more responsible and open, wants to protect such a free institutional system in which use of new form of participation is possible because participatory democracy wants to return participation of common people in political system, Hence question are arisen: (i) why is participation needed and (ii) How and which extent this participation is possible. Let discussed on these questions.

Need for Participation

As has been discussed above, the meaning of participatory democracy is—Participation of masses in policy formation process. The primary writer of liberalism, J.S. Mill justified this participation on two basis. (i) It protects common people from ruler's dictatorship and (ii) This is a means of whole mankind's development and progress. It was elite and Pluralist theory that discouraged person's participation. Participatory democracy wants to return that participation. According to carol Patman, in today's democracy has to meet independent and equal person is very difficult. Giving right formally (however it is not essential) does not have any importance if it cannot practiced in reality. Right of freedom can be evaluated to only those real citizens freedom and opportunity context which are available for a person to take part actively in political and civic life. Taking inspiration from Rousseau and Mill, Patman writes that participatory democracy is increased in human development, increase

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political efficiently, does the separation of ruler and to roll on, worry about general problems and produce such a active citizen group who are able to take part in government affairs. If people knows it that a forceful participation is beneficial, then they will certainly like to take part actively. Like this Macfarson's argument is that a person's freedom only worthwhile if he has given to take part in government affairs directly.

An another justification of participation is that it is a learning process. Participation changes it is men's thinking. It making people social in them established new belief, view and values. According to cook and Morgan participation increase political efficiency and make to person able to control over own circumstances. In Modern age as men find themselves helpless before the complexities of administration, through participation doing change in decision making can be proved helpful to triumph over their helplessness. By participation can be got more information about public subjects. People can think over more alternative to solve problem. Participation can rigid people's community unity sentiments and can be helpful to less the tensions of modern life.

An another advantage of participation is by this better decision can be taken. As discussed above, participatory democracy is a reaction of common people against experts. The supporter of this democracy statement is that common man –c-an –be an expert also. Many a times common people proves better than elected representative. Today's in industrial and technical societies collective intelligence (Contrary to personal intelligence) is more logical. Person as think collectively is as much better. Besides this against dictatorship, decentralization of power is the best safely. Participatory democracy can saves as man from unknowness, and isolation.

In short the gist of democracy is in participation. Without participation of common people in decision making process, democracy is in vain.

Methods and Scope of Participation

If participation is the precondition of democracy then the question arises for the implementation of that which methods common man have. In several thinks about having differences on means and limitations of participation, In modern democratic countries, we seem many means of participation, In modern democratic countries, we seem many means of participation. Some are among them:- To cast vote in local and national election, To do publicity in favour of any person, to make active member of any political party, to make member of any pressure group, to take part in political exhibitions, to take part in strikes impressed by political purpose, to take part in movement changing public policies, to take part in non cooperation movements' (as not pay tax) , to take part in implementation of social policies, to take part in community development's plans as women development, family planning, environmental development etc., to take part in plebiscite, recall as direct democratic process etc.

Participatory democracy finds a number of fault in representative democracy and in the process of decision making, participation of masses by different means try to remove this demerits as far as possible. Although, how people can participate in this process directly-on this question much difference on various writers and for that they presents a number of alternative.

Classical liberal theory of democracy developed a number of means to participate in politics as a adult franchise, personal right and freedoms, freedom of thought and belief. Participation in local administration, general discussion on public issues, representative in jury. Participatory democracy despite these assumes these means incomplete. According to it in modern democracy people finds himself alone and helpless. And in elected government lack of justification also. Due to inequality in power and sources life of common people, freedom and in right of equality be come less so that they can not participate in political life forcefully. State by medium of his laws produce many differences in daily life only election has not proved a satisfactory means of responsibility towards people of representative.

According to Polanyi, there is no doubt in this that due to increase in both size and power of state direct democracy is not possible. Rather than participation of common people can be increased by two means: (i) Making State's Parliament, bureaucracy and political parties more transparent and responsible and (ii) New types of public movements-Famine movement, environment movement demand of local industry etc. in making partner masses, make cautious towards political process. But how will be coordinated between these two types of methods, it is an important question.

