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Paper : I/V : Political Theory and Thought

DISCIPLINE COURSE / HUMANITIES GROUP

Lesson : 1-12



SCHOOL OF OPEN LEARNING
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Graduate Course

PAPER I / V

DISCIPLINE COURSE / HUMANITIES GROUP

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Lesson 1

WHAT IS POLITICS

-- Amaresh Ganguly
Zakir Husain College

After reading this lesson you will be familiar with:

- **What is politics? .**
- **The different conceptual approaches on viewing politics.**

Politics is the most important activity of organized life in society. If one tries to argue that on a macro basis life without social or political thought is than one wrong.

Why and in what manner people behave in their economic and political activities, should be systematically studied. That is what the study of politics seeks to do and political behaviour is almost entirely linked to economic and social behaviour and interests and vice-versa.

Nowadays young people often pompously declare: "I am not interested in politics". To them politics is some disreputable art of manipulating one's way into positions of state power for personal and party gains. And they don't look forward to being called a "politician" ever in their working lives. In fact the word has almost gradually become a term of abuse.

As far as the concept of politics is really concerned this is a most naive and dumb notion. ***Actually we are all politicians.*** In everything we say or do, we are taking a position that is actually a political position whether we like it or not. For politics concerns everything in life. What and whether you will be educated, what and whether you will get a job, how much money you need to pay your bills and run your life and that of your family, how much money you can or should earn and from it how much you need to and should surrender in taxes to the state etc are all political questions. Should your education and preparation in life be the same as of everybody else or should some people other than you have more or less opportunities than you have? . Even whether what you call your private property is or should be strictly your own or is or should be owned ultimately by the whole of society and the nation and what rights you can or should have to dispose off your property as you like are political questions. In other words one's level of individual and collective freedom, equality vis-à-vis others, justice, rights and duties are all part of the realm of politics.

You are not living in a 'no man's land' or in the middle of the ocean or on some planet in outer space. You always exist within and under the jurisdiction of a state that has it's own set of laws, rules and policies with it's own bias. So when you take the stance, as many do, that you are only following the rules of the game and trying to live your life, that is also a political position because that only means you have by your actions (by default) accepted the *status quo* whatever it is. If you are advantaged in society relative to others then you have accepted that deal (probably happily) and don't want to touch politics for

things are fine with you. If you are not advantaged on the other hand or you are exploited or are otherwise getting a bad deal you have still accepted the state of affairs as they are without trying to change your lot. So when you say you want to keep away from politics and do nothing, you are actually taking a political position in favour of the system as it is. If you do decide to do something then of course you are in politics in one form or the other. Even if you don't you still are in politics because you are helping the *status quo* to prevail and be as it is by accepting it and working under it.

Frankly therefore whatever you do or you don't is political one way or the other whether you like it or not.

So you might as well start thinking and pondering politics systematically. How about staring out by looking at how mankind has been thinking on politics conceptually from earliest times to the present day. Then maybe you can decide for yourself what you think politics is or more accurately what *your politics* is or should be? .

The route that the evolution of human thought took was substantially determined by history. The political structures of the times often egged on the growth of some streams of thought in political philosophy.

Generally politics has always been about state and government at it' s most basic and has involved the study of formal political institutions such as parliament, executive, judiciary and the bureaucracy etc. Politics is thus a science and art of government and the basic political relationships: between state and individual and between states.

The Greek View

In fact the word politics itself has its origin in the Greek word *polis*, which means the community or populace or society. Greek thinkers like Plato and Aristotle saw politics as everything that is concerned with 'the general issues affecting the whole community'. According tot the Greek view the participation of each and every citizen in the life of the community is necessary for the *self-realization* of each human being. In fact Aristotle argued he who did not live in a polis is to e considered 'either a God or a beast'. He also commented that basically *man is a political animal.* It has to remembered that Greeks were organised into small city states or communities where each and every male was a citizen and attended parliament styled meetings for deciding the affairs of the community and so the distinctions that we make nowadays between what is private for an individual and what is public in his necessary relationships with the state and government organs were not quite what they are today. So much of the Greek view has to be seen as emanating from those circumstances and sociological realities. Thus in the Greek view all behaviour of a citizen was his political stance and nothing was private. The Greeks also stressed that the purpose of politics is to enable men to live together in a community and also to lead a high moral life. Or in other words the aim of Politics was also to foster the adoption and following of ethical goals leading to spiritual self-realization. Thus the

Greek concept of politics included the study of man, society, state and ethics and the subject was treated as a combination of religious and moral philosophy, metaphysics, a course for civic training of citizens and a guide to power.

The View of Politics as Study of the State

With the decline of city-states of the Greek sort and the rise of large empires, beginning with the Roman empire, the notion of politics inevitably began to be more and more linked to the state. The idea of the state became accepted as the principal mode of human organisation and developed with the rise of nation states particularly since the close of the middle ages. Hence subjects like international law also became a part of part of politics. The state, it became accepted would have monopoly of coercive power and the right to enforce obedience using police and military force. The state in practice meant the government because whatever was done in the name of the state was done by the government and hence the study of government organs like and institutions became a part of the study of politics. Also different forms of government like monarchy, aristocracy, democracy, federalism also became a part of the study of the state. In the twentieth century, the effect of public opinion, political parties and bureaucracy on government institutions were also included. Works like *Modern Democracies (1909)* by Herman Finer represented this trend.

Politics as a Dimension of the Social Process

It was realised over time that politics as a study of the state and institutions of the state like the government bodies does not go deep enough into various aspects of the political life of a citizen. The ordinary citizen and his political life is an interaction between him and the society and polity of which he is a part. To understand politics therefore one has to understand the whole social process and phenomenon.

To study politic as a social science and as a dimension of the social phenomenon and social process however leads to divergent views. Different schools of thought view the social process differently. Many people and thinkers at different times in history have propounded on the social process of politics but the main schools of thought that have made an impact are as follows: (a) The Liberal View (b) The Marxist View, (c) The Common Good View and (d) The Study of Power View.

(a) The Liberal View - Politics as a Conciliation of Interests

The Liberal view evolved over time in Western Europe in the writings of thinkers like Thomas Hobbes, John Locke, Adam Smith, Bentham, J.S. Mill T.H. Green, Laski, Barker, MacIver, J.B.D. Miller, Bernard Crick, Maurice Duverger etc. The main thrust of this view is that man is a selfish self-interested being and in the pursuit of his selfish goals is likely to clash and collide with other men resulting in disorder, indiscipline and chaos. Politics is a part of the social process to manage and provide conciliation in such

conflicts and thus for providing law and order, protection and security which according to the liberal view constitutes the fundamentals of justice.

The liberal view as has been mentioned evolved over time. The early liberal view was that only the *individual human being* with his self-interest, enterprise, desire for richness and happiness and reason can be the foundation of a stable society. Thinkers like Thomas Hobbes, John Locke, Adam Smith etc not just saw man as a selfish, egotistic being concerned only with his own self-preservation and not a social or moral being, they even argued, this was all for the best, because when everybody tries to promote his own selfish interest, the utility or happiness of society as a whole, is maximised.

In the 20th Century (after the major competitive school of thought of Marxist thinking had already made its appearance) the liberal view changed and thinkers like Bentley, Truman, G.D.H Cole, Laski, MacIver etc suggested that society is not just composed of self-interested individuals but also of interest groups that can be along the lines of social, religious, cultural commercial, economic and political through which man fulfils his interests and needs. However, like individuals, the groups themselves are also based upon self-interest and competition. The groups and aggregate of groups are constantly in competition and this competition is for the good of a free society and this competition should be allowed but it should be seen that it does not lead to violence and chaos.

In the liberal view therefore fundamentally the individual is the real social entity and the society is artificial. Hobbes for instance called society like a sack of corn with the corns being the individuals who pursue their own interests. Bentham called society the creation of a social contract between individuals who are after individual ends. MacPehrson termed this concept of society the 'free market society', a meeting place of self-interested individuals, a society based upon free will, competition and contract.

In this process however, liberalism acknowledges there are likely conflicts of various kinds like between individuals, between group, between different economic classes, between groups along lines of economic, geographic, cultural or ethnic etc. Liberalism basically believes as has been mentioned above that the role of society is to mediate in these disputes but later liberal writers like Green emphasised the social nature of man and the need to get everybody to cooperate. Max Weber and Karl Mannheim also stressed on the need for cooperation and in fact argued that for competition to benefit some cooperation is essential without which chaos and violence would be the likely result.

Further it is important to see politics, the liberal view argued as the principal way of reconciling conflicts in the process of competition and foster the essential cooperation. Without the political process in the meeting place that is society there would an inevitable breakdown of law and order. There is no harmony in society automatically without the political process. The early liberal wanted free competition between individuals to prevail with society only stepping in to set the rules of the game. But starting with the early twentieth century, liberals veered to the view that if individuals, groups, classes are left

free to compete for advantage, one section or class may accumulate greater portion of wealth, services, profit, or power. Hence, they defined politics as an activity to create conditions of greater equality, social justice, as a process of resolving conflicts without destroying the underlying competitive framework. This view is available in J.D.B. Miller's *The Nature of Politics (1965)*, Bernard Crick's *In Defence of Politics (1962)*, and Adrain Leftwich's *What is Politics(1984).* Bernard Crick for instance defines politics as 'an activity by which different interests within a given unit of rule are conciliated by giving them a share in power in proportion to their importance to the welfare and survival of the whole community'. The conflicts that arise when personal are a part of the realm of ethics but when public are a part of politics. The new liberals argued to renounce politics is to destroy the very thing which gives order to the pluralism and variety of civilised society, to enjoy variety without suffering either anarchy or the tyranny of a single truth. Crick further commented: 'political rule arises because of the problem of diversity and does not try to reduce all things to a single unity.....Politics is a way of ruling divided societies without undue violence - and most societies are divided'.

If the liberal view is accepted that politics is a process of finding conciliation, then the next question is how exactly this is to be achieved. The main ways of achieving harmony are (a) laws, (b) political institutions, (c) social welfare, (d) cultural traditions etc. Traditionally laws have been relied upon the most by liberal societies. In fact in liberal cultures there is a constant boasting of the *rule of law*. The fear of punishment is what is supposed to ensure compliance and deter breaking of laws. Over time there are many other methods that have evolved to great efficacy like universal suffrage, electoral democracy, political parties, non-governmental organisations, trade unions etc that fosters individual and mass participation in society.

It has to be understood clearly that on questions of economic systems, liberalism is for free market capitalism and private property unhindered and uncontrolled. The later liberals particularly Laski were for a welfare state where government does play an important role economically but on the whole liberals are for a model led and dominated by private business with only the least participation of the government in the economy.

(b) The Marxist View - Politics as Class Struggle

Karl Heinrich Marx (1818-1883) was an immensely influential philosopher of German Jewish origin, a political economist, and a socialist revolutionary. While Marx addressed a wide range of issues, he is most famous for his analysis of political history in terms of class struggles, summed up in the opening line of the introduction to the Communist Manifesto: "The history of all hitherto existing society is the history of class struggles."

Marxian philosophy propounds a different view of human nature that hinges on Marx’s view of human nature. According to Marxian thought “existence precedes consciousness” and who a person is, is determined by where and when he is — social context takes precedence over innate behavior; or, in other words, one of the main features of human

nature is adaptability. Nevertheless, Marxist thought rests on the fundamental assumption that it is human nature to transform nature. For Marx, this is a natural capacity for a physical activity, but it is intimately tied to the active role of human consciousness. He comments:

'A spider conducts operations that resemble those of a weaver, and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality. (Capital, Vol. I, Chap. 7, Pt. 1)

Marx did not believe that all people worked the same way, or that how one works is entirely personal and individual. Instead, he argued that work is a social activity and that the conditions and forms under and through which people work are socially determined and change over time. Marx's analysis of history is based the distinction between the *means of production*, such as land, natural resources, and technology, that are necessary for the production of material goods, and the relationships in the process of production, in other words, the social and technical relationships people enter into. Together these tow (means and labour relationships) comprise the mode of production. Marx observed that within any given society the mode of production changes, and that European societies had progressed from a feudal mode of production to a capitalist mode of production. In general, Marx believed that the means of production change more rapidly than the relations of production (for example, we develop a new technology, such as the Internet, and only later do we develop laws to regulate that technology). For Marx this mismatch between (economic) base and (social) superstructure is a major source of social disruption and conflict.

By "social relations of production" Marx meant not only relations among individuals, but also between or among groups of people, or classes. He defined classes in terms of objective criteria, such as their access to resources. For Marx, different classes have divergent interests, which is a source of social disruption and conflict. Marx proposed that history should be studied in terms of such conflicts.

Marx argued that the capitalist system of production leads to alienation of human work and gradually results in commodity-fication of labour. This he argued is the defining feature of capitalism. Prior to capitalism, markets existed in Europe where producers and merchants bought and sold commodities but according to Marx, a capitalist mode of production developed in Europe when labour itself became a commodity — when peasants became free to sell their own labour-power, and needed to do so because they no longer possessed their own land. People sell their labour-power when they accept compensation in return for whatever work they do in a given period of time (in other words, they are not selling the product of their labour, but their capacity to work). In return for selling their labour power they receive money, which allows them to survive. Those who must sell their labour power to survive he called "proletarians." The person who buys this labour power, generally someone who does own the land and technology

to produce, is a "capitalist" or "bourgeoisie" and the proletarians outnumber the capitalists.

Marx distinguished industrial capitalists from merchant capitalists. Merchants buy goods in one market and sell them in another. Since the laws of supply and demand operate within markets, there is often a difference between the price of a commodity in one market and another market. Merchants, then, practice arbitrage, and hope to capture the difference between these two markets by buying in the market where prices are lower and then selling it in the market prices are higher. Marx explained, industrial capitalists, on the other hand, take advantage of the difference between the labourer's wage and the market price for whatever commodity is produced by them. Marx observed that in a viable industry, input unit-costs are lower than output unit-prices enabling a profit. Marx called this difference "surplus value" and argued that this surplus value had its source in surplus labour, the difference between what it costs to keep workers alive and what they can produce.

The capitalist mode of production initially creates tremendous growth because the capitalist can, and has an incentive to, reinvest profits in new technologies and constantly revolutionized the means of production. But capitalism, Marx predicted is prone to periodic crises. He suggested that over time, capitalists would invest more and more in new technologies, and less and less in labour. Since Marx believed that surplus value appropriated from labour is the source of profits, he concluded that the rate of profit would fall even as the economy grew. When the rate of profit falls below a certain point, the result would be a recession or depression in which certain sectors of the economy would collapse. During such a crisis the price of labour would also fall, and eventually make possible the investment in new technologies and the growth of new sectors of the economy. Marx believed that this cycle of growth, collapse, and growth would be punctuated by increasingly severe crises. Over the long-term the consequence of this process was necessarily the enrichment and empowerment of the capitalist class and the impoverishment of the proletariat. So he argued the proletariat needs to seize the means of production to ensure social relations that would benefit everyone equally, and a system of production less vulnerable to periodic crises. This is the reason his view is regarded as revolutionary.

So Marxian view of politics is based on the fundamental social relationship between the rich and poorer work classes and his theory cum prediction that capitalism leads to a progressive loss of power and pauperisation of the poorer working classes or the proletariat who then ultimately are forced to politically react in a violent manner leading to a revolution. Thus politics is an expression of the fundamental class conflict leading to class struggle for overthrowing the control over society, economy, state and even religion by the upper classes who control modes of production.

(c) The Common Good View - Politics as Common Good

There is a way of looking at politics, which views the purpose of politics to be the pursuit of the common good. The problem of course is no two people can most of the time agree on what constitutes the common good.

It is suggested that when individuals live together in a society their common life creates common interests which constitutes the common good. And the pursuit of these common interests is the job of politics. The idea of politics as common good is very old. Plato and Aristotle in the Greek city-states, the political theologists of the middle ages, the utilitarian philosophers like Bentham and Mills, Karl Marx an socialists, the positive liberals like Green and Laski in relatively recent times and even the thoughts of Gandhi in India all fundamentally propose a notion of politics for the common good. But of course they have differed on what constitutes common good.

The Greek notion of Common Good

Plato viewed politics as a process through which men debate matters concerning the whole populace and take decisions to realize the common public good. Aristotle saw common good as an objective thing for man for it existed in nature. He said: "The end of *polis* is not mere life, it was rather good life. *Polis* came into existence for the sake of bare means of life but it continues its existence for the sake of good life....If all communities aim at some good, the political community which is the highest of all and which embraces the rest, aims in a higher degree than any other at the highest good. The individual is for the state. The task of politics is to decide the Good'. Plato called 'Justice' as man's highest good and the task of politics he argued is the dispensation of justice. He further said the common good is realised by each man sticking to his station in life. Interestingly that meant slaves should serve their masters without complaining. So the essence of the common good according to Plato lay in for instance in that the good of the slave in serving the master and the good of the master lay in serving the *polis.*

The Liberal view of Common Good

Within Liberalism the notion of common good changed from the early to the later positive. The early liberals were fanatical in their belief that all that was needed for achieving the common good was for each individual to pursue his own happiness in his own way so long as it did not interfere with the happiness of others. In this he needs to have the total freedom to do as he pleases with only societal institutions like courts and a constitution existing only to solve disputes and fights. They invented the concept of *utility maximisation* to explain their theory. Later liberals took a positive and constructive view of the common good and suggested it was not enough for each individual to blindly seek his own selfish interest in a state of free competition. That way the common good would never be realised. T.H. Green who is believed to have provided the ethical foundation to liberalism, argued that the individual is a social being and he comes to

acquire his capacities by being a part of the larger social whole. For a free, rational and moral life one has to live in accordance with the common good which may or may not be the individual's good. It is only this wider common good defined in a more real and benevolent sense which provides the context for rights. He suggested the common good is served when the external conditions prevailing within in a society provide the conditions for the internal development of man. This can be achieved not just by making provisions for rights, liberty and justice but also by such things like providing public education and health care, factory and minimum wage legislation, food adulterations laws etc. For the sake of the common good meant in this sense the state needs to intervene and regulate the economy and even should stand in the way of free competition if necessary. The liberal thinker R.H. Tawney even went to the extent of suggesting that common good is served by proper distribution of resources and regulation of the economy for social purpose. Thus they supported the idea of a welfare state rather than a free market economy.

The Communitarian View of Common Good

In the middle of the last century there was a certain revival of classical liberalism also referred to as neo-liberalism, which advocated values away from those of the positive liberalism of the early decades of the twentieth century. Partly as a reaction to this there arose a revival of the idea of the state as a political community in the 1980s and 1990s. This school of thought is known as Communitarianism. The most important thinkers of this school have been writers like Charles Taylor, Michael Sandal, Walzer etc. The communitarian view advocates the necessity of attending to the community along with individual liberty and equality because they feel that the value of the community is not sufficiently recognised in the individualistic liberal theories of politics. Usually the community already exists in the form of social practices, cultural traditions and shared social understandings. It is important to take the reality of existence of this community into account and protect it. Unlike free-for-all Liberalism or revolutionary rebuild-it-all Marxism, in contrast Communitarianism asks that what already exists be valued and protected and within it the common good be identified and promoted without an obsession for individual political and economic freedom. In fact the communitarians suggest the rights of the individual should be replaced with the 'politics of common good' and common good should mean that which is in conformity with the natural way of life of the community. The Common Good should conform to the three tests: (a) it should help build a cultural structure that is determined not by the individual or the market economy but by the community's values as a whole, (b) the individual's judgement of the good is replaced by the shared vision of the community and (c) political legitimacy in the community should identify with the common good.

The communitarians like the Positive Liberals or the Marxists also believe that man is a social being and true freedom of the individual is only possible in the community. The task of politics they argue is not the good of the individual or the protection of his rights

but the good of the society as a whole. Politics should be an activity that encourages the cultural concept of a good life for the community in a participatory social set up.

Gandhiji had also proposed what must be regarded as a communitarian notion of the common good in his notion of *Sarvodaya*. He meant by sarvodaya a harmonious welfare and goodwill to all. He also suggested the purpose of politics is to create a society based upon the principle of *Samanvaya*, i.e., harmony among classes, groups and individuals and insitutions, idea and ideologies. This common good can be achieved through six principles: Equanimity, non-violence, decentralisation, *satyagraha*, synthesis and world peace.

(d) The Study of Power View - Politics as the Study of Power

Even though from the earliest times it has been recognised that politics is in many ways fundamentally a study of power, it is an American school of politics called the Chicago School of Political Science which suggested that to make the study of politics scientific it is necessary to make politics a study of power as the essence of politics. In all the traditional classical schools thought politics focussed on the common good, but in this new proposed scientific study of politics more emphasis was laid on methods and techniques and on creating a study based upon facts. This school asserted that political science had been influenced by ethics, morality, religion, patriotism etc but it needs to based on behavioural psychology, empirical sociology and economics studied as a science as opposed to political economy. They also argued that studying politics as a study of the state is insufficient.

There is no single accepted definition of power. Many people have defined power differently. Sociologist Max Weber defined politics in terms of power as follows: "Politics is the struggle to share or influence the distribution of power, whether between states or among the groups within a state. Max Weber defined power itself as 'the probability that one actor within a social relationship will be in a position to carry out his own despite resistance, regardless of the basis on which this probability rests'.

Power can be of different natures. It can be the simple relationship where one party attempts to mould the will of the other in a direct visible manner and if he succeeds we can say he is powerful. It can also be of an indirect nature where for instance where one party controls the other not directly but indirectly by limiting the agenda of their interaction to his convenience and suitability rather than of the other. lastly and this is the most complex power can be exercised by shaping other's beliefs about what is and is not in their best interest which may have nothing to do with the reality of what is really in their best interest. Thus exerting power by creating a false consciousness. Lukes for instance observed that in many capitalist societies, workers accept the system even though their real interest lies in radical change. Tools like the process of education and mass media etc can all be used in exerting this form of power and control.

Even thought the concept of power is one of the most important concepts in political theory there is a lack of agreement among thinkers about it's scientific definition and the conceptual context in which it should be placed. Hence the view of politics that relies on a study of power is to that extent weak and limited.

All forms of power whether of money-power, muscle-power (legal or illegal), derived from social customs etc can be broadly categorized according to John Kenneth Galbraith in three categories: (i) Condign power or the power of punishment (ii) Compensatory power or the power of winning submission by an offer of reward, i.e., by giving something to those who bow down tot he power and (iii) Conditioned power which is the most subtle because it is exercised by changing beliefs and includes persuasion, education, culture etc.

Basically there are only three *forms* of power: Political, Economic and Ideological.

Political Power

The power of political coercion and political authority is referred to as political power. This power is based on the power of force or muscle power ultimately - exerted by the state or potentially capable of being exerted by the state. In fact Law is nothing but a set of rules according to which the coercive physical power will be exercised by the state. It is this power which is used to implement policies in democracies and punish those who disobey whatever the consequences and hardship that it causes to the people on whom it is forced. For instance many shopkeepers in Delhi and their staff might lose their livelihoods if sealing due to implementing for urban planning rules is done but that is o consequence and the power of state coercion is used to make everybody fall in line. In Marxian analysis, political power is basically a derivative of economic power and does not stand on it's own. Those who control the economic production in society always inevitably corner it and appropriate it to themselves. Thus also unlike power theorists who believe in the decentralisation of political power Marxist thinkers emphasise the unified power of a particular class.

Economic Power

A powerful minority can exercise it's will over a powerless majority even more than by political or legal power than by exerting economic power. The holders of economic power can influence submission of others by offering rewards or denying them and thus can be more powerful than political or legal power. In India we often get the feeling that the rich and the powerful get away with legal violations but it is the poor who have to suffer. This is because economic power always leads to political power in the end. As mentioned above Classical Marxist theory considers economic power as the source of all other dimensions of power According to the Marxist definition economic power consists of the ownership of the means of production, distribution and exchange of material goods and services in society. political power is the concentrated expression of the economic

power but at the same time, it exerts a great retroactive influence upon the latter. No class can establish its lasting economic influence without the active help and protection of political power. To that extent political power becomes more important than economic power.

Ideological Power

Apart from political and economic power, there is another form of exerting power known as ideological power. The Marxist thinkers were the first to point out the reality of this form of power and pointed out it's subtle power. Later even the liberal schools of thought accepted this form of power and called it by various names like 'political culture', 'political socialisation' etc. Developing and exerting of ideological power is a process where the attitudes, values, symbols, traditions etc of the masses are gradually moulded and shaped by a minority leadership according to their own plans and agendas and thereby a certain level of deference, loyalty and obedience is established. This gradual process of achieving persuasion is even done sometimes by using the mass media like newspapers and television channels or rallies, meetings and yatras etc. Some liberal thinkers like Max Weber, Lucian Pye, Sydney Verba etc associated this ideological power with religion, education, culture, literature and history.

Marxist thinkers have however taken the position that ideological power acts like a mediator in the context of other powers in the society. Economic power transforms itself into political power using ideological power as a means to achieve this goal. Marxism has focussed on how the dominant economic classes in society, in a situation of open free market competition is able to achieve and secure it's dominance always. Marx had said that the ideas of the ruling class are in every epoch the ruling ideas because that class, which is the ruling material force in society, is at the same time its ruling intellectual force. The class, which has the means of material production at its disposal, has control too of the means for influencing minds and attitudes. This control can create what Marx called a 'false consciousness' which is used to hide the underlying economic factors and make class exploitation legitimate.

Question:

1. What is Politics? .
2. Compare the Liberal and Marxists views of politics? .
3. Write a short note on the communitarian views of politics.

Suggested Reading:

1. Harold J. Laski, '*A Grammar of Politics*'.

Lesson 2

INTRODUCTION TO POLITICAL THOUGHT

-- Amaresh Ganguly
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After reading this lesson you will be familiar with:

- **What is Political Theory? .**
- **The relevance of Political Theory? .**
- **Why is it important to study the history of political thought? .**

The word theory refers to a body of logically collected and analysed body of knowledge. And Politics as we know is about many things including relationships among individuals and groups and classes and the state, and state institutions like the judiciary, bureaucracy etc. So one definition of Political Theory given by David Weld sees political theory as a network of concepts and generalisations about political life involving ideas, assumptions and statements about the nature, purpose and key features of government, state and society, and about the political capabilities of human beings'. Andrew Hacker defines it as 'a combination of a disinterested search for the principles of good state and good society on the one hand, and a disinterested search for knowledge of political and social realty on the other'.

What is Political Theory?.

A rather comprehensive definition has been given by Gould and Kolb who defined political theory as a 'sub-field of political science which includes: (i) political philosophy - a moral theory of politics and a historical study of political ideas, (ii) a scientific criterion, (iii) a linguistic analysis of political ideas, (iv) the discovery and systematic development of generalisations about political behaviour'. We can conclude that political theory is concerned basically with the study of the phenomenon of the state both in philosophy as well as empirical terms. An attempt is made to provide explanations, descriptions and prescriptions regarding the state and political institutions. Also of course there is an underlying theme of studying the moral philosophical purpose. The thinker Weinstein had put it very succinctly when he had suggested that political theory is basically an activity, which involves posing questions, developing responses to those questions and creating imaginative perspectives on the public life of human beings. the questions that are asked are like what is the nature and purpose of the state and why should we prefer one form of state over another; how do we judge the ends, aims and methods of political organisation; what is and should be the relationship between the state and the individual. Through out history political theory has been answering these questions. It has been regarded as important because the fate of man is dependent on the kind of system of rulers and the ruled that is achieved and whether it leads to united action for the common good.

Political Theory and Political Thought

Political theory is sometimes synonymously regarded with political thought but it is important to understand they don't necessarily mean the same thing. Political thought is a generalized term which comprises all thoughts, theories and values of a person or a group of persons or a community on state and questions related to the state. Any person expressing his views whether he is a professor, journalist, writer, novelist, poet etc and of course if he is a politician that has a bearing on our lives and that is about he state and governance and related questions then he is engaging in political thought. His thoughts *may or may not* comprise a theory if it is not a systematic logical hypothesis advanced to explain historical and political phenomenon related to political rule of the state and governance etc. Political thought thus is always *of* persons or groups while political theory is a self-contained and self-standing explanation or speculation or theory attempting to answer questions and explain history and the predict likely events in the future. Of course this theory is always some individual thinker' s creation. Barker had commented that while political thought is the immanent philosophy of a whole age, political theory is the speculation of a particular thinker.

Political Theory and Political Philosophy

Philosophy is *all* thinking really on anything and everything in search of the truth and wisdom. When this search is on political topics we call it political philosophy. Hence it may not necessarily have a theory to propose and that is the distinction between political philosophy and political thought. So while political theory is a part of political philosophy mostly political philosophy is much wider and need not necessarily be comprised of any theories.

Thus we can say political philosophy is the study of fundamental questions about the state, government, politics, liberty, justice, property, rights, law and the enforcement of a legal code by authority etc: what they are, why (or even if) they are needed, what makes a government legitimate, what rights and freedoms it should protect and why, what form it should take and why, what the law is, and what duties citizens owe to a legitimate government, if any, and when it may be legitimately overthrown or not. We often refer "political philosophy" to mean a general view, or specific ethic, belief or attitude, about politics that does not necessarily belong to the whole technical discipline of philosophy.

Political philosophy is often not concerned with contemporary issues but with the more universal issues in the political life of man. But a political theorist is looking at contemporary political life mostly and while he is interested in explaining the nature and purpose of the state and general questions like that he is also looking to describe and understand the realities of political behavior, the actual relations between state and citizens, and the role of power in the society.

While studying political science one gets the feeling political theory has to be supplemented by political philosophy. Otherwise it appears barren and irrelevant.

Political Theory and Political Science

Political Science is a comprehensive subject or field of study of which political theory is only a sub-field. Political Science includes everything: political thought, political theory, political philosophy, political ideology, institutional or structural framework, comparative politics, public administration, international law and organisation etc. Some thinkers have stressed on the science aspect of political science and they suggest when political science is studied as a science with scientific methods political theory to the extent it is a part of political philosophy can not be regarded as political science because whereas there is no room for abstract intuitive conclusions or speculations in political science, political philosophy relies on exactly those un-exact methods. Political theory is neither pure thought, nor pure philosophy, nor pure science.

Some Basic Characteristic of Political Theory

1. A political theory is generally the creation on individual thinker based on his moral and intellectual position and when propounding his theory he is looking explain the events, phenomenon and the mysteries generally of mankind's political life. The theory may or may not be accepted as true but it always can be regarded as one more theory. Generally we find the political theory of an individual thinker is put forward in a classic work y the thinker like Plato did in his *Republic* or Rawl in *A Theory of Justice*.

2. A political theory attempts to provide explanations on questions relating to mankind, the societies he formed and history and historical events generally. It also suggests ways of resolving conflicts and sometimes even advocates revolutions. There are also often predictions made about the future.

3. Political theory thus is also sometimes not only providing explanations and predictions but also sometimes actively influencing and participating in historical events particularly when they propose political action of a particular kind and that line of action is widely adopted. The great positive liberal thinker Harold Laski had commented that the task of political theorists is not merely of *description* but also of *prescription* on what ought to be.

4. Political theory is also usually discipline based and thought he subject of study remains the same the theorist might be a philosopher, historian, economist, theologian or a sociologist etc.

5. Political theories are often also the basis for a whole ideology. The liberal theories became the basis for liberalism and Marx's theory became the basis for Marxian socialist ideology. A political theorist proposed by a thinker is usually always reflecting the

political ideology of the thinker too. That is also the reason why when there are conflicts between ideologies it leads to debates about the theories underlying those ideologies.

Issues in Political Theory

The issues that have held prominence in political theory have changed over time. Classical and early political theory was mainly concerned with the search for a morally perfect political order and focused on questions like the nature and purpose of the state, the basis on which political authority should be used and the problem of political disobedience. The rise of the modern nation state and changes in the economic structure and the industrial revolution gave rise to new priorities and he focus shifted to individualism and liberty of the individual and his relationship to society and the state. Issues like rights, duties, liberty, equality, and property became more important. Gradually it also became important to explain to the inter-relation between one concept and the other such as liberty and equality or, justice and liberty or, equality and property. After the second world war a new kind of empirical political theory emerged which studied the political behaviour of man and believed in making theoretical conclusions on that basis. Also the behavioural scholars created new issues for study ofetn borrowd from other disciplines Some of these issues are political culture and legitimacy, political system, elites, groups, parties etc. In the last two decades a number of different issues have emerged like identity, gender, environmentalism, ecology and community etc. Also there has been a resurgence of value-based political theory with a new focus on the basic issues of freedom, equality and justice. The traditional twin ways of looking at issues - liberal and marxist - therefore is also changing.

Relevance of Political Theory

We humans as social beings live together and societies where we share the resources, jobs and rewards. We are also individuals needing some basic human rights. The process of organising state and society therefore becomes important to maximize harmony and prosperity and to allow the circumstances for individual self-realisation. So to facilitate the unity and integrity of human societies or the collective needs of society political theory becomes important it tries to study and find solutions to problems in this process. The relevance lies in evolving various approaches regarding the nature and purpose of the state, the basis of political authority and the best form of government to practice, relations between the state and the individual in the context of his basic rights. Apart from this political theory also seeks to establish the moral criterion for judging the ethical worth of a political state and to suggest alternative political arrangements and practices. To sum up in brief the relevance of political theory lies in the following:
(a) In providing an explanation and description of political phenomenon (b) helping select the political goals and actions for a community and (c) helps in providing the basis for making moral judgments.

Also it has to be remembered increasingly at least in contemporary times states face challenges of poverty, corruption, over-population and ethnic and racial tensions, environment pollution etc. This is not to mention international problems like conflicts etc. Political Theory seeks to study the present and future problems of political life of the society and to suggest solutions for dealing with those problems. David Held has commented that the task of the political theorist is very great in its complexity because in the absence of systematic study, there is a danger that politics will be left to the ignorant and self-seeking people who are in pursuit of power.

Thus if one has to systematically think about the nature and purpose of the state and the problems of government while looking at the socio-political reality and keeping in mind the ideals and political philosophy, then one has to take the route of theoretically studying the problem. Thus political theory is relevant. Also studying political theory at an individual level makes one aware of one's rights and duties and helps one understand and appreciate the socio-political realities and problems like poverty, violence, corruption etc. Political theory is also important because it can go forward basing itself on the theories and propose the means and directions for changing society to establish an ideal society. Marxist theory for instance is an example of a theory which not only proposes the direction but also goes so far as to advocate a revolution for establishing an egalitarian state. If the political theory is sound and it can be transmitted and communicated to people then it can become a very powerful force or the advancement of society and mankind.

The Important Schools of Political Theory

The most important schools of political thought that have lasted in importance and have stood the test of time so to say are as follows:

1. Classical Political Theory
2. Liberal political Theory
3. Marxist Political Theory
4. Empirical Scientific Political Theory
5. Contemporary Political Theory

Classical Political Theory

The political theories that emerged starting from the 6th century B.C. and evolved through the Greeks, Romans and early European Christian thinkers and philosophers is referred to as Classical Political Theories. Among the Greeks, Plato and Aristotle are the two thinkers who are studied and who have great influence till today. Classical political theory was deeply dominated by philosophy and the whole focus was on taking a holistic gaze searching for the most general of truths. So there was no clear distinction between philosophical, theological and political issues and political science or thought was not separately recognised as a discipline as such. Political theory was concerned with probing

into issues, asking important questions and serving as a sort of conscience keeper of politics. The underlying quest was to arrive at the best possible form of government. The state and government were also viewed as a tool for realising the moral goals of man and society and for promoting the good. Thus the state was to serve as some sort of promoter to foster high moral standards among the members of the community. There had some debate about whether the individual good should be the priority or the common good. The common good was required as more complete than the private good of the individual. The classical tradition also sought to search ways for an ideal state and a stable system. The main questions that the classical tradition was asked was what is the best form of government? and who should rule and why? . Also how should conflict situations be resolved.

Liberal Political Theory

With the historical period referred to as Renaissance and Reformation in Europe which was followed by the Industrial Revolution, the dominance of the classical tradition came to an end. This new philosophical wave was led by thinkers like Hobbes, Locke, Thomas, Jefferson, Thomas Paine, Jeremy Bentham, J.S. Mill, Herbert Spencer and a host of other writers. The main thrust of the liberal tradition was the individual's rights and the state was merely regarded as a contract between individuals to benefit from the conflict resolution mechanism that a system of rule of law provides. The main aim of the state in the liberal tradition is to help individuals realise their fundamental inalienable rights. In fact the liberal thinkers went so far as to propose that when the basic contractual relationship between the individual and the state is violated, the individuals have not only the right but the responsibility to revolt and establish a new government. Social control is best secured by law. The new liberal theories also dismissed the idea of common good and an organic community and instead advocated that the government should govern as less as possible for individual rights to reign supreme and free him from political, social and economic restraints as far as possible.

Marxist Political Theory

The fundamental changes that industrial revolution brought about caused inequality and a large class of impoverished industrial workers emerged. The basic liberal position that supported total economic freedom was challenged by Karl Marx and Engles and their followers who in the later half of the nineteenth century proposed what they called 'scientific socialism'. Socialism predated the theory of Marx but he gave it a strong theoretical foundation. Marx offered a new way of looking at the history up to that time and suggested that the task of knowledge is not just to understand the world but also to change the social life of mankind for the better. For that he suggested a revolutionary path. He suggested that to win the basics of life for their emancipation he working class has to takeover the means of production and the means of production should be controlled by the state. This takeover will need to happen via a revolution he suggested because the upper classes will use the power of the state to crush any attempts for

liberation and emancipation of the lower classes. Marx saw societies that liberal capitalism helped create as fundamentally unequal as a consequence of property concentration with a few families of fortune. Hence he wanted to create a society where "man shall not be exploited by man" and where each individual will have the full opportunity to develop his or her personality and potential. He also was the first major thinker to stress on the historical exploitation of the female gender and the need for women's liberation. The most important themes of Marxist political theory are class division, class struggle, property relations, modes of production, state as an instrument of class domination and revolution by the proletariat. Marxism also suggests that rights, liberty, equality, justice and democracy in a capitalist liberal democracy are really only enjoyed by the rich and properties classes because the state is controlled by the upper classes who use the institutions of the state as a tool for class exploitation. He believed real liberty and equality can only be achieved in a classless and stateless society. Thus whereas Liberal theory provided the theoretical basis for a capitalist free market system, Marxist political theory provided the basis for the establishment of a socialist state through revolutionary action.

Empirical-Scientific Political Theory

In America a new kind of political theory was developed particularly in the post second world war period that suggested relying on the scientific method (instead of philosophical) and base theories upon facts (rather than on values). Political Scientists at the Chicago University (known as the Chicago School) such as Charles Merrium, Harold Lasswell, Gosnell, David Easton, Stuart Rice etc focused on studying politics in the context of behaviour of individual human beings as members of a political community. The task of political theory according to this new school of thought is to formulate and systematize the concept of science of political behaviour in which emphasis is placed on empirical research than on political philosophy. The behavioural scientists suggested a political theorist should clarify and critcise systems of concepts which have empirical relevance to political behaviour.