Alike Macfarlane's thought is also that modern state's size and his population is so much that imagination of such a type of political system is difficult, in which public can be made participant in discussion face to face. Although its meaning is not that such a type of change is not possible. People's participation can be got, doing combination of competitive political parties and some methods of direct democracy. At social level due to differences in problems can not get rid of formation of political parties. But, doing organized these groups relatively at less categorization basis, ruler and manager can be made more responsible towards people. For participatory democracy a good environment can be prepared (i) if political parties are organized according to rule of direct democracy (ii) these actual political parties worked under parliamentary set up and (iii) together it profession and at local community level self managed organization are, in which people can participate directly. This type of political system only can fulfill equal right of democratic assumptions of self development.

According to Carrol Patman, making democracy a part of daily life of masses, his participation can be increased. It can be done, doing extension in democratic control on those such institutions which effects a man's life for this, democratic right is needed to extend on economic institutions and other institutions of society. People's with political right, field of work and right related to community associated is needed to give. There is no doubt in this that direct democracy's institution can not applied to all political, social and economic sectors of society. Similarly can not get rid of competitive parties, political representative and election like liberal institutions. Although in local problems direct participation and control and in the field of government, competition of parties and pressure groups—these two together can increased ahead participatory democracy. Besides this right of participation at commercial level can ok take important change in national politics. People can get important information about national sources' production, manufacture and consumption. From these, they can not only give his decision at national level, but also estimate preferences of his representatives. Thus representative democracy can be transformed in participatory democracy.

Characteristics of Participatory Democracy

On the basis of above discussion, main characteristics of participatory democracy can be mentioned on following basis:

1. Democracy is not only a form of rule, but also a means of self development. This right of self development achieved only in participatory society. Such a society that promotes political efficiency, worried about public problems and create such a citizen who continuously interested in administration process.
2. Representative institutions' together participatory democracy doing place of work and for ruling of important institutions of local communities, wants to confirm people's direct participation.
3. Having done political party system such a way that they are responsible to people directly.
4. Only such a types of 'real' political parties should have permission to run parliamentary government.
5. For protection of possibility of new dimension of democratic controlling, state's institutional systems should be opened.

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6. By redistribution of economic right and physical resources, it wants to increase in masses and social community's minimum source means.
7. It wants in public and private life power of unresponsibly bureaucracy to be less.

Problems of Participatory Democracy

According to David haild where participatory democracy keep in mind difficulties of former formats of democracy (classical liberal, elite, pluralist) and try to improvement in it, thereby, this model does not give answer of some important questions. There is not doubt in this that taking active part in politics, we can learn only through opportunity of participation and it is helpful in development of active and ideal citizenship, but it means not that by active participation in human development will come revolutionary change autonomously. It is not necessary that by participation people dedicated towards more democratic, participatory and common interest. Such a thinking rather will be more rational that getting the chance of participatory will be, there will not come worthwhile differences in moral and intellectual behavior of people. As such possible also that much participation increased conflict, clash and violence in society, so that in personal freedom, justified distribution and in political decision occurred contradiction.

Secondly Participatory democracy is based on this hypothesis that people want s to increase his control on government affairs. Constitutional right to take part in public works is a matter. But we must participate in public like, either we our will or not, it is another matter. If people do not want to take part then what will be happened? If he does not to take part in controlling of his social and economic issues then he, should have subjected to part in that? If he does not want to become a part of democratic ideology and awareness then should have with him forcefully? And if he uses democratic power as dictatorship types then against him what action can be taken? Participator theory does not gives answer of these question.

Thirdly participatory theory assumes democracy not only a form of government, but also a mechanism of human development. According to David? There is no doubt in this that the thinker of participatory theory, to change in the form of state and society, talks about application of democratic rule; though he has not thought seriously about individual freedom distribution problems and complicated relations of democratic process. Giving emphasis on collective decision formation process, he left these relation of democratic agreements and exchange. But fundamental problem is that should have any limitations on power of changing in political conditions? Should have relationship of freedom and equality left on the will of democratic process? The writers of participatory democracy were not cleared at this issue.

Fourthly, according to cook and Morgan, in a format of government, participatory democracy is not a logical theory. Local and national level's decision formation process, common people's direct participation creates a number of problems, which cannot be clarified rightly at theoretical level. These types of some problems are what will be proper unit of taking decision? What will be size and scope of participatory unit? Will not effected adversely on a number of persons participation at efficiency and capacity of decisions? How will be combined decision taken at local level with national level decision and with welfare of whole society?

A forsaid different types of problems have occurred a number of difficulties in the implementations of participatory democracy. Besides this, this theory become the targets of rightist and freedom desireism writers harsh criticism.

14.2.3 Marxist Theory of Democracy or Concepts of People's Democracy

Democracy is not the monopoly of Europeans liberal countries. Marx, English and other Marxist writers made this concept, a subject of study, although their meaning was complete different to liberalism.

As discussed above, liberalism added democracy with political institutions as a parliament, adult franchise, competitive party system, Marxist defines democracy in context of wide philosophy of socialist revolution. This adds democracy with dictatorship of the proletariat, (or people democracy), establishment of socialist or as a form of democracy in the higher stage of communist society theory of ended it.

As a form of rule Marxist assumes democracy such a format that finally determines by any society's production factor. In a class divided society democracy in fact preserver of interest of society's powerful class. For example, in capitalist society, democracy is a form of dictatorship of capitalist class. However it gives constitution, Parliament, adult franchise and civic freedom, although this state's bureaucracy is organized in such a way that society's wealth less majority class are far away from decision formation. Protected right is constitution in fact becoming special right of ruler class. Hence for labour class struggle for democracy in fact taken the form of struggle, establishment of socialist society by labour class. According to Marx Socialist democracy will be the highest stage of democracy because this will be first democracy based on majority's will. This is true sense people democracy.

The explanation of Marxist concept of democracy Marx, Engles and besides Lenin, nurtured in European tradition, other Marxist writers as Bernstein, Rosa Luxemburg, Kotsky, founded in Astro - Marxist thinker's creations.

Soviet Russia and in Eastern -European countries establishment of people democracy produced a number of contradiction between democracy's Marxist theory and practice. In the decade of 1970 Euro communism tries to unsuccessful effort of combining liberal democracy and communism.

The explanation Marxist theory of democracy can be done of following basis

1. Criticism of liberal (Bourgeois) democracy.
2. Marxist or people's concept of democracy.
3. Characteristics of people's democracy.
4. By Lenin and Stalin doing change.
5. Western European Marxist writers' views on democracy.
6. Evaluation of democracy in communist states.

Criticism of Bourgeois Democracy

In the decade of 1840, Marx and Engles added themselves with democracy, whom he considered such a comparability movement that can be foundation of socialism. In those days Marx wrote twelve essays on democracy. Marx kept name of his magazine "organ of Democracy". Marx was firm faith that only democracy can stand state on logical base. In this context he criticize aristocracy, heredity rule, landlord interest and for vote compulsion of vote etc and expressed this thought that will of common people become the base of state. In this period by Marx criticism of dictatorship of political institutions was based on his humanism thoughts. Marx added democracy with wide human freedom. However Marx criticized, by liberal state given rights, rather than accepted his historical importance because at least it was providing opportunity to labour class to organise themselves similarly Marx assumed right of liberal freedom as a part of whole mankind freedom. Although Marx now had not hypnotized class concept of democracy but his concept about communism was clear that it will be a society where lack of exploitation of man by man and classless.

European revolutions of 1848 changed, Marx's ideas to a great extent. These revolution produced a contradiction between communism and concept of democracy. Means to say that he wanted political power come up to labour class. Hence, Marx concluded that in the struggle against feudalism, democracy was progressive but at the same time it become only a form of capitalist. It from communists' higher

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purposes point of view is condemnable. Whereas according to liberal writers, democracy was forceful tools to know the will of people, there by Marxism seems it a joke of democracy because in this selfish and corrupt political leader user democratic set up for his vested interest. Marx gave it the name of Bourgeois democracy and assumed incorrect due to many reasons **Firstly** matter is that the base of Bourgeois democracy is such an economy in which factors of production in the hands of capitalist state approves existence of private property, unlimited ownership of capital, open competition and open market. In a class divided society where Bourgeois he establish supremacy on state also. It rights given by state, powers and freedoms defined and managed such a way that labour class in spite of majority cannot get it **Secondly** state's bureaucracy, policy, army and law and order formally neutral, but in fact be they protect the interest of wealthy person Here Marxist gave the original telest criticism of liberal democracy that state's parliament and other political institutions is not stands on neutral bases in which any one will get succeeded on the basis of number or logic. These are that medium by which public is being deceived that he was real power holder of state whereas in reality this power is guided and implemented by Bourgeois. Parliament is nothing but a talking shop It cannot do any fundamental change in political and economic – social power (which is in the hands of Bourgeois). Hence, democracy is a methods only to make justified the rule of one given and in place of freedom, formal freedom is given and in place of humane salvation only political freedom.