Behavioural schools differed fundamentally from all the previous schools because they suggested that the job of political theory is only to explain political phenomenon and extrapolate from that and predict the future. It is not to make philosophical and moral judgements. It is not at all to advocate revolutionary action. Thus political theory is not to question or propose who rules, should rule and why but rather who does rule and how? . Or in other words it should not question the basis of the state but should be happy witht he status quo, stability, equilibrium and harmony in the society. It should focus attention on the study of political behaviour of man, group and institutions irrespective of their good or bad character. Practical political theory is not only concerned with the study of the state but also with the political process.

Contemporary Political Theory

Since the 1970 the sole focus of the empiricists and behavioral scholars on science, value-free politics and methods came under criticism and lost popularity because it failed to address pressing political and social issues. So there has been a revival of interest in political theory in USA, Europe and other parts of the world. Thinkers like John Rawls, Robert Nozick, Habermas etc made noteworthy contributions and took up basic issues like liberty, equality, justice etc again. Theory again regained the status of a legitimate form of knowledge and enquiry. Also on the question of what exactly is science there emerged many views that challenged the old notions. Further many scholars opined that social sciences throw up distinctive problems that cannot be grasped by scientific models. This is because perceptions and resulting actions of men vary and the same phenomenon can be viewed differently by different minds who may interpret the social issues differently. Hence it is difficult to do an objective scientific analysis of social issues and events with scientific rigor.

The publication of John Rawls 1970 book *A Theory of Justice* was important because he examined basic issues like rights, duties and obligations with great brilliance and offered a justification of civil disobedience, and with an original enquiry into intergenerational justice. Scholars like Peter Laslett, John Pocock, Quentin Skinner and John Dunn were called the 'new historians' of political thought. Juergen Habermass and the Frankfurt School gave important theories and Ronald Dworkin focused on the philosophy of law. David Held has opined that contemporary political theory has four distinct tasks: *Philosophical*: to focus on the fundamental philosophical positions of the normative and conceptual framework; *Empirical*: to empirically understand and explain the concepts; *Historical*: to examine the important concepts in the historical context; and *Strategic*: to asses the feasibility of moving from where we are to where we might like to be.

Why study History of Political Thought? .

As has been mentioned above political thought concerns the state and its policies and decisions and activities. the various terms political science, political theory, political thought and political philosophy have not been used consistently in the same sense by scholars at all times. They have even been used as synonyms popularly. Political thought is the most general term of all these, which can be easily used to refer to the whole discipline easily and if we do that then political science and political philosophy become specific sub-categories. Also political thought also accommodates ethics and moral philosophy, theology, role of politics in human development and the dignity of political activity.

On the question which is the best way of studying political thought, Gould and Thursby have opined that there are two ways to study political thought.

The first is to list the all the political thought considered to be classic such as Plato's *Republic*, Aristotle's *Politics*, Machiavelli's *Prince*, Hobbes' *Leviathan*, Locke's *Two Treatises on Government*, Hegel's *Philosophy of Rights*, Marx's *The Communist Manifesto*, Rawl's *A Theory of Justice* and to make a note of the constant questions and approaches in them like: What is the meaning of freedom and equality? , Why men should obey the government at all? , What are the ideals and goals of a state and what is the meaning of democracy? etc. The problem in this method one can' t not easily decide what should be classified as a classic.

The second method is of general philosophical methodology and applying it to political matters which means picking the central concepts problems, methods, questions etc from the classics and adding to that list important omissions if any. The items selected should then be arranged in an order from general principles to specific ones on the basis of importance. That way a coherent and comprehensive general account of political thought can be built.

The study of any social science is impossible without an understanding of the historical evolution of the subject. The political institutions and systems of political behaviour which we observe today are a result of evolution of centuries. A political theorist needs to study history to understand this evolution. He does not need to study the dates and colorful historical details of kings and princes and the battles they fought and the lives they led but rather the growth and changes in the economic structures, in technological capabilities and the impact that had and in political institutions and ways of governing. Social classes, political power and economic processes do not emerge overnight and cannot be understood by examining them in isolation in their contemporary settings. One needs to study the history of political thought to understand the evolving relationships between man, society and political authority and indeed the popular perceptions of those relationships through history. The study of the views and theories of past political thinkers enables one to go beyond the dominant contemporary political orthodoxies and draw intellectual resources from the past. A reflection on the thoughts of past thinkers provides a guideline to actual theorising. Political theories thus emerge not from nowhere but is constructed by building, expanding and developing the vocabularies of the past author's texts. This also enables easy comparison and judgement between past and contemporary works.

Ideology has been inseparable from political thought and proceeding historically it has been possible to build theories that are supportive of a particular ideology. Of course history can be both used and misused but is has been always used to buttress theoretical constructions. For instance the same history of Europe led Marx and Engel to support their arguments that the political history of mankind is a history of class struggle but the liberal thinkers saw it differently and some like Burke and Tocqueville glorified the past and saw it as an age of harmony, civility and ordered liberty.

Whatever the ideological pre-dispositions a study of the history political thought allows for evaluating the social and economic circumstances in which the political institutions arose and maintained themselves. Without a sense of history political theory can not be constructed because it would then not take into account the full range of human social behaviour. Taking the historical route often throws up patterns and order for the theorist to discern.

Another reason to study the historical development of political thought is to examine if the political thoughts of a particular time influenced the actions of men and if so how. Some thinkers like Plato and Marx have argued that ideas and philosophical thoughts have little no effect on the conduct of men in power. But there are other thinkers who have argued that the history of political thought and the history of political action are quite related and the thoughts of thinkers do significantly influence actual political action.

The reverse - that is whether political thoughts are influenced by political events and historical circumstances is equally important and another reason for studying from the historical point of view. It has been argued for instance that the thoughts of Plato were influenced by a decline in the moral standards of the city-states and that of John Locke by the Glorious revolution and that of Marx by the economic inequality created by industrial capitalism. Thinkers are also men of their times and are influenced by the events and circumstances of their times. But the lasting value of their theories only is only there if it points out at some general truth which can transcend societies and classes and ethnic communities. For instance the political thoughts of Plato, Aristotle, J.S. Mill or Marx throw up principles, which often have universal value over time.

Social sciences like Political Sciences and Thought is meant to improve our understanding of the world and history is a part of social sciences. Historical view is essential to create theoretical constructions of human life and social phenomenon that transcends time. We need to ask though while studying a theory from the past (which inevitably drew on the historical circumstances present at the time the theory was proposed) what meaning has political thought in the contemporary world that we live in. In answering that question we are able to test the lasting validity of the theory. But it has to be realised ultimately the history of political thought is important because the central theme is timeless. Neal Wood while commenting on the importance of studying the classical texts of political thought has commented:
'...these texts reflect and comment upon that nature of the Western state with all its blemishes and deficiencies as well as benefits. Some of the texts call for radical recognition of state, others for its reform and in so doing grapple with fundamental social and political problems which we share with past. Whether we like it or not, these works have indelibly stamped our modern culture and the world today'.

Questions:

1. What is political theory? .
2. Discuss the relevance of political theory.
3. Why do we need to study political theory? .

Suggested Reading:

1. Hampster-Monk, *A History of Modern Political Thought*

Lesson 3

RIGHTS, LIBERTY AND EQUALITY

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After reading this lesson you will be familiar with:

- **The Concept of Rights.**
- **The Concepts of Liberty and Equality**

The most basic concepts of politics are Rights, Liberty, Equality, Justice and Property, The other important concepts are State, Democracy, Citizenship, Identity and Civil Society.

The Concept of Rights

It had not always been felt throughout history that all human beings are entitled to rights (and recognition). Kings and religious Clergy/Priests for instance in many societies have had more rights than commoners. But the with the onset of early classical liberalism there had been a demand raised for equal rights and recognition on the basis that all men are born equal particularly by the newly rich trading bourgeois who felt that while they had the same wealth as feudal lords and princes they did not have the same legal and social power. Later socialism added it's own interpretation to the concept of rights and recognition who were followed by the Positive Liberals in the early part of the twentieth century. By the middle of that century the concept of rights was well accepted and fairly universally excepting in the cases some special countries like South Africa and some Islamic states like Saudi Arabia in the Middle East where women have till today been not granted the status of full human beings both in theory and practice. The *Universal Declaration of Human Rights* in 1948 cemented the legitimacy of rights forever in a way.

Each school of thought defined rights and recognition in it's own way. The central question or theme on the basis of which views have differed has been on what basis rights and recognition should be given to the individual? . Over three hundred or so years in the development of the concept since the birth of liberalism different theories have been propounded which have based their justification for rights (and recognition) on different bases. The main theories of rights have been:

1. Theory of Natural Rights
2. Theory of Legal Rights
3. Historical Theory of Rights
4. Idealist/Moral Theory of Rights
5. Social Welfare Theory of Rights
6. Recent Liberal Theory of Rights
7. Marxist Theory of Rights.

The *Theory of Natural Rights* was the first plea for rights in the western world on the basis that naturally by birth man is entitled to some rights and there are no requirement of birth, family position, social position, wealth etc that can be imposed. John Locke, the classic liberal had declared all men are born with some inherent rights and 'God gives them to his children just as he gave them arms, legs, eyes, and ears'. The social contract theorists like Hobbes, Locke, and Rousseau argued that man had these basic rights before the origin of the State and he surrendered some of them to a superior authority, i.e., civil society to safeguard his other rights from encroachment to obtain the benefits of community living. Hobbes called the right to life a natural right, Locke the rights to life, liberty and property whereas Rousseau said that liberty and equality are gifts of nature. They argued the individual cannot surrender these rights to the state. The theory of natural rights came under attack and disapproval of later thinkers. The great utilitarians did not find the idea that man had rights before the advent of and prior to the relationship with the state. They argued rights can only be conferred by the law. English political and legal thinker Edmund Burke argued rights can only be on the basis of customs and sentiments of the society in which an individual lives. The main points of criticism of the natural theory have been along the following lines:

(a) If an individual's rights are absolute then the society cannot touch them even in conflicting situations where the interest of the most members of society by restricting those rights. For instance in a famine, if a man asserts his right to property on one side and hoards food and on the other hand many others lose their rights to life as a consequence, there is conflict.
(b) It was argued rights are there due to social recognition for the same. So there cannot be any inherent rights. Green pointed out every right must be justified in terms of ends, which the community considers good and that which cannot be attained without rights. The positive liberals like Green and Laski related rights with useful functions in society.
(c) The natural theory assumed one can have rights and obligations independent of society but many thinkers have argued the question of rights emerges only in the society and in the context of social relationships.
(d) Also many thinkers have felt to use the term 'natural right' lands one in a tricky situation because one cannot define and justify what 'natural' means.

The *Theory of Legal Rights* was propounded by the legal philosophers, and utilitarians like Bentham, who argued all rights of man are derived from law and law itself is based upon utility. Law and rights he said are simply two aspects of something, which is essentially one: law the objective aspect and right the subjective. The state draws up and lays down a bill of rights and so the rights are not prior to the state but from the existence of the state itself. It is also the legal framework of the state that guarantees rights. It is

again the state which changes the content of rights whenever it wants. But they accepted that rights may not necessarily be the creation of the state but they become rights only when they are enforced by the state. The legal theory of rights was rejected by the later positive liberal thinkers (and others) who argue along the following lines:

(a) The legal theory did not cover the whole range of rights. There are rights we enjoy from our society that often don't enjoy legal recognition but they exist nevertheless.

(b) It seems the legal theory only accepts only those rights, which are drawn up by the state and legally enforced and recognised. Laski argued men enjoy rights not merely as members of the state but also as members of the society and various associations and relationships in society. He found the idea of limiting rights to one source, the state, unacceptable and strange.

(c) If the state and the law are the sole source of rights then there is no right against the state. The liberal writers like Green and Laski saw the need to resist the state in certain circumstances. As Laski argued the material source of rights is the community's sense of justice and not the law. Law is nothing but the concretisation of the feelings of the community and hence the obedience to the state is obedience to right and not might and obedience to the law is obedience to the justice and not authority.

The *Historical Theory of Rights* has its origin in the writings of Savigny and Puchta in Germany, Sir Henry Maine and Edmund Burke in England and James Carter in the USA. The position taken by these thinkers was that all rights are derived from the character of the state and the law, which are in turn basically entirely historical in nature. They are all a product of history. Burke argued for instance that the French Revolution gave rights to the French people, which were not a part of their historical common consciousness, and so after the revolution and the execution of the King the system could not sustain and the revolution turned into a dictatorship. Rights are the crystallization of custom, the historical school argued, which in the course of time become rights. If there is a tradition of certain rights or there are rights which people are accustomed to having then people start assuming they ought to have those rights. Or in other words custom is the original form of law and most of the rights according to the historical school are those, which turn out to have had the sanction of the longest and least broken custom. It appears the historical theory was principally an attack on the natural law theorist and on the analytical school of jurisprudence to regain the old conservative traditional positions. The theory obviously does not bother to distinguish between what would be right and wrong in customs as a source of law. If somebody argued that he had a right to keep slaves, indulge in polygamy, apartheid etc could he be allowed to stand his ground. Will people wait for the day when abominable customs and traditions change so that they can have basic rights. Progressive reform and social justice comes to a stop if this theory is accepted and hence this theory is almost laughable.

The *Idealist/Moral Theory of Rights* holds that the basis of all rights is morals and neither nature's actions, nor law, nor customs etc. Every individual has a moral self and the need

to develop his personality and rights provide the environment to help man in his journey of moral upliftment. Since everybody in society has the same aim of developing his personality it implies that rights arise only in the context of a society and the rights of the individual are to be in harmony with those of others. So the individual's rights are a part of serving the common good as well. Rights are recognised by the society and enforced by the state and so there is no question of rights without the state. So positive liberals Green supported the moral theory and aw it as supportive of their idea of a welfare state. The moral theory bases its concept of rights on morals but it has been pointed out that moral rights are contextual rather than universal because they are limited to people who share a common code of morality.

The *Social Welfare Theory of Rights* was a combination of the various theories of rights that came before it like those that were based on natural rights, legal, ideal or historical. This theory was developed by the positive liberals and to support their prescription of a welfare state. The major contributors were T.H. Green, G.D.H. Cole, L.T. Hobhouse, Harold Laski, Ernest Barker etc. Their central proposition was that a law, custom, natural right etc should all yield to what is socially useful or socially desirable. As Hobhouse put it: 'Genuine rights are conditions of social welfare and the various rights owe their validity to the functions they perform in the harmonious development of society'. Laski commented on this concept of rights extensively in his book *A Grammar of Politics* and made the following major points as follows:

(a) The concept of Rights emerges only in the context of a society. A right is at once a private claim of the individual and a right shared with others together in a community situation. Hence when promoting individual rights the common good is and must be served.
(b) An individual can claim and justify rights only in relation to the functions he performs in society for the social good.
(c) Rights are a claim against the state and the state must enable the realisation of rights. The state can put limitations on rights in the interest of social welfare of the society as whole but if these restrictions become unreasonable then it looses it's moral authority and then the individual has not only a right but a duty to resist the state.
(d) Since establishment of rights are a condition for social welfare, the state must guarantee some rights like the right to work, a right to a minimum or adequate wage, a right to reasonable hours of work, education and the right to participate in industry. The state also needs to limit the right to property.
(e) The authority of the state must be limited, democratic and decentralised. The state must not be alien to the citizen and there must be active and proper communication between the two.

In the last quarter of the twentieth century there has been a new wave of *Liberal Theories of Rights* dominated by thinkers like John Rawls and Robert Nozic who in turn have inspired other writers in the same tradition. While Rawl was clearly a positive liberal in the Keynesian tradition Robert Nozic was a in the neo-liberal tradition that is really a re-

incarnation of the early classic liberals in many ways. So while Nozic argued for unbridled free markets and free trade capitalism, and a minimal state, Rawls argued for the welfare state concept while preserving the capitalist system. Nozic asserts 'individuals have rights and there are no things persons or groups may do to them (without violating their rights)'[1]. What he basically meant by that was the right to own property and to profit unrestrictedly from using that property through trade but the moral logic he adopted to build his theory was based on celebrating the individualistic nature of man. He argued individuals must be the ends and not the means and hence individual's rights are supreme and society can not restrict them I the interest of the common good. Respect for rights he suggested was respecting people's rights to be equal. He negates the idea of welfare rights of the individual as held in the positive liberal tradition. His far right concept of property rights excludes any welfare rights and their protection by the state. He also suggest all political institutions are coercive by definition and must command the unanimous assent of the governed. Every individual lives in his own exclusive domain and must not be disturbed. He is the owner of himself and his talents and property and he should have full freedom with no restrictions even in the interest of societal good to put them to whatever use he wants. Rawls on the hand used the words 'rights' and 'justice' interchangeably. All rights emerge from justice. To do justice rights are granted and they may also be taken away for the same reason. He was of the view rights should guarantee a fair share of economic resources. The social and economic inequalities should be managed and such that those with the least material goods such as income , wealth, education etc get a larger share than they have been getting. But Rawls does not wish to change the basic structure of the market economy with it's inevitable creation of extreme material inequalities but wants the system of taxation for instance to be so designed that leads to some level of redistribution of goods to the worse off in society. He advocated that people's rights to social goods should not be dependent upon their natural endowments.

The *Marxist Theory of Rights* would be a bit of a misnomer because the Marxists never really attempted to propagate a separate theory of rights but offered a great critique of the liberal 'bourgeois' concept of rights. He argued economic inequalities lead to political inequalities and make most constitutionally guaranteed liberal rights meaningless. Marx made the following points in his criticism of the bourgeois concept of rights:

(a) Most rights guaranteed in a liberal constitutional set up are abstract and formal and useless really unless institutional changes were introduced by law to make the rights a living reality. For example the right to life means nothing if it doest mean the right to means of subsistence on which life depends. Marx made the point that property ownership does not merely give the holder of property the power over the thing that he owns but also power over men because the property is also a means of production and using that means of production men earn their living. The owner of the property or the means of production can easily exclude who

[1] Robert Nozic, *Anarchy, State and Utopia*, p. 1 (op. cit.)

ever he fancies. That means whoever is excluded for whatever reason becomes jobless and hence must starve.

(b) Equality of rights is an essential condition for achieving social justice but it is not enough. That is because the rich always are protected and given justice differently from the poor due to the influence of the money power. Hence Marx declared 'every right is in general a right of inequality' in a liberal set up. A right to be equal only ends up meaning a right to be unequal due to the power of capital or money or property of the rich.

(c) Rights granted by the state constitutionally can never make them a *de* facto reality but they are dependent on the economic structure and cultural development of society for a real existence.

(d) Rights were hence not as important as setting up a classless society in a revolutionary struggle which is the only way to achieve socio-economic and structural conditions that will endure on a permanent basis and not get corrupted or distorted and guarantee real *de facto* equal rights.

LIBERTY

The word liberty is derived from the word *liber* which means 'free'. We all want to be free and have as much freedom as possible. But what exactly to be free means or should mean. Should there be restrictions on freedom and what and how much? . What if the freedoms enjoyed by two people leads them to come into conflict. Such questions have been attracting thinkers from the earliest times.

Almost all liberal thinkers commented on liberty but they all brought their own flavour to it and one can't assert that there is an exact uniform view. Also this is one concept on which the views have been more philosophical and ethical than either political or political-economic. Hobbes defined liberty as the 'absence of external impediments, which impediments may oft take part of man's power to do what he would do'[2]. For the German philosopher Hegel, liberty strangely was simply obedience to the law. John Stuart Mill, one of the most important thinkers in the liberal tradition, commented 'the only freedom that deserves the name is that of pursuing our own good in our own way so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it'[3]. Later after the limits of liberal capitalism became apparent. Marxian and Socialist thinking emerged to interpret liberty as (1) liberation from the coercive social apparatus and institutions (which the working class faces), and (2) to establish an atmosphere in which man could build a world according to the needs of humanity as opposed the needs of capital and capitalists who own the capital.

Post the socialist critique of the liberal interpretations of liberty, the positive liberals in the early part of the twentieth century refined the old liberal notions. Laski, for instance,

[2] Hobbes, *Levaithan*, op. cit.
[3] J.S. Mill, *Three Essays-Liberty*, Oxford University Press, London 1975, p. 4

defines liberty as the 'absence of restraints upon the existence of those social conditions which in modern civilisation are a necessary guarantee of individual happiness'[4]. And McPherson defined liberty as living life to the fullest. (Obviously he meant if you had all the freedom and liberty but not enough food or decent shelter and were worked like an animal or a machine all day, liberty would be a theoretical meaningless notion for you.)

So at one stage of history, liberty merely was understood to be 'absence of restraint' in the free competition of men with being law being as 'silent' as possible and 'state interference' at its least. Soon it was realized after the experience of a century or so, that liberty needs to be 'attained' by all and can not merely be left to the lack of impediments. The state and social institutions need to actively help in that process of attainment it was left. So while the earlier concept of liberty which was in the nature of bar on the state was a sort of a ***'negative liberty'*** the latter conception asking for the involvement of the state and society in helping people get achieving liberty was ***'positive liberty'***.

There are three problems or aspects that arise when analysing or thinking about the concept of liberty:

(i) the nature of liberty
(ii) the institutions to safeguard liberty and
(iii) hindrances to achieve liberty.

As far as the 'nature of liberty' is concerned the early Liberal thinkers were obsessed with individual liberty, may be because they were principally fighting against medieval orthodoxy, feudalism, ignorance, and a society based on privileges of kings and landed feudal lords. They were arguing that once man is freed from these chains, man will individually, each according to his preference, find his own individual happiness. All that was needed was rule of law and political rights, representative government with separation of powers and independence of the judiciary. Political parties were conceived and became the principal 'institutions' to safeguard liberty. It was realised it is not enough for the rights and freedoms to be granted but there was a need for institutions like political parties, parliament etc. But since the number of people who would unselfishly and honestly uphold liberty and who had the means to do so was extremely small due to the class divide in society, Socialist and Marxist ideas of liberty emerged which argued that 'hindrances' in the path of liberty are not only the absolute and dictatorial political institutions, the removal of which will provide liberty, but also much more deep rooted and difficult problems like poverty, hunger, ignorance, alienation, and economic inequality etc. (They also argued women, who were one-half the population of course have always been denied liberty.) They argued that a collective initiative was needed from humanity as a whole in which some people may even loose their individual liberties which liberalism considers as sacred. So the emphasis moved on from preventing the state or anybody else denying an individual living his life to asking what would the quality of that life be? .

[4] Laski, *Liberty in the Modern State,* George Allen and Unwin, 1961, p. 42

Liberal thinking on liberty changed from ***negative liberty*** to ***positive liberty*** over a century and a half, from Adam Smith to Hobhouse and Laski, from the notion of 'silence of laws' as liberty to 'the presence of socio-economic conditions and political conditions' to ensure true freedom.

The development of the initial concept of negative liberty happened over a century or so as a result of the contribution of thinkers like Adam Smith (1723-90), John Locke, David Hume, Thomas Paine, Herbert Spencer, Bentham and John Stuart Mill (1806-73). Later in the second half of the last century, mainly among some economists, advocating maximised free markets and free international trade, the early concepts of liberty made a comeback. Thinkers like economists like F.A. Hayek, Milton Friedman and Robert Nozic etc and Sir Isaiah Berlin, also sometimes referred to as ***neo-liberals***, are the principal advocates of this latest trend in liberal thought.

The most eloquent of the early liberals who advocated what we now call ***Negative Liberalism*** was John Stuart Mill (1806-73) whose essay *On Liberty* (1859) went beyond mere liberty from the interference of the state. It also talked of liberty for the individual from the pressures of society, public opinion and social customs and conventions. He really saw liberty as the means to an end, the end being self-development. (This was also the concern of the classical Green thinkers like Socrates and Plato.) As long as an individual did not harm others or interfere with others interests he should be free to pursue his own development and interests the way he wanted or deemed good. So even if a person wanted to smoke, drink, gamble, take drugs, watch pornographic films all day and even decide to commit suicide, he should be free to do so because these are his personal individual decisions and he needs to have full liberty to pursue his own path of growth.
(It is safe to assume Mill would had no problem with many of the modern debates of the day like marriage between homosexuals or allowing full freedom for abortion or allowing euthanasia. He would have heartily supported all of them. Quite something for a man of that long ago clearly.)

Mill also of course, like other early liberals, extended his theme of personal liberty to the economic sphere to advocate what Adam Smith had advocated a hundred or so years back - that is the capitalist model of classical economics, which saw maximum economic benefit for all in allowing and promoting maximum economic licence and freedom for operations in trade and commerce.

Mill was convinced social and political progress depended mainly on the originality and energy of the individual and his free choice and so every encouragement was needed for each person to assert himself in his own peculiar way. For this reason very interestingly he objected even to state provisions for education because he feared this may lead to brain-wash or to the moulding of each person like another. Most significantly for his times, he was even suspicious of democracy for he felt it could lead to the tyranny of the

majority over the minority and wanted protection for the minority from the interference of a democratic state. He commented:
'The notion, that the people have no need to limit their power over themselves, might seem axiomatic… such phrases as 'self-government' and ' the power of the people over themselves', do not express the true state of the case. The 'people' who exercise the power are not always the same people with those over whom it is exercised; and the 'self-government' spoken of is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means the will of the most numerous or the most active part of the people… precautions are as much needed against this as against any other abuse of power. The limitations, therefore, of the power of government over individuals loses none of its importance when the holders of power are regularly accountable to the community… and in political speculations 'the tyranny of the majority' is now generally included among the evils against which society is required to be on its guard'[5].

(This was probably the earliest realisation by any thinker of the perils of oppressive rule by a majority that democracy clearly can lead to. This was also the reason one has to assume why Mohd. Ali Jinnah asked for the partition of India and the creation of a separate state of Pakistan at the time of the partition of India for he feared that without the presence of the British the Hindu majority would use it's majority position to create a parliamentary tyranny against the Muslim minority. Also another example of a more personal liberty being violated would be the recent reports from some states where some universities have tried to impose a dress code on women students barring them from wearing jeans to college and have received the support of some elected representatives for the same as well. Clearly this would be a case of a minority of the population of girl students who want to wear jeans to college having to face a bar on their personal liberty with the support of democratically elected representatives who are by definition winners of majority support in a society. Similarly but morally at a different level perhaps would be the recent case of the issue of closure of Dance Bars in Mumbai where a minority of the people, those who work for dance bars and those visit them are seeing their personal liberties, the liberals of the Mill pattern of thinking would argue, being trampled upon and extinguished by the majority. One can look for and find numerous examples from our colourful and varied democracy even, where in however small a way, there is a tyranny of the majority.)

Apart from Mill in more recent times, the neo-liberals like Sir Isaiah Berlin, Cranston and Milton Friedman have gone back to many of the views of the early negative liberals. Sir Isaiah for instance has commented that 'you lack political liberty or freedom only if you are prevented from attaining a goal by human beings'[6]. He even said that if a man is free to purchase food or go on a world tour, but can not do so for lack of money, it his fault – he has the liberty but he himself is incapable of enjoying it. He comments:

[5] J.S. Mill, *On Liberty*, Everyman, pp. 67-8
[6] Sir Isaiah Berlin, *Two Concepts of Liberty*, in A. Quinton (ed.), *Political Theory*, Oxford University Press, 1967, pp. 141-152

'If my poverty were a kind of disease, which prevented me from buying bread or paying for the journey, or getting my case heard, as lameness prevents me from running, this inability would not naturally be described as a lack of freedom, least of all political freedom'[7]. He clearly distinguished between the presence of liberty and the socio-economic and political-economic conditions necessary for enjoying liberty. He says for instance:

'Thus the distinction between freedom and the conditions for freedom is not a mere pedantic distinction, for if it is ignored, the meaning and value of freedom of choice is apt to be downgraded. In their zeal to create social and economic conditions in which alone freedom is of genuine value, men tend to forget freedom itself'[8].

So clearly, the main characteristics of the belief system of the liberals - the classic early negative liberals and the more recent neo-liberals also to some extent are the following:

1. All individuals are rational beings and know what his interests are.
2. Liberty is essentially negative – the absence of restraints.
3. The state or society can not interfere with an individuals liberty. The main liberties, which are all personal essentially, the liberties of thought and discussion, of association and assembly.
4. There is no conflict between personal interest and collective social interest for it is by serving his own interests that an individual serves the social interest. Personal liberty is a pre-condition of any social progress.
5. Those actions of individuals which influence or harm the society can be controlled and stopped by the state through the use of laws and the justice system but this interference should be the minimum.
6. There should be a constitutional guarantee against the state taking away personal liberties through laws. Even people's representatives sitting in parliamentary democracy should not have the right to enact laws beyond a point that take away an individual's liberties. Democracy is not a sufficient guarantee of personal liberties as it may lead to the tyranny of the majority over the minority.
7. There is a difference between liberty and necessary socio-economic conditions for the realisation of liberty. Liberty may be against justice and equality. Free market capitalism is the only system for organising economic activity, which ensures the liberty of each individual and also optimises production and economic benefit in any society.

The objection that one can have in accepting the above negative concept of liberty are of three kinds:

1. Philosophical (One finds it hard to believe that man is either as isolated and individualistic or selfish or rational in choice as they assume. In fact most of us would argue that man is essentially a social animal. Man has lived in united and collective communities since time immemorial and has formulated social rules

[7] Ibid.
[8] *Four Essays on Liberty*, Oxford, 1969, p. LIV

and customs for smooth functioning of societies. They have not been felt as a bar or restriction on free operation for character and personality development at all times and by all participants. There have been exceptions of course. And also of course the case of women and lower castes in the Indian context is totally different.)

2. Moral (Morally freedom to do as one wills or 'free will' can be quite difficult to digest at times. What if one man's freedom is harming another and the man doing the harm cannot or fails to see that he is harming others. It can be argued moral norms exist not against freedom but they exist to ensure the right use of freedom.)
3. Economic (Free competition and markets as will be later discussed often only leads to the wild volatile gyrations or up and down in prices of commodities and services, leaving for the duration of those extremes in pricing the poor and the vulnerable without the availability of those essential commodities and services even those without which life is not possible and can cause starvation for instance. Also free markets over time it has been observed leads to the concentration of wealth and power in the hands of those individuals and families who emerge the winners in the free market business competition that the early negative liberals and modern day neo-liberals advocate. What about others? . Should they be forgotten about? . What use is there to argue that the losers in the free competition or the poor have all the rights and they need only work their way up using those rights when clearly only a few at any given time can be the winners and all the rest must be the losers given the nature of the game. There can be only a few winners in any game and there is a winner only if there is a loser. This realisation led to the development of Socialist and Marxist thought and even to the new school of Liberal thinking that is called Positive Liberalism and is discussed below.)

After the Socialist and Marxist critique of the liberal view of the world the middle of the nineteenth century onwards and following the historic lacuna that capitalism in the classical liberal sense threw up in the closing decades of the nineteenth century and the early decades of the twentieth century (which peaked in the Great Depression of 1929), a new *positive* concept of liberty emerged which as explained above is also referred to as ***Positive Liberalism.*** The foremost thinkers of this new school of liberal thought were Green, Bosanquet, Barker and Laski. In more recent times McPherson, John Gray and John Rawls have also made noteworthy contributions. The positive concept of liberty emphasises the moral and social aspect of man and views liberty in relation to society, socio-economic conditions for the realisation of liberty, law, morality, justice and equality. Liberty according to the positive liberals is a positive thing and is not merely the absence of restraint.

The most influential of positive liberal thinking that emerged was that of H. J. Laski. He defined liberty as follows:
'By liberty I mean the eager maintenance of that atmosphere in which men have the opportunity to be their best selves. Liberty, therefore, is a product of rights… Without

rights there cannot be liberty, because without rights men are the subjects of law unrelated to the needs of personality. Liberty, therefore, is a positive thing. It does not merely mean absence of restraint'[9].

Taking the opposite view of John Stuart Mill, he declared 'Liberty thus involves in its nature restraints, because the separate freedoms I use are not freedoms to destroy the freedoms of those with whom I live'[10]. While he believed that personal liberty cannot be enjoyed in isolation from society he did nevertheless maintain that liberty should not be left at the mercy of the State because 'state action is action by government… Liberty, therefore, is never real unless the government can be called to account; and it should always be called to account when it invades rights'[11].

Laski classified liberty into three kinds – private, political and economic. He saw all of them as essential for the development of the human personality. By private liberty he understood mainly the personal individual liberty, which he saw essentially as negative like the negative liberals. Political liberty he defined 'means the power to be active in the affairs of the state. It means that I can let my mind play freely about the substance of public business'[12]. He saw the need for two conditions to prevail for political liberty to be real. One, education and the other, provision of an honest and straight forward supply of news. Economic liberty he defined as 'the security and opportunity to find reasonable significance in the earning of one's daily bread… I must be safeguarded against the wants of tomorrow'[13]. Thus he clearly sees political and economic liberty as meaningless without the necessary conditions being available for their realisation. The responsibility for creating these conditions Laski saw as principally a job of the government and hence Laski supported positive intervention of the state. Laski therefore put down three positive conditions that are required for liberty to be achievable and to be meaningful:

1. The Absence of Special Privileges: No person, family or class or group od persons in a society can be granted special privileges according to Laski for liberty to be achieved. Special privileges he opined are incompatible with freedom and search for freedom is a characteristic of all humans alike. Thus liberty is possible only when equality is there.
2. The Presence of Rights: Liberty can only be enjoyed in the presence of rights. There cannot 'be liberty where the rights of some depends upon the pleasure of others'[14] and it is the duty of the state to maintain equal rights.
3. Responsible Government: The government must be responsible which means it is responsible for creating the socio-economic conditions and political conditions so that all can realise liberty and rights in actual practice. Or in other words the government should be a ***welfare state***.

[9] H.J. Laski, *A Grammar of Politics,* 1925, p. 142
[10] ibid., p. 144
[11] ibid., pp. 145-6
[12] ibid., p.146
[13] ibid., p.147
[14] ibid., p. 150

(Later in 1929 Laski reacting mainly to the rise of fascism changed his views somewhat. He wrote in the send edition of his book *A Grammar of Politics* in 1929:
'In 1925, I thought that liberty could most usefully be regarded as more than a negative thing. I am now convinced that this was a mistake, and the old view of it as an absence of restraint can alone safeguard the personality of the citizens'.

In more recent times, the liberal thinker McPherson has forcefully argued for positive liberty and has preferred to rename it ***developmental liberty*** even though he has argued there is no division between negative and positive liberty. Not accepting the logic for the classification or division of liberties he has argued negative liberty is the absence of any extractive power and it is counter-extractive liberty. Counter-extractive liberty meaning that in which there is no exploiting force in the society and it is a precondition to developmental liberty. McPherson defined liberty to mean availability of life (or life's basics) and labour (or employment) to each member of society. He suggested that capitalist mode of production, based on private property, should be replaced by some other system. Liberty cannot merely be the negative liberty he argued because the liberty of one individual (to trade and engage in accumulation of wealth through business for instance without any limit or bar of the state) can destroy the liberty of another individual (the worker for instance who becomes like a slave to his owner employer after some time). He comments since 'each individual's liberty must diminish or destroy another's, the only sensible way to measure individual liberty is to measure the aggregate net liberty of all the individuals in a given society'[15]. By focussing on total liberty of all in a society McPherson is giving importance to the social dimensions of liberty.

John Gray put the same thoughts more clearly:
'The political content of the positive view of liberty is that if certain resources or amenities are needed for self-realisation to be effectively achievable, then having these resources must be considered a part of freedom itself'[16].
(It is the content of the above thoughts of the positive liberals starting with Laski's in the early part of the twentieth century that led to the gradual development of the concept of ***welfare state*** as freedom enhancing or establishing institutions particularly after the Keynesian revolution in Economics. In India too, what is referred to as 'Nehruvian Socialism' - for the welfare state that Nehru launched after independence from the British - had its roots in this school of thought.)

Liberty – The Two Concepts

NEGATIVE LIBERTY	POSITIVE LIBERTY
1. Focuses on the personal aspect of man's liberty and regards it as inherent to the personality of an individual.	1. Looks upon it in totality in the socio-economic and political conditions of society.

[15] C.B McPherson, *Democratic Theory*, Oxford, 1973, p. 117
[16] John Gray, *Liberalism,* Open University Press, Edinburgh, 1986, pp. 57-8

2. Sees liberty mainly as absence of restraints.	2. Emphasizes the essential availability of positive conditions for meaningful realisation of liberty by individuals in society.
3. Sees the state as an enemy of personal liberty.	3. Sees the state as the essential responsible agency for creating socio-economic and other conditions, which will ensure the realisation of liberty.
4. Emphasizes the personal philosophical and political aspects of liberty.	4. Emphasizes the social and economic aspects of liberty.
5. Does not wish to associate concepts of rights, equality, morality and justice with the concept of liberty.	5. Regards liberty, justice and equality as mutually related and different aspects of one and the same thing.
6. Wants the state to be minimised and as tiny as possible.	6. Wants a welfare state that will actively intervene to create adequate socio-economic and political conditions for a meaningful realisation of liberty.
7. Believer in the concept of each man for himself. Free competition between free men that will maximise utility for society as a whole with no special allowance or care shown for those left behind or the losers of the free competition.	7. Believer that man is a social animal and hence collective effort for collective benefit via the welfare state is the way forward if necessary by denying the absolute right to private property. (The Socialist also supported this view.)

It has already been explained how and in what circumstances the rise of radical Socialist and Marxist thought happened as a reaction to early negative liberal thinking just as that classical negative liberal thinking had emerged in reaction to the feudal-monarchical mercantilist order that preceded the rise of liberalism. The early liberals were supporters of free market capitalism that by the middle of the nineteenth century had begun to show its limitations. While there was great development new industry and technology led manufacturing and great wealth as a consequence for some individuals and families, there was also emerging oppression, exploitation, unemployment and starvation and liberty it was clear was while being available in theory was not available in practice for the vast majority.

The Socialists (as indeed the later positive liberals) were unwilling to accept the absolute nature of the right to property and property accumulation that the Negative Liberals advocated. They argued that liberty has no meaning if you did not have the basics – food, clothing and shelter. And that free market capitalism eventually leads to the real (as opposed to theoretical) undermining of liberties in this sense because a vast majority loose or don't have the basics. Further that there needs to be central planning and intervention in the economy and government ownership of productive resources, either fully or substantially, for the creation of conditions that will aid the realisation of liberties.

Marxian Socialism went further and suggested the complete abolition of private property or any productive resource (not the most fundamental basics like personal belongings etc). Karl Marx (1818-1883), the most influential socialist thinker in history, went so far as to predict that on its own a point is reached in a capitalist free market economy where the majority of the population, the working class, rise in revolt at their plight of exploitation and misery at the hands of the upper classes and owning classes, and overthrow their rule to establish the rule of the 'proletariat'.