Assuming it that bourgeois democracy is real democracy for labour class and having in majority labour class cannot come in rule, Marx and engels opinion was that labour class can use it organized themselves and raise high, level of political awareness and preparation for revolution. By bourgeois democracy given adult franchise and to freedom to community related right, gives the limited facilities, labour class increasing cautionness and to operate revolutionary movement. In his last years Marx accepted that right to vote in some exception cases, proves a medium of coming socialism by peaceful means. The matter is to pay attention that this argument that a revolutionary party has no faith in parliament and election methods, could not founds in Marx and Engles creation. For them revolutionary and Parliamentary methods are compliment to each other not contradictory to each other. He assumes parliamentary methods a form of class struggle. But for them it means not that other methods of revolution should be give up.

People's Democracy or Dictatorship of the Proletariat

Marx and Engles accepted enlightenment ideal of democracy in which it had assumed a participatory activities. Hence he considered parliament model of bourgeois democracy adverse to participatory that was limited to politics to society's some special activities. According to Marx, establishment of real democracy can be only after labour revolution when state will be destroyed and power will be handover to public. All those activities which are done by state before, now will be by community where all officer will be appointed by public through adult franchise and where labour class or his representative will be in majority. This will be social system in which police or army is not needed, rather than in this people will worked as armed forces. Like other public post judge will be elected also and all officer will take equal salary to labour class. A socialist community all powers will be given to labour class and will build such a system which will close to direct democracy.

Marx gave name to direct democracy of labour class as dictatorship of the proletariat. But by Marx use this term and after in Russian revolution context by Lenin had been used there was a difference. According to Saluki, this term has been used five times in all creations of Marx Alike hall draper assumes also that both Marx and Engles used this term eleven times. In Marx respect the use of this term express his democratic tendency." Marx in his book '*The class struggle in France*' assumed transition period, labour class dictatorship reached up to classless society. As he writes "Between capitalist society and communist society, there was a period of revolutionary changing. And this period is nothing but dictatorship of labour class'. After the establishment of Paris commune, Marx

explained his views on democracy ahead. This meaning cannot understand without "Dictatorship of labour class" 'Democracy' 'Dictatorship of labour class' are not mutually contradictory words. Here dictatorship clarifies the difference of 'Bourgeois Democracy' and "Democracy of labour class". Marx and Engels assumed dictator each rule's, ruler class. Here he user dictatorship as dictatorship of a social class not that "only in the form of a single political party's government". For them 'Dictatorship' having not a political concept, a social concept. The reverses of "Dictatorship of labour class" was 'Dictatorship of Bourgeois'. By this absolute monarchism constitutional monarchism or democratic republic as a Bourgeois dictatorship different forms hollowness is exposed that despite of having separate form summarily all are one. Alike 'directorship of the labour class' used in different forms in collective meaning means after revolution there form may be separate but their moral will have no difference. Summarily the meaning of democracy is rule of majority. Since Marx and Engels was fully confirmed to this matter that after socialist revolution the rule be of labour class and he will be in majority. Hence the meaning of democracy in form of "Dictatorship of the labour class" will be "By majority". This will be in true sense people's democracy.

According to Marx and Engels, according to the presence of democratic possibilities revolutionary change can be either violence or peaceful. But important factor is that whether peaceful may or may not but socialistic revolution must be democratic. Although at the time of writing of communist manifesto, any type of social changing was not possible by peaceful measures, though manifesto declared that "the first work of revolution will be brought labour class at democracy level". Despite of incomplete and imperfect in it selves, Marx and Engels by democratic process (vote and other right) person's, political salvation historical importance evaluated by positive approach. He in England and America by peaceful means, for casting possibility of socialistic changing. In the last years of his life, Engels said clearly that 'dictatorship of labour class' will be expressed in bourgeois parliamentary republics' political format. As he wrote 'if any thing is certain then it is our party and labour class can come into power only through democratic republics. This is a special format of dictatorship of labour class, as has been clarified already great French revolution.