Marx carried out an incisive analysis of the strengths and weaknesses of the sort of capitalism that prevailed in his day in the middle of the nineteenth century and argued that all commodity value is determined by labour content – direct and indirect in the form of capital equipment like machinery. For example, the value of a shirt comes from the efforts of the textile workers who put it together, plus the efforts of the workers who made the looms. By implying that the value of the output is really the value of the labour ultimately, Marx showed in a mathematically argued theory that the part of the output that is produced by workers but received by capitalists amounts to "unearned income" which Marx saw as an injustice. He also argued that technological advances enable capitalists to replace workers with machinery as a means of earning greater profits, but this increasing accumulation of capital has two contradictory consequences. As the supply of available capital increases, the rate of profit on capital falls but at the same time, with fewer jobs, the unemployment rate rises, and wages fall. Marx's predicted the "reserve army of the unemployed" would grow, and the working class would grow progressively alienated from their jobs because working conditions would deteriorate. So he concluded this unbalanced growth could not continue forever. He predicted that there would be an ever increasing economic inequality which would lead to the gradual emergence of class consciousness among the downtrodden proletariat. Business cycles would become ever more volatile as mass poverty resulted in macroeconomic under consumption. Finally a cataclysmic depression would sound the death knell of capitalism. Just as happened with feudalism before it, capitalism would contain the seeds of its own destruction.
(The Great Depression of the 1920s in the western world, particularly in America, and the overthrow of the Russian Czar and the Russian Revolution were the high points of Marx's predictive model coming true - it has to be accepted. But then Positive Liberal thinking arrived on the scene and under the leadership of economists like J.M. Keynes massive reforms were carried out to the capitalist model, and capitalism the 1920s and 1930s onwards, wasn't the same as that of the nineteenth century. Massive investments and interventions were undertaken by the state in the economy (by creating massive productive resources in the public sector) and the business environment and concepts like 'minimum wage' and maximum working hours introduced for workers under President F.D. Roosevelt's (FDR) rule, for instance, in America. All measures that nowadays would be promptly dubbed "leftist" and hence somewhat suspect under the neo-liberal influenced and dominated economic and social policy environment that we live in.)

He felt deeply for the animal like plight of the working class at the receiving end of both the business owning employers (capitalist class) and the state and state institutions, who were usually under the influence of the capitalist owners. This led him to give a call for the overthrow of the capitalist class in the *Communist Manifesto* (1848) saying: 'Let the ruling classes tremble at a Communist revolution. The proletarians have nothing to lose but their chains'. His also penned the following words that appear on his gravestone:
'Up till now philosophers have only interpreted the world in various ways. The point, though, is to change it'.

Marx was the first major thinker to carry out an entirely economic interpretation of history and he was probably the first to focus on how economic interests mainly lie behind and determine our values. He would argue for instance, why do business executives and owners support parties that want to focus on economic reforms that will help them expand business and profits whereas labour leaders support parties that advocate putting in place and raising if necessary minimum wages or introducing unemployment benefits and legislative acts for employment guarantee. Marx was convinced principally people's beliefs and ideologies reflect the material interests of their social and economic class.

The Marxian concept of Liberty is based on the Marxist concept of freedom.

Marx and Engel argues that in a capitalist bourgeois society Liberty comes to have no real meaning ultimately for the vast majority. And this majority eventually gets alienated from society. Since this vast working class gets dehumanised and loses the objective of living for self-development because of poverty and exploitation and social injustice, there is no question of the development of moral and social personality using legal and constitutional guarantees of liberty. Marx argued in a constitutional capitalist democracy there might be all the liberties available legally but in such a society neither the rich man is free nor the poor man. The rich man is the slave, rather than the master, of the wealth that he owns and the poor man is the slave of his unmet material needs. Man is not an isolated being but is defined in relation to the society he lives in for man is a social animal. Marx defined liberty to mean freedom he did not regard mere absence of restraint as freedom. Nor did he agree that personal and political freedoms are the highest ideals and other freedoms are based on these. He linked freedom to the essence and purpose of man. Marxist thinkers Huberman and Paul Sweezy explain this as follows:
'Freedom means living life to the fullest – the economic ability to satisfy the needs of the body in regard to adequate food, clothing and shelter, plus effective opportunity to cultivate the mind, develop one's personality, and assert one's individuality'. Rejecting the liberal individualist position, that says man seeks maximised happiness and pleasure (in the absolute sense), and that therefore is the priority, Marxism rejects 'all attempts to seek man's purpose outside of social relations in the realm of abstract ideals, the sphere of the instincts, or that of individual psychology, in activity directed to the satisfaction of selfish interests, not to mention attempts to find it outside the world of real things… Man's purpose in the Marxian view is creative activity directed towards improved well-

being and the achievement of free all round development for society and all its members'[17]. Or in other words, man's purpose is not merely his own well-being or self-interest than it will be contrary to his essence. Man cannot separate his happiness and development from social happiness and development. Marx advocated a 'revolutionary' and conscious effort at overthrowing oppressive systems and creating new systems which will be in tune with the socialist concept of humanism. According to the Marxist view 'a life devoted to the joy of others, their happiness, freedom, equality and welfare, for the triumph of genuinely human relations, conscious struggle for a new social order, for socialism and communism'[18] - that is what constitutes the meaning of life and real happiness.

The best thinkers in the liberal tradition have taken the position as Rousseau took that 'man is born free'. Marx argued man is not independent from natural and social laws as immediately after his birth, he becomes the slave of natural forces like hunger, weather, illness, etc.

One of the most important facets of the Marxian approach to liberty and freedom is its analysis from the class point of view. If the Liberal view of freedom is accepted, Marxists would argue, what it means or comes to mean eventually is that freedom for the owners of property will mean freedom to own private property without restrictions (without urban land ceiling laws for instance to illustrate with the help of an example we urban Indians are familiar with), of earning profit from employing property without restrictions (like taxes for instance), of employing someone or removing him (with the least labour laws or none at all) etc etc. On the other hand, Marxists argued, for the property-less it can only mean in effect or in reality the freedom to starve, to be laid off from one's job when the employer doesn't need him anymore or if he doesn't like him for any reason, working conditions and salary terms that are bad and exploitative but which must be accepted because that is what the contract with the employer stipulates (full freedom of contract is of the essence of liberal constitutional democracy) and there are no other jobs available to earn one's living and avoid starvation etc etc. So Marxists argue, in a class-divided society freedom will be meaningless for working people. For them freedom means emancipation from exploitation, starvation, poverty, excessive hours of work, social insecurity, etc and hence for him freedom can only mean the struggle for the establishment of a class less society which is only attainable via a socialist revolution.

To summarise the main points of the Marxist view on freedom and liberty:

1. The issue of liberty is associated with humanism and can only be considered with due consideration to it.
2. The essence of man is in his social relations, the sum total of it. In a class-divided society based on private property, man is alienated eventually and his existence

[17] M. Petrosyan, *Humanism: Its Philosophical, Ethical and Sociological Aspects*, Moscow, 1972, pp. 159-60

[18] ibid. , p. 163

contradicts his essence and hence in that case the question of his freedom can not arise.

3. Freedom means the availability of conditions for the multi-dimensional development of man as a social being which alone leads to self-fulfilment and self-realisation.
4. There cannot be free will ultimately as man's free will is subject to the objective laws of nature and society (material want) which exist independently of human will.
5. Man can achieve freedom by developing scientific understanding of these objective laws.
6. Once scientific understanding is attained, there should be revolutionary social activity on that basis to change society because without changing society and nature, freedom is not possible.
7. In a class-divided society the freedom of owners of property is built upon the un-freedom of the property-less. So freedom in such a society is class determined.
8. Freedom is only possible in a classless society and because in only such a society man gets the socio-economic conditions for the free development of his personality.
9. The struggle for a socialist revolution is thus justified and is really a struggle for freedom.

Liberty – The Liberal VS. The Marxist View

Negative Liberalism is based on the philosophical concept of free will and believes free will being the absolute ideal there should be no social or political restrictions on individuals. Positive Liberalism also believes in the absolute validity of individual free will but advocates state creation of some soci0-economic conditions to make free will meaningful.	Marxism believes there can not be free will because the laws of nature and society restrict fee will and make it meaningless. But Marxism maintains that by understanding the scientific laws of nature and society and by working to counter them, one can make gradual progress towards greater freedom and free will.
The principal purpose of man is to serve his own selfish ends and to seek happiness in his own way and society is an artificial invention that exists to serve individual ends. Man needs liberty for personal development and the fundamental character of liberty is personal and not social.	Marxism suggests there can be a contradiction between man's essence and his existence. Man's essence is the sum total of his social relations and in a capitalist society because of alienation the essence of man does not correspond with his existence and he gets dehumanised.
Negative Liberalism regards the State as an enemy of individual freedom but considers it necessary only for the purpose of maintaining security and law and order or, governance. Positive Liberalism wants the	Marx believes both the State and Class divisions in a society need to disappear for a free society to be established.

state to enlarge and grow as big as necessary to create socio-economic conditions for the meaningful realisation of individual liberty.	
Liberalism is focused on the political aspects of liberty even though Positive Liberalism does regard it also necessary that adequate socio-economic conditions be created.	Marxism and socialism regards all the other liberties to be based upon economic liberty in a true sense for all and believes till economic exploitation is eliminated no liberties can be realised. Marxism goes further and advocates the abolition of all private individual means of production and the state to take over.
Liberalism talks about freedom in abstract philosophical terms linking it to the philosophical concepts of free will and free soul of atomised individuals, and maintains personal freedom can be restricted by society, social organisations and institutions. So the less of these the better.	Socialism and Marxism views freedom in relation to social, economic and historical circumstances.
Liberals have no problems with society being divided along class lines and believe freedom and liberty can be provided to all classes, both rich and poor. Freedom according to Liberalism basically means free choice. They believe all classes and individuals can co-exist harmoniously in what they call an 'open society'.	Marxism regards class struggle as fundamental and maintains in a class-divided society, a class struggle will always eventually inevitably break out since freedom is basically only available to the business owners of means of production and the working class is usually exploited. So only in class less free society is freedom for all possible since a wolf and sheep cannot live side by side. The struggle for the establishment of a class less free society is therefore a freedom struggle and is referred to as a 'socialist revolution' by them.
Liberals are divided on the issue of negative and positive freedom. Classical early liberals and present day neo liberals, both support basically the idea of a negative concept of liberty and freedom. But the revisionist liberals of the early 20th century like Laski called for a positive concept of liberty. Positive Liberals don't specify the exact conditions necessary for achieving liberty but want the 'democratic state' to take upon itself this task.	Socialism and Marxism also support the positive concept of freedom but unlike Positive Liberalism defines the exact conditions necessary. Marxism for instance defines an exact "scientific way" way to achieve liberty and specifies abolition of private means of production, equality, socialist revolution and material development as the means to that end.

EQUALITY

Equality is a somewhat modern concept. Not always has humanity felt the need for equality between men as at present. In the western world kings and monarchs had a divine right to rule and so did feudal lords in the areas under their rule and priests and the clergy often assumed to know the best on most matters. Everybody else was there to serve the king and the church.
(In our country the *brahmin* was at the top of the heap and had the sole right to lay down the ultimate wisdom on all matters, the *kshatriya* had the sole right to armed military might and the *vaishya* enjoyed a monopoly of making money and accumulating wealth through trade and money lending. The *dalit* or the shudra had no superior rights, only a monopoly similarly, on all the inferior rights and jobs of society. And this continued for thousands of years.)

In the Greek period there was a feeble rather limited attempt made at establishing equality but it was only the in the 17th century in Europe that demands for rights and liberty began to be raised and only in the 18th and 19th century that equality was demanded.

The initial demands were raised by the newly rich among traders and businessmen, or bourgeois, who questioned why was it that while both they and the feudal lords and monarchs had wealth and economic status but the legal status was not the same. In England for instance, as Tawny puts it:
'*Since most conspicuous of them in equalities were juristic not economic, it was in the first place legal privilege, not inequality of wealth, which was the object of attack.…The primary aim of reformers was the achievement of the first (legal equality), since once the first was established, the second (economic equality), in so far as it was desirable, would, it was thought establish itself*'[19]. *Similarly in France, the issue was not economic equality but the uniformity of legal rights, and the struggle for equality 'set the new aristocracy of wealth on a footing of parity with the old aristocracy of land*'[20].

While in the 18th century the voice for legal and political equality was raised mainly, it was in the 19th century that a more vigorous demand for social-economic equality was made as a result of the rise of a new working class. The march of *lazes faire* capitalism in the 19th century while creating great wealth for some families on one side also created great poverty and economic inequality on the other. Hence the demand for economic equality arose and was raised by humanists, utopian socialists, Marxists and positive liberals. This demand for economic equality was not for negative political and legal equality but a demand for positive equality and it implied a check on private property, a

[19] R.H. Tawney, *Equality*, London, 1952, p. 95
[20] ibid., p. 98

check on exploitation of the poor by rich, and it implied a positive role of the State with regard to the overall economic system of society.

A very important milestone in the struggle for equality was in the early part of the twentieth century when women got the right to vote as a result of the movement by suffragettes. Also in the same century the freedom movements in colonies like India from imperial powers like Britain marked further movement in the march of equality.

Defining Equality is tricky. It is far more abstract than immediately apparent. Most people sub-consciously associate equality with the ideas that words like same, identical, equitable similar etc indicate. H.J. Laski commented 'no idea is more difficult in the whole realm of political science'[21] than equality. Rousseau distinguished between natural and conventional equalities. Inequalities created by nature (one man being lame for instance or blind and another being neither) are natural inequalities whereas inequalities created by society (like caste, gender, rich-poor, worker-capitalist, *malik-naukar* etc) are conventional inequalities. Socialists and Marxists have argued conventional inequalities particularly economic ones have the power to over-shadow all natural inequalities. Marx comments:
'…what I am and am capable of is by no means determined by my individuality, I am ugly but I can buy for myself the most beautiful women. Therefore, I am not ugly, for. The effect of ugliness – its deterrent power – is nullified by money. I, according to my individual characteristics, am lame, but money furnishes me with twenty-four feet. Therefore, I am not lame. I am dishonest, unscrupulous, stupid, but money is honoured and hence its possessor….I am brainless, but money is the real brain of all things and how then should its possessor be brainless? Besides, he can buy clever people for himself, and is he who has power over the clever not more clever than the clever?'[22].
(It is thoughts like the above that lead socialist and Marxists to be so wary of the abusive power of economic inequalities in society.)

Laski, the most influential positive liberal thinker, set down the following conditions for equality:

1. End of special privileges in society
2. Adequate opportunities to all for developing the full potential of their personalities.
3. Access to social benefits for all with no restrictions on any ground like family position or wealth, heredity etc.
4. Absence of economic and social exploitation.

Recently Bryan Turner has attempted a comprehensive concept of equality by suggesting that equality should have the following component concepts:

[21] H.J. Laski, *A Grammar of Politics,* p. 152
[22] K. Marx, *Economic and Philosophical Manuscripts of 1844*, Moscow, 1974, pp. 120-21

1. Fundamental equality of persons: which is expressed for instance in statements like "all our equal in the eyes of God". .
2. Equality of opportunity: means access to important social institutions necessary for social growth should be available to all without discrimination. If there are any selection criterion it should be based on qualities like interests, achievements and talents.
3. Equality of condition: where there is an attempt to make the conditions of life equal for relevant social groups. It is not enough for instance to say that there is free competition if some people are starting with fundamental disabilities whether economic or any other, and there is no level playing field.
4. Equality of outcome: or in other words equality of results or of consequences which seeks to transform inequalities that we start with to social equalities at the end.

Equality has mainly four dimensions – *legal, political, economic and social*.

Legal equality refers to equality before the law and equal protection of the law. The concept is all men are created equal and hence deserve the same status before the laws. The law is blind and will make no allowance for the person being dealt with. He may be wise or a fool, brilliant or dumb, short of tall, rich or poor etc but he would be treated the same by the law as others. But there are exceptions – for instance a child would not be treated as an adult man or woman and allowance would be made to a child.
(Legal equality does not necessarily mean real equality unfortunately because as we all know legal justice is not free and the rich can hire the best lawyers and even bribe judges in some cases and get away with injustice. In a strictly liberal set up while you will have theoretical equality before the law you will need time and money to make use of it and if you did not have it the legal equality promised to you would be meaningless.)

Political equality basically refers to universal suffrage and representative government. Universal suffrage means the right to vote to all adults and one-man-one-vote. Representative government means all have the right to contest elections without distinction and contest for public service. It does not mean however that all will be forced to vote and give his or her preference. Or that if some people are dissuaded not to vote or vote one way or the other due to undue influence, the state can do much about that. Also no political inequality can be alleged, as per the strict liberal understanding of the term, if most people or, a large segment of the population, don't vote, thereby diluting the representative character of the government.
(*For instance in America, which regards itself as a democracy offering full political freedom and equality to all its citizens, it has been found that just about half the country usually votes in elections. The people not voting are mostly the poorer half and blacks particularly poorer blacks. In the liberal tradition this is not a cause for*

particular concern as long as constitutionally, equality is guaranteed and present for all.)

Mere political equality guaranteed technically or constitutionally also does not mean real political equality for it has been found that money power in elections come to a play major role in liberal democracies giving people, groups and classes with the money power and the willingness to exert it, an advantage in pushing their political interests that is quite formidable to neutralise. So sheer money power usually and often manages to control the result of elections to a large extent.
(It is believed President George Bush and his Republican Party spent a few hundred billion dollars in his election campaign last year almost all of it raised from large business houses and corporate groups. It is not conceivable how his party and he himself can resist taking the side of corporate interests versus that of the common people, should the need to choose in a particular issue arise. Hence it is clear political equality is a very difficult idea state that is almost never established in any liberal democracy. It may be mentioned here that in India it can take even cruder forms where voters are sometimes paid cash illegally or even offered a night of free drinking by candidates and parties to vote for them. Also of course, it is an open secret that most Indian political parties have corporate friends who donate hundreds of crores of what is usually black money paid in cash for fighting elections etc.)

It is not merely the actual money spent by candidates and parties but the whole range of money relationships that helps. Media plays a huge role in modern day liberal democracies particularly in those with a large middle class and even though media is supposed to be free, they in reality cannot be so because they owe their economic survival and viability substantially to corporate advertising and therefore they need to be sensitive to the political sensitivities and interests of the collective business and corporate agenda. To the extent that media influences people, these agendas then get transmitted or propagated, whether by design or otherwise, or due to compulsions or otherwise, whatever they may be, and hence ends up skewing the level of political equality that would have otherwise possibly existed in practice without their presence.

Quite apart from the above, in most democracies like India, there are powerful executive bureaucracies and members of the judiciary services, who are not elected by the people (as with politicians) and who cannot be thrown out in elections if people are fed up with them. The members of these groups due to educational and family backgrounds often come from higher economic, class (and caste) categories usually and maintain an ongoing powerful influence on policy formulation. These groups clearly are more politically equal than others. When a judge of the Supreme Court for instance stops a policy measure of the government and declares it illegal, which was put in place by elected representatives of the people in free and fair elections, however illiterate or non qualified educationally they may be, from the purely political (as opposed to the legal) point of view, he is clearly enjoying a position of greater political equality than most other of his fellow citizens.

(There is even a liberal theory of democracy referred to as the 'Elitist Theory' of democracy, which claims political equality is a myth, as political power is always enjoyed, and *should always* be enjoyed by an elite. Hence there is no need and it is futile to make efforts to grant greater political say or equality to the poor and economically weaker citizens.)

The notion of *Economic* or social equality implies rather differently to different people. Early liberals meant by economic equality merely the right of choosing one's trade or profession irrespective of family position or economic status and the right or freedom to contract so that everybody in the land is treated equally as far as contractual obligations are concerned. Gradually the position began to change towards a notion of equality of opportunity for everyone to live the life of a full human being.
(*No doubt this was partly due to the Socialist and Marxist critique of capitalism which developed great acceptance worldwide before the onset of positive liberalism culminating probably with the Russian revolution of 1917 and its emphasis on economic equality which they defined almost as identical economic conditions for all*.)

It was understood and accepted gradually equality should mean no one in society should be so poor that he or she lacks the basic needs and the basic opportunities for mental and physical development. As Rousseau put it, 'by equality we should understand not that the degree of power and riches be absolutely identical for everybody, but that no citizen be wealthy enough to buy another and none poor enough to be forced to sell himself'[23]. H.J. Laski gave the positive liberal notion of economic equality finer shape and meant by equality availability to all things without which life is meaningless. He said the basics must be accessible to all without distinction in degrees or kind. All men must have access to the essentials of food and shelter. He insisted equal satisfaction of basic needs as a precondition for equality of opportunity and advocated for that creation of economic equality by reduction of the extremes of economic inequality. (Whether by progressive taxation or interventionist welfare schemes for the poor for instance. It was the onset of the welfare state as a consequence of the influence of ideas of positive liberal thinkers like Laski and economists like Keynes that policies like mixed economy, differential taxation, regulation and raising of wages by stipulating minimum wages etc, all of which basically seeks to tax the rich to provide welfare for the poor were introduced. The positive liberals and Keynesians claim this changed capitalism for ever into a welfare system and did much to eradicate poverty and economic disparity and levelled the ground for all citizens from the point of view of economic equality. The great economist and thinker John Kenneth Galbraith has even claimed that this almost made economic inequality a non-issue in the western world for many some decades. In the last few decades particularly the 1980s onwards influence of neo-liberal

[23] Rouseau, *Social Contract.*, George Allen and Unwin, London, 1924

thinking which is similar to the old classical early liberal thinking has taken such a strong hold and put the clock back so much in that sense that any suggestions and ideas that are similar to positive liberal welfare ideas are immediately seen as leftist socialist or Marxist and hence scary from the point of view of the neo-liberal dominated policy establishments worldwide.)

The Marxist view of equality associates equality, particularly economic equality, with property and class-exploitation. In fact, the link between equality and property has been pointed out by some non-Marxist liberal thinkers as well, like Rousseau and Gans. Gans comments for instance: 'Societies that have no use for private property, such as nomadic and hunting tribes, find it easy to be egalitarian, but societies that enable individuals to collect such property do not'[24]. In Marxian analysis equality is only established with the abolition of classes or a class divided society and that is only fully achievable by the abolition of private property. The Marxian idea is to establish a society where there will be no private property or economic classes and each will have or will be given '*from each according to his ability to each according to his need*'. The job of distribution will be of the state. Lenin and other Marxists attack the positive liberal social democratic notion, that by intervention of the state economic disparities can be removed and the basics for living guaranteed for all, for they believe, without abolishing private property sooner or later economic exploitation and disparities will creep back in due to the power of money of the upper classes.

Social equality refers to the absence of discriminations on the basis of colour, gender, caste, sexual orientation etc. Quite apart from the legal, political, and economic aspects of equality over the years it has been realised the residual social discriminations that have existed for thousands of years in some societies can be very difficult to undermine even with a rapid march of constitutional political and legal rights and economic development and removal of economic inequalities. Women got the right to vote even in England as late as in the 1920s. Blacks in South Africa and parts of the United States until just a few decades back were barred from large areas of their own country. In many countries scavengers are forced to live away from society in ghettos not due to economic or political reasons really but due to social conditionings in society. Even today there are villages in India where members of the lower castes are treated almost like animals by members of the upper caste and even if anybody from among them managed to get rich or powerful he or she would not be treated differently.
(*The former Chief Minister of Bihar, Laloo Pradad Yadav for instance has narrated many times how in his childhood he could not walk past the house of any upper caste member of his village through public roads in slippers or any other footwear. The norm was all members of the lower castes must be bare foot*.)

[24] H.J. Gans, *More Equality*, New York, 1973, p. 62

Neo-Liberal thinking, propounded in particular by thinkers like economists Milton Friedman and F.A. Hayek[25] that holds such great sway on policy formulation worldwide at present, particularly at international institutions like the IMF and the World Bank, believe liberty and equality are fundamentally opposed to each other and hence inequality has to be tolerated for the sake of liberty. (They also believe ultimately tolerating inequality will be of the maximum benefit to the economy as a whole as a result of the growth in private economic activity.)

The main features of this neo-liberal belief system are:

1. Liberty is natural and *so is inequality*. So it is ordained by nature that liberty and inequality are not compatible.
2. Liberty principally means absence of any restraint or coercion, but establishing equality would mean some restraints or some levelling which is fundamentally against the idea of liberty. Also the economic well being of an individual is dependent on his personal efforts and ability rather than on society. The liberty to own private property without any restriction is a natural liberty and should not be restricted in the interest of equality.
3. When in an effort to establish equality, the powers of the state are increased as they must be, to whatever level, that is a threat to liberty by definition. Equality needs a positive interventionist state whereas Liberty needs a negative and minimised State.
4. Without free market capitalism the power of the State cannot be checked and without such a check liberty is always incomplete and under threat. Thus Liberty and Capitalism complement each other but Equality and Capitalism are fundamentally in conflict. (This view was first articulated by Milton Friedman.)
5. The Elitist Theory of Democracy which must be regarded as part of the neo-liberal tradition, advocate the presence of an economic and political elite without which according to them democracy descends into a *mobocracy* and populism, and liberty ceases to be available eventually in such a system. Since without an elite there can be no liberty or democracy, establishing equality by eliminating elites, destroys liberty. Hence Equality and Liberty are opposed to each other.

[25] Milton Friedman, *Capitalism and Freedom*, Chicago, 1962 and F.A. Hayek, *The Constitution of Liberty*, London, 1963

Questions:

1. Write and essay on the political concept of rights? .
2. What is Liberty? . Distinguish between negative and positive liberty with reference to the views of important thinkers.
3. What are the different kinds of equality ?.

Suggested Reading:

1. H.J. Laski, *A Grammar of Politics,* 1925
2. Karl Marx, *Das Kapital*, 1867

Lesson 4

JUSTICE AND PROPERTY

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After reading this lesson you will be familiar with:

- **Political Ideas of Justice**
- **The Concept of Property**

Along with rights, liberty and equality, justice is another very important concept that has attracted the interest of political thinkers through the ages. Also property, what it is and who should own it are other important questions that political thinkers have studied and will be taken up in this article. It can also be argued that rights, liberty and equality are all associated in one form or the other with property.

Political Ideas of Justice

Mankind has always had a problem in deciding what should be the exact meaning of justice and nearly always ended up explaining it in the context of the times. Loosely it has meant what is good and it has been stretched accordingly. As D.D. Raphael commented justice is 'Janus like or dual faced, showing two different faces at the same time. It is legal as well as moral. It is concerned with social ordering and rights of society as much as individual right…It is conservative (looking to the past) as well as reformative (looking to the future)'[26].

The Greeks and the Romans first attempted to settle on a meaning of justice (as far as western thought is concerned, that is). Plato, the Greek philosopher defined justice as one of the principles of what he called virtue along with temperance, wisdom, and courage. Justice is about sticking to one's duty or station in life, he said and is the virtue that harmonises all the other virtues. According to him justice is the virtue that introduced or preserved balance in any society. His disciple Aristotle, modified the notion of justice by stating that justice necessarily implies a certain level of equality. This equality could be based upon (1) identity of treatment and (2) proportionality or equivalence. He further said identity of treatment leads to 'commutative justice' and proportionality leads to 'distributive justice' - the role of the courts and the judges being to distribute commutative justice and the role of the legislature being to distribute distributive justice. In legal disputes between two individuals the punishment should be as per the principles of commutative justice with the judiciary seeking to reach the middle point of equality. And in matters of allotment of political rights, honour, wealth, and goods, it should be as per the principles of distributive justice. Also there is a need to reconcile the demands of distributive and commutative justice in any society, and so he saw the concept of justice in any society as a moving equilibrium, and nothing that is fixed, forever.

[26] D.D. Raphael, *Problems of Political Philosophy*, Macmillan (India), New Delhi, 1977, p. 165

The Romans and the Stoics developed a rather different notion of justice. They regarded justice as that which is not adapted from laws and customs but is discovered by reason. It would be divine and same for all men. Laws of society must be in with these laws to be worth anything. Positive law, to be worthy of law must conform to it and the idea of Natural Justice which the Stoics first developed and which was later adopted by the Roman Catholic Christian fathers and which treated all men as equal. Justian in his book *Institutes* made a distinction between the law discovered or developed by reason and that of the common people or the common law of the people or *jus gentium*.

Then not much happened till the Reformations, Renaissance and Industrial revolutions in Europe. Thinkers like Locke, Rousseau and Kant associated saw justice as a synthesis of liberty, equality and law. The early liberals saw feudalism, absolute monarchy and caste privileges as unjust and hence illegal. Justice without liberty and equality made no sense according to them. This became the prevailing notion of justice until the nineteenth century when there arose a disagreement between the Liberal and Socialist or Marxist schools of thought. Bentham and Mill's Utilitarian Theory, which held great sway, saw justice as what was conducive to the maximisation of happiness or utility of mankind. They felt total absence of all restrictions would be happiness maximised but the Socialists and Marxists then emerged to argue that extremes of poverty and economic inequality arising out of capitalist property relations are unjust and can not be supported which of of course the Liberal had no problems with. As far as the liberal schools of thought go, the view of justice held by the classical early liberals was the man view till the middle of the twentieth century. But with the rise of Keynesian welfare states, a new notion of justice had to be developed in the liberal tradition. That notion is probably best explained in John Rawls' *A Theory of Justice* (1971). By the closing decades of the twentieth century and the rise of neo-liberalism and what is called in America, Libertarianism, which is substantially a return to the notions of early classical liberals (with suitable changes made to build the case for Globalisation and International Free Trade) of free markets, minimal state, and absolute individual rights to freedom and property, yet another theory of justice emerged in the liberal tradition. This is the 'Entitlement Theory of Justice' popularised by Robert Nozic in his book *Anarchy, State and Utopia*.

Rawls' Theory

John Rawls in his work, *Theory of Justice* attempted to build a theoretical foundation for the a notion of justice that would be in the liberal tradition but not as each-man-for-himself as the early liberals and hence help to support the notion of a welfare state that became the preferred developmental aim and route of non-communist nations worldwide by the end of the second world war.
(Including in India for instance where Jawaharlal Nehru launched a model of a developmental interventionist state and an ideology behind it that is also referred to as Nehruvian Socialism. In reality of course it was not remotely socialistic but firmly positive liberal in the Laskian and Keynesian tradition.)

Needless to say Rawls' theory takes a position that was opposed to that of the Utilitarian Classical Liberals like Bentham and Mill whose ideas of justice held great sway particularly in the legal traditions of Anglo-Saxon countries till the middle of the last century. Rawl draws up his theory on the basis of the notions of social contract and distributive justice. He defines two kinds of goods (1) Social Goods: such as income and wealth, opportunities and power, rights and liberties that are directly distributed by social institutions and (2) Natural Goods: like health, intelligence, vigour, imagination, natural talents etc which are not directly distributed by social institutions but may be subject to those institutions partly or affected by them.

Since Rawl also built his theory in the traditions of Rousseau, Hobbes and Locke, he used the hypothetical assumption of a social 'contract' in his analysis. Rawl assumes a pre-social period in the history of mankind and nature when human beings did not naturally live together in communities and societies but later came together after reaching a consensus among themselves as to the form the society that they live in and agree to be members of should take. Here he assumes that the individual participants in a society would naturally choose a form of society, which is 'just under the sterile conditions of impartial choice'. About the individual participants for the purpose of his theory he makes the following assumptions:

1. All the individuals are indifferent to others and don't suffer from envy as long their own interests are satisfied.
2. All the individuals in agreeing to be part of one society are seeking to maximise their own interests like rights, liberty, opportunities, income or wealth.
3. Each individual is under a 'veil of ignorance' at all times which prevents him from knowing fully about the talents of others.

If these conditions or assumptions are satisfied, then that would be what Rawl terms the 'original position' in which he says every one has 'particular wisdom' and 'general ignorance'. Rawl believes such a society would be a just society since each person would seek to advance his own interest but since no one is able to distinguish him self from others, he will favour principles which allow the maximum opportunity to everyone for the pursuit of one's life plans to everyone. Also everyone will choose a kind of society which minimises his possible losses and makes sure that even the worst of persons is not too destitute. Rawl terms this the 'maximising principle' and says it maximises the minimum welfare. In such a just society, according to Rawls, people would inevitably choose two principles of justice:

(1) That each person should have an equal right to the most extensive basic liberties.
(2) And Social and Economic inequalities are to be so arranged so that both are (a) to the greatest benefit to the least advantaged, and (b) attached to positions and offices open to all under conditions of fair quality of opportunity[27].

[27] John Rawls, *A Theory of Justice*, p. 199

Rawls also deals with the possibility of conflict between the two above principles of justice. For instance it is possible that a restriction on liberty of some individuals may constitute an inequality but it may satisfy the second principle above that is it may lead to lead to greater benefits for everyone. But Rawls says such inequalities will not be acceptable then since people will always give priority to the first principle – that is liberty. Even an improvement of in the welfare of everyone is an insufficient justification for inequitable abridgement of liberty. So clearly Rawls puts liberty first and says the *basis for self esteem in a just society* is the publicly affirmed distribution of fundamental rights and liberties. Thus the two principles of justice and the priority of the liberty principle are the *fundamental* elements of justice.

Rawls suggests that after fixing the justice principles, the constitution needs to be decided upon and it should be so done that the principles of justice are subsumed into the principles of liberty. After the establishment of the constitution legislation in parliament should be such that it targets the long-term social and economic goals. The social and economic policies should be aimed at maximising the long-term expectations of the least advantaged under conditions of fair equality and opportunity. Hence if the laws are such that they favour the privileged but no benefit accrues to the least advantaged as a consequence, to the maximum extent, then those laws have to be regarded as unjust.

Rawls theory, as far as distributive justice is concerned stands somewhere in between the classic liberal *laissez faire* on the one extreme and the communist or Marxist view on the other extreme. He clearly concludes that the proper function of government is not limited to maintaining social order but 'the achievement of distributive justice by placing the highest social value on the need of the neediest'. But he is not advocating complete elimination of inequalities and a fully egalitarian distribution. According to him, natural abilities and circumstances of birth foster privileges and since such inequalities can not be eliminated, a just society will seek to compensate for the resulting privileges by investing its resources including the abilities of the most talented in efforts assigned to improve the plight of the least fortunate. Justice does not mean rewarding those with superior abilities (*ethics of reward)* but compensating those endowed with lesser ability (*ethics of redress*). Hence Rawl, it seems, basically provides a theoretical concept of justice to support the liberal welfare state that is a constitutional democracy. He comments:

'If law and government act effectively to keep market competitive, resources fully employed, property and wealth distributed over time and to maintain the appropriate social minimum, then if there is equality of opportunity underwritten by education for all, the resulting distribution will be just'[28].

[28] Ibid. , p. 107

Critiques of Rawls' Theory

Rawls' theory has faced criticism from thinkers along the following lines mainly:

1. Brian Barry has argued that (i) it is difficult to identify the least advantaged individuals and groups in any society, (ii) what is included in the connotation of self-respect by Rawl is not clear, and (iii) the principles of constitutional engineering enunciated by Rawl are too fragile to make an impact.
2. Norman P. Barry has argued the theory of Rawl is just a re-statement of the liberal-capitalist principle and according to him it seems, 'the pleasure of the better off, however great, can not compensate for the pains of the worst off'.
3. The positive liberal thinker MacPherson has argued, Rawl assumes that a capitalist society will always be badly class divided and that inequality of income will always be necessary in such a society as an incentive to efficient production and hence in a welfare state transfer payments must always be limited by design to an amount that leaves one class better off than another. But this class inequality can in free market capitalist system lead to an inequality of power as well as income and as a consequence allow one class to dominate over the other.

The American libertarians have questioned the idea of distributing both talents and natural assets on the basis and for satisfying the principles of social justice.

Entitlement Theory of Justice

Robert Nozic's Entitlement Theory is the most influential among modern day neo-liberal views on the concept of justice. He explained his theory in his book *Anarchy, State and Utopia*. He is like all neo-liberals for the most minimised existence for the state akin to almost a non-existence. There is no role almost, in the neo-liberal view of the world that Free Markets cannot play and play better than anybody else, particularly the state. Re-distributive taxation (taxing the rich more to give relief to the poor) is morally and inherently wrong and a violation of basic rights as far as they are concerned. People have a right to sell what they produce at any price they want and work for others for as cheap as they want (or in other words even if they are compelled to do so due to socio-economic conditions) and the government and the state should stay away and not try to intervene and provide social justice to the needy. He comments:
'*People have rights and there are things no person or group may do to them (without violating their rights). So strong and far reaching are these rights that they raise the question of what, if anything, a state and its officials may do*'[29].
Nozic in his Entitlement Theory makes a central assumption which relates justice with the market. He assumes if everyone is entitled to the goods they currently posses then a just distribution is simply whatever results from people's free exchanges in a free market economy set up or society. Any distribution that results from free transfers and

[29] Robert Nozic, *Anarchy, State and Utopia*, Basic Books, New York, 1974

exchanges, from a situation that was just to begin with is just itself. And for the government to step in and tax these market determined exchanges and transfers is unjust even if the taxes are used to compensate undeserved natural handicaps in individuals. The only taxation that is acceptable is what is needed to maintain the background institutions of governance that will protect the system of exchanges and free market transfers and enforce the those transfers (like police, law courts, regulatory bodies like SEBI for instance etc).
(*This is the core of the neo-liberal belief system that is in a dominant position at present particularly as far as the developmental strategies in countries worldwide are concerned and as far as the basic ethical/moral/political assumptions in the policy prescriptions of the international organisations like World Bank/IMF are concerned. This is also the belief system that the so called "leftists" challenge arguing that governance can not be limited to merely facilitating free market business exchanges and transfers and needs to go further and offer direct aid and assistance to the to the needy and the exploited*.)

The entitlement theory is based upon three principles of justice:

(i) *The Principle of Transfer:* whatever is acquired without injustice as per the laws must be freely transferable without any state or other interference
(ii) *The Principle of Just Initial Acquisition:* how the acquisition was originally made and that it was done by just means is important
(iii) *The Principle of Rectification of Injustice:* If the acquisition was not just then there needs to be rules to rectify that.

The three principles taken together would mean if people's current holdings are justly acquired, then, the formula of just distribution as Robert Nozic formulates it in his book is '*from each as they choose, to each as they are chosen*'.[30]

Nozic relies on two appeals, it would seem, to justify his theory. One, that the free exercise of property rights is absolute and is more attractive. Two, that the principle of what he calls *self-ownership* justifies that right. By the first he means if somebody has acquired something without breaking the law then he has an absolute and natural right over it and to dispose it off as he wishes even if such transfers cause inequality and lack of opportunity for some other members of society. Or in other words if some people are more talented than others they will get ahead and get rich and they can get as rich as they want and have all the rewards even if others as a consequence of that starve and suffer. Nozic argues that starting from any initial state of distribution which is legitimate if free market exchange and transfers lead to inequalities there is no logic in taxing the rich by the state to create distributive social justice for a third party, i.e., the victim of inequality, starvation etc.

[30] ibid., p. 160

The second appeal of Nozic's theory is based on the principle of *self-ownership* as Nozic puts it. What Nozic means by that is that people are the 'end-in-themselves' in the tradition of German philosopher Kant and not the means to an end. So they should not be used or sacrificed for others or the benefit of others by society because we are all individuals in the end and have our own rights, which nobody has the right to take away. In other words Nozic believes:

(1) recognising people as owners of their own selves fully or 'self-owners' is fundamental to treating people as equal with equal rights and
(2) only unrestricted free market capitalism recognises this self-ownership.

Hence according to his theory only a minimised state limiting itself to the narrow function of protection against force, theft, fraud, and enforcement of commercial contracts and so on is justified and acceptable. Any efforts on the part of the state to take an initiative in things like education, public health care, transportation, roads, or parks is unjust because all of these would involve the 'coercive taxation' of people with excess money against their will, violating the basic justice principle of Entitlement Theory - 'from each as they choose, to each as they are chosen'.

The *Socialist Theories of Justice* are mainly Marxist and that of Democratic Socialism. The historical context in which socialism and Marxism emerged before has been explained before. By the fag end of the nineteenth century there was an attempt to synthesis democracy, liberalism and socialism, which is sometimes refereed to as Democratic Socialism.

Marxist notion of justice as propounded by Marx and Engles went beyond merely defining justice as social justice and argued that to say that the capitalist system is 'unjust' and drawing attention towards its inequalities was not sufficient because it obscures the essential nature of capitalist production, which is inherently exploitative and therefore justice in a capitalist system is impossible. The only solution was to create a new society on socialist lines and principles. Marx attacked the very idea of justice as commonly understood up to his time along the lines of 'equal rights' and 'fair distribution'. He argued some people have greater talent and will inevitably get ahead and accumulate control over means of production and constitute a separate class. Ultimately the people without the talent will be exploited at their hands. So the right to equality is in fact a right to inequality. And any attempt to create equality by redistribution of the wealth and resources will only solve the problem temporarily since eventually again the successful upper classes will climb back into a position of power and be in a position to exploit the poor. The only permanent solution, he therefore argued, was to distribute the means of production equally among the members of the whole society and that means ownership of the production capacities by the state itself. Marxists believe the question of justice will arise only if circumstances are maintained that perpetuate conflict or the possibility of conflict. If conflict persists hen justice will be needed. So the best thing to do is to get rid of the possibility of conflict itself and that is best achieved by all members of society living in a situation where the means of production are controlled by the state with everybody contributing in his own way and taking the reward 'from each according

to his need to each according to his ability'. Conflicts arise due to lack of uniformity of goals among members of society and due to the scarcity of resources. So both will needed to be dealt with to eliminate the potential for conflict and hence eliminate the need for a juridical system of justice in the liberal sense. Marxists held the root cause for injustice in the world (particularly it would seem of the times when Marx lived) was exploitation and in the context of industrial societies exploitation of workers by capitalists. The Liberal state according to Marxists legalises the exploitation by allowing the buying and selling of labour. Workers are forced to work for the capitalists since they don't own the productive assets of society and can only earn a living to avoid starvation by working for the properties classes. Hence wage-relationships are inherently exploitative. So all citizens including disenfranchised women for instance and unemployed and wage-workers have an unequal access to the means of production and in that sense are always victims of exploitation due to the system of the liberal state. Marx also argued that it wrong to argue that the capitalist class always acquired their property through conscious savings or through their hard work or better talent and many times violent conquest, enslavement, robbery, murder, fraud an d force played the greater part in capitalist accumulation.[31]

Democratic Socialism's notion of justice is a modification of the Marxian notions in many ways. The basic difference between Marxian Socialism and Democratic Socialism is on strategies and even on what constitutes the substance of socialism. Democratic Socialism unlike Marxism (which wanted a violent revolutionary overthrow of capitalism) wanted a slow evolutionary transformation process towards socialism using the structures of the capitalist liberal-framework. As long as the democratic constitutional set up genuinely exists according to democratic socialists, the best way is to use that state set up to achieve socialism, which according to them in not by definition another instrument of upper class exploitation as the Marxists believed.
(*The Marxists have suggested that with their superior money power upper class industrialists and controllers of the economy always manage to bribe or otherwise influence state actors like the politicians, police and the bureaucracy and also manage to influence the media etc which ultimately means the state in even a democratic liberal constitutional set up ultimately becomes an instrument of upper class exploitation. The democratic socialists regard this as alarmist and have faith in working through the structures and systems of liberal constitutional democracies to achieve socialism*.)

It is important to remember the historical background here. Democratic Socialism emerged by the end of the nineteenth century and in the first quarter of the twentieth century. By then agitations by workers and women etc had begun to change a lot of things and the predicted collapse of capitalism as a consequence arguably of that did not come through. Legislation designed to benefit the working class under the pressure of the working class movements and the freedom granted to trade unions (including in this country where a Trade Unions Act was passed by the British colonial government in

[31] Karl Marx, *Capita: A Critique of Political Economy*, Vol. I, Penguin, Harmondsworth, 1977, p. 875

1926) had begun to diminish the revolutionary tendencies of the working class and the alienation and polarisation between the upper owning classes and the working classes that had been predicted by Marx did not happen in most western capitalist democracies. Instead there was emerged a belief based on those successes that socio-economic justice can be achieved by peaceful agitation (instead of the revolutionary path of Marx) through agitations for universal suffrage, direct legislation, and civil rights. Thus socialism was seen as the potential logical culmination of the working out of liberal principles. So the idea of a path of Democratic Socialism emerged and it was believed a just society can be achieved by pursuing democracy fully and then due to political power and trade union pressure the working class can take over means of production. The basic features of a democratic socialist view of justice can be summed up as follows:

1. Democratic Socialism has faith in the power of the state in a liberal constitutional democracy and seeks to make use of it to achieve a socialist society. So in other words democratic socialists see Socialism as the fulfilment of liberal democracy.
2. Only Socialism according to Democratic Socialism can deliver social justice. Social justice exists in a state of full employment, universal higher education, a high standard of living for all and not just a few, as fair a distribution of income and resources as possible and a full equality of opportunity to develop one's talents as much as possible.
3. To achieve socialism and welfare of the community it is necessary to promote public ownership of the means of production. This may take the nationalisation of existing industries (wherever necessary but not in every case), creation of new public enterprises and consumers' and producers' co-operatives.
4. Trade Unions and organisations of producers and consumers are a necessary element of a democratic society.
5. Socialist planning does not necessarily mean that all economic decisions should be placed in the hands of the government and economic power should be decentralised as much as possible.
6. An individual should be rewarded according to his efforts.[32]

Apart from the liberal and socialist concepts of justice discussed above, there have also been miscellaneous schools of thought referred to as *Anarchists* who have based their notions of justice and a just society on the belief that justice is only possible when their is no state or authority to govern people. For the anarchists the State is an abomination for it is unfair with its subjects not by accident but due to its very nature and unavoidably. The only solution therefore according to them is to have no state.

(These theories being slightly on the fringe of mainstream thought both in terms of number of followers and in terns of influence in the history of mankind so far is not discussed in detail. In that sense it is outside the scope of the syllabus even arguably for the B.Com(h) paper this book is principally designed for. Those who are interested to

[32] Harry Laidler, *History of Socialism*, Routledge and Kegan Pal, 1968, p. 863

further explore *Anarchism* may read the book edited by I.L. Horowitz[33] and also of course can look up the topic on the internet.)

And quite apart from the views of liberal, socialistic and the anarchist schools of thought it is undeniable justice has always meant and worked out rather differently for some parts of humanity like women or specially disadvantaged people (like lower castes in the Indian context for instance) and hence there has been also been a *Feminist View* of justice for the former and a *Subaltern View* for the latter.

Isn't it amazing that women, even in England, the home of liberalism in many ways and of the great Bentham and Mills did not give women even the right to vote until the late 1920s and that too was granted under pressure due to the intense path breaking agitation launched by the women suffragette activists of that era. That even today in India which calls it self a democracy based on the principle of universal adult franchise in most parts of the country women decide to vote not of their own volition but are taken to the polling booths and ordered to vote by their male family member one way or the other.

The above are just examples but there is no denying that women have had negligible role in formulating economic and developmental policies until recently event though lack of economic progress and democratic and other rights influence women as much as and arguably even more than men. Hence Feminists thinkers have forcefully argued that justice and the discussions of the concept is incomplete and quite meaningless without taking into account the fact that for half of humanity, the female half, it has been quite another story. What justice can be there even in the so called constitutional liberal democracies (like India for instance) when in large segments of the population the status of women is like that of chattel (and even worse as merely sexual objects). What justice have we been talking about? . Interestingly most of the schools of thought over the march of history had accepted the egalitarian principle that all members of society should be treated equally but until recently have tended to defend gender discrimination taking various pleas like family life, privacy, good of children, nature's ordained roles etc and as feminists have argued mankind has tended to design principles of justice with only men's interests and priorities in mind without incorporating women's needs and experiences. The feminist view of justice is based on three broad issues: (1) the nature of gender discrimination, (2) public versus private sphere arguments and (3) justice and the ethics of care.

The nature of gender inequality has been such that women have been fundamentally treated by men and society as inferior and incapable and unsuited for most roles outside the home. This has in turn led to a tendency over time, which is only slightly changing now, to define roles in terms that favour men with no effort being made to accommodate women in the process. Laws and legislations to force equality have failed to a large

[33] I.L. Horowitz (ed.), *Anarchism*, Bell, 1967, p. 48-49

extent. As long as men's attitudes don't undergo a revolutionary change it would seem, gender justice is a far away goal.

On the issue of public versus private arguments there are three aspects. One the assumption that classical liberal theory had made that it is biologically ordained that men are the heads of families and the sphere of public issues is of men and that of the family of women justice is only a matter of relations between families. Feminists have stoutly argued against these assumptions. Another aspect is the arguments that are based on the right to privacy. It has been argued by feminists that the right to privacy that is invoked in the context of family life acts as huge hindrance to reforms to deal with domestic oppression of women. After all if a husband just beats up his wife everyday for instance and when the society tries to intervene, he argues that it is his private family *miya-bibi* acrimony and everybody should stay out, what it really means in practice is that the victim, that is the woman, will just have to continue to continue to suffer and have her basic human rights and dignity violated on daily basis quietly. So feminists have strongly argued against the privacy plea being taken. Privacy is a basic and almost sacred liberal principle, but according to feminists, and rightly so it would seem, it can be a huge hindrance to achieving gender justice. Another argument of feminists is that only women are presented with a choice between career and family. If a woman can not simultaneously raise her child and manage a full time job, then she is forced to depend economically on somebody like her husband who is a regular income earner. Why should women have to make this difficult choice. Should not the state intervene and treat the raising of the child as a societal responsibility and pay the woman for instance who is only rearing a child and not doing anything else.

An important reason for relegating women to the domestic sphere has been the belief that men and women are associated with different modes of thoughts and feelings. And so a lot of traditions in politics and ethics of the public realm has been justified on gender lines. The belief that the task of governing and regulating social order and managing public institutions should be monopolised by men because they are perceived to more rational possibly erroneously, whereas the task of sustaining private personal relations is should be of women because they are more sentimental, friendly and caring again possibly erroneously is challenged by feminists who argue it is precisely this sort of thinking that sustains patriarchy. Perhaps women were caring and sentiment, feminists argue, because of the roles that they were thrust into away from public responsibilities and because they were not offered opportunities to pursue other roles requiring application of rational decisive thinking. Feminists have pointed out theories of justice have not adequately taken into consideration gender issues when constructing their impressive edifices.

(There is a difference of views between Liberal feminists and Marxist feminists. Liberal feminists argue equal rights and opportunities with men are all that is needed because then women can then compete with men in all fields and achieve equality. Marxist feminists on the other hand argue oppression of women throughout history has been

basically a by-product of free market capitalism with it's consumerist focus. They point out to how in capitalist societies in spite of laws to guarantee gender equality we see advertising for products and services for instance that are sexually degrading and portray women as sexual show pieces and sex objects and as to how for instance prostitution survives and thrives as an industry in a Liberal State with the state mostly failing to do anything about it because the women workers involved in such trades can argue back that they have a basic liberal democratic right to earn their living the way they want. Yet another school called the Radical feminists focus mainly on the experiences of women under patriarchy and argue all subordination of women can be traced to patriarchal attitudes. Socialist feminists combine the radical perspective of patriarchy with the Marxists class analysis by and focus on the relationship between capitalism and patriarchy.)

Subaltern means 'of inferior rank' and as we all know like lower castes and tribals in India and the blacks in America or what was South Africa in the years of apartheid there have been people who have been much below the usual mainstream of people who do the social thinking and talk and engage in politics and seek and introduce reforms in any society etc. *Subalternism* is a view of history, society and politics from below. The purpose of a subaltern study is to understand the consciousness that existed or exists and played or plays a role in the political action taken by subordinate groups independent of any elite initiative. The believe we can really understand history by studying the people down below and how they reacted and formed and fought for justice and political rights etc. For instance a peasants view of the colonial British Raj in India would be a triad of the *sarkar* (the British Government), the *sahukar* (the Indian money lender) and the *zamindar* (again Indian) -- with all three being equally his rulers. But for the Congress led national leadership who were fighting the freedom movement this was hardly how they felt. Many of them were *zamindars* themselves and depended heavily for funds and activists on large *zamindars*, traders and money lenders and industrialists. They tended to use the poorer subaltern groups as raw material as it were in their economic and political activities. It was the elite again that wrote the official versions of history, and formulated the thinking on norms of justice etc. The language of the elite was (and is) in terms of nation-building, rights, liberties, political representation, citizenship etc. The language of the ordinary people or the subalterns on the other hand was (and is) in terms of their relationship with power, authority, and hierarchy, colonialism, and even pre-colonialism. While the problem of the elite is how to use and exploit the subordinate group, the problem of the subordinates or subalterns is to how to resist, ambush, fight and negotiate exploitative relationships. The Subaltern School draws a distinction between mainstream theories of justice and subordinate people's concept of justice. The major thinkers over the time and the span of history according to the subaltern school did not really talk of justice from the people's perspective. For instance Greek thinker Aristotle, who is regarded as the father of Political Science, justified slavery. Whereas for mainstream thinkers, justice has been thought of in achieving concepts like rule of law, rights, liberty and equality, for the subordinate groups these concepts have often ended up meaning ploys for continuation of a system of domination and exploitative social relationships. If

for the elite the right to property without restrictions is an important right for the subordinate classes it a meaningless right because they or their children could not ever hope to own any substantial property. Hence, for the subordinate classes even crime may not be abnormal or inherently bad but just a case of non-compliance by an individual. For them the law is merely an, 'emissary of the state' representing dominance and suppression the elite. Hence violent crime even can be seen a glorious pathway way to justice by subaltern subordinates.

The Concept of Property

The concept of property is not merely a concept in economics and law but more importantly in political theory. Extreme inequalities in the distribution of property have been the most powerful force throughout history behind most major political revolutions and events. This is likely to continue in the future as well. Property is so important because as Renner has commented 'property in modern conditions has been a means of control over other people's life and labour'.

When we consider the meaning of property in common usage the 'idea of private ownership' is associated with it by us almost immediately, which means the individual owning a property has the right to use and dispose of things in the most absolute manner. We usually don't regard property as joint community property even though this could also well be true theoretically. The private property notion of property is the consequence of the development of the new relations of the emerging capitalist society in the seventeenth and eighteenth centuries. Macpherson has suggested that the modern notion of property has the following characteristics:

1. Till the time of the industrial revolution possession of land resources were largely linked to the social functions one performed. Some people in some positions like Kings, it was accepted will control more land because of the services that he provides to the community by dint of his social position. But after the industrial revolution, more and more land resources became private property. Property became a right and not a thing.
2. In the feudal era before the rise of the merchant-industrialist class in Europe, property was mainly in the form of land and an individual could generally use his property only in the socially accepted way and not in any other way for profit. Land was not freely disposable. One could enjoy the right of using the land whether for farming or revenue but not sell it or otherwise dispose it. The modern notion of property changed this limited right to unlimited right and a right in land which became a freely marketable commodity. The Industrial Revolution introduced another kind of property into the picture. Capital goods like factories and industrial plants, stocks ands shares etc became new forms of property. From the seventeenth century onwards property was seen as a right to ownership rather than a right of usage, revenue etc.
3. The ownership of property was justified as a reward for labour. It was argued ability and labour are the personal properties of man and private property is the reward of this labour which should only belong to it's owner. This argument which was supported by the liberal thinkers went like this: the labour of the individual was his own which was

combined with the land to accumulate capital and therefore the land belongs to the individual fully for him to do as he pleases.

The idea of property explained above was a central pillar of the Liberal philosophies expounded by thinkers like John Locke, Adam Smith, Bentham, James Mill etc and was the intellectual basis advanced for justifying free market capitalism. The social abuses and extremes of economic inequality and income distribution that it spawned led to the reformist movements the most famous of which was Socialism and Marxism.

The Liberal view on property rested on two main themes:

(1) Property as an Absolute Right
(2) Property as a limited Social Right

Property as an Absolute Right

John Locke who is regarded as the first thinker in the liberal trend in many ways argued for an absolute right to property with no interference whatsoever under any circumstances by anybody, even the state on the plea that property ownership is fundamentally necessary for a man to have the means to lead a good life. In fact he argued the right to property comes prior to government and government needs to be constituted to protect that right. Even if the government is dissolved or abolished, the right to property should be inalienable and remain with the individual. In fact he celebrated the rise of the new merchant and capitalist classes and defended their demands and aspirations against feudal or monarchical restrictions. Lockes philosophical posture was supported by Adam Smith who in his economic exposition on the free market system argued how the free market is the best and most efficient system for distribution of resources and wealth. The liberal thinkers argued security of enjoyment of the rewards of one's labour is vitally important and is the reason for property ownership. The following comment of J.S. Mills explains the liberal notion of property as follows:
"The institution of property when limited to its essential elements, consisted in the recognition in each person, of a right to the exclusive disposal of what he or she have produced by their own exertion, or received whether by gift or by fair agreement, without force or fraud, from those who produced it. The foundation of whole is the right of producers to what they themselves have produced."

In fact the early liberal equated property with liberty and believed no man is fully free unless he possesses right to property in something. Property is the means whereby he develops his personality by impressing it upon his external surroundings without dependence on the will of others. Property is in itself good and a legitimate aspiration for human striving. they saw property as fostering an orderly, peaceful society with good life for its citizens and autonomy for the individual and with justice, efficiency and consumer's sovereignty. In brief therefore liberalism provided the intellectual justification for the notion of property that was needed by the new free market capitalism dominated by merchants and industrialists. Labour, Land and Capital were all deemed fully for

buying and selling as commodities. Mises has commented: "The programme of liberalism summed up in a single word should read 'property', that is, property in the means of production.....All other demands of liberalism derive from this basic demand".

Property as a Socially Limited Right

As has been discussed before the maturing of capitalism by the middle of the nineteenth century threw up many social problems. It created a small class of very rich merchants and industrialists who owned the means of production and distribution of resources on the one hand and on the other hand a much larger class of impoverished workers and labourers. This class lived in great poverty and helped the capitalist class get richer and richer while they themselves became poorer and poorer because the capitalist class could keep investing the profits or surplus from business while they found that their labour was a commodity which was often valued very low. There was a separation of ownership and control with passive financiers and industrialists owning the businesses and enjoying power and control (with no legal or social responsibility to serve society) while another larger class of people worked the factories without power and leading impoverished lives. The Utopian Socialists and Marx and Engles first drew attention to these consequences of property and how it was owned and managed. But in the liberal tradition also there emerged a new breed of liberal thinkers called positive liberals (as opposed to the old classical negative liberals who believed in the inalienable absolute right to property) who began to disagree with the old liberal notions and asked questions like: Should the right to property be unlimited? Should the state have the right under some circumstances interfere with the right to property for the public god whether by taxation or other means? Should those who have managed to acquire property have the freedom to enjoy their right even if it at the expense of many?. Some like Hobson argued that before a general right to property is recognised as unlimited, there should be due emphasis on social service and the general common good. The right to property argued the new liberals should be restrained and made subject to other rights and other's right's to acquire it should be reconciled to it. R.H. Tawney went so far as to plead for an abolition on ownership of those types of private property which performed no function.

Harold Laski's classic work *A Grammar of Politics* was among the most influential and brilliant in presenting the new positive liberal case. Laski argued that the system of property that existed in his times in the early twentieth century had a very unsatisfactory basis in individual right. All property ultimately depends upon the sustenance of society he argued and if rights are socially created they are relative to social needs. He disagreed with the classical liberal position that man needs property because it provides the incentive. He argued the power to acquire property defeats more incentives than it creates because in a capitalist society it is a reward only for that particular kind of ability which consists in the capacity to make a profit. Also if it is argued he said that property is the nurturer of virtues essential to society such as love for one's family, generosity, inventiveness, energy, then the majority of mankind is unable to satisfy the impulses essential to social well being because the majority of mankind does not own property. He

offered his own basis for property which combined with the old notion with an allowance for recognition on the basis of the function that a man performs a recognition that a man has claims to property so that he can satisfy his primary material wants, hunger, thirst, demand for shelter etc which are the basis for the realisation of his personality. These claims he regarded as universal and the minimum. Laski felt that one should earn one's living from one's efforts and to that extent property is good but it can be bad when one uses it to do nothing but just sit and earn profits. He commented: "..No man has a right to live because another has earned what suffices for his maintenance. That alone is moral which is the result of one's personal efforts: He further says: "..those whose property is the result of other men's efforts are parasitic upon society". They have legal rights but because those legal rights are not born of personal efforts, he agued "...they lack the moral penumbra which entitles them to respect". Thus Laski took a position against hereditary wealth which he said is immoral because it creates a class who have no societal obligation by dint of their wealth to do labour. Hereditary property was of course very much a central part of the capitalist notion of property as it is now. He suggested inheritance should only be allowed when it goes to provide a living to a widow or to children. Laski was basically arguing for a notion of property where property would only exists for an individual if he exerts personal effort in acquiring it and when the acquisition is the rational outcome of functions.

Laski dealt with the issue of property as a reward for labour by discussing four theories and then rejecting three and keeping the last one. He rejected the Communist or Marxist theory by arguing 'when effort is demanded of all, there seems no justice in an equal reward for unequal effort'. He rejected the early liberal theory as well which said reward should be fixed on the basis of free contract and the principles of demand and supply. He pointed out where parties to the contract (workers and their capitalist employers) are not in a position of equal bargaining power, freedom of contract is meaningless and leads to an immoral situation where one-third of the average industrial community is on the verge of starvation. The third theory which he rejected was the theory that a person should work according to his capabilities and get rewarded by society according to his needs. But even this principle Laski rejected because he argued there is no reasonable criterion that can be used to judge the needs of a person. Laski put his own fourth theory of reward and he put two conditions that he suggested must be satisfied: (a) it should enable the individual to reach out towards his best self, and (b) it should preserve and develop the necessary functions in the society. he argued the needs of the individualand the community have to be reconciled. His theory he said requires 'all alike are entitled to find the means to full life and that beyond those means differences must be required by the common god of the society'. Also that the insecurity and inadequacy which haunted the lives of the majority of the population, at the time he wrote his work, must be removed.
Laski attacked modern organised industrial capitalism quite directly. He argued property in industry meant nothing but 'capital to be hired'. Since he had argued that no man is entitled to wealth that he had not earned, it is not acceptable that a man will have capital to use which is not the result of his personal effort. He argued industry needs to be professional and engaged in serving the public purpose rather than profits. To this end he

suggested three changes: (a) the owners of wealth should be a person to whom a fixed dividend is paid for the use of his wealth and needs have no control of the business he owns. (b) industry or business should be controlled by the working class and (c) the social element of the industrial equation must be improved. He suggested nationalisation for those industries which are for the common welfare and a standardisation of wages and hours of work in all industries and also of qualifications and publicity. he suggested these measures both to remove the immoral effects of property on the working class and also to what he saw as improvement in industrial capacity.

Laski almost totally rejected the classical liberal motion of private property that existed in his times but also conceded that property is a social fact and it is the character of social facts to change with the march of time. Laskian ideas provided the intellectual justification for the welfare state which came into it's own worldwide particularly in Europe and North America in the early decades of the twentieth century. The new welfare state had many restrictions on property including compulsory acquisition by the state for public purposes after payment of adequate compensation. Also measures like progressive taxation, police powers, minimum wages legislations and minimum working conditions requirements etc were all inventions of the welfare state. MacPherson comments 'when the allocation of natural resources, capital and labour was being done by the market, property as an exclusive inalienable individual or corporate right in things was necessary. But in the twentieth century, when the role of allocation of resources has been taken over by the state, property as an exclusive individual right in things has become necessary'.

Marxist view of property is fundamentally is totally different to that of liberal notions. Marxism regarded property itself as the fundamental and sole cause of exploitation of man by man and therefore called for the abolition or banning of private property itself. Instead this school of thought prescribes community or socially owned property which everyone will use. Also prior to Marx and Engles the liberal scholars and even the early utopian socialists had all saw property as a right and only went so far as to wonder if their should be restrictions on this right and abuses that might result if the right is left unrestrained. So for all thinkers before Marx property was something to be owned and they discusses the right to property. But Marx and Engles saw property neither as a thing nor a source for extraction of material values but mainly as essentially defining relation among people. Marxian ideas on property should be studied under the following headings:
(1) Property and its content (2) Historical nature of property (3) Criticism of bourgeois property and the necessity for its abolition (4) Nature and content of socialist property (5) Socialist property - theory and practice.

Property and its content according to Marx 'is the economic relation among the participants in social production concerning the appropriation of material values; the means of production and the products of labour'. Marxism studies property as an objective relation manifesting in social production, unlike the liberal thinkers, who all

saw property as a thing owned by everybody in society. They did not distinguish between the person who owns a huge enterprise and the one nothing but can only his labour. Historically speaking according to Marxism the means of production have been used to advance the economic and political interests of their owners. Before using any products man has to produce it, distribute it and exchange it and only then he can consume it. Or in other words man's appropriation of material values is first of all their relation to each other concerning the production, distribution and exchange of those material values.

Historical nature of property according to Marxian analysis is different from the traditional liberal notion. Marx argued that it is the changes in the form of property, which determines the succession of socio-economic formations. Each social formation is identified by it particular property relations. Historically the forms of property in the means of production changed from the notions of primitive tribal communal property in the slave holding to feudal to capitalist forms. Thus there was a transition from pre-class to class society. In primitive times there was communal ownership of the means of production and social communal labour. As historical evolution happened with the development of productive forces and the social division of labour, private property arose and took different forms. For instance under feudalism, production relations were characterised by private ownership of the landed property and the dependence of the peasantry on the feudal lords. Thus property was feudal or state property. Later with the change in the control of means of production from feudal lords to merchants and industrialists who owned the means of production as private property 'bourgeois property' was created. Marx and Engles examined the bourgeois form of property that was taking over. Marx argued that the emergence of private property was historically conditioned and it came into being at a certain stage in the development of human society. He argued for the abolition of private property and collective ownership of property and labour. He argued private property is not naturally a condition necessary for man's existence as claimed by the liberal thinkers but since man in primitive times has shown that man basically is used to living under collective ownership that state can again be revived. He wanted property to be abolished because he argued private property is the cause of exploitation of man by man and hence is morally, economically, politically and socially bad. The Marxists critique of property and alternative suggestions can be divided into four headings: (a) Alienation caused by Property (b) Economic basis for abolition of property (c) Class division caused by property - the social basis for property abolition and (d) Property and Class domination - the political basis for property abolition.

Alienation caused by Property

Marx described the capitalist system of his times as a dehumanised world where the alienation between man and his work was growing and growing and which he predicted would ultimately climax in a revolutionary transformation of society. He asked why the notion of property which is a creation of man has come to dominate man. Why all human values are sacrificed for the sake of property and why man has got dehumanised. He argued property has alienated the essence of man from himself. He clearly associated

alienation with private property and the capitalist mode of production. Since the purpose of the capitalist system of production is profit, the whole productive activity is carried out for what is essentially a non-human motivation - that is to make money or profits. Rather than provide individuals with work and society with needed products and services. The right to property according to Marxism becomes a toll for the capitalist owner for appropriating economic value created by others --- the worker, who find that what they produce is not theirs. Thus the capitalist system basically prefers a mechanical labour machine in the form of a human being to keep piling the profits for the owners of the means of production. Marx says when labour becomes a commodity to be bought and sold, workers become a commodity rather than a human beings. Indeed what he is paid only pays for his barest needs and he somehow struggles to survive. He is liked to what he produces in a very alien way and not directly. Marx also points out therefore in a capitalist system, money power, becomes most important possession valued by society for it has the power top buy everything including human beings as labour. Money comes to be regarded as the supreme good and its possessor begins to be worshipped as a superior being. Marx commented:
"I am bad, dishonest, unscrupulous, stupid, but money is honoured and therefore its possessor is good.....Money saves me the trouble of being dishonest; I, am, therefore, presumed honest. I am brainless, but money is the real brain of all things, and how then should its possessor be brainless? Money can transform fidelity into infidelity, love into ate and hate into love, virtue into vice and vice into virtue, servant into master and master into servant, idiocy into intelligence and intelligence into idiocy. All human values are lost in the race of private property and money appears as the distorting power both against the individual and society".

Marx saw the end of this alienation only in a new society where private property just would not be allowed to exist, and everything would be jointly owned by the community or society.

Economic Basis for Abolition of Property

Marx argued the nature of production in capitalism is social but the fruits are not distributed socially. Profit being the purpose of production, profits are only possible if some people are able to buy the means of production like factories and some people are available to work as labour in those factories for very little subsistence wages. This fundamental relationship between owners and workers is an essential condition for capitalist profits. Marx also argued this also the main reason why there are periods of over and under production in capitalism and why are phases of boom and busts or recessions. That in turn means from time to time there will be unemployment. Marx argued the economy under a capitalist system is thus marked by a fundamental contradiction where while it creates boundless possibilities of production, there is a limited social goal of development under which the working class is neither fully efficient nor productive nor get paid fairly for their labour. Private property in capitalist production thus holds back the development of production and creates deep social

conflicts in the society between upper and lower classes. The only way according to Marxism to get out of this terrible situation is to abolish private production of good and services and replace it by socialist property.

Class Division

Marx had argued that property relations are class relations and at the social level property gives rise to social inequality. The division of labour gives rise to property and the development of property leads to a class divided society where the exploiting richer and exploited poorer classes are always in antagonistic relationships. In fact the fact that the exploiting classes want to preserve the existing class relations and the exploited want to change them leads to class struggle and class conflict. The division of society into antagonistic classes leading to a non-harmonious system where all human beings do not get opportunity to develop their personalities but only a small rich minority do is thus a consequence of property and can only be stopped by abolishing it.

Class Division and Political Domination

Marx made the point that in capitalist societies the class that dominates the economy also dominates the politics. Marx commented that in a class divided society of the sort that capitalism creates, the state is 'a committee running the affairs of the class dominating the economy, an organisation which helps it to maintain and consolidate its domination and to rule the whole society'. The state is basically there to protect the economic order that serves the capitalist class and their economic interests. All organs of the state like legal system, bureaucracy, police etc are all engaged in serving that system. Thus in any society which is divided into classes the state can not be truly democratic. Rights, Liberty, Equality and Justice become privileges only of the upper richer classes. Law becomes just an imposition of the will of the ruling class enshrined as written law. Occasionally the exploited masses do indeed manage to win some concessions but power always remains in the hands of the dominant classes. hence Marx argued as long as private property and capitalist mode of production as a consequence remain there is no possibility of a human living with sovereignty and dignity.

Questions:

1. Write an essay on the different concepts of justice? .
2. Explain the concept of property as per the Liberal and Marxist philosophies.

Suggested Reading:

1. Laski, *A Grammar of Politics*

Lesson 5

STATE AND DEMOCRACY

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After reading this lesson you will be familiar with:

- **What is State?**
- **The Idea of Democracy**

We all know and feel that we live in a state. It is important to understand what state means and what it should mean. The idea of democracy is in many ways a development of the concept of state and it is important to similarly examine the ides of democracy in political science.

What is State?

Initially political science was almost exclusively concerned with studying and understanding the nature of the state. In fact the political thinker Garner had commented 'Political Science begins and ends with the state'. The fact of the existence of the state is very old and in some ways it has always been seen as an authority for imposing law and order and guarantee protection of society. However the notion of state has constantly evolved and changed over time. The Greek city-states used the word *polis* while the Romans used the word *res publica.* Later there were terms used like Christian Commonwealth etc. Also the emphasis in the idea of the state changed over time. Initially the focus was on the authority of the state which later changed to the duty of the people. The nineteenth century onwards, owing largely to the influence of jurists, the emphasis got changed to internal sovereignty and the external independence of the state.

In the twentieth century the legal and juristic aspects of he state were challenged. Liberal thinkers like Laski, MacIver, Merrium, Lasswell, David Easton, Oppenheimer etc all argued this concept of state does not bring out the entire whole of political life that state represents. Also there were pre-state societies that a too legal authoritarian notion of state would not cover. Generally in terms of the history of changes in the notion of state there have been three types of notions: (a) the idealist notions (b) the liberal notions and (c) the socialist notions.

The *idealist* notions of the state start with the Greek notion of *polis* expounded by Plato and Aristotle who considered the state as a natural, necessary and ethical institution. The state or polis was there to enable a high level of moral and good life. Later Christians argued the state derived its authority from God and the king was the agent of God. So obedience to the King was made both a political and religious duty. Later the philosopher Hagel revived the idealistic notion of the state with his idea of 'state as an organism'. He argued just as an organism the state also has three characteristics: (a) there us a relationship between the parts and the whole - man is a part of society and state is

organised society, (b) like the individual man the state also develops from within and, (c) just as the end of the organism exists within itself, the state is also and end in itself.

The *liberal* notion of the state evolved with the decline of the Roman Empire and the Reformation and the Rennaisance and the Industrial Revolution. The state became a more secular entity, which wields legal and military authority and power over a territorial area. So the idea of a state was now more of a nation state with sovereignty. Even this notion of state changed later in the 17th and 18th centuries when a legal notion of state developed. Now state was primarily a law-making body, a group of persons organised for the promotion and maintenance of order and prosperity and happiness via law making. Thus we saw the beginning of what we know as a constitutional state in modern times. Here the notion of the state also combined a free market *lassez faire* economy model with a minimal role for the state. Again in the early decades of the twentieth century the notion of state again was changed to mean a more activist and responsible notion of the state that acts in pubic welfare. Or in other words the notion of the liberal *welfare state*.

Socialists and Marxists put forward a totally different notion of the state. They saw the state as nothing but an instrument for the rich ruling classes to rule and exploit the non-ruling poorer classes. The state was seen y them an a coercive entity. Thus they saw a class struggle ensuing leading to a revolution that would overthrow the exploitative grip of the upper classes and create a class less society.

Modern concepts of the state are dominated by the Liberal and Marxist theories of the state. The various major perspectives that have held influence are as follows:

1. Liberal-Individualistic
2. Social Democratic Welfare-ist
3. Libertarian
4. Classical Marxist
5. Contemporary Marxist

The Liberal-Individualistic State

The early notions of the state in the liberal tradition were based around the individualistic liberty of the individual The whole focus was on the individual. The goal was to free the individual from every arbitrary and capricious authority, particularly, the authority of the state. The rights to life, liberty and property were held as the most basic and natural inalienable rights of man. The state should be there only to protect the free and unfettered enjoyment of these rights. In fact the liberty of the individual and the authority of the state was therefore seen as fundamentally antithetical by the liberal philosophers. They were not concerned with or appreciative of any possible contradiction between the liberty of the individual and the interests of society.

In fact the liberal thinkers were even willing to see the state as a machine for securing the rights of the individual. Locke had commented 'the state is a machine which we create for

our good and run for our purpose'. They argued since the state is created by man it can not be greater than the creator. It is something which exists for man and not vice-versa. The sole justification of the state that it is necessary to protect the rights and liberty of the individual with the legal and police-military might of the state. The state thus is an artificial entity where the member individuals are as a consequence of a contract agreed to live together so that a mechanism can be followed for settling disputes and safeguarding rights. Thus the state they argued is a result of consent and contract of the governed. So if the state violated the contract the individuals have a right and a duty to resist it. So if the state tried to take action that it argues is in the public interest but which is harmful to individual rights, then the individual has to defend his right to property and liberty on the ground that the state is violating contract.

The liberal thinkers believed social control, security and freedom can be best protected via a legal system and laws. Law should command the respect of everyone or made to command the respect ands government should be too 'under the law'. The idea of state as a law-making body was put forward by Hobbes and Bodin and refined by Bentham and Austin who presented the state as a law making body. Law was fundamentally seen as a restraint on liberty but was seen as necessary because it was the best guarantee of life and liberty. Since it is the command of the sovereign the liberal held it is only when such an authority is habitually obeyed that a civil society exists. It is only the legal state that can be a sovereign state the liberals argued and the state acts through laws made by parliament. Rights, liberty, equality, democracy are all legal in character. It is this view that became the basis for a constitutional state. The liberals argued that every state must draw a constitution which should define the power and functions of various branches of government ands their inter-relations as well as the rights of the citizens.

So liberalism in its early phase mainly saw the state as a necessary evil to protect the individual's enjoyment of his rights. That is the reason in the liberal scheme of things in this phase historically the role of the state was very minimal. In fact Adam Smith the father of market economics restricted the role of the state only tot he following: (a) protect the society from violence and invasion (b) protect every member of society from injustice and oppression of every other member, and (c) erect and maintain certain public works and certain public institutions in which the individual may not be interested because it is unprofitable.

The liberal perspective of the state also is a believer in what we call today more popularly as a free market economy. Adam Smith is credited with giving the first theoretical basis for this belief. He described his theory in his book *Wealth of Nations* which was later supported and advanced by later liberal thinkers. The fundamental principle is that right to property is a fundamental and sacred right of all individuals which also is good for he society. The process of demand and supply and buying and selling creates the best allocation of resources and maximises human happiness or utility like no other conceivable system according to Adma Smith. The liberal model of a capitalist economy was based on the assumption that economics and politics are mutually independent.

Adam Smith had written: 'No two characteristics seem more inconsistent than those of trader and sovereign'. the liberal model saw any restraint on profit, interest, rent, wages, salary etc as hindrances to economic progress.

The liberal-individualistic perspective of the state is highly individualistic in focus and gives priority only the right, liberty and interests of individuals and is not bothered with total societal well being. Any restraint on the individual in the interest of the society or state as a whole is harmful in the eyes of liberals of this school of thought. So the state as conceived by them only had a negative function of imposing laws and regulations meant to protect the rights of individuals.