Characteristics of People Democracy

1. The meaning of democracy is, participation of labour class by direct means in the activities of state. In the form of labour class this is rule of majority, for majority and by majority.
2. People's democracy only through revolution, labour class in rule and decision making process level established by rising. It demands end of special privilege of bourgeois and unity of labour class.
3. At economic level, the meaning of people's democracy is social ownership of factors of production, take over of private capital by state, state's control on production, gradually increase in production, state's controlling on transport and communication and equal duty of doing work of citizens.
4. The meaning of people's democracy at political level is, coordination of executive and legislature, provision of all government officers' public election and recall. Election of judge also, substitution of police and military of people's militia, local freedom and equality of emolument of public officer and labour class.
5. At social level heredity right's abolition, free and compulsory education, progressive tax system, population's equal distribution all over the country basis, between town and village differentiation abolition, continuous increase in factors of production so that masses minimum needs worry can be removed and he got a chance to fulfill other activities and interests of his life.
6. People's democracy is a transition period between democracy and communism. Abolition of classes and after socialist society communism step will be begun. It will be such a type of society

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which will be based on market economy and division of labour. In this, place of government and politics will be taken by self regulation, collective work will be completed at collective level, administrative work election and rotation will be and all public question will be solved by public consensus. Under communism not only state, but also in the form of rule democracy will be disappeared also. Democracy will become a style of life and it will be in true sense self rule.

Change Made by Lenin and Stalin in the Concept of Dictatorship of the Proletariat

By Lenin and Stalin developed, concept of democracy in the form of dictatorship of labour class and establishment of people's democracy in Russia and other eastern-European countries changed to much in Marx's fundamental concept. Lenin assumed important dictatorship of labour class, Marx's state related thought, for socialist revolution and triumph of labour. But he gave separate explanation of this concept. In 1918 Lenin 'dictatorship of labour class against bourgeois class by labour class won rule by violence.' Defined as in the form of—such a rule which is not bounded with any law. In 1919 Lenin having not given much emphasis on violence, rather gave more emphasis on managerial work of socialism. In 1920 Lenin clarified that the dictatorship of labour class neither in the form of collective class nor by medium of labour collective class nor by medium of labour organization can be established-
For this a form of party one vanguard in needed who will rule on the name of labour class.

Lenin explained democracy in three stage- Capitalist, socialist and communist. According to Lenin. In a class divided society government can be both dictator and democratic. This is for one class democratic for others dictator. For example, bourgeois democracy is democracy only for capitalist, but for labour class it is dictatorship. This democracy only for minority. This only wealthy person's democracy which on the strength of his property keep political institutions under his control and mould other institutions in such a way that it can preserve only one class interest. Since it does not preserve the in interest of labour class. Hence to end it, a new state and political institution formulation is needed, which is favorable to the interest of labour class.

Lenin accepted in context of socialist democracy that due to existence of class state 'dictatorship of labour class' will be also rule of one class and its nature is also to entrust his interest on his opponent forcefully, institutions of such type will be built. Triumph over wealthy class is a long war which is won only by determination and use of violence. In the transition period of capitalist and communist, class struggle will be going on whose purpose to end capitalist. In this period such a state should be which in democratic for labour class but dictatorship for capitalist labour class' state is also a class state but it is such a state where majority of labour wanted ended of capitalist minority. Finally he wants to end state less and classless capitalist class.

There are two purposes of dictatorship of labour class: to protect revolution end to establish a new socialist social economic system. According to Lenin these works are completed by communist party that will work as vanguard and director for labour class. In Lenin's thinking dictatorship of labour class changed gradually into "dictatorship of communist party". According to his change from socialist party that not only suppress exploiter class, but also keep in discipline labour class and whole society.

In short Lenin's argument was that every state is instrument of one class. Where is supremacy there is neither freedom nor democracy. Only in communist society when class struggle will be ended and classless society will be established, only then we can talk about freedom. Only then we can gained real democracy. At the some time, as a form of government, this is time to end of democracy also. According to Lenin as we will make more and more rigid democracy, as we free from our needs. Communism will abolition of state as well as ended democracy also. The completeness of of democracy is in the unnecessary of democracy.

Hence as in the form of bourgeois democracy, democracy is only zero, in the dictatorship of labour class, much democracy with respect to before because here majority labour class rule over minority wealthy class. Rather it is not true democracy because true democracy is got only through communism. But bohemian democracy is no longer needed, it will be of use. Where for Marx the meaning of democracy was a classless society where for Lenin democracy is a form of government and the meaning of stateless stage, democracy less stage.

Stalin changed the dictatorship of proletariat into violence and panic. Revolution has been given a new shape. Party has been done more centralized and it was changed into centered and powerful bureaucracy. This became such a rule in which one man has absolute power whose Lenin never imagined. Stalin used this power with open hand and millions, particularly those who related to higher class, massacred.

Where Lenin changed dictatorship of labour class into dictatorship of party, thereby Stalin has limited it to only dictatorship of one person. It is assumed that party and labour class both are only one and party is the cent-percent representative of labour class.

Other Marxist Writers on Democracy

By western countries Marxist writers understood and explained concept of democracy was differ to Lenin and Stalin's thought. For example, Burnstein challenged the analysis of capitalist by Marx, rather presented this argument that there is no need of dictatorship of labour class and socialist revolution. His belief was that for labour class political democracy and liberal freedoms one more important. Violent class struggle can only bring un mature and un nurtured type of statism. An another writer Karl Kotsky accepted here basic concepts of Marxism, thereby he criticized 'dictatorship by labour class' established by Lenin. His thought was that it is of folly to understand democracy form of government by Lenin. Marx had give more emphasis on social aspect of democracy whom Lenin disobey. Alike this labour class do not representative of majority, any socialist revolution is not possible and if he representative of majority then no need of dictatorship. Kotosky gave more importance to democracy with respect of socialism and combining Marxism socialism and liberal democracy, kept the foundation of socialism by democratic means.

An another Marxist writer Raja Luxj m berge also criticized by Lenin suppression of free political life and dictatorship of labour class rather 'dictatorship over labour class' democracy oppose policy. She accepted this thought of Lenin that party should do struggle to gain power. She refused also this argument of democratic socialist that party first get majority after that dream about power. But it means not that party occupy power in absence of majority too, keep in power himself at the force of panic and collapsed all norms of freedom and representative of society. Democratic institution are not complete but to ended them is wrong because by this masses political life will be come helpless. Raja supported in society, infinite democracy, free public opinion, freedom of press and election, to make community and organized meeting, because without this the dictatorship of proletariat will be converted into one group's dictatorship. Dictatorship means not to end of democracy, rather to implement it rightly and this dictatorship should be of one class, its not minority leadership

Raja's thought was that common people should take part in political life and formation of new socialist system.

After the downfall of first world war and 'Second International' all concepts of Marxism as a – dictatorship of labour class, labour class democracy, class struggle etc become the matter of discussion. As a result Marxism and Marxism democracy's many concepts come before. Besides this in Europe the rise of welfare state changed to a great extent capitalist structure. In liberal countries labour class pioneer of revolution, rather become part and parcel of capitalist system. Europe's many communist parties, purpose of revolution and socialist democracy give up very silently. During second world war many countries of Europe, communist party join with opponent capitalist political

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party and make coalition government. Whereas there communist party at theoretical level tagged with socialist democracy and Marxism, thereby at parliamentary democracy, election process and representatives institutions. As Italy's communist party leader Palmira To galaxy clarified "we start from this thinking that socialism is such a state in which labors got much freedom and they participated in the process of collective and whole social life give direction. Togliati's thought, become base of historical compromise going ahead, by that France, Italy, and Spain's communist part give up the theory of violent revolution, constitutional methods for coming communism keep the foundation of Euro communism concept. These parties criticized developed in Russia dictatorship of proletariat and believes that socialistic change can be possible by peaceful and democratic means also.

Summarily, in western countries development of Marxism concept just contrary to Lenin's labour class dictatorship. His assumption was that in developed capitalist state, socialist change can be got by bourgeois democratic intuitions. Socialism can be got through peaceful means. In this parliamentary democracy, multiparty system, citizen freedom, expression of thought and trade union activities are included. Democratic characteristics are not the monopoly of only bourgeois rule, rather it is part and parcel of western culture's intellectual tradition. Today's changing in developed capitalist society, dictatorship of labour class as by violent measures to occupy power is not possible.

To What Extent were the Communist States Democratic?

Bad luckily, historical experience of dictatorship of labour class, was not accordingly to by Marx and Engles postulated theory. The purpose of Marxism was to establishment of such a society and labour class state in which people free from capitalist bandings will managed production process in public interest. In Russia socialist revolution could not get this target because it was by Lenin explanation accordingly labour class. As clarified above, in the leadership of Lenin, concept of labour class changed into a minority rule. In Stalin rule, the dictatorship of labor class taken the format panic. In the 1936 constitution communist party was declared only party of state. Communist party due to his limit membership never become a mass party. In short effort party's doing less labour class and democratic factor, its centered bureaucracy was to give weight.