The Social Democratic Welfare State

The liberal-individualistic perspective of the state as proposed by the early classical liberal thinkers began to be challenged by the middle of the nineteenth century as a consequence of historical circumstances. The policy of a state that would only facilitate economic activity and exists just to enforce laws and fight international wars led to the concentration of capital in a few hands, monopolistic control of trade and emergence of very rich and large business families on the one hand and a majority exploited working class population on the other who had very poor lives of squalor. the gap between the rich and the poor became larger constantly. It became clear that the individualist view of the state of the early liberals can not fulfil economic, social and political goals.

The social democratic welfare perspective of the state emerged out of the re-examination of the nature and functions of the state by thinkers like J.S. Mill, T.H. Green, Hobson, Laski, Keynes etc. The new liberal thinkers also eventually known as the positive liberals rethought the concepts of the nature of liberty, relations between the state and the economy and the contradiction between liberty and authority. Also there arose a new feeling of the need for 'equality of opportunity' among liberal thinkers. In many ways the problem was reconciling individual and social interests and goals and also reconciling socialism and capitalism and the new positive liberal thinkers achieved this by altering and expanding the concept of liberty and also by advocating a totally new active role for the state. The state was now seen as a necessary agent for the promotion of the social good. The new liberals did not see state control and activity as a threat to individual liberty but instead argued that it was the only effective way to make liberty a real and meaningful reality for society as a whole and not only the rich minority. The main characteristics of the social democratic welfare state notion of state are as follows:

(a) Unlike the liberal-individualistic perspective the social democratic perspective of the state sees a need for reconciling the individual and social good and does not necessarily equate individual good with the social good. In this process they see a role for the state.
(b) Social democratic perspective agrees that all restraints on the freedom of the individual are not evil. In fact they would argue it can help in guaranteeing liberty better.

(c) The social democratic perspective sees a very active positive role for the state. The state has to play a role in ensuring that the basic minimum standard of living is available to all in society. The state needs to set minimum wage standards for instance and specify working conditions or create facilities for the upbringing of children or for prevention of destitution or conservation and proper utilisation of natural resources, educational resources etc.

(d) The social democratic perspective advocates a democratic and responsible state with a written constitution, representative government, universal adult franchise, civil and political liberties, political parties etc. They argue a state that is for welfare but is not democratic can not be regarded as liberal. So they are opposed to the socialist and marxist prescriptions.

(e) The social democratic perspective is very wary of the abuses and bad consequences of a market economy with unfettered trade and business freedom but unlike marxists don't want to abolish the market all together. They want the state to intervene in the market economy without disturbing the system. Rather the way for the state is to engage in economic and social reforms to improve the working conditions etc, and take measures to contain poverty, illiteracy, unemployment etc. The social democratic prescription is to rectify the ills of capitalism through a mixed economy model. the role of the state is not to be under the grip of ay particular class but intervene positively for social change.

The Libertarian State

The positive liberal school of thought on state held great influence till the end of the second world war after which there was a revival of many of the values of early negative liberalism and its *laissez faire* approach. The most prominent among the new liberal thinkers, who are also sometimes referred to as neo-liberals, were F.A. Hayek, Milton Friedman, I. Berlin, Robert Nozick etc. This new movement in liberal thought which rose to great influence in the USA since the 60s is formally called Libertarianism. This new school of thought which in many ways was nothing but a renewal of the old classical liberal values advocates maximised liberty particularly economic liberty. This they argue is the best defence of individual flowering. There are two branches within Libertarianism known as 'anarchists' and 'minarchists'. The anarchists group believes all government is illegitimate and want almost zero government while the minarchists are ready to accept a government or state in some form but only the minimised version. Both the schools believe a welfare state leads to a collectivist state which is harmful to the individual. In fact Hayek in his book *The Road to Serfdom (1944*) warned that the adoption of welfare/socialist policies would bring totalitarian government in the long run. Milton Friedman argued competitive capitalism promotes political freedom because it separates economic power from political power, and thus the two powers can counter each other. Ralf Dahrendorf, another neo-liberal thinker had compared the welfare state to an iron cage of government run bondage.

The appearance of Robert Nozick's book *Anarchy, State and Utopia (1974)* raised the academic profile of libertarianism hugely. He argued that the individual possessed prior and inalienable rights independent of society and hence the state needs to function within limits. The state he argued should be a minimal state that only takes care of preventing theft and fraud and enforces contracts etc. He insisted it is very important that the state should not use it's coercive powers for the purpose of getting some citizens to aid other citizens even if there is great difference between the living conditions of citizens and some people are very rich and happy and others are poor and in misery. Also he insisted the state should not prohibit any activities by citizens for their own good or protection. Interestingly Nozick does not subscribe to the anarchist model not because he does not like it but because he thinks it will inevitably eventually lead to an organised state because individuals will find it in their interest to allow a 'dominant protective agency' to emerge which would have monopoly of coercive power. He is very clear though liberty is more important than equality and under no circumstances should the interest of liberty be sacrificed for equality. He opposed measures like progressive taxation (taxation of the rich at a marginally higher rate), positive discrimination like affirmative action and reservations, provisions for minimal standards of living and education and health care etc. In fact he goes on to say those who are rich will probably voluntarily adopt some measures of kindness and benevolence out of pity for the poor and donate a part of their wealth but there should not be any redistribution of wealth to raise the level of the poor organised by the state. He commented:
'Seizing the results of someone's labour is equivalent to seizing hours from him and directing him to carry on various activities. If people force you to do certain work or unrewarded work, for a certain period of time, they decide what you are to do and what purpose your work is to serve apart from your decisions. This process whereby they take this decision from you makes them a part owner of you, it gives them a property right in you'.

David Miller commented that there are two main reasons why the view of libertarians is so different from that of the welfare state-ists - (a) the main doctrine of libertarians is the vital importance and place of individual rights and property and that excludes welfare-ism because it involves compulsory labour of some on behalf of others and (b) libertarians basically hold as a central article of faith their belief in the free market laissez faire economy.

While discussing libertarianism it is important to remember that it holds a great deal of influence in economic policy making world wide currently and even in India the waves of privatising and liberalisation and globalisation have as part of their belief system libertarian values.

Classical Marxist Perspective of the State

The Marxist view of the state is fundamentally and radically different from that of all liberal thoughts that either preceded or succeeded Karl Marx. This stems from the

fundamental view of capitalist society as a class divided society where the interests of the rich and poor classes are fundamentally different and opposed to each other ultimately. Marxism views the state in a capitalist society as tool of the upper classes to maintain their privileged positions. In a state based upon private ownership of means of production according to Marx, the state is always an instrument of exploitation, a dictatorship of a special kind for the suppression of the exploited masses. Marx held that in a capitalist society inevitably class divides lead to a class struggle and to a revolution ultimately. This revolution, which Marx both predicted and advocated creates a classless society and a new economic order in which private property stands abolished after the proletariat takes over.

Engles whose contribution to Marxist thought is substantial had argued the state had not always naturally existed. In fact according to him the state arose historically only when society got divided into propertied and non-propertied classes to help the properties maintain their privileged position and protect their interests and keep conflicts arising out of property in check. Engles argued the state was different from other forms of social organisation in three ways: (a) it divided its subjects according to territory (b) the state has an establishment for exercising coercive power like a police and jails and (c) to maintain public order the state levies taxes and raises revenue. Analysing history Engles showed the state had assumed many forms such as monarchy, aristocracy, democracy etc but it has always remained a tool of the ruling classes for oppressing the property less classes.

Marxism also argues even when the state engages in welfare functions in areas like health and education for instance the basic character of a state in a class divided society is always the same - a tool for maintaining upper class privileges. The so called law and order is only for the poor. While the state may pretend to be free from class struggle, the order it maintains and the order it serves is the order of the capitalist classes. He argues in a capitalist society the state treats all profits as legitimate and keeps out of all economic decisions. But the ideological functions are not performed by the state and are instead performed by the institutions of religion, education, family, legal system, trade unions, media, culture, literature etc. The state serves as the ultimate sanctioning agency for the activities of these institutions and their purpose is to maintain the unity of the capitalist system. The functions of the stare, helps in the perpetuation of class division, class struggle and class domination.

However Marxism predicts as has been pointed out above a revolution by the proletariat leading to the establishment of a class less socialist society. The first task after this revolution according to Marxist notions of the ideals for a state would be to establish the dictatorship of the proletariat so that the power of the state could be utilised to suppress the exploiting bourgeois class, reorganise the economy for moving towards a socialist society. The next step would be to expropriate property because it is the ownership of property that is the root cause of capitalist exploitation. This needs to be done ruthlessly according to Marxist theory and those who oppose, should be killed by the proletariat.

The task of socialist revolution he said 'is to destroy private property and replace the productive process from private control to public control'. The socialist state will establishment itself lastly, and most importantly by gradually effecting a socio-cultural transformation as per the Marxist scheme. At the economic level this will mean a take over of the means of production under state control. Labour according to Marxism is to be rewarded according to work and while some differences in wealth will exists it will not be of the sort that can lead to exploitation. All discrimination like of caste, gender etc is to be ended gradually as and high level of culture based on a scientific temper is to be created. With widespread imparting of quality education a new system is to be created free of exploiting classes and thus complete the socialist revolution by also creating a revolution in people's minds. Finally in a socialist society with the end of private property in Marx's scheme the state will wither away because as the society becomes egalitarian there will be no need for coercion and power. Everyone will now be a worker which means society will constitute a single class or there be no classes at all.

The Contemporary Marxist Perspectives of State

While the classical Marxism of Marx and Engles were focussed on class struggle, post second world war Marxism has been more concerned with the problems of superstructure, culture, art, aesthetics, ideology etc. Marxist thinkers have also focussed on the problems of socialist transformation, problems of bureaucracy and authoritarianism etc. The most influential contemporary Marxist thinkers have been Karl Korsch, Lukas, Gramsci, Caudwell, Thomson, Frankfurt School, Structuralist, Marxism, New Left, Eurocommunism etc. In the new Marxist perspectives two characteristics are central:

(a) The new Marxist thinkers do not agree fully with the view that the state is an instrument of a class. They have argued this instrumentalist view was particularly true of Russian Bolshevik society but can not be generally be regarded as true. The new thinkers have also argued the state instead of withering away as predicted by Marx becomes even more strong in the name of dictatorship of the proletariat.

(b) The new thinkers have disagreed with the ideas of a universal theory of the capitalist state and have argued the there needs to be specific historical analysis for each state for the functions in a capitalist state have varied according to the historical conditions in which it was situated, the nature of class struggle and the structure of production. The new thinkers argue that rather than the ruling classes controlling the state directly, the class nature of the state is expressed through the structure of capitalist development, and the control of the state by the dominant class is contested in whatever system of political action the state has by the subordinate classes and social movements. Democratic growth happens when the subordinate class's power grows in the institutions of the state as well as in the institutions of civil society. The subordinate classes can sometimes gain small victories like improved material conditions, extension of suffrage, increased worker's control and growth of working class parties etc. The Marxist theory of the state has also increasingly acknowledged that political struggle for the transition to socialism must essentially be democratic in

the sense of combining the parliamentary and electoral struggles with social movements, workers control and other forms of direct democracy. In the new Marxist perspectives the view has emerged that it should be the state and not the mode of production that should be the principal focus of struggle.

The Idea of Democracy

Every state whether it is liberal, socialist or communist or even a dictatorship like Pakistan ruled by a military general calls itself democratic. Indeed it is fashion in modern times to pretend to be democratic. It is very important to examine politically what democracy means or should mean.

It is not possible to claim to define democracy accurately and universally. In fact the author Cranston has written that democracy is different doctrines in different people's minds. The great American President Lincoln had defined democracy as government 'of the people, for the people and by the people'. Lipset gave a more comprehensive definition:
"Democracy.....may be defined as a political system which supplies regular constitutional opportunities for changing the governing officials and a social mechanism which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office".

MacPherson defined democracy as 'merely a mechanism for choosing and authorising governments or in some other way getting laws and political decisions made'. Schumpeter had opined: 'The democratic method is that institutional arrangement for arriving at political decisions which realizes the common good by making the people itself decide issues though the election of individuals who are to assemble in order to carry out its will'.

Democracy it can be said is basically associated with participative politics for civil and political liberties. The major theories of democracy that seek to explain the concept or ides of democracy are:

1. Classical-liberal theory of democracy
2. Elitist theory of democracy
3. Pluralist theory of democracy
4. Participatory democracy
5. Marxist theory of democracy or people's democracy.

The Classical Theory of Democracy

In the liberal tradition the concepts of liberty, equality, rights, secularism and justice are the most fundamental and from the very beginning liberal thinkers have advocated democracy as the best ay of realising them. After freedom from the power of monarchs and feudal lords, democracy was seen as the natural way of governing the society.

Macpherson has proposed that actually before democracy came to the western world, there had developed concepts of politics of choice, competitive polities and polities of markets. It was in fact the liberal state in that sense that was democratized rather than the other way round. Early traces of democratic ideas can be found in the writings of English thinkers like Thomas Moore (*Utopia*, 1616*)* and Winstanley and the English Puritanism but the real birth of the democratic idea happened with the birth of the social contract theory because the idea of the a social contract between citizens assumes the equality of all men. Thomas Hobbes in *Leviathan* (1651) argued for the central democratic principle, that the government is created *by* the people, through a social contract. John Locke argued that government must be by the people and aim solely *for* their good. Adam Smith's free market model was also advanced on a democratic basis arguing for the freedom for all individuals to produce, buy and sell. The great utilitarian philosophers, Bentham and Mills supported democracy fully and in fact created a whole intellectual basis for it along utilitarian lines. They argued that democracy maximises utility or the greatest happiness for the greatest number because people need protection from form their rulers as well as each other and the best way of guaranteeing this protection is through representative democracy, constitutional government, regular elections, secret ballot, competitive party politics and rule by the majority vote etc. J.S. Mills had added another argument to that of Bentham in arguing for democracy. He had proposed democracy actually helps in improving and developing makind as a whole in moral terms than any other system. He saw democracy as a prime mechanism of moral self-development and highest and harmonious expansion of individual capacities. Interestingly though neither Bentham nor Mills were unequivocally for the principle of universal adult franchise or one-man-one-vote. Till 1802 Bentham advocated a limited franchise and in 1809 called for limited franchise only for householders of propertied classes and finally he called for universal franchise in 1817 but again only for men excluding women. Similarly Mills was not in favour of universal adult franchise because he feared people of one class being more in number could dominate and legislate in the interest of their own class and against the interest of the other class. Later in his book *Representative Government* (1861) he argued for more than one vote for some and for excluding some like those who are poor and receive relief for it and those who are illiterate or bankrupt or do not pay taxes -- all categories that would have excluded the entire working class. He was only for a representative government that was severely restricted in influencing the enjoyment of what he saw as basic liberties and that did not interfere with a laissez faire free market economy.

Democracy continued to receive the support of later liberal thinkers and the historical evolution of the world particularly Western Europe and North America lent strength to the acceptability of democracy.

The classical liberal view of democracy has been questioned by various thinkers from time to time. Firstly the assumption of democracy that each man knows what is best for him has been questioned. Many thinkers like Lord Bryce, Graham Walls have argued that man is not as rational, neutral, informed or active as is assumed him to be for democracy

to function. Secondly democracy rests on the basis of rule by the people but it is not easy to clarify what exactly 'rule' or 'people' means. Hence public opinion as a basis of government is a democratic myth. Thirdly, democracy is expected to serve the common good but there may not be such a things as the common good. Common good in a society would different things to different people. Also, fourthly, classical liberal theory does not take into account the power of mass psychology for instance or group coercion and persuasion and demagogic leadership. Fifthly, the party system in a democracy always becomes a game of the elite, or for those with money power and they decide the issues. Also the process of policy making is too complex and not as transparent or fair as calssical liberals hoped or assumed it would be. Lastly the most important criticism of the classical liberal case for democracy is that it is based on political equality but economic inequality.

The Elitist Theory of Democracy

In the twentieth century thinkers began to question the Classical Liberal theory of democracy by asking questions like: Can the public really play a role in day to day politics without democracy can not be participative and representative? Can ordinary citizens who are busy with many things like trying to earn a living spare the time and energy to play a public role? Will liberty be destroyed if the impulses of masses is allowed free play via electoral democracy without restrictions?. In an attempt to answer these questions new theories came up like the Elitist Theory of Democracy and the Pluralist Theory of Democracy.

The term 'elite' is used to refer to a minority among a group of people who are in advantageous position in that community due to some factors whatever they may be. Elites are usually those minorities who stand out in a society for their pre-eminence in the distribution of authority. The political elite is composed of a 'minority of specialized leaders who enjoy a disproportionate amount of power in the community's affairs' according to Presthus.

The Elite theory arose after the second world war and the main contributors have been Vilfredo Pareto, Geatano Mosca and Robert Michels and American authors like James Burnham and C. Wright Mills. The elite theory has as its main premise the belief that society consists of two kinds of people - the special selected few or the elite and a vast mass of people. The special people always rise to the top because they are the best and have the qualities. The elite, particularly the political elite performs all political functions, monopolises power and enjoys the advantages that power brings. The numerically vast and larger non-elite is ruled by the elite and directed and controlled in a manner that is essentially arbitrary. It is always the organised minority that rules over the unorganised majority. Robert Michels who gave what is known as the 'iron law of oligarchy' claimed the non-elite should submit to the elite because the majority of human beings are 'apathetic, indolent and slavish and permanently incapable of self-government'. The main features of elitist theories of democracy are: (a) People are not equal in their abilities and

so the development of an elite and a non-elite is inevitable. (b) The elite can control power and command influence because of their superior abilities (c) The group of elites is not constant and their is constant entry of new people and exit of old people from the group (d) The majority of the masses who constitute the non-elite are apathetic, lazy and indifferent and so there is a need for a capable minority to provide leadership and (e) Ruling elite in the modern times are mainly either intellectuals, industrial managers or bureaucrats.

Joseph Schumpeter in his book *Capitalism, Socialism, and Democracy* (1942) first formulated what can be regarded as a systematic formulation of the elite theory of democracy. Later it was supported in the writings of Sartori, Robert Dahl, Eckstein, Raymond Aron, Karl Manhiumand Sydney Verba etc. This concept of democracy is based on the idea that the vast majority of people who are mostly incapable and disinterested chose from a group of competent people who comprise the minority elite and who are mostly chosen on merit. Te people this way get a narrow choice but a choice nevertheless between rival elites who control political parties. The minority are too busy earning a living and are anyway neither interested mostly nor capable of having rational well thought out views on issues and so they chose from among the elite and follow the leadership. The Elite theorists of democracy approve of this state of affairs as they see it to be and argue in complex modern societies the way to efficiency is through specialisation and so rule should be of the elite. The Elite theory also sees too much participation of people as dangerous because a strong leader with dictatorial motivations like Hitler could use the mobilisation of the masses to achieve power and then destroy democracy itself, which would mean end of basic liberties. So they argue democratic and liberal values can only be safeguarded by keeping the masses away from politics. Elite theorists argue there can not be any real rule by the people. Rule is always for the people and never by the people because the people have to choose their representatives who are inevitably from the elite. Democracy in other words should suffice to mean competition between rival groups of elite and people getting a chance to decide which group of elites will rule. So democracy is just a procedure really whereby one of a narrow group gets to rule on marginally extra support from people. The Elite theorists also prescribe that there should be an agreement between elites on democratic values which is essential for the breakdown of constitutionalism. There should be a consensus they argue among the elites - political parties, leaders, executives of large business houses, leaders of voluntary associations and even workers unions so that the fundamental procedure of democracy can be protected from irresponsible leaders. It would seem while one of the aims of elite theory was to make the accepted idea of democracy more realistic and bring it closer to the empirical reality it only transformed democracy into a conservative political doctrine that is happy with the liberal or neo-liberal capitalist status quo at all times and wishes to maintain its stability.

The Elite theories have come under criticism from many thinkers like C.B. Macpherson, Greame Duncan, Barry Holden, Robert Dahl etc among others. The main complaints against the elite theories are as follows:

(a) The Elite theories distort the very meaning of democracy and make it arbitrary without paying any attention to its fundamental characteristics. If the people only choose representatives then they have no voice in running the country and hence the system becomes undemocratic.
(b) The Elite theory of democracy takes away the moral purpose of the traditional classical notion of democracy. The classical notion has the purpose of democracy the improvement of mankind but the Elite theory empties out that moral content and paints the whole situation just as an inevitable passive acceptance of minority rule by the elite.
(c) The Elite theories undermine the value of participation which is a central theme of democratic governance and instead claims no participation is possible. Hence they condemn rule *by* the people as an impossibility.
(d) The Elite theories seem to patronisingly approve of a politically passive incapable common man who will only earn his living and in the evenings spend his time with his family or friends or listen to the media outlets and not do anything more personally than once in while choose between sets of elite.
(e) The elite theories have been obsessed with maintenance of the stability of the system rather than allow for radical changes through the democratic process. The main focus has been preservation of the democratic procedure and the creation of machinery which would produce the most efficient administration and coherent public policies. That is also why Elite theories see social movements as a threat to democracy and disruptive of the process of law managed by the elite.

The Pluralist Theory of Democracy

The Pluralist Theory of Democracy is another theory that emphasises the role of groups other then the people themselves. In fact some thinkers have proposed theories of democracy that are a mixture of the Elitist and Pluralist theories. But also the pluralist view was developed partly as a reaction to the Elitist view. The Elite theorists are happy with a situation where power really lies with the elite who make major decisions but the pluralists argue for devising a system that will neutralise the tendency for elitism in a liberal democracy and elicit the true will of the will.

As a concept pluralism is quite old but it became a major part of modern liberal thinking only in the twentieth century. Pluralism simply means scattering and decentralising power and decision-making and not confine it to a small group in any society. In modern times with various industrial and technological aspects to living pluralists argue power is highly fragmented and is shared by competing public and private groups. Those in highly places have less power than one might think because they are really mediators among conflicting interests. The various groups mediate through their leadership and there is representation of the individual thereby. While industrial and technological integration and technological demands have made power concentrated in a few hands, the competition among fewer but larger interest groups goes in favour of public interest. Competition among big business, labour and government keeps each group from

misusing its power. Thus the inequalities in wealth, education and power among citizens is neutralised because associations and groups provide greater representation than one might imagine possible and this make democracy more real and tot hat extent ultimately more viable. Just as an example in a country like India when groups like the Bharatia Kisan Union of Mahendra Singh Tikait and Narmada Bachao Andolan lead movement they carry with them the interests and voice of millions of very poor and illiterate farmers who otherwise would not have a voice and this makes Indian democracy more real than it otherwise might be. Of course elites and elite news media criticise them and condemn them for stopping progress and they have to even get stopped by Supreme Court orders from time to time but nevertheless they do make Indian democracy more representative and real as a consequence of their efforts.

The pluralist theory of democracy got reflected and supported in the works of thinkers in America like S.M. Lipset, Robert Dahl, V. Presthus, F. Hunter etc. They argued political power is not as simple as it looks like in a society and is really quite widely dispersed between various groups, associations, classes and organisations of the society along with the elites who lead the society in general. The various interest groups raise their demands directly but also via he political parties. One definition of a pluralist democracy is:
'a political system in which policies are made by mutual consultation and exchange of opinions between various groups as that no group or elite is so powerful as to dominate the government to such an extent that it may implement all its demands completely'.
The pluralists approve of this power sharing and believe that this stops any one social class from monopolising control over the process of government decision making to the exclusion of the interests of other classes. But the pluralists make one assumption or postulate in their theoretical model and that is that all citizens have the legal opportunity and economic resources to organise and pursue their interests in the political arena. Without this opportunity the citizens can not express their support or opposition to a proposed measure. The pluralist theorists see political as a process of resolution among groups rather than individuals and they argue democracy works best when citizens govern indirectly through their membership of or identification with a group that supports their particular set of interests. They advocate that individuals in a society should actively participate in and make their will felt through groups of as many kinds as possible. They also advocate that all groups and their members should accept that elections are a viable instrument of mass participation in political decisions. Further all groups and members of the elite in their competition with each other make democracy possible. Thus the pluralist theory does not really oppose elitism fully because they accept the reality of elites and are happy with their continuation. This is the reason pluralist theories are sometimes regarded as only marginally different from elite theories. In fact the great American thinker Robert Dahl combined the elite and pluralist notions of democracy. He called his notion of democracy *polyarchy*. He made the point that people act both through groups and elite politicians. He cited several sources that shape policy with their influence - business houses and industrialists, traders, trade unions, farmer's associations, consumers, politicians, voters etc and who influence policy making of the government. No one achieves full implementation of their agenda. All groups are not equally powerful and

also the various groups are more effective at preventing polices that they are opposed to from being implemented rather than getting polices that they want getting adopted.

The main criticisms of the pluralist theory are along the following lines:

1. There is an assumption in the pluralist theories that the outcome of a clash of interests between diverse groups is promoting of those interests or that part of it that deserves to be adopted but in fact sometimes the clash can only mean a situation of a status quo or a stalemate or worse still one particular group getting away with its agenda creating resentments for the future.
2. The basic axiom of the pluralist theory that individuals want what is in their interests directly is also not always strictly true. People can be driven by nationalistic or other motivations.
3. Micheal Mavgolis has argued the pluralist theory lacks the capacity to devise ways to increase or redistribute society's resources so that traditionally underprivileged groups like lower castes, women, tribals etc or people who are of a lower socio-economic status come up and bridge the gap in the interest of equality so that they can participate in politics as a same footing as all other citizens. .
4. Mavgolis has also pointed out that pluralism does not have a plan to achieve social equality and development at a reasonable economic and environmental cost.

The Participatory Theory of Democracy

Participation in political activities is fundamental to democracy but it has been felt from time to time that in capitalist democracies in particular participation is often limited to no more than voting in elections. The Participatory Theory of Democracy advocates increased participation both as an ideal and as a functional requirement. The main proponents of this theory have been some left wing writers from the 1960s like Carole Perelman, C.B. Macpherson and N. Poulantzas.

Participatory democracy has two broad features:
(a) decentralisation decision-making so as to bring policy making closer to the people affected by the decisions
(b) direct involvement of the common man in decision-making.

The participatory advocates argue that democracy is supposed to be with the equal participation of everybody and is not just about maintaining a form of stable government as the elite or pluralist schools seem to argue. So democracy can only be achieved in a participatory society where citizens are active politically and take constant interest in collective problems. The participatory advocates argue it is necessary for active participation to happen so that there is adequate regulation of key institutions of the society and the political parties are more open and accountable.

Unlike the Elite and Pluralist theorists who have no problems with decision making by the elite, participatory democracy theorists argue that would make the democracy less real and therefore want to revive the participation of the common man in decision making. They argue the existence of democratic rights on paper or constitutionally is of little real meaning if those rights are not realised in actual practice by the common man. The individual needs to be really free and equal and only then he can participate. How free and equal can be judged from the concrete liberties and opportunities that he has to participate fully and actively in political and civic life. If people believe that opportunities exist for effective participation in decision making in a real sense people do get attracted to the idea of participating. They also feel more liberated and part of the system when they can effectively participate. A democracy that is dominated by elites whether political or technical or technocratic is not satisfactory to citizens and people can over rule and over ride the elite only by participation. The participatory theorists also argue that in the modern age of highly advanced industrial and technological societies the level of education in society is high enough and the gap between the intellectual and political thinking elite is not as high as has been in the past and so participatory democracy with heavy inputs from common people in most things is not detrimental from the point of view of efficiency and development. In general the participatory advocates argue the best protection from tyranny is through the dispersal of power. Participatory democracy can rescue the citizen from apathy, ignorance and alienation and fulfil the basic essence of democracy which is political participation of all citizens in decision and policy making.

As to the question of how exactly the common citizen might participate the various prescriptions of the participatory theorists are as follows:
1. voting in elections, 2. membership of political parties, 3. campaigning in elections, 4. taking part in the functioning of political parties generally, 5. membership and active participation in pressure and lobbying groups like associations and voluntary organisations and non governmental organisations (NGOs), 6. taking part in demonstrations, 7. and industrial strikes particularly those with political objectives or aiming at changing or influencing public policy, 8. participation in protest civil disobedience like refusal to pay taxes etc, 9. membership of consumer councils, 10. participation in the implementation of social policies, 10. and community development programmes such as those related to women and child development, family planning, environment protection etc.

Macpherson has commented that the modern nation states are very large in size and the number of state are formidable and it is not feasible that all citizens will fully participate in face-to-face discussions for instance in influencing policy making but nevertheless a substantial level of participation can be ensured if (a) the political parties are democratise according to the principle of "direct democracy", (b) if genuinely participatory political parties operate within the parliamentary structure, and (c) if the political parties activities are supplemented by organisations in the work place (like trade unions) and in the community (like citizen's groups and NGOs).

David Held has attacked the participatory theory by arguing that while it represents an advance over the other notions like Classical/Elite/Pluralist etc it does not make it clear how and why participation merely will lead to a greater level of human development which is among the major philosophical aims of democracy. There is no evidence or reasoned argument that participation will make citizens more cooperative and committed to the common good. He also argued the central assumption that people want to assume more responsibility for policy making and decision making on issues that impact their lives may not necessarily be true. What if people don't want to engage in social and economic matters and policy making. Why should citizens be forced to actively participate in public life if they want to do so. Also he asked what if people take their democratic attitude too far and start interfering with basic liberties and right. The participatory theorists have not opined on this a great deal. Cook and Morgan have argued participatory democracy is not as easy to practice as it may sound. For instance what should be the proper size and function of the participatory unit? . Also how can decisions taken at local levels with the help of active participation of citizens be coordinated and combined in the interest of the nation as a whole. The policy preferences of one local participatory unit may collide with that of another. They also argued the fact that decisions are arrived at with the widest participation does not mean they will be the most efficient decisions. Participatory theorists do not address the issue of efficiency adequately.

The Marxist Theory of Democracy

The idea of democracy, contrary to popular belief, was accepted by Marx and subsequent Marxist thinkers. Excepting that their notions of democracy are totally different from that of the Western Liberal tradition. Since Marxists argued that democratic rights can not be realised in a real sense by all people in a capitalist system but only by the rich, they argue for what they call 'people's democracy'. In Marxian democracy after the abolition of ownership of the means of production and the assumption of control of the economy by the proletariat a socialist democracy is built.

Marx was critical of the liberal constitutional democracy because the basis of a capitalist democracy is the economic system where the means of production are always in the control of a capitalist class. This capitalist class in turn using their money power controlled the political system and thus had control of the government and the state apparatus. The state power, rights and privileges were exclusive to that class in reality and the working class had rights and liberties only in name. Also the state bureaucracy, courts and the police were not neutral but served the interests of the dominant class one way or the other. Hence, democracy was reduced inevitably into just a system for preserving and aggrandising the powers and privilege of the ruling class and to be used as and when necessary for preserving upper class interests.

However, Marx and Engles did accept that even a liberal bourgeois democracy controlled by the rich capitalist class and which was to that extent fake may have some historical

and other pretensions of offering real rights to its citizens and those could be used by the working class to fight for emancipation and organise themselves and raise the level of political consciousness and to achieve proletarian revolution. The presence of universal suffrage in liberal democracies can be used to further the cause of a proletarian revolutionary movement. They do accept that in some situations a violent revolutionary movement may not be necessary but regard those as highly likely and rare. Even where the parliamentary path would be pursued in pursuit of the aims of a socialist revolution it would be a complement to other forms of struggle.

In the Marxian analysis genuine democracy is only possible after a proletarian revolution to establish a dictatorship of the proletariat because the liberal bourgeois democracy may have a participative ideal but there is no real participation by the poorer working classes. Marx and Engles in their *The Critique of the Gotha Programme* (1875) explained their concept: 'Between the capitalist and the communist society lies the period of the revolutionary transformation of the one into the other. There corresponds to this also a political transition period in which the state can be nothing but the revolutionary dictatorship of the proletariat'. So they distinguished between a dictatorship of the proletariat and communism. They saw it only as an intervening period till socialist construction leads to the creation of a communist society. It is important to understand in what sense Marx and Engles used the word 'dictatorship'. They used it in the sense that they saw every state as a dictatorship of the ruling social class. In capitalism this class was the rich industrial and business bourgeois while in the state they conceived immediately after revolution it would be the proletariat who would be in control and then start the process of socialist reconstruction leading to finally a classless society. So to them democracy and dictatorship of the proletariat at one and the same time would not be impossible any more than a liberal democracy in capitalism is both a democracy and a dictatorial rule in effect, by the bourgeois composed of industrialists and business houses.

Therefore they argued after the revolution and take over by the working class or the proletariat class the system would be a 'people's democracy'. They meant by 'people' here the vast population of poor common people as opposed to the few rich bourgeois. The chief characteristics of the Marxist people's democracy are as under:

(a) People's democracy is essentially a participatory form of democracy which the majority population of the working class in a liberal capitalist bourgeois democracy set up to take over political and state decision making from the hands of a small rich elite minority of industrialists and business people who control the politics of the state using their economic power.
(b) People's democracy also means the community's or the people's ownership of the means of production like farms and factories, appropriation by the state of all productive capital assets and transportation and a rapid increase in productive capacities. It would also mean equal liability of all citizens to work, and public direction of employment opportunities.
(c) There is an integration of executive and legislative functions in a socialist democracy and all government personnel are directly elected after the revolution and the police

and military are replaced by a people's militia. Also all public officials are paid the same salary as a worker.

(d) At the social level, there is no inheritance, free education for all children, an equitable distribution of population between villages and cities and a massive effort for development of productive forces to meet the basic needs of all citizens.

(e) In Marxist analysis people's democracy is seen as a pass over stage between capitalism and communism. After the abolition of private property and classes as a consequence, once the socialist society is created it is a gradual move towards full communism. In full communism there is an end to politics and a sort of habitual self-rule in a real sense is attempted at.

The establishment of socialist societies led to a further development of the ideas of Marx. Lenin who led the formation of the first socialist state in Russia in 1917 offered many new interpretations of Marxist ideas. Lenin accepted the importance of the Dictatorship of the Proletariat and stressed on its importance in socialist revolution but he also made the point that the dictatorship of the proletariat can only be exercised through the mass proletariat organisation or the Communist Party. Further he saw democracy as being in three phases: Capitalist Democracy, Socialist Democracy and Communist Democracy. He argued democracy is a form of state and is one of the many varieties of state and in a class divided society, government is both a dictatorship and a democracy. It is a democracy for one class and a dictatorship for another. The bourgeois who control and run a capitalist system for their own benefit have to be removed because they do not serve the interests of the working class and a socialist democracy established. Immediately after the socialist democracy is established Lenin accepts that the new socialist state is as much engaged in repression as the capitalist state. This is necessary to enforce the rule of the proletariat class. Since the bourgeois is very well entrenched and powerful, at the beginning in a socialist democracy the proletariat class have to ruthless repress and eliminate the capitalist class. The twin purpose of the dictatorship of the proletariat is to defend the revolution and organise a new social and economic order. This job is to be mainly done by the communist party according to Lenin.

Lenin thus argued that in a capitalist democracy real democracy does not exist and in a dictatorship of he proletariat there is at least more democracy than before because it is the rule of the majority proletariat class. He also argued that finally when true communism is achieved democracy would not be needed because it would be meaningless in the context of that society.

Many thinkers after Marx, Engles or Lenin have given their interpretations of Marxist thought. The most prominent have been Edward Bernstein, Karl Kautsky, Rosa Luxemberg etc. Edward Bernstein had argued that the Marxist analysis of capitalism is wrong and that socialist revolution and dictatorship of the proletariat is neither necessary nor desirable. He argued political democracy and liberal freedoms were more important. Marxist thinker had argued that Lenin was wrong in claiming that Dictatorship of the Proletariat is necessary. He argued a socialist revolution is impossible till the proletariat

is in a majority and if they are in a majority no dictatorship is necessary. He argued that democracy is important and by merging the democratic tradition with the Marxist socialist doctrine socialism can be achieved through democratic means. Marxist revolutionary Rosa Luxemburg attacked the anti-democratic policy of Lenin, which she argued tends to become not a dictatorship of the masses but a dictatorship over the masses. She argued even if democratic institutions are not perfect it is a mistake to abolish them because it paralyses the political life of the masses. She argued for freedom of expression and the press and free elections and maximised democratic freedoms. She argued dictatorship of the proletariat should not be a matter of abolishing democracy but of applying it correctly. It was important in how she saw things for the masses to have the freedom to actively participate and for them to do so in political life for socialism and freedom are inseparable.

After the second world war, the communist parties in Europe engaged in intense debate on the ideas of the revolution, dictatorship of the proletariat etc and eventually moved towards a constitutional away from the revolutionary path. So the Western Marxist concept of socialist democracy developed in a direction opposite to that of Lenin's ideas. They have moved closer to the view that socialism can be brought about by peaceful means like parliamentary democracy, multi-party system, civil liberties, rights of freedom of expression and trade union activities.

Questions:

1. What are the various theories of the state? .
2. Explain the most important theories of democracy? .

Suggested Reading:

1. *The Communist Manifesto*
2. J.S. Mill, *Representative Government*

Lesson 6

CITIZENSHIP, CIVIL SOCIETY AND IDENTITY

-- Amaresh Ganguli
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After reading this lesson you will be familiar with:

- **The Concept of Citizenship.**
- **The Idea of Civil Society.**
- **What is Identity? .**

When we claim we are Indians or part of any other nation - what do we mean exactly. We usually mean we are 'citizens' of that state, belong to the civil societies that constitute the people of that nation and it also means that we identify ourselves with that nation and/or the people.

The Concept of Citizenship

Now on what basis do we call ourselves citizens or on what basis should membership of a state be allowed. Should it be based on any specific principles and what should those be. All such questions involve an inquiry into the nature of citizenship and the relations between those who compose a state. In fact the basic character of citizenship in a state is determined by the nature of the social and political relationship that the individual in that state has with the state and society. He has an awareness of his social and political rights and duties and responsibilities and that constitutes his sense of citizenship of that state substantially. The concept of a citizen in political and philosophical literature has changed and evolved over the last 2500 years from the time of the Greeks.

Aristotle commented long back that the nature of citizenship is a question on which is 'often disputed and there is no general agreement on a single definition'. The Blackwell Encyclopaedia offers a simple definition: ' a full and responsible membership of state'. In general citizenship simply means participation in the political community of the state in a fuller sense. Participation in modern nation states is not merely the legal membership (that is represented by the passport for foreign travel for instance) but is also the participation in elections under universal adult franchise and living under a rule of law. Citizenship is also as concept in modern times associated with concepts like social, economic and political equality and social welfare and individual liberty. Heater has commented that the concept of citizenship began as a means of differentiating between the status of individuals in ancient Greece, it today it is a means of equalising their status. He further comments the 'essentials of modern citizenship are political participation, social and welfare rights, communal identity and civic responsibility'.