In 1956 by Khrushchev, condemned of Stalin was much effected communist movement. Khrushchev criticized personality cult and appeal to follow Lenin's theory of socialist democracy. Having communes part not the leader of labour class was changed into 'Party of the whole people'. Although 1977 constriction again approved power of party and accordingly that secretary of the party and country's president post merged. Thus ended the concept of dictatorship of labour class, presented the concept of 'state of the whole people'. Despite of these in Russia cut of citizen freedom and socialist imposed efforts are criticized by Marxist writers and Russian other opinion follower, among them stojenovik, Medwedev, Sakharov, Solzenistin etc are main. For example stojenovik criticized non-democratic element of Russian socialist system in which concept of "Government of labour class" was absence. His assumption was that increasing power of state in Russia, gave birth of a new bureaucracy class and a bureaucracy socialist society. Similarly, Medwedev demands, decentralization of power, democratization of social life, run party on democratic basis, protection of interest of minority caste and freedom of press.

Hence communist state was democratic or not-this depends upon that matter that what meaning of democracy we take. According to Macfarson, if we meant democracy taking as to elect government and to give consent his rule then communist state due to vanguard state was "for the people" but was 'not by people'. A vanguard state can be democratic if in his party internal democracy is and membership of party open for mass. From this point of view communist state cannot be called democratic. But democracy has a wide meaning also whose relationship is from human equality ideal- such on ideal which can be got only in a classless society. According to this meaning communist we state was

democratic. After all, where Marx negative criticism of bourgeois democracy was continuing in these states, thereby, Marx's positive views on democracy did not try to fulfil.

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Conclusion

It can be said in conclusion that theory has become the concept of democracy wide and extended democracy up to social and economic sectors. Hence, his whole concept of democracy much more mature and complete than liberalism. But where as his bourgeois democracy's criticism is much powerful, thereby from positively his achievement is negligible. His failure needs not only pro Marxism, but also challenged to all that were dedicated to democratic values.

Self Assessment

State whether these statements are True or False:

7. According to pluralist theory of democracy person's participation in politics is not much important.
8. Participatory democracy is depends upon this hypothesis that people wants to increase his control on state affairs.
9. In the form of bourgeois democracy, democracy is only zero.

14.3 Summary

- Public interest can be called collectively interest of people. Its concepts, public policy, democracy, form of government, politics, policy based discussion, public welfare, government planning is essential for justice.
- Lincoln democracy is a rule of the people, for the people and by the people
- Modern democracy is a representative democracy. Although in Greek states rise and development of democracy, in state affairs linked with public's direct participation, though the rise of modern nation states was become in direct democracy inconsistent.
- Elite theory of democracy, participation of public in government affairs look doubtfully and try to limit it .
- There are two aspect of elite theory of democracy- democratic aspect and elite aspect. Where elite aspect emphasis on expertness and leadership, thereby democratic aspect, being majority of elite and in his in public.
- Elite theory observes mainly democracy as a format work procedure, methods of taking decision and a system, give the right to rule.
- According to pluralist theory of democracy, participation of public in politics is not much important because social interest group fulfills all short comings a person's participation and succeeded to exist democracy also.
- The evolution of participatory democracy happened as a result reaction against elite and pluralist theory of democracy.
- By Lenin and Stalin developed concept of democracy as a come of dictatorship of labour class, Russia and other eastern European countries establishment of people's democracy changed to a great extent Marx's basic concept.
- In short, development of Marxist concept of democracy in western countries, was just opposite to Lenin's labour class dictatorship
- They believe that in developed states of Europe Social change can only achieved by the medium of bourgeoisie democratic institutions.

Notes

14.4 Keywords

1. **Group** : Collection of many things, Collection, Group
2. **Representative** : Statue, Substitute, a agent to a person to do a particular work on behalf to a particular person.

14.5 Review Questions

1. What do you mean by Public Interest?
2. Explain Pluralist Theory of Democracy.
3. Explain Marxist Theory of Democracy.
4. Describe the features of Elite Theory of Democracy.
5. Describe the problems of Participatory Democracy.

Answers: Self Assessment

- | | | |
|----------|------------|------------|
| 1. Group | 2. Peoples | 3. Benefit |
| 4. (a) | 5. (b) | 6. (b) |
| 7. True | 8. True | 9. True |

14.6 Further Readings



Books

1. Political Theory – Idea and Concept : *S. Ramaswami.*
2. Political Theory – Online Limp : *R.K. Paruthi.*

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