The Greek Theory of Citizenship

The origin of the idea of citizenship is with the Greeks who saw participation in the political life of the community as a crucial aspect of human development intellectually and spiritually. Aristotle in his book *Politics* opined that man is a social animal and for the development of his personality he needs to participate in the affairs of the *polis*. As to who could participate and who could not, Aristotle opined a citizen is a man 'who enjoys the right of sharing in the 'deliberative or judicial office'. But he clearly laid down that not everybody is capable of being regarded as a citizen and must have some special character and abilities to be given the privilege of deliberative or judicial office. The rest of the people in his scheme of things should be content with being ruled. He considered some human beings by reason of their occupation incapable of being living a life of virtue. So there was no question of treating every human being as a citizen. In the Greek system a citizen performed certain functions for society one of which was participating in the exercise of executive authority. The number of citizens were limited and women, foreigners, farmers from rural areas etc were all excluded. Further only citizens were allowed to own freehold property and were engaged in occupations like those of politicians, administrators, judges, jurors, and soldiers etc.

The Roman Concept of Citizenship

The Romans evolved the Greek concept of citizenship and made it more equal but did not end discrimination. For instance the under privileged aliens domiciled in Rome, traders and merchants were granted a lower status of citizenship but citizenship nevertheless called *plebeians.* After protests by the plebeians the Twelve Tables were drawn up which was the basis for rights and liabilities of citizens for centuries. The privileges of a citizen were the following:
(a) right of service in the army, (b) of voting in the assembly (c) eligibility to public office (d) legal right of action and appeal (e) of intermarriage (f) trade with other Roman citizens. Citizenship thus meant that citizens enjoyed employment and business opportunities that non-citizens did not. In the fourth century the Romans conferred full Roman citizenship on all non-slave males of all the territories that they had conquered. Roman citizenship provided equal citizenship before law which helped them win the loyalty of the people they conquered because by granting citizenship and consequently equality before the law they managed to free them from divisions of race, religion or richness etc.

Later Roman civilisation deteriorated and the constitutional guarantees of citizenship began to wane and the idea of class became important with richer classes getting away with legal violations using their money and power. Landowners and the military class became very powerful.

Citizenship in the Renaissance Period

After the end of the Roman Empire for centuries the tradition of democratic citizenship that was born in the Roman period was lost for centuries until the thirteenth and fourteenth centuries when during the Renaissance period in Europe the idea of a democracy state and citizenship were reborn in the views of thinkers like Machiavelli and Bodin. Machiavelli argued that the best form of government is a republican form in which the people directly guide he state. He argued though that this assumes a certain minimum level of virtue in people. He defined virtue to have the following qualities: (a) manly and martial qualities necessary to defend the state against internal and external disorder, and (b) qualities of patriotism, public probity and public minuteness. He also argued the citizens must guard the state from seizure by a tyrant. Bodin, the French philosopher argued against eligibility criterion for citizenship. He declared what makes ' a man a citizen' is 'the mutual obligation between subject and sovereign by which, in return for the faith and obedience rendered to him, he sovereign must do justice and give counsel, assistance, encouragement and protection to the subject'. Bodin thus introduced the new idea at the time for all citizens to be under a single system of law without discrimination onthe grounds of money, education, race, gender etc.

The Liberal Theory of Citizenship

The foundations of modern citizenship it has to be accepted were laid in the Western liberal tradition and came along with the idea of fundamental rights, liberties and the sovereign state and the need that was felt to end monarchical feudal control. Actually it was the rise of nationalism and consolidation of nation-states, spread of industrialisation and the capitalist economy and also the new awareness of rights among the urban working classes and the movements and socialist movements and doctrines during the eighteen and nineteen centuries that helped consolidate the liberal theory of citizenship. There were important contributions from utilitarians, liberal idealist and social democrats. The Utilitarian philosophers like Bentham and Mills stressed on three criterion in their notion of citizenship - individual liberty, political participation and a just apportionment of property. By applying their utilitarian principle of maximising the 'greatest happiness of the greatest number' they argued that utility maximisation is possible only in a democratic system based on a franchise of citizens. They argued that representatives elected by the people will take the best decisions in the interest of citizens. J.S. Mill though was concerned philosophically with the clash of individual liberty with the restrictions and duties of a democratic citizen He also was worried that a representative democracy of citizens could lead to a domination of the wise and intelligent by the lower standard of mass. He was convinced the mass majority of people are selfish and without a sense of civic responsibility or the intelligence to think for the society as a whole and so if they elect leaders by majority vote they will elect not necessarily the best people and that could lead to laws that are tyrannical and a violation of individual liberty. So he argued for a notion of democratic citizenship based on franchise with many restrictions and wished to enhance the influence of the middle class who he saw as intellectually

superior. He also argued for a more just distribution of property and workers participation.

Later liberals like T.H. Green emphasised on promoting a good life for all citizens to offer the basic minimums of social welfare which he argued should be of he essence of citizenship. The purpose of the state towards the citizens was to promote an environment for a good life. In fact he argued in the positive liberal tradition that without the basic minimum standard of living and absence of poverty it is not possible for an individual to have any meaningful sense of citizenship. But he cautioned the state should not intervene in so forcefully as to make ineffective the capitalist and property system or disturb the individual's pursuit of his freedom. From Bentham and Mills and the early liberals to the positive liberal so the twentieth century who advocated the welfare state, liberalism expanded the meaning of citizenship hugely and arrived at the principle that citizenship without basic sustenance is a meaningless concept. Also the concept of the individual citizen's responsibilities to his nation state was developed fully in nationalistic sense and was freed from the early liberal self-focussed sense of liberties and citizenship. During the twentieth century, liberalism equated citizenship with an egalitarian philosophy and things property ownership for all including women and universal adult franchise consolidated as an idea. The economic and social concepts of citizenship were accepted in many states like England and the United States.

The Marxist concept of Citizenship

The liberal tradition while expressing concern about the meaningless of citizenship for anybody whose basic needs are not met, according to Marxian analysis, never really focussed on the real reason for the lack of the capacity to experience true citizenship and that is the presence of class. Marxism stated that however strong efforts may be made in a liberal system to widen participation by raising the socio-economic level of all citizens, true citizenship can never happen ultimately if class division in society exists. They argue that citizenship in a liberal democracy is really ultimately a tool used by the upper classes to maintain their privileged position and is against the interests of the proletariat class fundamentally. Marx had dubbed the liberal democratic citizenship as 'bourgeois citizenship'. He had argued while the existence of a democratic state by definition abolishes differences of birth, rank, education and occupation based on the idea that all are equal before law and have the right to vote in elections based on the idea of universal adult franchise but the fact that the liberal democratic state allows poverty, inequality of education and incomes and thus the un-equal conditions generated by them shows that it does not support real citizenship because real citizenship is meaningless without basic needs being fulfilled and equality of opportunities. He advocated a social revolution to overcome the inequalities generated in a liberal democratic state for the abolition of class divisions. He argued that with the abolition of class divisions there will not be any need for the status of a citizen because the individual will have to face no political or legal institutions with which to negotiate all the time and live under.

Marshall's Theory of Citizenship

The thinker T.H. Marshall has come up with an interesting theory wherein he argues the concept of citizenship is not static but constantly evolves in a liberal capitalist democracy. In his book *Citizenship and Social Class* he traced the evolution of the concept of citizenship in a capitalistic welfare state and argued that as liberal capitalism evolved over history into a social system and as the class structure developed, the concept of citizenship also underwent transformation. At first if capitalism was a system of rights which supported the market system and propertied class but it later advocated a system which opposed both the market and supported the non-propertied class. The concepts of citizenship and class inequality as they became mutually inconsistent over time they in fact contributed to changes and adjustments in both the concepts. The development of citizenship rights and its enlargement over a much larger area than simply rights before the law vis-a-vis dispute settlement with other citizens and violation of liberties helped in reducing the alienation of the working class from an upper class run and dominated capitalist society and to that extent helped in reducing class conflict. Marshall pointed out that citizenship as a doctrine grew along with the transformation of a feudal monarchical dominated system to a capitalist system where newly bourgeois of rich merchants and industrialists began to become more powerful than landlords and kings and princes. They began to demand parity of social status and political power with the monarchical and landed class and it was in this quest that they vigorously supported the idea of democratic citizenship and the equality that it represented. So citizenship under the new liberal capitalist democracy in Europe meant protection of the law on an equal footing for all with respect to property rights and individual liberty which was of course the main concern of the new bourgeois in Europe. The idea of citizenship that evolved while it succeeded in undermining the feudal class and their class interests it promoted and protected the newly rich bourgeois class because the liberal capitalist democracy was about securing civil rights which is what the new capitalist class needed it to be to promote a free market capitalist economy in which they could maximise their wealth fully. As a consequence of various factors including socialist movements during the nineteenth century some political rights including the right to vote in elections or franchise was granted to the urban working class and some regulation of the working class was introduced. But it had little meaning for them because they had little experience and associated conditions to make use of their enfranchised status. But the working class through the creation of trade unions and by engaging in collective bargaining was able to win many rights to raise their economic and social status. Just by using the method of agitating through trade unions the working class established 'the claim that they, as citizens, were entitled to certain social rights'.

The addition of social rights in the twentieth century to the concept of citizenship made the capitalist ideology come into direct conflict with this new amendment in the concept of citizenship because while social rights basically flow from notions of equality free market capitalism is based on inequality and domination by the winners in the struggle for existence. The rise of social citizenship meant that legislative reforms were

undertaken in the Western nations to provide for the basics necessary for existence particularly in areas like education and health and other basics for social security like minimum wages rules, rules for minimum hours of work, minimum working conditions, occupational safety and compensation in case of accidents at the workplace etc.

The capitalist class wanted more and more profits, which meant they wanted minimum or no taxation while social citizenship measures involved spending by the government which meant higher taxation. Therefore, the state in a capitalist welfare state advocated by the positive liberals had a difficult job of balancing the two opposing interests but by their very effort they dealt with some of the alienation and discontent among the working class which Marxists had predicted would lead to a revolution causing the overthrow of the class system. Hence the new concept of citizenship with an inclusion of social rights did not end the inequalities created by the class system but rather crated a new kind of 'hyphenated system' which while it on the one hand combines a promotion of an egalitarian system of citizenship rights it also allows for the continuity of class and power.

The thinker *Anthony Giddens* has argued the growth of the concept of citizenship happened as a development of the relationship of reciprocity between the ruling state and ruled citizens. He argued class conflict played the most important role in the extension of the role of citizenship. Historically the first conflict that happened was between the bourgeois class and the feudal class, which was followed by the struggle of the working class against the bourgeois. The conflict between the bourgeois and the feudal system led to the separation of the state from the economy and the establishment of civil and political rights and democracy was born to serve as a guarantee of freedom and equality. The rise of the working class against the bourgeois led them to gain basic economic rights and to the creation of the welfare state. Giddens also argued social and economic rights won by workers were not merely an extension of civil and political rights but were an attempt by workers to empower themselves against the miserable conditions in which they lived and worked.

The Idea of Civil Society

The idea of civil society is actually quite old but it has become fashionable again in the last decade because of the developments in political evolution worldwide particularly after the fall of the former communist countries in Eastern Europe. Also in recent years non-state actors particularly non-governmental organisations and movements have become very influential in shaping public policy and in supplementing in its implementation. Generally in fact by civil society is meant various kinds of social and political forces that are outside the direct control of the state. These can be from the economic sphere, cultural sphere and from environmental groups etc. In fact it can be said there are three main sources of civil society - economy, society and culture. In Western thought the following views have been most influential on civil society: (a) the views of John Locke, (b) the ideas of the Scottish theorists of commercial society, and (c)

Hegel's views on civil society. Other significant views are Karl Marx's critique of civil society and its refinement by marxist thinker Gramsci.

John Locke - Civil and Natural Society

Proceeding from the idea of social contract John Locke saw ordered political society as civil society. He argued in a situation where individuals have natural rights there would not be three things: (a) there would be no authority to make laws, (b) to execute them and (c) to award punishment to wrong doers. But when individuals surrender these natural rights to a community or state so that they have a guarantee from that society for protection of their basic rights of life, liberty and property it can be said they have formed a civil society. This civil society had the role of making laws, executing them and awarding punishment to wrong doers who violate these laws. Thus according to him a civil society is in contrast to a state of nature because they are ordered communities with standing laws, judges and effective power of enforcement. He argued it is necessary for a civil society to exist that human beings are civilised and follow discipline. Also that some minimum conditions such as representative government, right to property and toleration of religious rights are needed. But Locke states very clearly that civil society and state are different. He argued that the state is a fiduciary power which depends upon the trust of the civil society. He argued if the state started acting tyrannically or irresponsibly and tried to curtail the rights of individuals then the civil society must act to check the transgressions. He thus talks of two contracts - one between the members of the civil society and the other for the formation of the government. The dissolution of one contract - that for the state - does not necessarily thus leads to the dissolution of the other - the one of the civil society. In fact Locke suggested two measures to limit the power of the state: (a) the state should not have the material resources to overawe all other sections of the society and (b) the constitutional laying down of certain moral principles which lay down the functions of the state and other social bodies. Other social bodies are necessary because social life requires numerous activities and the state is not the proper association for all ends of human beings. The state thus should exist along with other social bodies and associations and it is this space of other groups that constitutes the civil society. These civil society groups have the role of keeping a check on the state so that it does not encroach upon the sphere of the individual.

The Scottish Theorists of Commercial Society

In the eighteenth century thinkers like Hutcheson, Adam Ferguson and Adam Smith who are know as the Scottish theorists gave their own view of civil society to justify and explain the new capitalism that was developing in Europe and England. They argued the pursuit of profit, wealth and money was a reasonable and rational thing or goal which should be unrestricted and without the least interference from the state by way of legal jurisdiction. They argued a civil society that focuses on commercial activity is a superior one and is a higher form of civilisation. This is because it does not focus on military conquest that only leads to destruction and also helps in cultivating the arts and sciences.

Further it helped in furthering production of material goods which helped people lead more fulfilling lives and also necessarily implies an ordered society based on restraint and gentle behaviour. They saw civil society as co-terminus with the state but also as a 'civilised society'.

They went further than merely arguing that people in a commercial set up acting in self-interest maximise utility. They argued in fact that commercial behaviour is morally superior and the community's benefit is actually an unintended consequence of how people behave. Social practices and institutions according to them were not just utility maximising cold blooded calculated actions but also part of the sentimental social and friendly responses of people. The market system just allowed private social relations on a mature basis for mutual interest.

Hence according to the commercial theorists civil society was co-terminus not necessarily with any state but with rather state system that has a rule of law, limited government, laissez faire, commercial activities, markets and freedom and protection for commercial contracts.

Hegels' Ideas of Family, Civil Society and the State

Until the German thinker Hegel in Western thought there was a distinction made between civil society and the state. Hegel extended this and made a distinction between three aspects of society - the family, the civil society and the state. He called the family the private domain and the civil society and the state as the public domain. He termed the family as thesis, the civil society as anti-thesis and the state as the synthesis and saw the civil society as a step in the general direction of supreme ethical realisation for man and society, which he was of the view is only possible through the state.

Hegel explained the family is the first form of social organisation that the spirit of man created to make its journey towards freedom. Family serves the basic needs of man and provides comfort as far as sensual needs are concerned but more importantly is the first place where the rational idea of mutual love and trust is born and develops which later evolves into the state and society. That is why he terms the family as the 'thesis'. But the small size of the family makes it inadequate for realisation of all the needs of man. The family is not enough for the large scale impersonal functions required by the modern state and for the activities of economic and social life. He thus called Civil Society as the anti-thesis of the family which is necessary for the social, economic and ethical arrangements of modern industrial capitalist society. The civil society allows for specialisation and refinement for the material civilisation of modern capitalism. This also requires a certain kind of trust to develop which is though different from the trust that is there in the family. Also the social life of the community is disturbed by the competition of a free market competitive economy. So civil society has the problem of dealing with competitive interests which are self-interested, strong and have the resources to act in self interest. So civil society in the modern capitalist system is thus self-seeking and full of competition

and avarice which is thus lacking in the warmth that primitive tribal societies had. This civil society based on modern competitive capitalism is thus an economic and social order based on to its own principles without care for the ethical demands of law and political association. This Hegel argued would lead to conflicts that would cause dissolution of society. Thus Hegel argued civil society can become a negative institution functioning for artificial reasons and is the result of individual irrational desires governed on the basis of non-moral laws.

Therefore to assert and fulfil the over riding common interests of the community as a whole rising above the conflicts and divisions arises the need for a state. Hegel argued the civil society allows the economic impulse to operate and creates material productivity in response to consumer wants but it destroys the brotherliness and social warmth of a small community. There is a merger of the thesis (the family) and the anti-thesis (the civil society) resulting in the synthesis of the state. The state preserves what is best in the family and the civil society and creates unity and harmony.

Marxist Thoughts on Civil Society

Marx started with Hegel's idea of civil society to build his analysis of history, society and the state. He fundamentally differed in his view of the state from Hegel in that he argued the state is a function of and subject to the conflicting forces of civil society and is not a an all-inclusive political community created as a result of synthesis. The civil society according to him was nothing but the system of economic arrangements for production and exchange in the market system of capitalist society with division of labour and the existence of division in society into classes. He argued the history of man is but the history of civil society and civil society is nothing but the structure of economic relations and the state is relatively unimportant. Marx did accept the view that civil society had risen from the separation of the state from private economic production in the post-feudal era. In fact Marx went so far as to say civil society ' only develops with the bourgeois'. He argued in the free market capitalist set up the civil society is basically a non-social dehumanised set up because it constitutes nothing but a competition and conflict between economic classes. Thus the civil society in a capitalist set up was just a situation for the exploitation of man by man - of the poor working classes by the rich business men or bourgeois. He argued the resolution of the conflict is achieved only when a class struggle begins and the proletariat in a revolution overthrow the state controlled by the bourgeois to establish a classless and stateless nation less community of free co-operative producers.

Thus Marx viewed civil society in a capitalist society as a part of the commercial and industrial life, which makes human beings acquisitive and egotistic and creates a tendency in them to relate to each other only on the basis of money relations.

Gramci, the Marxist thinker, combined Hegelian and Marxian analysis to modify Marx's views. He argued civil society is neither a state of nature nor is a consequence of the

industrial society but is a function of 'hegemony', which can be both political and cultural. He examined why capitalism had survived even when there were conditions for its transition to communism. He divided the super structure of society into two - the civil society and the political society. He argued the dominant groups in society exercise hegemony through these two elements of the super structure by both coercive as well as ideological means. Gramsci explained the civil society embodies the material as well as the ideological and cultural relations in society. Thus civil society has within its fold not only the commercial and industrial aspects of life but also the spiritual and intellectual life of the society. It includes institutions such as the church, political parties, trade unions, universities, the media and even the voluntary and non-governmental organisations which are all engaged in promoting and supporting the ideology of the dominant class in subtle ways sometimes who need to ensure a cultural and spiritual supremacy at all times for themselves to maintain their position of advantage over the subordinate classes who consent to their own subordination thereby. Gramsci believed the state needs to use its coercive power, only when the ideological manipulation fails. He compared the role of civil society in a capitalist system to that of the second line of defence in military warfare. The subtle functioning and constant but powerful functioning of the civil society he argued is used by the capitalist system as a second line of defence against a revolution or revolt by the exploited working class. But he also accepted, the civil society offers the working class to use it to gain 'hegemony' and prepare the ground for a final revolutionary struggle. he also opined not all countries can have a revolution like in Russia particularly where the subordinate classes are governed with their consent via ideological brainwashing or manipulation of people's minds.

The Liberal Individualistic Perspective of Civil Society

In the Liberal tradition in western thought civil society came to be regarded eventually essentially as a condition for the smooth functioning of democracy. The thinker Alexis De Tocqueville argued that the state should not be seen necessarily as a governor of civil society. Indeed, he argued, without the participation of the people in civil associations and egalitarian institutions and political organisations, it is impossible to preserve the democratic character of social and political institutions for a pluralistic ands self-governing civil society independent of the state is a fundamental condition of democracy. Civil society associations in the liberal scheme can be anything from neighbourhood resident welfare associations to cultural associations and trade unions etc where people participate out of a sense of responsibility and out of free choice and exercising personal freedom. The state in its role uses coercive authority but in contrast the civil society functions without coercion and while giving freedom to the individual to shape his own destiny. Since in the liberal tradition there is a commitment to maximising freedom this is also the reason why classical liberals preferred civil society to the state and tried to minimise the power of public authority.

The Liberal thinker Hennah Arendt has argued freely formed and functioning civil society associations serve as an important counter weight to any possibilities of

totalitarianism because they are in the space that is between the state and the individual. When individuals become self focussed and withdraw into their private shells they in fact become easy pray of any attempted totalitarianism.

Another influential thinker Habermas has argued the civil society is crucial for the successful implementation of public policy. Individual people alone are mostly voiceless but when they combine they can help shape policy and play a crucial role in successful implementation of public policy with their active participation. So the state and civil society can and needs to have a partnership to carry out successful implementation of public policy.

Nancy Rosenblum has even argued if particular civil society organisations are against the values of democratic liberalism then even they should be encouraged and given and opportunity to participate because they provide a crucial vent to anti-liberal sentiments to play out rather than explode.

The author Diamond has enumerated the following functions that civil society performs to consolidate liberal democracy:

(a) In acting as a neutralising force against state power.
(b) Stimulates political participation and promotes democratic skills among the population and a democratic political culture.
(c) It helps in providing representation to different interests many of which may not get adequate representation via mainstream political parties.
(d) It helps in establishing cross connections among a diverse array of interests and groups thereby reducing the possibility of polarity in society.
(e) It helps in providing a training ground for future politicians.
(f) It helps in dissemination of information about policy measures and serves as a monitoring group in implementation of public policy.
(g) It helps in conflict resolution and mediation.

Civil Society and Eastern Europe

There is no doubt the power of civil society has been witnessed by history in the last decade and a half particularly in Eastern Europe in the former communist states. The non-violent transformation that these for communist states have undergone has been mainly due to the efforts of civil society leaders and intellectuals like Kolakowaski, Vaclav Havel, Vajda and others. What were in many cases clandestine civil society groups in the communist era served as frontline political organisations and movements once the process of transformation started starting with the period of glassnost and perestroika in Russia. After the historic transformation the civil society organisations have continued to be linked with conditions of freedom, pluralism and participation. The civil society movement in eastern europe on the ground has meant rebuilding of associations such as political parties, churches, media houses and publishing houses,

business associations etc to revive national, ethnic and religious identities which had remained dormant under communist rule.

What is identity? .

In the past few decades even as democracy has consolidated as a concept it has also been seen that there has been a rise of conflicts on the lines of ethnicity, caste etc. As a result political thinkers have increasingly focussed on identity as an important concept and there has emerged various theories around identity as a political concept. The most important proposition of identity theorists has been that oppressed identity groups should have a special voice in a democratic state to make their claims and voice their grievances. Very often the identity groups are those that have seen their distinctive claims being ignored in a majority rule based democratic set up or have suffered historical wrongs that in a democratic state have failed to be compensated for. For instance lower castes in India need support by way of affirmative actions like reservations in educational institutions but if all other castes unite against such measures and vote together their majority domination will mean caste oppressions of thousands of years will stay unheeded and un-compensated for and to that extent they will find democracy meaningless.

Identity has thus become a very important concept in the modern ways of understanding politics and it is argued both the Liberal tool of self-interest and the Marxist tool of class have proved ineffective in analysing many po9litical phenomenon which can only be explained in terms of identity politics.

First we need to reflect on what does identity mean. When we commonly inform others as to our identity while chatting with newly met strangers for instance we tend to say after we have told our names, what we do for a living, what regional and/or caste community we are from and also sometimes what commitments and relations we have with other individuals (like through marriage) and groups. Identity it can be said has three elements: competence, community and commitment. Competence is expressed by proving our abilities matched with the corresponding social recognition. When we talk of our community links we are really trying to place ourselves in the social scene that we hail from. It involves such aspects like which region of the country we are from, what religion affiliations we have and what are our caste backgrounds.

When individuals, groups, associations and classes are bale to distinguish themselves from others and are able to convey their distinctive character in words, gestures or practices to reassure themselves and others as to their identity, they are in a position to give a political context or sense to their sense of identity. In the twentieth century the search for identity has been a major preoccupation of different nationalities and ethnic groups worldwide. Groups that have engaged in identity politics have included those organised around race, ethnicity, nationality, religion, disability, gender, environment etc.

While it may sound not promoting of democracy at first but proponents of identity politics argue a shared identity and experience of a group is a natural and rational basis for existence and only those who belong to the group appreciate their particular needs and problems and the oppressions they face. Hence the identity groups should strive for self-determination and demand rights as a legitimate political constituency.

It is a fact of history that distinct identities are destroyed on a continuing basis by many societies. For instance in India when society moves into deep jungles or remote areas in search of mineral wealth for example and sets up modern industries, the ways of life of tribals residing there are overturned. They are encouraged and subtly forced to take to educational, cultural, social and economic ways of life that are not their own but are imposed upon them by the people who have come to their habitats from the cities. Also they can sometimes feel that what is happening to them is unjust. They can also feel that they are seen as an inferior lower people. It is now accepted that the process of a gradual demeaning and environment lack of respect for various identity groups through racism, linguistic and cultural domination, imposition of dominant culture through the process of destruction of identities or their assimilation can be unjust and unfair and it is this that leads to political movements of identity.

Identity related political movements have been generally found to have the following characteristics:

(a) Often the demands of identity groups are overlapping because while they are diverse and heterogonous they are mostly not separate minorities, cultures or nations. For example, women's rights and feminists groups raise demands often that are also raised by other groups. For instance feminist groups raising the demands of tribal women also find that dalit and adivasi groups are also raising the demands of dalit and tribal women as dalits. The diversity of identity politics does not mean that they neutralise each other. Often the diversity and insecurity of identity related differences fuel the demand for their political recognition and protection.
(b) The nature of an identity is also not constant always and the way an identity is articulated, the forms of recognition and accommodation undergoes changes over time by the bearers of that identity.
(c) Identity is not a theoretical concept but is one's practical experience of self-awareness and self-formation in relation to and with others. When citizens from diverse identities in a society co-ordinate their activities and co-operate with each other they do so under some form of mutual recognition and accommodation. Clashes and conflicts over identity problems start when a system of mutual recognition is questioned and becomes the focus of struggle and negotiations over its justice and freedom.

Almost every civilisation, society, nation and state has within its fold diverse identities and politically diverse people from diverse identities have not been treated equally and the state has worked for the dominant groups rather than for the common good. That is

the reason historically the seeds of identity formation has lied in the revolts against discriminations, oppressions and chauvinisms practiced by the dominant groups and elites. Sometimes politicians and political parties have also made use of diversities and by constantly claiming a superiority of the majority groups and the inferiority or imagined oppressions of minority groups have sought to win over the majority groups for grabbing political power.

The anti-colonial struggles of the twentieth century and the struggles for democracy worldwide had given a major push to identity related movements since they were based upon the notions of freedom and social/civil rights to begin with and upon an extension of those rationales identity related causes naturally developed as well. The various identity movements whether they have been national movements or movements based on specific issues such as women's rights or gay rights, the main purpose of the movements have been to reject and attack imposed identities on them and justify and demand the recognition of an identity related difference.

In identity politics again and again the issue crops up as to who decides which identities are unjustly imposed on others and which are worthy of recognition and need to be accommodated by the community at large or by other members of the community. The answer to this question that has emerged is that identities that deserve recognition should be raised and formulated by the members of the affected groups themselves by a process of consultations, negotiations and agreements. The people affected must experience that an alien identity has been imposed on them which they find unjust and they should articulate their own identity and demand its recognition. They must try to gain mutual recognition, respect and support of others who do not share that identity because an identity that a group is seeking to assert can only establish itself when others who are not members of that identity affirm that identity. If the recognition of an identity leads to some people being affected by it then they should be allowed to defend the status quo, raise doubts and give alternative counter proposals. The democratic negotiations of identity politics today it has been accepted needs to replace the dyadic dialogue of traditional theories of recognition by the complex multi-logue.

It has been accepted negotiations and agreements on identity should be undertaken by a process of exchange of reason and only those identities should be recognised which find support among those affected by it. The people of a society with diverse identities should support the various identities they belong to not despite the identity related differences but because it gives due recognition to their own identities.

Questions:

1. Explain the concept of citizenship.
2. What is civil society and what role does it play in a liberal capitalist democracy.
3. Why is identity politics important?.

Suggested Reading:

1. T.H. Marshall, *Citizenship and Social Class*

Lesson 7

WESTERN POLITICAL THOUGHT - I

-- Amaresh Ganguli
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After reading this lesson you will be familiar with:

- **The views of Aristotle on Citizenship.**
- **Lockes theories on Rights and Property.**
- **Rousseau's views on Inequality**

There have been many thinkers of influence in the Western philosophical firmament but some thinkers and their views on some particular themes have been of particular influence and have been great landmarks in the history of political philosophy. The views of Aristotle on Citizenship, Locke on Rights and Property and Rousseau's views on Inequality are such examples.

Aristotle on Citizenship

Aristotle (384 BC – March 7, 322 BC) was an ancient Greek philosopher, a student of Plato and also teacher of Alexander the Great. He wrote prolifically on subjects as diverse as physics, poetry, biology, zoology, logic, rhetoric, politics, government, and ethics. Along with Socrates and Plato he has proved to be the most influential of ancient Greek philosophers. Their Greek philosophy laid the foundations of Western philosophy in many ways. Many consider Aristotelianism as a development and concretisation of Plato's thoughts. Although Aristotle wrote dialogues, only fragments of these have survived. The works that have survived are in treatise form and were, for the most part, unpublished texts. These are generally believed to be lecture notes or texts used by his students. His philosophy of politics, democracy and citizenship were given by him in his book *Politics*.

When we study his thoughts on citizenship we need to first ask what is the identity or nature of a citizen. Aristotle preferred to ask rather who deserves to be a citizen or who merits the political position of citizenship.

Aristotle begins by saying what will *not* qualify someone for citizenship:
(a) his residential place or location, (b) or his capacity to sue and be sued, (c) or his birth, ancestry, or blood.

Instead he believed a citizen is one who participates in (a) ruling and judging, (b) one who rules and is ruled in turn and (c) one who shares in the judicial and deliberative offices of a polity.

Generally speaking he meant a citizen is *'he who has the power to take part in the deliberative or judicial administration of any state'* and for this purpose he defined a state to mean a body of citizens *'sufficing for the purpose of life'*. The purpose of the citizen according to him is the salvation of the community.

Place, legal capacity, birth, and parentage - as static qualities and/or markers of status - do not demonstrate in Aristotle's view the capacity of citizenship. He interestingly linked the concept of citizenship to the activities of a citizen rather than to any social position that he may have. He defined the community as the constitution and sharing in a constitution he seems to be saying qualifies one for citizenship. Thus emphasis on activity by Aristotle has a self-contained quality and practicing citizenship, he seems to be saying, makes someone a citizen. He clearly also said one can not play one's role of a citizen (and hence be a citizen) in a vacuum but in a specific community system or regime. So Aristotle pursues his investigation of citizenship by asking who is a citizen of a democracy or of an oligarchy. Being a citizen is regime-dependent because what it means to share in a constitution largely depends on the laws, education, and other social and political institutions of that particular constitution. These "externalities" all contribute to the making of citizens. Thus in his view citizenship, is a complex combination of doing on the part of citizen practitioners and making on the part of social and political institutions.

Aristotle says that it is important to leave to one side "those who have been made citizens and those who have obtained the name citizens in any other accidental way". He excluded those who are "made" citizens by the accidents of birth, ancestry or parentage. To be excluded from consideration of the nature of a citizen, Aristotle says, are specifically those who have been made citizens "by the magistrates," a kind of making he compares to the production of goods like kettles etc and those who have been made citizens "after a revolution" or by the force of legal treaty. Citizens who are made citizens in any of these ways do not disclose the nature of a citizen for the same reason as those who are made citizens by accident: their citizenship does not come about in virtue of their own activity as practitioners of citizenship. It is rather granted to them. Aristotle includes in the proper making of citizens laws, education, and other social and political institutions but not treaty, revolution, or magisterial edict because the former, unlike the latter, do not make irrelevant but rather supervene upon or guide the self-determining activity of the practitioners of citizenship.

A citizen identity is, then, a product of doing and making, where doing is a kind of self-making (by sharing in the constitution, one makes himself a citizen) and making, the guided shaping by laws, education, and other institutions. Accident and force must be excluded he argued when investigating the nature of the citizen because they make irrelevant what is at the heart of both formations of citizen identity: the dynamic and reciprocal relation between identity and action, between doers and their deeds. Citizens are marked as citizens not only by their particular or individual activities but by sharing in a constitution, in other words, by their collective activity. Citizen activity produces the

social and political institutions that contribute to the making of citizens in the first place. If it is the job of citizens to act as citizens then they do so not only in their activities but also in their collective action by which they make for themselves the social and political institutions which also helps make them in turn. Citizenship is a matter of individual self-determining activity and it is participatory. By collective action, sharing in their constitution, citizens help in making the institutions which, in turn, as institutions, guide them but do not fully determine, their individual activity. As the product of citizen's activities, these institutions become legitimate and are thus binding on each citizen and on the community as a whole.

Aristotle excluded women, working farmers, shopkeepers, craftsmen, mechanics, and slaves from citizenship. Like with citizens when talking about who should be slaves he pushes to one side those who have been made slaves by accident or by force. Aristotle draws the same conclusion in the case of slavery as he draws in the case of citizenship: if a citizen is a citizen in being a citizen, then so, too, is a slave a slave in being a slave. If being a citizen is to be understood in terms of citizen activity, then being a slave is to be understood in terms of slave activity. If activity (including how this activity is guided by social and political institutions but nothing accidental, forced, or biological) defines the nature of a citizen, then activity should define the natural slave. He says, "the good man and the statesman and the good citizen ought not to learn the crafts of inferiors except for their own occasional use; if they habitually practice them, there will cease to be a distinction between master and slave". Aristotle suggests, by performing the activities of a slave one becomes a slave.

Aristotle lays down the virtues of a citizen by saying a citizen should know both *how to rule* and *how to obey.* Citizens have to participate in ruling and so should have the requisite knowledge and capacity. He defined excellence of a citizen as consisting in 'knowledge of rule over freemen' from both the points of view of a ruler and the ruled. He believed he who has never learnt to obey can never be a good commander and the good citizen needs to be capable of both.

In Aristotle's scheme only those who are economically independent men with experience, education and time to devote to active participation in the duties of a citizen should be citizens. Also he argued all citizens need to both govern and be governed by turns. He argued that is equality is that all persons who are similar need to be treated similarly but equally. That is justice. So a citizen was equal to another citizen and should be treated as such but a slave is equal to another slave only and needs to be treated equally with another slave only therefore and not a citizen. Also he laid down property ownership should be reserved for the citizens only for they need to be in good circumstances and women and slaves and mechanics and other people who are not producers of virtue can not have any share of property.

The number of people who are competent and have a share in the state and own property is limited and so he argued the number of citizens is limited. Citizenship in his system

thus was a bond forged by the intimacy of participation of these limited number of men in public affairs. This bond was to be guarded by those privileged to be a part of it and it was neither a right to be claimed nor a status to be conferred on anybody outside the established ranks of the citizen class. The citizens would serve the roles of politicians, administrations, judges, jurors and soldiers.

Locke's Theory of Natural Rights and Property

John Locke was a major philosopher of the 17th century Materialist School of England and is famous for his theory of social contract which is regarded to have laid the foundations of the liberal schools of thought in social sciences and the democratic and constitutional tradition. In epistemological terms, Locke has often been classified as a British Empiricist, along with David Hume and George Berkeley. His important social contract theory developed an alternative to the Hobbes's *state of nat*ure and argued a government could only be legitimate if it received the consent of the governed through a social contract and protected the natural rights of life, liberty, and estate. If such consent was not given, citizens had a right to revolt against the state. Locke's ideas had an enormous influence on the development of political philosophy, and he is widely regarded as one of the most influential Enlightenment thinkers and contributors to liberal theory. His writings, along with those of many Scottish Enlightenment thinkers, influenced the American revolutionaries too as reflected in the American Declaration of Independence.

In his *Two Treatises of Government* he refuted the doctrine of the divine and absolute right of the Monarch, as it had been put forward by Sir Robert Filmer's *Patriarcha*, and established a theory which would reconcile the liberty of the citizen with political order. The constructive doctrines which are elaborated in the second treatise became the basis of social and political philosophy for generations.

Labour he argued is the origin and justification of property. Contract or consent is the cause for the formation of government and fixes its limits. Behind both doctrines lies the idea of the independence of the individual person. The state of nature knows no government; but in it, as in political society, men are subject to the moral law, which is the law of God. Men are born free and equal in rights.

Whatever a man "mixes his labour with" is his to use and becomes his property and this he argued was the rule in the primitive condition of human life in which there was enough for all and no deprivation or scarcity. Locke further argues when men multiplied and land has become scarce, rules were needed beyond those which the moral law or law of nature supplied. But the origin of government he traced not to this economic necessity, but to another cause.

The moral laws, he agued while it is always valid, are not always kept. In the original state of nature all men equally have the right to punish transgressors but civil society

originated when, for the better administration of the law, men agreed to delegate this function to certain officers chosen from among them. Thus government was instituted by a "social contract". He argued therefore its powers should be limited, and should involve reciprocal obligations. Also therefore, they can be modified or rescinded by the authority of the people who conferred them. Locke's theory is thus in many ways a rendering of the facts of constitutional government in terms of thought. It has been argued his theory was a justification of some historical developments of his time and to that extent perhaps was a trifle opportunistic but his admirers refute this.
Generally it can be said Locke adopted a general method similar to that of Hobbes. Locke imagined an original state of nature in which individuals rely upon their own strength, then describes our escape from this primitive state by entering into a social contract under which the state provides protective services to its citizens but unlike Hobbes, Locke regarded this contract as a revocable contract by those who are governed.

Theory of Natural Rights

Locke argued man possesses certain rights naturally and as a law of nature, which had nothing to do with any social, legal or political institutions and the existence of these rights can be demonstrated by reason. Any individual man is entitled to and has these rights by dint of the very fact that he was born and don't flow from any society or state. He argued man is basically reasonable and peace loving and decent and that is why even in the absence of government is capable of ruling himself. It is this capacity for reason which makes man inclined towards an ordered state or government.

He argued the law of nature provided some basic rights like right to preservation of life, health, liberty and possessions. He argued God has given man these rights just as 'he gives them arms and legs, eyes and ears'. According to him men were placed on earth by God to lead a life to it's full potential and these rights are necessary to live one's life to the fullest.

In particular Locke identified three rights of man - Right to Life, Right to Liberty and Right to Estate (Property).

By *right to life* he argued those rights that are needed to 'make use of those things that were necessary or useful to his being or serviceable for his subsistence' and provided the 'means of his preservation'. He argued all men have a strong desire of self-preservation which was planted in him by God.

In his argument for a *natural right to liberty* he laid down his philosophy that every individual needs freedom from the arbitrary will of anybody else to do anything that was not permitted by the law of nature. It is a right not to be interfered with, except when one has transgressed natural law. Initially according to him it is called freedom but later it called a right. Also since men are fundamentally members of the same species, they must be assumed to be equal in jurisdiction, equally free from the wills of others. The only

limitation to the right to liberty is the laws of nature, which teach that 'no one ought to harm another in his life, liberty, health and possession and that men do not need and can not be allowed the right to everything'.

The third right that Locke regarded as a natural right is the *right to property* which he defined to mean in connection with a property 'a right to exclude others from it: to use, enjoy, consume and exchange it'. He argued the right to property always existed and is a natural right, which is prior to civil society and the government and is not dependent on their consent or the consent of others.

It has been mentioned above how some rights were regarded by Locke as basic and natural and gifts of god and always in existence whether there is a state or not. As for enforcement of the rights, Locke's views are that in a state of nature the rights are a claim against the neighbour and involves asking him to restrain himself from interfering in the rights of others and after man starts living in a civil society under a state the claim for enforcement lies with the state. The state then has a duty to guarantee the rights of the individual. Locke however cautions that though the state has the power to make laws to maintain peace and order but still the individual must not give up his natural rights to the state because they are a gift of god to men to last till the end of their lives. Even if an individual voluntarily gives up his rights he is giving up his basic attributes of a human being. Thus to be a human being and not anything less than that like an animal for instance he needs some basic natural rights and he needs to hold on these rights under all circumstances.

He argued that the normal state of nature is very weak in enforcing the basic natural rights and has no power to guarantee them. Hence man needs a political set up or a societal set up which will provide the conditions for enforcement of natural rights for all human beings. So he is arguing for a concept of government vested with the necessary powers to enforce rights legally. Once man moves from the state of nature to a state of ordered civil society or government then man needs to expect that state will legislate and effectively protect rights. The government has the duty to protect the rights to liberty of all citizens but the state inherently has no rights or powers to do anything.

Macpherson has commented Locke's concept of rights are more clear cut than those of Hobbes or Rousseau who in a way Locke tried to modify. His specific definition of rights like right to property and inheritance are used by him to justify his case for a government with limited power and reach and for people to have the right to revolt if their basic god given natural rights are violated or encroached upon by the state which inherently has no absolute powers. Historically speaking it has been pointed out Locke's theory came at a time to conveniently defend the aspirations of the rising middle class and new business bourgeois in Europe who wanted to be freed from authoritative interference and confiscations from kings and feudal landlords. It is true that Locke inspired many popular revolutions against monarchy and for democracy such as the American Independence Movement against the British Monarchy. Thinkers like Edmund Burke attacked the

theory of Locke arguing that the basis of rights can only be the customs of society and the sentiments of people. To say that man has some natural rights in an essentially philosophical and speculative assertion and is wrong. The English Utilitarian philosophers also rejected the Locke position on the ground that there can be no a priori rights before a state comes into existence and also there can be no rights against the state. They argued only laws made by a state can confer rights.

Locke's Views on Property

Locke used the word property in both broad and narrow senses. In a broad sense, it covers a wide range of human interests and aspirations; more narrowly, it refers to material goods. He argued property is a natural right as has been explained above and it is derived from labour. (Karl Marx later adapted some aspects Locke's theory on property in his philosophies.) Locke believed that the value of property is created by the application of labour to it. According to his theory of value, humans make objects into property by applying labour. In this view, the labour involved in construction and use accounts for the large majority of the property value of an object and property precedes government and government cannot "dispose of the estates of the subjects arbitrarily".

Locke raised and answered two questions (1) why should there be property at all and (2) why those with property can justify their privileged position.

He argued to begin with as has been pointed out above that property and the right to property is a god given right of man. If man is to live like a human being and develop his potential as a human being fully using the earth's resources then he needs to have the right to property.

Secondly, he used his labour theory of property to justify the ownership of property. He argued that every man uses labour and what he produces with his labour and his hands should be his in all fairness. When an individual applies his labour to what nature has provided and adds the result to what is his then he has made it his property. He argued god may have given the world to all men but he gave it for use by the industrious and rational among them. So the man who is industrious and rational has the right to the ownership of property and not others. .

Thirdly, Locke also defended property politically and economically by making it a consequence of his social contract theory. Since he had argued that property is one of the natural rights of man given by god, and since to begin with in the normal state of nature property is not divided equally, when a civil society or state or government comes into existence as a consequence of a social contract between the participating members, there is an acceptance of this fact (- of an unequal distribution of property) popularly, by the participating people or members of the society, in general. Thus there is a justification for both property and also the pattern of property distribution. Property is thus sanctioned by both the divine plan and popular consent.

Fourthly, property is always going to emerge in any society anyway. Men are by nature seekers of material comfort and security and are acquisitive by nature. There will always be people who will seek to make money through entrepreneurial means and acquire more money for property ownership is the best way discovered for prosperity.

Fifthly, property makes man secure which allows him leisure to pursue finer pursuits in life for the development of his personality.

Lastly, Locke argues via the system of inheritance an individual can pass on his property to his children and draw a sense of satisfaction from it. He can feel satisfied that the labour that he is engaged in will be carried forward by his children.

In conclusion it can be said Locke has declared the most important theme of his political theory as follows: in order to preserve the public good, the central function of government must be the protection of private property. At the beginning in a hypothetical state of nature each individual is perfectly equal with every other individual, and all people have the absolute liberty to act as they wish, without interference from anybody. What prevents this natural state from being a violent chaos as was argued by Hobbes, is that each individual is endowed with reason, and so the actions of every human agent — even in the unreconstructed state of nature — are bound by the self-evident laws of nature according to Locke. So the original state of nature vests each reasonable individual with an independent right and responsibility to enforce the natural law by punishing those few who irrationally choose to violate it. He argued because all are equal in the state of nature, the proportional punishment of criminals is a task anyone may undertake. Only in cases when the precipitate action of the offender leaves no time for appeal to the common sense, reason, and will of others, Locke held, does this natural state degenerate into the state of war of each against all.

Then interestingly everything changes with the gradual introduction of private property. Locke assumes, to begin with the earth and everything on it belonged to all of us in common. As equal inhabitants, all had the same right to make use of whatever they found and could use. Natural objects by mixing the labour of individuals with them, Locke argued, provided a clear means for appropriating them as an extension of our own personal property by the individuals exerting labour. Since our bodies and their movements are our own, whenever we use our own effort to improve the natural world—the resulting products belong to us as well.

Locke extended this same principle of appropriation by the investment of labour to control over the surface of the earth as well. Individuals who pour themselves into the land—improving its productivity by spending their own time and effort on its cultivation—acquire a property interest in the result. The ploughed field is worth more than the virgin prairie precisely because somebody invested his labour in ploughing it; so

even if the prairie was held in common by all, the ploughed field is his who did the ploughing. This personal appropriation of natural resources can continue indefinitely, Locke held, so long as there is "enough, and as good" left for others with the capacity and inclination to do the same labour.

Within reasonable limits, then, individuals are free to pursue their own "life, health, liberty, and possessions". He agrees the story gets more complicated with the introduction of a monetary system that makes it possible to store up value in excess of what the individual can responsibly enjoy. Fundamentally labour was the ultimate source of all economic value but the creation of a monetary system required an agreement among distinct individuals on the artificial "value" frozen in what is, in itself, nothing more than a bit of "coloured metal" (gold) as he put it. This need for agreement, in turn, he argued gave rise to the social order.

On the question of limits to accumulation or how much property a man may accumulate Locke's views were less clear-cut but nevertheless his basic views were as follow:

1. Property is created from labour, but also some limits to its accumulation are created: man’s capacity to produce and man’s capacity to consume. These limits are there in nature as per god's scheme to prevent goods from being spoiled, or wasted.

2. Hence naturally goods of greater durability are introduced, those exposed to quick spoilage can be exchanged for something that lasts longer, for example: plums for nuts, nuts for a piece of metal etc.

3. The introduction of money marks the culmination of this process of exchange as society evolves. Money makes possible the unlimited accumulation of property without causing waste through spoilage. Locke includes gold and silver as money as well because they may be “hoarded up without injury to anyone,” since they do not spoil or decay in the hands of the possessor.

4. The introduction of money eliminates the limits to accumulation and inequality. Locke stresses that inequality has come about by tacit agreement on the use of money, not by the social contract establishing civil society or the law of land regulating property.

5. Locke accepts that there is a problem posed by unlimited accumulation but does not consider anybody's job to limit it. He agrees generally that government should function to moderate the conflicts caused by the unlimited accumulation of property but does not clarify how the government should go about trying to solve this problem.

6. Not all elements of Locke's thoughts form a consistent whole. For example, the labour theory of value proposed by him in his *Two Treatises of Government* could be seen as contrary to or different from the demand-and-supply theory developed in the *Considerations*. Further, Locke anchors the concept of property in the concept of

labour but in the end accepts the unlimited accumulation of wealth, which of course can not come from labour because nobody is capable of unlimited labour.

Rousseau's views on Inequality

Jean-Jacques Rousseau (June 28, 1712 – July 2, 1778) was a French philosopher of the Enlightenment period whose political ideas influenced the French Revolution, the development of socialist theory, and the growth of nationalism. His argument that European progress had come at the cost of social inequality found great resonance and so did his criticism of the modern concept of political and economic progress. He regarded the ancient city state model as ideal. Rousseau propounded his views on inequality in his book *Discourses on the Origins and Foundations of Inequality among Men (1754)*. Rousseau's describes all the sorts of inequality that exist among human beings to determine which sorts of inequality are "natural" and which "unnatural" (and therefore preventable). Rousseau begins by discussing man in his state of nature. For Rousseau, man in his state of nature is essentially an animal like any other, driven by two key motivating principles: pity and self-preservation. In the original state of nature, he theorises, man exists without reason or the concept of good and evil, has few needs, and is essentially happy. Unlike beasts and animals though man suffers from a sense of unrealised potential for perfection. This desire for perfection is what evolves human beings with time, and according to Rousseau it becomes important the moment an isolated human being is forced to adapt to his environment and has to allow himself to be shaped by that environment. When natural disasters force people to move from one place to another, make contact with other people, and form small groups or elementary societies, new needs are created, and men begin to move out of the state of nature toward something very different. Rousseau writes that as individuals have more contact with one another and small groupings begin to form, the human mind develops language, which in turn contributes to the development of reason. Life in the collective state also precipitates the development of a new, negative motivating principle for human actions that flows from the new tendency that man develops of comparing themselves to others. This drive toward comparison with others is not rooted only in the desire to preserve the self and pity others. Rather, comparison drives men to seek domination over their fellow human beings as a way of augmenting their own happiness. Rousseau states that this development which he terms *amour propre* and more complex human societies leads to the invention of private property and the division of labour necessary for human survival among different individuals to provide for the whole. This division of labour and the beginning of private property is what allows the property owners and non-labourers to dominate and exploit the poor. Rousseau argues this is resented by the poor, who will then naturally revolt against the rich to end their unfair domination. Rousseau's says when the rich are faced with this resentment and revolt, they try to fool the poor by attracting them into joining a political society that pretends to grant them the equality they seek. Instead of granting equality, however, that political system is run to justify the oppression of the rich sometimes in subtle ways and thus makes an unnatural moral inequality a permanent feature of civil society.

Rousseau argues the only *natural inequality* among men is the inequality that results from differences in physical strength that nature creates naturally. But Rousseau explained in modern capitalist societies the creation of laws and the system of property corrupted the natural state of men and created new forms of inequality that was not as per the plan of nature or natural law. Rousseau argued these forms of inequality are unjustifiable and should not be acceptable. Rousseau is clear that all such forms of inequality are morally wrong and as such must be done away with. The means by which moral inequality is to be banished is not a topic Rousseau ventures into, though this is a question that was hotly debated during the French Revolution and subsequent revolutions. Rousseau uses Hobbes's concept of the state of nature but describes it in very different ways. Hobbes defined the state of nature as one of constant war inhabited by violent, self-interested brutes but Rousseau defined the state of nature to mean generally a peaceful, happy place made up of free and independent men. In Rousseau's view the sort of war Hobbes describes is not reached until man leaves the state of nature and enters civil society, when property and law create a conflict between rich and poor.

In many ways Rousseau laid the path for later works of thinkers like Marx and other theorists on class relations and societal inequality. Rousseau's conception of natural man is a key principle in all his work which says man is naturally good and is corrupted only by his own delusions of what he can be or his capacity for perfection and the harmful elements of his capacity for reason.

The means by which human beings are corrupted and the circumstances under which man agrees to leave the state of nature and enter human civil society were discussed more fully by Rousseau in his masterpiece, The Social Contract. Rousseau advocated a new social contract to restore equality which he said would be of such a nature that 'each of us places in common his person and his whole power under the supreme direction of the General Will and in return we receive every member as an indivisible part of the whole'. The purpose of the new kind of society he advocated as a result of a social contract would be to promote the basic fundamental equality of all men as created by nature and not justify the inequalities that property creates. He argued if the best and the natural in every human being is brought out based on a societal system that promotes equality then a democratic system based on the General Will has to be followed to reconcile social existence with political authority. It is important here to take note that Rousseau did not advocate the abolition of private property even though he saw most evils in society emanating from it. So he was not proposing what later Socialists and Marxists proposed. He merely asked that a system of civil society and law should be created so that there is enough property for each individual and even the poorest person or family should be independent from the rich. He argued freedom is not possible without some equality and when some people are very rich and others are very poor and are dependent on the rich for their livelihoods, they are not their own masters and control over one's circumstances for each man is what he sought for each person without which he saw no freedoms being realised. But Rousseau had nothing against the right to property and saw property as a

means to independence of mind and spirit. He argued a sovereign community is made up of citizens who are independent owners of property. He however saw all problems emanating from an unlimited right to accumulate property and riches. He had a model in mind it seems where each person would have some property and use it for his subsistence. and all such property owners would constitute the civil society and not a system where society would be divided into rich owners of land and capital and poor wage earners.

Questions:

1. What was the Aristotelian ides of citizenship? .
2. Explain Locke's conceptions of liberty and property.
3. What is Rousseau's theory on inequality? .

Suggested Reading:

Rousseau, *Discourses on the Origins and Foundations of Inequality among Men* (available for free under The Gutenberg Project on the internet)

Lesson 8

WESTERN POLITICAL THOUGHT - II

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After reading this lesson you will be familiar with:

- **J.S. Mill's philosophy of Liberty and Democracy.**
- **Marks's analysis of the State.**

In the whole of western political thought and philosophy two thinkers and their thoughts are particularly defining of the whole tradition. J.S. Mill is one of the fathers of the Liberal tradition and Karl Marx is the founder of the opposing Marxist tradition, the two traditions which have continued to be held as the most important in the history of political thought.

J.S. Mill's on Liberty and Democracy

The great English philosopher John Stuart Mill was born in Pentonville, London, the oldest son of the Scottish philosopher and historian James Mill. John Stuart Mill was educated by his father, with the advice and assistance of the great philosopher Jeremy Bentham. He was deliberately given an extremely rigorous, and possibly too harsh (for a child) upbringing by his father, and was shielded from association with other children his own age other than his siblings with the aim of making him a genius intellect who would carry on the cause of the school of thought of *Utilitarianism* and carry out it's implementation after he and Bentham were dead.

Mill's views on liberty are to be found in his classic work *On Liberty* (1859). When explaining liberty he basically takes off from a certain intellectual and spiritual idea of the individual man and his freedom to make choices. Liberty is about self-development in Mill's conception. He argued it should be the privilege of every individual human to make choices and according to the choices made, undergo experience and use that experience in moral and philosophical development and evolution in the sense of self-development. A person merely following custom without making choices does not get the opportuity to develop his faculties and his spiritual and intellectual personality fully. He comments: "The only part of the conduct of any one for which he is amenable to society is that which concerns others. In the part, which merely concerns him, his independence is of right absolute. Over himself, over his body and mind, the individual is sovereign..... the only freedom which deserves the name is that of pursuing our own good in our own way so long as we do not attempt to deprive others of their effort to obtain it".

Since self development is the main goal and liberty is needed to pursue it, Mill argues that liberty is the fundamental human right. "The sole end," he commented, " for which

mankind are warranted, individually or collectively... in interfering with the liberty of action of any of their number, is self-protection" (*On Liberty* p. 223). Liberty according to him enables each individual to seek his or her own best and nurtures moral freedom and rationality. With the latter come creativity and the means of social and intellectual progress. Mill's *On Liberty* remains the strongest and most eloquent defense of liberalism. He argued in particular for freedom of thought and discussion. "We can never be sure," he wrote, "that the opinion we are endeavoring to stifle is a false opinion, and if we were sure, stifling it would be an evil still" (*On Liberty*, p. 229). Our beliefs and actions are reasonable or does not depend upon our capacity to critically assess them and it is only through free debate that critical skills can be developed and maintained to aim at our self-development as reasonable persons, capable of critical assessments for belief and action. And if our beliefs and actions emerge from the critical assessment such debate involves, if they survive the struggle as it were in the "marketplace of ideas", then, and only then, will one be entitled to accept them as justified. The best person in Mill's view is one who individually is responsible for his or her beliefs and actions and not someone whose beliefs or actions are simply those that conform to some custom, or are simply those that they have always had, or are simply those asserted to be correct by some authority. The best kind of beliefs and actions are those that emerge from a person's own critical assessments, and the best kind of person is the individual who can provide as required those critical assessments. Mill says this sort of person is the best because such a person will not only be happy in his or her own case but will be concerned with, and contribute to, the happiness of others as well using his capacity for reasonable assessment. Individuality is, in other words, one of the main ingredients of human happiness, and it is for that reason to be cultivated. Here, as in anything else, according to Mills, one needs to use the *principle of utility*, or maximsed general welfare, to determine what is right and what is the best.

Mill's work *On Liberty* mentioned above is regarded as one of the founding texts of liberalism and one of the most important treatises ever written on the concept of liberty. The book explores the nature and limits of the power that can be legitimately exercised by society over the individual. One argument that Mill develops more than any previous philosopher is the *harm principle* which means each individual has the right to act as he wants, so long as these actions do not harm others. If the action only directly affects the person undertaking the action, then society has no right to intervene, even if society feels the person is harming himself. Mill makes an exception for those who are "incapable of self-government" like children or those living in “backward states of society". Mill argues an action should not be restricted merely because it violated the conventions or morals of a given society. In his book Mill also makes the case for free speech. According to Mill free discourse is a necessary condition for intellectual and social progress and he says allowing people to air false opinions even is productive for two reasons. First, individuals are more likely to abandon erroneous beliefs if they are engaged in an open exchange of ideas. Second, by forcing other individuals to re-examine and re-affirm their beliefs in the process of debate, these beliefs are kept from declining into mere dogma. Mill's statement of the harm principle in Chapter 1 of his

book is as follows: "The only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not sufficient warrant". Mill explicitly explains that “harms” may include for instance acts of omission as well as acts of commission. Failing to rescue a drowning child would count as a harmful act, as is failing to pay taxes, or failing to appear as a witness in court. All such harmful omissions may be regulated, according to Mill. But in contrast, Mill argues it does not count as harming someone if without force or fraud the affected individual consents to assume the risk for instance when one may offer unsafe employment to others, provided there is no deception involved and the person accepts. Mill however, puts one exception to this harming by consent: society should not permit people to sell themselves into slavery.

In everything Mills argues it is important to remember thay are based on the English philosophy principle of Utility, and not on appeals to natural rights.

Mills ideas on liberty have the follwoing characteristics:

1. Mill associates the concept of liberty with the liberty of the individual. The individual's freedom to exercise his sovereign will over his mind and body in pursuit of his self-development is supreme. Mill divides the activities of an individual into two types: self-regarding which affects the person himself and other-regarding which concerns others also.

2. Mill argued the indiviual's freedom and liberty needs protection from the state because they are necessary for the individual to develop. .For Mill government is not a matter of natural rights or social contract, as other forms of liberalism advocated. Forms of government are, rather, to be judged according to him by the "utility in the largest sense, grounded on the permanent interest of man as a progressive being" (*On Liberty*, p. 224). He thus argues the forms of government are to be evaluated in terms of their capacity to enable each person to exercise and develop in his or her own way their capacities for higher forms of human happiness. Such development will be an end for each individual, but also a means for society as whole to develop and to make life better for all. In this context he comments: "....a state which dwarfs its men in order that they may be more docile instruments in its hands even for beneficial purposes will find that with small men no great things can really be accomplished; and that the perfection of machinery to which it has sacrificed everything will in the end avail nothing for want of the vital power which, in order that the machine might work smoothly, it has preferred to banish".

3. Mills also was concerned with protecting individual liberty from social tyranny which he felt may be more formidable than political oppression because it is more encompassing of the details of human life and leaves little or no room for escape. The society can provide greater restrictions on an individual from expressing his feelings and opinions. He argued whenever an individual tries to live his life in an

unconventional manner social forces stop him from doing so. So the political system in his view may be less wholly relevant when society itself is so meddling.

4. Mill was particularly concerned that just because the majoirty keeps an opinion that is different from what one individual believes in it could lead to lead to him being suppressed - the tyranny of the majority in other words. He argued no government or society has the right to suppress an opinion even if it has the support of the public. He seems to be saying if all mankind minus one were of one opinion and only one person were of the contrary opinion then he, if he had the power, would be justified in silencing mankind. He also did not believe truth can necessarily triumph. He believed the whole of history is full of examples were the truth was put down by persecution. He also believed the truth for its survival needs to be frequently and fully without any fears dicussed to test its validity. He gave three grounds for maintaining freedom of opinion and expression: (a) any opinion we silence may be true and in silencing it we assume our own infalibility, (b) any opinion that is rejected or suppressed may be partly true and because the prevailing opinon is never the full truth suppression will deprive the process of evolving the final trith and (c) even if the prevailing accepted version of the truth is the whole truth without opinions emerging that challange it, it will only become like dogma and lead to prejudice.

5. Finally it is important to remember Mill's concept of liberty is basically a negative concept of freedom because he makes the case against any controls on liberty. His view is based on the belief that society is a collection of self-seeking individuals and public good is maximisation of the satisfaction or utility of each of these individuals separately and the best way of maximising individual satisfaction in his scheme of things was by allowing the maximum freedom to each individual.

Mill's wrote his views of democracy in his book *Representative Government.* Mill's basic position is since individuality is good, it is necessary to foster social institutions that contribute to that individuality. Free, uncensored debate is one such institution. So, more generally, is liberty, the right to do as one wants free from the interference of others, so long as what one wants or does no harm to others. Democracy and representative government also contribute to the development of the individual, for much the same reason that free speech so contributes, and so these too are social institutions that are justified by Mills on utilitarian grounds.

Bentham and Mill's father had argued that democracy was the form of government that could best secure the happiness of all. Mills did not disagree but he argued the end is not just well-being, as earlier utilitarians had argued, but alsor self-development and individuality. He saw representative government as the best form of government which best encourages individuality. It helps people to assume a more active and intelligent participation in society. It helps provides moral training and encourages the development of natural human sympathies. The result is the habit of looking at social questions from an impersonal perspective rather than that of self-interest.

Mill's advocacy of democracy comes with some qualifications. He was supportive of the anti-aristocracy and anti-feudal stance of the early utilitarians. He supported the French Revolution and was no supporter of the privileges of the British aristocracy and criticised it for its follies in his own country, England, and in Ireland, and the vestiges of that class, such as the Game Laws, which he equated with medieval privilege. He argued for liberalisation of the press from strict libel laws that excluded effective social criticism.

Mills was not unaware of the virtues in social systems, even old out-dated traditional ones, and wondered they must be valuable otherwise they would not have survived so long. He did accept and appreciate the argument that unrestrained freedom is dangerous. He accepetd that to set up suddenly, a new social order, justified on *a priori* principles, by means of state authority, can be as great a threat to liberty and to human well-being as the most repressive tyranny. Mills argued on utilitarian grounds, that social institutions need to be adapted to the time and place where they operate.

It is believed by scholars on Mill that his career in the East India Company dealing with the governance of states in India had a significant influence on him. He has referred to the rule of Akbar in India in his writings, to argue how despotic rule could be necessary under certain conditions for stable government. He even suggests that, since people must be properly fit if democracy is to function well, a despotic form of government, if well-run with this aim in mind, might prepare its people for the exercise of responsibilities of a free electorate. Thus to a limited extent one can dare say his position on this might have had some influence in justifying the then British colonial rule of Indian and other colonies.

Mill in his thoughts on how best to administer a state as a whole, has argued that the best administration was one that relied upon professional skills. He was in agreement with the British form of parliamentary government where the executive is responsible to an elected assembly. He was however, highly critical of the unelected British House of Lords, which he saw as another vestige of a more primitive feudal society.

There is another very interesting aspect to Mills views on democracy. He argued individuality and even eccentricity is better than a boring social uniformity for uniformity is usually a consequence of both terror and tyranny. But he argued it can also be the consequence of democracy. Mill was of the view the chief danger of democracy is that of suppressing individual differences, and of allowing no genuine development of minority opinion and of minority forms of culture. Democracy can he feared impoverish the culture of the community by imposing a single and inflexible set of mass values. Democracy has the virtue of fostering intelligence, common moral standards, and happiness, but if the citizens are unfit and passive it can be an instrument for tyranny, either of one single charismatic individual leader or of the many.

To prevent such a tyranny from happeneing in general Mills thought the only reliable safeguard is institutions and educational institutions in particular, that can ensure the development of individuals with personalities strong enough to resist such pressures. But

he also considered supporting other forms of social order to prevent tyranny. For instance, after the rebellion in 1837 in Canada against the British he defended Lord Durham's recommendations for an internal responsible self-government in the British colonies, free from interference from the colonial power, Britain. But, when Lord Durham recommended a central government and the assimilation of the French population to the English, Mill defended the cultural interests of the French minority, and recommended a form of federal government as an institutional means to protect those interests. A federal form of government was finally adopted with the British North America Act of 1867, which created Canada as a confederation. This Act was passed while Mill was a member of the British Parliament. Another means suggested by Mill for the protection of minorities in a democratic system was a system of proportional representation.

Mills agreed with the need for representative democracy but with some limits. He commented: "The meaning of representative democracy is that the whole people or some numerous protion of men exercise through deputies periodically elected by themselves the ultimate controlling power". Mills accepted the principle of multiple votes, in which the educated and more responsible persons would be made more influential by giving them more votes than the uneducated. Thus it seems Mill is concerned to provide a form of government in which the members of the government have as much education as is feasible, and that the government is selected through a process in which those who do the selecting, the electors or voters, become themselves educated as better citizens. Properly educated voters would be willing and able to select the best as their governors. Since those are thus elected are more knowledgeble and informed and wiser on issues than those who elected them, there is no reason to expect the representatives would have more than a very general agreement with the beliefs and the aims of the voters and thus would not carry out each and every demand of the voters. He thus agrees with the rejection of populism, accepting the principle that the elected representative should be expected to exercise his or her own judgement, and not merely accept blindly the views of those on whose votes he or she was elected. Mill himself adhered to this principle and did not seek populism in the view of historians in his own brief term in the House of Commons. His voters were surprised when that he attacked British colonialism in the West Indies and criticized Governor Eyre in particular for his brutality in suppressing a rebellion by blacks in Jamaica. He lost his seat because of these views.

In the views of Mills on democracy it is particularly necessary to note that Mill was not in favour of universal adult franchise or the right to vote for each and every adult human individual. He was fearful that the working class being in majority, one-man-one-vote might lead to legislation in the interest of one particular class at the expense of other classes as well as of posterity. That is the reason he suggested proportional representation and plural voting. He recommended plural voting for the members of the smaller classes so that neither of two classes should outweigh the other and impose class legislation. He supported the exclusion of the vote for some people while favouring plural voting for some people. He argued those who have attained to superior quality, either through

education or property should have two or more votes. But he was for giving the right to vote to women which was revolutionary for his times. He was against allowing the right to vote and political participation to some classes such as those receiving poor relief, or are bankrupt or are illiterate and those who dont pay taxes. In fact he was for limiting the right to vote to those who pay some taxes.

Another important aspect of Mill's view of democracy is that he rejected the view of his Utilitarian predecessor Bentham that an elected parliament should have direct control of the adminstration. He argued because goverment had expanded vastly and needed professional qualifications in officers for the efficent working of the government it is not possible to assume representatives of the government would be fit to assume administration duties without professional capabilities. The representative assembly or parliament according to Mill must be content to check, to criticize and to remove from office the men who actually govern the country and it's adminstration. So the main job of the elected representatives in parliament, in Mill's view, was to watch and control the government and demand explanations of their actions. The weapons available to parliament representatives would thus be all verbal. Mill commented "I know not how a representative assembly can more usefully employ itself than in talk, when the subject of talk is the great public interest of the country and every sentence of it represents the opinion either some important body of persons in the nation in whom somebody has put his confidence". Mill argued both *democracy* and *rationality* should be visible in the government process.

Marx on State

Marx's view on state emanates from his interpretation of history in terms of means of production and class exploitation. He took a radically different position from all earlier political philosophers and thinkers who all saw the state as a representative of the society as a whole. Marx argued the state as it had always been in Europe was never either a natural institution formed as a result of social contract nor a moral divine creation. He theorised the state had always been an instrument for class domination and exploitation by the dominant economic class. Marx argued the state in a society that is divided along class lines or is composed of different economic classes can never exist in the general interest but only in the interest of the propertied classes. He states in the *Communist Manifesto* 'the executive of the modern state is but a committee for managing the common affairs of the whole bourgeoise' and also that the state is 'nothing more than the form of organisation which the bourgeoise necessarily adopts both for internal and external purposes for the mutual guarantee of their property and interests'. He also stated the state in a liberal capitalist democracy only pretends to mediate in disputes and conflicts among the economic classes or the rich and the poor but never really does so. In practice the agenda of the state is to manage the situation for the benefit of the ruling upper classes at times. The legal system and the philosophy of the state, its civilisation and culture are merely a super-structure aimed at managing given relations of production in the economy: that between the owning rich classes and the working poor classes.

So Marx and Engles argued there is no possibility of human emancipation as long as state exists because the state can only exists as a tool for the exploitation of one class by another. The only way to achieve human freedom and liberation thus is to move towards an abolition of the state and the revolutionary transformation of the economic and social order for the establishment of a classless and stateless society. Marx argued in any society which is class divided as any capitalist liberal society is the state can not be a true democracy because a true democracy is only possible in a classless society. In a class divided society the rich using their money power can buy the loyalty and services of everyone from the politicians to the police to the bureaucracy and the legal system and thus not allow the intended meaning of democracy to be realised in reality.

As for the origin of the state, Engles and Marx have theorised that the state has not existed for ever but it was only at a particular point in history when society was divided into propertied and non-propertied classes that the state became a necessity for the propertied to protect their properties and class interests and to manage conflicts and disputes arising out of property. Engles stated the state had three charcteristics: (a) it divided the people according to territory, (b) it maintained an armed coercive capability by way of a police and military to project it's authority and (c) to finance and maintain its public power and authority it imposed and levied taxes on the population. Marx and Engles thus argued since the state arose as a consequence of conflict among classes, it was under the influence of the dominant classes from the beginning and was used by them as a tool for holding down and the exploiting the subordinate and oppressed classes. They further illustrate their point historically by arguing how during the Greek period the state belonged to the masters who dominated over the slaves and during the medieval period, it belonged to the feudal lords for holding down the peasants, serfs and bondsmen, and in the modern capitalist industrial state it became an instrument of exploitation of the working classes by the owners of industry. The state has assumed different forms at different times like monarchy, aristocracy, democracy but it has always maintained it's basic class character and has remained as a tool in the hands of the propertied rich to oppress the lower and poorer classes.

The Marxists prescription to correct this is that since the state is not inherently an eternal institution, by changing the control over means of economic production from a few rich families to the whole society the class system would stand abolished and consequently the need for a state would vanish. Marx predicted that inevitably there would ensue a class struggle in every capitalist system and the task of this struggle should be the establishment of a new society based upon a new economic order. This new society is thus to be achieved by the proletariat in a revolution which will have as its objective the abolition of private property, reconstruction of the economic system on socialist basis and the establishment of a classless society. Once a classless society is established the state will become a less relevant institution.

Marx saw the state and society as distinct but saw the state as dependent upon the prevalent reality of the society for the state exists to help fulfill the agenda of those who control and dominate society. A slave owning society serves the interests of the masters

who own the slaves, a feudal state of the feudal lords and a capitalist state of the capitalist class. Once the socialist state is established it serves the interests of the wokring class. It is only in a communist classless society where a state becomes irrelevant or non-existent in a real sense.

In a capitalist state of the sort that existed during his time Marx argued state helps in class domination through three kinds of functions: political, techno-economic and ideological. The political functions are mainly the coercive functions to exercise authority through the law, police, military and the judiciary etc. The economic functions are those that help the profits of the dominant classes. For instance, the state can design tax polices or assume polices designed to help the business class in setting up factories for profit maximisation. The ideological functions are not performed by the state directly but they are perfomed by institutions like organised religion, the educational system, family, legal system, trade unions, media and other means of communication such as the press etc. All these functions are of a political nature fundamentally and and are part of the system that helps maintain the unity of the capitalist society of class domination. The state thus helps in the perpetuation of class division, capitalist explotation and alienation and consequently also leads to class. struggle.

Marx in his theory or prescription of a revolution by the proletariat talks about using the institution of a state to build a socialist society. The state established by the proletariat after a revolution is also a class state but the purpose of the state becomes to abolish classes. and class conflict consequently. The funtions of the state in a socialist society are (a) the establishment of the dictatorship of the proletariat, (b) destruction of the capitalist mode of production, and (c) establishment of a socialist mode of production and socialist society. This will be achieved by suppressing the bourgeois classes, confiscation of their property and reorganisation of its economy on socialist lines. Marx commented: 'with the change in economic foundation, the entire immense superstructure is more or less rapidly transformed. Only if private property is abolished at the root can law and politics, religion, philosophy and literature be changed'. Marx accepted and argued that political repression and dictatorship may be necessary during this initial period for the socialist revolution to destroy private property and help the proletariat assume control of the means of producton. The socialist mode of production means the establishment of state control over production, centralisation of means of communication and transport, extension of factories and instruments of production, creation of industrial armies, increase in production through planned economy and equal obligations to work for everyone. Labour is rewarded according to work and minor differention in wealth is tolerated but not to the extent remotely that can lead to exploitation. As class division and class struggle as a consequence ends it creates the conditions for the state itself to wither away. Equality in society will mean there will be no ruling classes and there will be no private property. Coercion and power will cease to exist and everyone will have equal status as a contributor to society.

Questions:

1. Write an essay on Mill's views on liberty and democracy?.

2. How is Marx's and Engle's interpretation of the state radically different from that of thinkers before them and what are their prescriptions in this regard?.

Suggested Reading:

1. J.S. Mill, *On Liberty*

2. Karl Marx, *Das Kapital*

Lesson 9

INDIAN POLITICAL THOUGHT - I

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After reading this lesson you will be familiar with:

- **The views of Kautilya on State.**
- **Gandhiji's idea of Swaraj.**
- **Ambedkar and Social Justice**

Many Indian thinkers from ancient times have offered thoughts on politics and political institutions. The tradition in India originally has been that state and state-craft and politics were viewed as a part of the general philosophical tradition of the Vedas and Upanishads. Kautilya represents that tradition among ancient thinkers most prominently. Even in the views of Gandhiji one can see traces of the Indian tradition. Nehru and Ambedkar were educated in the west and were influenced by the European political traditions and were thus interested in the political philosophy of equality and liberal freedoms that is the focus of the western traditions.

Kautilya on State

The ancient Indian concepts of state and state-craft were derived from the concept of *Dharma*. It was the general philosophical position that the goal of each individual on earth is to move towards spiritual realisation or *moksha* and duties in one's day to day life or *karma* was seen as a way of aiding that process. The branch of knowledge that prescribed how people in different positions in society should conduct their secular duties and carry out their roles were part of what was called *Arthashastra* as opposed to *Dharmashastra* that dealt with the realm of spiritual perfection. Arthashastra dealt with the science of prosperity and material gains, governance of a political unit or territory and promoting prosperity. In 1905 a book called *Arthashastra* was discovered written by one Kautilya, a minister in the kingdom of the great Mauryan king Chandragupta Maurya, Kautilya's work was written in the context of the social and political scene during the fourth century BC.

Kautilya's *Arthashastra* deals with administration details more than with political theory because unlike in the west there has never been any ultimate perfections or goals to be sought in politics but rather in the realm of spiritual *sadhana* or contemplation with secular duties and lives so designed as to be of aid in that process. Kautilya in his work covers political and economic matters of administration as also morality, education, social problems, responsibilities of the king and subjects, international relations, army, spy system etc. The book has six thousand *shlokas* and fifteen chapters each dealing with one department of running a state. The chapters are on: discipline of the prince, qualifications of ministers and duties of the king, departments of ministers, civil laws,

criminal laws, removal of dangers to the state, elements of kingship and policy threats to the welfare of the state, military campaigns, corporations, theory of conquest, devices for advancing the interests of the state etc.

Kautilya puts out clear views on the state but mentions at one place that state originated when people got tired of the law of fish (*matsyanayaya)* and selected Manu as their king with the decision that he would receive one-sixth of the grain and one-tenth of the merchandise and gold as his share (of taxes) which would enable him to ensure the safety and security, and law and order of the state and punish the wrong doers. Kautilya adopts the seven limbs theory of the state of Indian tradition or *saptang* which are: *(1) Swami, (2) Amatya, (3) Janpad, (4) Durg, (5) Kosha, (6) Sena and (7) Mitra.* He suggests a state can only function when all these elements or limbs of a body politic are mutually integrated and cooperate well with each other.

Swami (The Sovereign King)

The king was referred to as the Lord or Swami and placed at the top of the body politic. Kautilya says a perfect king should have the following qualities:

(a) he should have an inviting nature
(b) he should have qualities of intellect and intuition
(c) he should have great enthusiasm
(d) he should have qualities of self-restraint and spirit.

In addition Kautilya mentions the king should be from a high family, be non-fatalistic, endowed with strong character and should be religious and truthful. He should be free of passion, anger, greed, fickleness and capable of self-management, observing the customs taught by elderly people and have the capacity to make judgements like when to go to war and when to seek peace through a treaty. He should have a sense of sovereignty and owe allegiance to anybody and be the king of one whole political organisation and not part of it.

Amatya (Ministers)

By amatya Kautilya refers to higher officials of the state like ministers and not necessarily just ministers. He says the qualities of a high official should be: he must be a *janpad*, a native of the county that he is an official of, come from a good family, be adequately trained, have foresight, eloquence, dignity, enthusiasm, have administrative ability, knowledge of scriptures, and high character, a morally and ethically pure character, steadfastness and devotion.

Janpad (Territory and People)

Territory and People constitute the third limb of the state in Kautilya's Arthashastra. Kautilya gives a clear-cut description of what an ideal territory would be like. He says the territory should be free from muddy, rocky, saline, uneven and thorny areas and from

wild beats. There should be lands that are fertile with lots of timber and elephant forests. There should be plenty of arable land, and richness of cattle, and the land should be wholesome to cows and men. The territories should not be dependent on rains too much and have waterways. Also there should be roads and good markets capable of bearing the army and taxation. The people populating a state should have the qualities of being hostile to the foes, be powerful enough to control the neighbouring kings and consist of people who are pure and devoted. The people should respect the rule of law and the government Kautilya also says the people should consist of industrious agriculturists and a majority of lower classes of economically productive *vaish* and *shudras*. Also the masters of the people should be not too intelligent so that they can be controlled by the king easily.

Durg (Fort)

Kautilya identifies forts as the fourth limb and mentions four kinds of forts that a king needs. He says the four kind of forts that are necessary are: water forts, hill forts, desert forts and forest forts. The water and hill forts are suitable for defending the population and the desert and forest forts and suitable as headquarters for wild regions and to serve as places to run away to in case of emergency. Kautilya says the power of a king depends on the forts which should be fit for fighting and to defend the state.

Kosha (Treasury)

Kautilya clears puts great store by the economic resources of a state and mentions that the success of a state depends upon its treasury size which should have enough gold and silver to see the king through long periods of calamity. The treasury should be legitimately acquired by the king or his predecessors. The treasury is easily increased when (1) there is opulence of the industrial department run by the state, (2) there is a propensity for commerce and (3) abundance in harvest. In cases of emergency Kautilya finds no problem with the king raising revenue even through means such as a higher assessment on first class and fertile land and heavy taxes on merchandise etc. He also condones in emergencies for the king to exploit the superstitious and religious sentiments of the people.

Sena (Army)

Kautilya mentions the army or sena as the limb that the king needs to control both his own people and his enemy's. Kautilya talks about six types of army: (1) hereditary forces, (2) hired troops, (3) soldiers of fighting corporations, (4) troops belonging to an ally, (5) troops belonging to the enemy and (6) soldiers of wild tribes. Interestingly the best of the six according to Kautilya is the hereditary army composed of members of the Kshatriya caste for they are ost loyal to the king and are committed to serve the king through weal and woe and have powers of endurance and superior fighting skills because they have fought many battles.

Mitra (Ally)

Kautilya finally stresses on the need for political friends in the other states because no state functions in isolation. Kautilya classifies allies into two kinds: *Sahaj* (natural) and *Kritrim* (acquired). The *sahaj* ally is one who is close by territorially and has been inherited as a friend from fathers and grandfathers and the *kritrim* ally is one who is resorted to temporarily for the protection of wealth and life. Kautilya prefers the *sahaj* ally over the *kritrim* one if the *sahajii* ally is free from deceit and is capable of making large scale preparations for war quickly and on a large scale.

In Kautilya's view the above seven elements are necessary for maintaining and perfecting the sovereignty of the king.

Kautilya classifies the functions of the state basically into four:

1. Protection: The first function of the state is guarding the country against internal as well as external threats. Internally people and their property have to be protected from thieves and dacoits etc and also externally from outside the state there may be threats from invasions that have to be dealt with.
2. Maintaining the Law: The king and the state, it is expected by the people, will maintain the customs and laws of the land. The king according to Kautilya should settle legal disputes in conformity with the sacred principles and laws in consultation with learned brahmins.
3. Preserving Social Order: Kautilya saw it the duty of the king to protect the *dharma* of the land by which he meant the social order. It is the duty of the king to deliver justice and help keep people of different *varnas* preserve their professions or in other words help maintain *varnadharmashrarma.*
4. Promoting the welfare of the people: The king according to Kautilya should function on the goal that it is in the happiness of his subjects that his happiness lies. The state should control the whole of social life. It should promote religion and spirituality and in so doing regulate the age and conditions under which one might renounce the world. Kautilya advised the state should provide support to the poor, pregnant women, and to their children, to orphans, to the aged, the afflicted and the helpless.

Gandhiji on Swaraj

The concept of *swaraj*, or self-rule, was developed during the Indian freedom struggle. In his book Hind Swaraj (1909), Gandhiji sought to clarify that the meaning behind swaraj was much more than simply "wanting [systems of] English rule without the Englishman; the tiger's nature but not the tiger." The crux of his argument centered on the belief that the socio-spiritual underpinnings of British political, economic, bureaucratic, legal, military, and educational institutions were inherently unjust, exploitative and alienating. As Pinto has commented, "The principal theme of Hind Swaraj is the moral inadequacy of western civilization, especially its industrialism, as the model for free India." Gandhi

was particularly critical of the deeply embedded principles of 'might is right' and 'survival of the fittest'.

The call for swaraj also represents a spiritual attempt to regain control of the 'self' - our self-respect, self-responsibility, and capacities for self-realization - from institutions of dehumanization. As Gandhi states, "It is swaraj when we learn to rule ourselves." The real goal of the freedom struggle was not only to secure political azadi (independence) from Britain, but rather to gain true swaraj (liberation and self-rule).

Hind Swaraj is the first definitive writing of Mahatma Gandhi and continues to evoke critical interest to this day. The title literally means ‘self-rule in India’. It was a small book of about 30,000 words written by him in November 1909 on board a ship during Gandhiji's return trip from England to South Africa.

Gandhi asked all those who believed in swaraj: (1) to reject and wholly uproot the British raj (rule) from *within themselves* and their communities; and, (2) to regenerate new reference points, systems, and structures that enable individual and collective *self-development*. Gandhiji sought that this regeneration should grow from the strengths, perspectives, wisdom and experiences of people living in villages in different parts of India, rather than from cities in Britain, America, or even in India for that matter. Understanding the real 'Self', and its relation to communities and society, is critical to the goal of attaining swaraj.

The important thing to note here is that Gandhiji stresses on words like *'within'* ourselves and *'self-development'*. Gandhiji's idea of swaraj thus was substantially a spiritual and psychological notion and not merely a political notion. Gandhiji believed the universe is regulated by a supreme intelligence or principle which he called Truth or God and it is present in all living beings in the form of his soul or spirit. This spirit is the essence of man and the purpose of life is to realize this spirit through self-discipline and ahimsa. He extended this into the social and political realm and concluded that as a part of this process of seeking perfection and self-development one should have knowledge of social and economic evils and work towards correcting them.

It is in this context of self-development that Gandhiji views the Indian social structure, religion, untouchability and caste, property and wealth, and politics. His concepts of swaraj and swadeshi emerged from his views of society and politics. Gandhiji focused on swaraj at two levels - at the level of the individual and the level of the nation as a whole rather than the just the individual. The term *swadeshi* was used to signify boycott of British goods. Also Gandhiji saw swadeshi as a means of achieving swaraj among others.

Gandhiji was very concerned to make both the meanings of swaraj clear - that at the level of the individual and the one at the level of the community as a whole. He commented: "I do not know any word or phrase to answer in English. The root meaning of swaraj is self-rule". Swaraj for Gandhi was not the negative meaning it had for western liberal

philosophers like Mill but Gandhiji emphasized on the moral and social necessity of individual freedom. Self-rule meant for Gandhiji self-reliance for he argued to imagine oneself as free was not the same thing as being really free. Swaraj meant freedom for an individual and a nation but did not mean total isolation from others or an abdication of the moral obligation one has towards others in society. Since freedom is basic to the very nature of man, Gandhiji believed swaraj can not be conferred as a gift but must be claimed on the basis of self-awareness and earned through self-effort.

Gandhji had commented that the outward freedom that we shall attain will only be in proportion to the inner freedom that we may have achieved to any point in time.

Gandhiji extended the concept of swaraj from the inner to the outer and was thus radically different from other nationalist thinkers who stressed on outer political swaraj. Gandhiji radically re-interpreted 'swaraj' and gave it a dual meaning. The first meaning as self-control, rule over oneself, was the foundation for the second meaning, self-government. In this second sense, local self~government like that of a panchayat in a village is was what Gandhiji really had in mind. Between the two meanings very clearly Gandhiji gives priority to the idea of self-rule over self-government. Also he regards swaraj in both meanings more important than political independence or swatantrata. In both meanings of swaraj Gandhiji tried to infuse a sense of self-respect which was arguably a way for Gandhiji to respond to colonial rule.

For Gandhiji freedom in its most fundamental sense was spiritual and meant freedom to pursue self-realisation. He accepted freedom had to be for all, equally for the toiling masses, and the privileged classes, and most importantly for the lowest Indian. That is where Gandhiji talked about concepts like sarvodaya.

Swaraj for Gandhji in many ways was thus about people's welfare and not raw racial nationalistic pride. He commented: "By patriotism I mean the welfare of the whole people, and, if I could secure it at the hands of the English, I should bow down my head to them" and "my patriotism is for me a stage on my journey to the land of freedom and peace". But swaraj was not something that could be given by the leaders, Indian or British colonial, it was something that had to be taken or just assumed by the people for themselves.

So the basis of swaraj in both its senses are three: self-respect, self-realisation and self-reliance. It has been argued this is also what Gandhiji tried to symbolise with the chakra and khadi because for Gandhiji khadi was the symbol of the unity of Indian humanity, of economic freedom and equality.

The ethic that Gandhiji was trying to introduce and inscribe into Indian political life was that "real swaraj will not be the acquisition of authority by a few but the acquisition of the capacity of all to resist authority when it is abused". For Gandhiji "Civilisation is that mode of conduct which points out to man the path or duty". Thus swaraj for Gandhiji were not just about rights. Duties were important to him as well. For Gandhiji real rights

are legitimated by duties they flow from, and both are founded on *satya* or the truth and *dharma*. This was totally different from the western ideas of rights which were founded on the inherent dignity and freedom of the individual. For Gandhiji morality was not to be understood in terms of rights alone.

Swadeshi for Gandhiji as has been mentioned above was a means for achieving swaraj. Gandhiji was not talking about trying to being isolation-list but more self reliant. Nor was he for a romanticed notion of village life for Gandhji only saw the village as the node in a network of oceanic circles that over-lapped and spread out in its ever widening embrace. It is this commitment of the individual to his 'desh' that was Gandhiji Indian alternative to western styled nationalism. Gandhi had understood that power in India was inevitably monopolised by the urban elite, at the expense of village folk, and he was trying to therefore change the focus and make the state serve the weaker sections of society. Clearly Gandhiji was seeking greater equality between the village and the city. Gandhiji also wanted the culture of village life to be loved, respected and adopted as a counter to western European styled consumerism and materialism. Thus when he talked romantically about the 'village' he implied not a geographical entity, but a set of values" which brought together his three basic themes of swaraj: self-respect, self-realisation and self-reliance.

Gandhiji's idea of state gets reflected in his advocacy of the rural over the urban. It seems Gandhiji was also was arguing for a minimal state, since he saw the state essentially as an instrument of violence by the authority. He wanted governance to be bottom up from the village panchayat level outwards to the district, the regional area and the nation.

For Gandhji how the state would be organized or structured flowed from his desire to have a sort of 'ordered anarchy' or chaos where the state would be non-violent using the minimal amount of coercion and governance would mainly be through *village-republics*, and based on concepts of *trusteeship, swaraj and ramrajya*. He wanted a panchayat in each village composed of five people elected by all adults in the village voting to run the affairs of the village. The panchayat in his scheme of things would have legislative, executive and judicial powers and rely on its moral authority and the pressure of public opinion to rule rather than any coercive violent force. He expected over time the village community to develop a 'strong sense of local strength and solidarity, encourage social responsibility and the spirit of cooperation and act as a nursery of civic virtues'. Beyond the villages ruled by panchayats there would be 'expanding circles'. A group of villages would be constituted into a taluka and a groups of talukas into a districts and a districts into provinces and so on. Each level would be governed by representatives elected by constituting units. Also each level of the structure would enjoy a high degree of autonomy and have a strong sense of community. Gandhiji wanted the central government to have just enough power to hold all the different units and levels into one united nation but not have enough power to be able to dominate them. Also because the power would be decentralized and the power flow would not be central Gandhiji conceived of a small bureaucracy. He also expected because there would be a strong community life and almost everybody in a community would know each other there

would be little or no crime and thus the need for a strong or large police force would not be needed. He also expected economic development would be of such a localised form that no one would starve and hence have the need to steal or indulge in dacoity.

Gandhiji extended his theme of decentralisation to the economic structures too. He believed concentration of economic power had created the urban capitalist class who were exploiting the resources and talents of the society. So he sought an economic system where exploitation of man by man would be avoidable. At the village level he was an advocate of promoting handicraft and cottage industries and for this he advocated the adoption of khadi as opposed to mill made fabrics. He was not against technology but he was against using technology in such a way that it leads to exploitation of man by man.

Gandhiji's concept of *trusteeship* vis-a-vis wealth was that the rich landlord or industrialist should hold and run his business in a spirit of trusteeship or as a representative of society for the common good of society. He made an appeal to the moral conscience of the rich. Of course he had no coercive prescriptions in case the rich refused to heed and just went on with their greed and exploitation - the reason why his views are attacked and viewed with suspicion by leftists and marxists. His trusteeship appeal to the rich was based on his assumption that a man should own only as much as he needs and should practice *non-possession*, again a spiritual discipline, vis-a-vis anything else that he may own or control and also the concept of bread-labour which means every man should labour with his body for his food and clothing and other basics of life. The underlying theme of his economic prescriptions were that each person should try to live a simple life and limit his consumption to the basic necessities of life and work with his physical body for it and economic power should be decentralised as a means for the greatest welfare of the people.

His concept of swaraj that has been explained above was also meant by him to mean true democracy where people are in full charge of their polity and are not dominated or are at the mercy of a strong central government. For him democracy was not a political system for laws and rules, institutions and offices but a way of life for developing and transferring power to and within people.

As for his concept of *Ramrajya* he meant by it a state where there is political, economic and moral swaraj or self-rule and thus a domination of the forces of good over evil both within individuals and in society as a whole. Also renunciation and an absence of the need for force or ahimsa was also an important element of his notion of an ideal state or *Ramrajya.*

Ambedkar and Social Justice

It has been a sad historic fact of Indian society that lower castes have been exploited and dominated upon by the upper castes and for that reason the lower castes have mostly also been the lower classes economically and vice versa. Until the British period there had never really been many revolts or movements on behalf of the lower castes and untouchables to seek social justice. But during the freedom movement there were many

leaders and movements through out India. The most prominent voice of and for the lower castes had emerged in the person of B.R. Ambedkar who hailed from the untouchable Mahar caste in what is today Maharashtra. Even today Ambedkar is a hugely influential political symbol and legacy who is followed by many political forces throughout the length and breadth of India.

Ambedkar's aim in his own words was to get justice for the 'last, the lost and the least' and he emerged as a sort of revolutionary leader of India's Hindu untouchable and other castes. His aim was to fight for their equality and seek improved living conditions for them and reach education among them and get adequate representation for them in elected bodies and in government services.

During the freedom struggle, Ambedkar's emphasis on issues related to social justice forced the leaders of the national movement to take these up as part of the agenda associated with the main demand for unshackling the country from the chains of colonialism.

Ambedkar was a highly educated person with great academic accomplishments and a lawyer by training. His views on social justice are to be found in his books and speeches. His most important works are *Annihalation of Caste (1936), Who were the Shudras (1946)* and the *The Untouchables (1948).* Also his writings like *What Congress and Gandhi have done to the Untouchables*. He put forward brilliant well researched attacks on the exploitative Hindu caste system particularly with respect to how untouchables were treated and fought all his life to secure legal and constitutional safeguards for their rights. It is interesting in spite of the fact that he had attacked Gandhi's Congress Party's views and attitudes on the caste system quite severely and in a scathing manner in his writings, Gandhiji suggested Ambedkar's name to head the committee to draft the Constitution.

In his own personal life and career Ambedkar had to face caste discrimination and harassment of the most severe kind and was foiled in his career again and again. Even though he was highly educated and had advanced degrees from the world famous Columbia University of New York and the University of London where he did his D.Sc, any job that he took up back home in India he could not continue with because upper caste subordinates refused to work with him or otherwise frustrated him. For instance when he took up employment in the government of the princely state of Baroda, his upper caste subordinates humiliated him and ultimately forced him to resign. Even at the Bombay University he was treated badly by upper caste collegues and he was ultimately forced to resign. 1924 onwards Ambedkar was fully in a political movement and the national struggle.

Ambedkar in his work *Who Were the Shudras?* questioned the whole HIndu social order and tried to create a theory that the shudras were not a separate varna or caste but were originally Ksatriyas who in a struggle with Brahmins were manipulated out of the Kshatriya caste by the Brahmins and were deprived of the sacred thread. As a

consequence they lost their social position due to this move of the brahmins and became backward and degraded. Similarly he attacked the Hindu theory on untouchables and used anthropometric and ethnographic evidence to try to prove that there had been no racial, ethnic or occupational basis for the origin of untouchables. He proposed a hypothesis that the untouchables were originally disciples of Budha and were Budhists but the Hindus led by the Brahmins to try to undermine Budhist influence and stop its spread put the untouchables in a corner and started branding them untouchables.

He believed the root of all lack of social justice in India was the caste system that created the environment for exploitation of man by man - of the shudras and untouchables by the brahmins and other upper castes. He believed no democracy is possible in India without first establishing social justice by annihilation of caste. So he took a position that was opposed to the position of both the Congress and Gandhiji who wanted political reform and independence from the British colonial rule first the and also the socialists and marxists who wanted economic equality established first. He believed lack of social justice as a consequence of the caste system would never be dismantled by the upper castes because it served their interests and also by any system of western styled democracy because all institutions from the parliament to the judiciary would be dominated by the upper castes who would manipulate and control the system to make sure shudras and untouchables don't come up. He also felt the economic exploitative basis of the caste system was so solidly to the benefit of upper castes they would never be willing to change the situation. That is the reason he wanted constitutional safeguards and direct representation from the lower castes and dalits in all democratic institutions from the parliament to the judiciary.

It is highly instructive to read directly from his writings to understand the logic and power of his arguments and why he carried so much influence by the end of his life and was even attempted to be absorbed by the Congress and Gandhiji even though he had so viciously attacked the role of both. In fact his classic work *Annihilation of Caste* was first written as a speech for a conference to be held in Lahore but when the organisers of the conference refused to let him read the speech because it was too anti-Congress, he published his book in a speech form and it was instantly a hit.

For instance in his advocacy for achieving social justice first, before political reform as demanded by the Congress, he writes in the *Annihilation of Caste*:

".....let me now state the case for social reform. In doing this, I will follow Mr. Bonnerji, as nearly as I can and ask the political-minded Hindus " Are you fit for political power even though you do not allow a large class of your own countrymen like the untouchables to use public school ? Are you fit for political power even though you do not allow them the use of public wells ? Are you fit for political power even though you do not allow them the use of public streets ? Are you fit for political power even though you do not allow them to wear what apparel or ornaments they like ? Are you fit for political power even though you do not allow them to eat any food they like ? " I can ask

a string of such questions. But these will suffice, I wonder what would have been the reply of Mr. Bonnerji. I am sure no sensible man will have the courage to give an affirmative answer. Every Congressman who repeats the dogma of Mill that one country is not fit to rule another country must admit that one class is not fit to rule another class.

How is it then that the Social Reform Party last the battle ? To understand this correctly it is necessary, to take note of the kind of social reform which the reformers were agitating for. In this connection it is necessary to make a distinction between social reform in the sense of the reform of the Hindu Family and social reform in the sense of the reorganization and reconstruction of the Hindu Society. The former has relation to widow remarriage, child marriage etc., while the latter relates to the abolition of the Caste System. The Social Conference was a body which mainly concerned itself with the reform of the high caste Hindu Family. It consisted mostly of enlightened high caste Hindus who *did* not feel the necessity for agitating for the abolition of caste or had not the courage to agitate for it. They felt quite naturally a greater urge to remove such evils as enforced widowhood, child marriages etc., evils which prevailed among them and which were personally felt by them. They did not stand up for the reform of the Hindu society. The battle that was fought centered round the question of the reform of the family. It did not relate to the social reform in the sense of the break-up of the caste system. It was never put in issue by the reformers. That is the reason why the Social Reform Party lost."

Similarly he attacks the view of the socialists that economic reform was needed first as follows:

"One can thus attack the doctrine of Economic Interpretation of History adopted by the Socialists of India. But I recognize that economic interpretation of history is not necessary for the validity of the Socialist contention that equalization of property is the only real reform and that it must precede everything else. However, what I like to ask the Socialists is this : Can you have economic reform without first bringing about a reform of the social order ? The Socialists of India do not seem to have considered this question. I do not wish to do them an injustice. I give below a quotation from a letter which a prominent Socialist wrote a few days ago to a friend of mine in which he said, " I do not believe that we can build up a free society in India so long as there is a trace of this ill-treatment and suppression of one class by another. Believing as I do in a socialist ideal, inevitably I believe in perfect equality in the treatment of various classes and groups. I think that Socialism offers the only true remedy for this as well as other problems." Now the question that I like to ask is : Is it enough for a Socialist to say, " I believe in perfect equality in the treatment of the various classes ? " To say that such a belief is enough is to disclose a complete lack of understanding of what is involved in Socialism. If Socialism

is a practical programme and is not merely an ideal, distant and far off, the question for a Socialist is not whether he believes in equality. The question for him is whether he *minds* one class ill-treating and suppressing another class as a matter of system, as a matter of principle and thus allow tyranny and oppression to continue to divide one class from another. Let me analyse the factors that are involved in the realization of Socialism in order to explain fully my point. Now it is obvious that the economic reform contemplated by the Socialists cannot come about unless there is a revolution resulting in the seizure of power. That seizure of power must be by a proletariat. The first question I ask is: Will the proletariat of India combine to bring about this revolution ? What will move men to such an action ? It seems to me that other things being equal the only thing that will move one man to take such an action is the feeling that other man with whom he is acting are actuated by feeling of equality and fraternity and above all of justice. Men will not join in a revolution for the equalization of property unless they know that after the revolution is achieved they will be treated equally and that there will be no discrimination of caste and creed. The assurance of a socialist leading the revolution that he does not believe in caste, I am sure, will not suffice. The assurance must be the assurance proceeding from much deeper foundation, namely, the mental attitude of the compatriots towards one another in their spirit of personal equality and fraternity. Can it be said that the proletariat of India, poor as it is, recognise no distinctions except that of the rich and the poor ? Can it be said that the poor in India recognize no such distinctions of caste or creed, high or low ? If the fact is that they do, what unity of front can be expected from such a proletariat in its action against the rich ? How can there be a revolution if the proletariat cannot present a united front? Suppose for the sake of argument that by some freak of fortune a revolution does take place and the Socialists come in power, will they not have to deal with the problems created by the particular social order prevalent in India ? I can't see how a Socialist State in India can function for a second without having to grapple with the problems created by the prejudices which make Indian people observe the distinctions of high and low, clean and unclean. If Socialists are not to be content with the mouthing of fine phrases, if the Socialists wish to make Socialism a definite reality then they must recognize that the problem of social reform is fundamental and that for them there is no escape from it. That, the social order prevalent in India is a matter which a Socialist must deal with, that unless he does so he cannot achieve his revolution and that if he does achieve it as a result of good fortune he will have to grapple with it if he wishes to realize his ideal, is a proposition which in my opinion is incontrovertible. He will be compelled to take account of caste after revolution if he does not take account of it before revolution. This is only another way of saying that, turn in any direction you like, caste is the monster that crosses your path. You cannot have political reform, you cannot have economic reform, unless you kill this monster."

Ambedkar further comments in the A*nnihilation of Caste*:

"The effect of caste on the ethics of the Hindus is simply deplorable. Caste has killed public spirit. Caste has destroyed the sense of public charity. Caste has made public opinion impossible. A Hindu's public is his caste. His responsibility is only to his caste. His loyalty is restricted only to his caste. Virtue has become caste-ridden and morality has become, caste-bound. There is no sympathy to the deserving. There is no appreciation of the meritorious. There is no charity to the needy. Suffering as such calls for no response. There is charity but it begins with the caste and ends with the caste. There *is* sympathy but not for men of other caste. Would a Hindu acknowledge and follow the leadership of a great and good man? The case of a Mahatma apart, the answer must be that he will follow a leader if he is a man of his caste. A Brahmin will follow a leader only if he is a Brahmin, a Kayastha if he is a Kayastha and so on. The capacity to appreciate merits in a man apart from his caste does not exist in a Hindu. There is appreciation of virtue but only when the man is a fellow caste-man. The whole morality is as bad as tribal morality. My caste-man, right or wrong; my caste-man, good or bad. It is not a case of standing by virtue and not standing by vice. It is a case of standing or not standing by the caste. Have not Hindus committed treason against their country in the interests of their caste?.

I would not be surprised if some of you have grown weary listening to this tiresome tale of the sad effects which caste has produced. There is nothing new in it. I will therefore turn to the constructive side of the problem. What is your ideal society if you do not want caste is a question that is bound to be asked of you. If you ask me, my ideal would be a society based on *Liberty, Equality* and *Fraternity.* And why not ? What objection can there be to Fraternity ? I cannot imagine any. An ideal society should be mobile, should be full of channels for conveying a change taking place in one part to other parts. In an ideal society there should be many interests consciously communicated and shared. There should be varied and free points of contact with other modes of association. In other words there must be social endosmosis. This is fraternity, which is only another name for democracy. Democracy is not merely a form of Government. It is primarily a mode of associated living, of conjoint communicated experience. It is essentially an attitude of respect and reverence towards fellowmen. Any objection to Liberty ? Few object to liberty in the sense of a right to free movement, in the sense of a right to life and limb. There is no objection to liberty in the sense of a right to property, tools and materials as being necessary for earning a living to keep the body in due state of health. Why not allow liberty to benefit by an effective and competent use of a person's powers ? The supporters of caste who would allow liberty in the sense of a right to life, limb and property, would not readily consent to liberty in this sense, inasmuch as it

involves liberty to choose one's profession. But to object to this kind of liberty is to perpetuate slavery. For slavery does not merely mean a legalized form of subjection. It means a state of society in which some men are forced to accept from other the purposes which control their conduct. This condition obtains even where there is no slavery in the legal sense. It is found where, as in the Caste System, some persons are compelled to carry on certain prescribed callings which are not of their choice. Any objection to equality ? This has obviously been the most contentious part of the slogan of the French Revolution. The objections to equality may be sound and one may have to admit that all men are not equal. But what of that ? Equality may be a fiction but nonetheless one must accept it as the governing principle."

He summarises his attack on caste as follows:

"The principal points which I have tried to make out in my speech may be catalogued as follows : (1) That caste has ruined the Hindus ; (2) That the reorganization of the Hindu society on the basis of Chaturvarnya is impossible because the *Varnavym'astha* is like a leaky pot or like a man running at the nose. It is incapable of sustaining itself by its own virtue and has an inherent tendency to degenerate into a caste system unless there is a legal sanction behind it which can be enforced against every one transgressing his *Varna ;* (3) That the reorganization of the Hindu Society on the basis of Chaturvarnya is harmful, because the effect of the *Varnavyavastha* is to degrade the masses by denying them opportunity to acquire knowledge and to emasculate them by denying them the right to be armed ; (4) That the Hindu society must be reorganized on a religious basis which would recognize the principles of Liberty, Equality and Fraternity ; (5) That in order to achieve this object the sense of religious sanctity behind Caste and *Varna* must be destroyed ; (6) That the sanctity of Caste and *Varna* can be destroyed only by discarding the divine authority of the *Shastras.*"

In conclusion it can be said Ambedkar arrived at the following position vis-a-vis the social injustice that the caste system caused:

1. Untouchables and lower castes must break their chains of bondage by refusing to do the traditional untouchable's work and acquire pride and self-respect.

2. Education must be acquired by untouchables at all costs because it is only through education that untouchables can have their status raised.

3. Untouchables can only be represented by themselves and not by the Hindus (he regarded untouchables like him and shudras as non-Hindus) and should be treated as a minority by the government.

4. The government should provide special welfare measures to those who had traditionally been barred from educational and other opportunities.

5. Finally social justice will only be ultimately established when caste itself is abolished. He argued the function of Brahmin priests can be performed by trained persons from any caste under state supervision. He attacked Gandhiji and the Congress for accepting and compromising with the four *varna* system of Hinduism.

Questions:

1. Write a short note on Kautilya's *Arthashastra.*

2. What was Gandhiji's concept of Swaraj? .

3. Explain Ambedkar's case for social justice and it's link to the Hindu caste system.

Suggested Readings:

1. M.K. Gandhi, *Hind Swaraj*

2. B.R. Ambedkar, *Annihilation of Caste*

Lesson 10

INDIAN POLITICAL THOUGHT - II

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After reading this lesson you will be familiar with:

- **Nehru's views on Democracy.**
- **The views of Lohia on Democracy.**
- **Periyar's views on Identity**

Nehru and Democracy

Jawaharlal Nehru was one of India's most prominent leaders of the freedom struggle and arguably was hand picked by Gandhiji to lead the nation after independence. Considering that he became the first Prime Minister of independent India and was one of the four most influential persons if not the most important in the Constituent Assembly to draft free India's constitution his views are of great importance. Nehru was educated in England where he spent the majority of his years of youth. He was naturally influenced by the liberal democratic tradition of Europe and had no doubts during the freedom struggle along with other western educated leaders of the national movement that democracy was the way forward for India. Indeed it can be said the fact that after independence Nehru presided over three general elections on the basis of universal adult franchise was his most significant contribution towards consolidating democratic values in India.

Nehru in his times had a choice between two models of democracy - the first was the liberal capitalist democracy of western Europe with its proclaimed focus on individual liberty, freedom of expression and limitations on the powers of the government, fundamental rights, constitutional government, representative democracy and rule by the majority vote etc. The other model was the 'people's democracy' of which the most successful role model was the powerful USSR or the Soviet Union. This model stressed on creating a classless society and joint community or societal ownership of the means of production.

It has been argued our leaders of the freedom movement like Nehru sought to borrow the best of both models and develop a new model of democracy. How far this 'new' model was indeed a new model or how far it can or did succeed are all maters of debate but one thing is sure Nehru and other leaders were very anxious to put down deep roots for democracy in India. Nehru was too deeply influenced by the European liberal capitalist model of democracy to not mainly follow it. As he himself admitted: "My roots are still partly in the 19th century and I have been much influenced by the humanist liberal tradition to get out of it completely". His fascination with socialism and marxism was thus very limited contrary to popular belief and he was ready to borrow from those traditions only very carefully and within limits for he was very wary of limiting economic rights. For him democracy was fundamentally about equality of opportunity and a

mindset of equality and he fundamentally felt the need to extend that equality principle in the economic realm as well to the extent that there should be as little restraint as possible. In this sense he was quite fundamentally a follower of the liberal tradition. As he commented: "I would say that democracy is not only political and economic but something of the mind.....it involves equality of opportunity to all people in political and economic domain. It involves freedom of individual to grow and to make the best of his capacity and ability. It involves a certain tolerance of others and even of other's opinion when they differ from you. It involves a certain search for truth. It is a dynamic and not a static thing and as it changes it may be that its domain will become wider and wider. Ultimately, it is a mental approach applied to our economic problems". But Nehru's commitment to democracy and civil liberties was total and absolute and he was not ready to subordinate it to anything - not even socio-economic goals or the developmental needs. As he declared he would not 'give up the democratic system for anything'. Thus he was quite a fundamentalist follower of the western liberal tradition. He could have easily taken a different turn after independence when his power was at it's high point but he instead chose to build democratic institutions in India and to the extent that we are a great democracy today a substantial part of the credit for it goes to him. The most important institutions that he led the creation of were the constitution itself with basic liberties and fundamental rights enshrined in it, a sovereign parliament, universal suffrage, independent and regular elections, a free press, a cabinet government, and an independent judiciary. He was aware of the delicate task at hand that promoting democracy in India involved. He commented once: "Our democracy is a tender plant which has to be nourished with wisdom and care". He constantly travelled the length and breadth of the country trying to educate the ways of democracy to the Indian people. He was very keen to expand the voter base of Indian democracy on the basis of universal adult franchise so that each individual gets to exercise a say in governance. That is the reason why when he was once asked what legacy he would like to leave behind he had replied: "Hopefully, it is four hundred million people capable of governing themselves". He commented 'democracy is based on active and intelligent interest of the people in their national affairs and in elections that result in the formation of the government' the purpose is to 'ascertain the views of the electorate on major problems and to enable the electorate to select their representatives'.

He also believed in a democracy 'ultimately it is the individual that counts.....Every individual has an importance and he should be given full opportunity to develop'. He was clear it is only in a democracy that this is possible.

Another important aspect of Nehru's thoughts on democracy was that he believed 'democracy means equality and democracy can flourish in an equal society'. Hence he put forward the idea that with India's vast inequalities whether based on caste or class could not allow a democracy to develop for democracy meant political freedom and political and social and economic freedom could not be separated. He was convinced there needs to be a certain equality of opportunity for democracy to be meaningful and that is not possible without social justice. Prof. Bipan Chandra comments:

"Democracy was intrinsic to Nehru's idea of social and political development. Democracy would enable the people to mobilise themselves and to exert pressure from below to achieve social justice and equality as well as reduction of economic inequality, which over time would lead to socialism. The political party in power would either implement the popular mandate or would get swept away. He was aware that this process would take time, for parliamentary system and universal suffrage gave the right to govern but not necessarily the power to do so. But sooner or later he believed the power would follow the right and he did his best to bring this about. This is one reason why he placed so much emphasis on elections, besides community development projects, Panchayati Raj, cooperatives and decentralization of all kinds of power"[34]. In fact Prof. Chandra suggests Nehru believed democracy was needed for the unity and integrity of India. he writes:

"Particularly, to ensure the unity of a diverse society like India's, Nehru argued democracy was essential. No amount of force or coercion could hold India together. 'In India today', he said in 1960, 'any reversal of democratic methods might lead to disruption and violence'"[35].

For Nehru as has been mentioned above democracy without economic justice is impossible and also economic justice by itself can not ensure democracy. To achieve economic justice and development generally Nehru's choice of strategy was a planned economy along the lines that were adopted in socialist countries. But Nehru was aware of the problem of combining the need for a planned economy with allowing liberal economic freedoms. He admitted it was a complex problem - how to 'maintain individual freedom and initiative and yet have centralised social control and planning of the economic life of the people, on national as well as the international plane'. Thus he was looking for a form of democratic socialism. He was really looking to combine socialism and socialistic planning with enough space for capitalistic growth. As he commented 'we want to preserve individual freedom but at the same time, we can not escape centralisation in modern society'. In this context Prof. Bipan Chandra comments:

"What did socialism mean to Nehru? In fact, Nehru never defined socialism in terms of a definite scheme or rigid general principles. To him, generally, socialism meant greater equality of opportunity, social justice, more equitable distribution of higher incomes generated though the application of modern science and technology to the processes of production, the ending of the acute social and economic disparities generated by feudalism and capitalism, and the application of the scientific approach to the problems of society. Socialism also meant the eventual ending of the acquisitive mentality, the supremacy of the profit motive, and capitalist competitiveness and the promotion instead of the cooperative spirit.....But Nehru insisted, that first of all, socialism concerned greater production, for there could be no equal distribution of poverty. In fact, to him socialism was equal to greater production plus equitable distribution.....Nehru believed that democracy and civil liberties had to be basic constituents of socialism, and

[34] Prof. Bipan Chandra, *India After Independence*, p. 176
[35] ibid.

were inseparable from it. On the basis of his experience of the national movement, Nehru came to the view that basic social change can be, and should be, brought about only through a broad societal consensus or the consent of the overwhelming majority of people"[36]. Prof. Chandra further comments: "Nehru was willing to slow down the pace of socialist development in order to persuade and carry the people and his colleagues with him rather than to ride roughshod over their opinions or to ignore and show disrespect to the autonomy of the various institutions of the state. Besides, to endure and strike deep roots, socialism required popular acceptance and a democratic approach"[37].

Another aspect of Nehru's views on democracy is that he was aware that democracy has the danger of being a tyranny or domination of the majority over the minority. His solution for this problem were constitutional safeguards and that is the reason the Indian Constitution came to have such a strong structure of fundamental rights. He was keenly aware of the need for finding the right balance between rights and liberty and the needs of development and social justice. He commented: 'Unless you balance the ideas of freedom and equality both of which are important and each of which has to be limited to some extent in order to coordinate with the other, you will not solve the problem of today'. Nehru was anxious that India needs a concept of democracy which is the right balance between liberty and equality but ultimately he chose liberty over everything else because he was ideologically a liberal.

It is generally accepted by scholars that Nehru attempted to arrive at a concept of democracy for India taking into account Indian conditions and realities. While his ultimate preference was for the western liberal values and systems he realised that to tackle India's extreme inequalities there is a need for a planned state controlled socialist styled economy that would necessarily entail some curbs on liberty. The constitution of India was drafted accordingly by the Constituent Assembly.

Lohia on Democracy

Dr. Ram Manohar Lohia was a contemporary of Nehru, Gandhi, Jaiprakash Narayan and other freedom fighters but after independence he drifted away from Nehru and other leaders and his colleagues because he disagreed with them and refused to compromise or change his positions just to be relevant in the Congress power structure. Like Nehru, Lohia was educated in the west and was influenced by the political developments in the rest of the world.

Lohia was a believer in democracy but he wanted it to be more directly interventionist and activist than Nehru. He rejected both Capitalism and Communism and chose a goal of socialism in the middle but he wanted it to be genuine and rigorous. For instance he wanted feudal ownership and capitalist ownership of industry to be ended. Till injustices

[36] ibid., p. 177
[37] ibid.

were removed he felt genuine democracy is not possible. So he wanted people to agitate and protest and participate in civil disobedience till the goals are achieved. He wanted a form of democracy that would pave the way towards socialism. Democracy would be the means towards the end of socialism. Lohia was convinced backward countries like India could only develop rapidly on a socialist path. He was also however concerned about the need for democracy along with socialism. He commented: "The only way to make democracy alive to the people would be to cut up sovereign power into as tiny bits as possible so that the common man in the village and township can understand political affairs and make intelligent use of them". He was of the view democracy has to be made into a living force so that common people can feel empowered and take charge of their own destiny.

Lohia raised two issues of great importance in the context of Indian democracy particularly and democracies like ours generally. He asked even though democracy is supposed to be rule of the people by their directly chosen representatives one needs to understand whether in the process of choosing their representatives (i) are people really sovereign and whether (ii) an average voting citizen has the freedom and intellect to make proper use of his right to vote and choose a representative.

He argued the sovereignty of the voter is under serious question in a capitalist system because even though he can elect a legislature, that legislature has to function along with a bureaucracy, judiciary and police all of which are controlled ultimately by the money power of the capitalist system. The real power lies in the hands of industrialists, bankers and financiers who can exercise huge influence on the system. The average poor voter can not defeat this system even if he wants to because the social system is dependent on the economic realities. Also he argued the democratic system we have is not really based on universal adult franchise because both the upper house of parliament and the judiciary is populated by people who reach there because of their privileged positions in life because of the family backgrounds they come from.

The second issue he raised on the form of democracy in India is that he argued a democratic voter based political system exists alongside the educational and cultural realities of a nation. If the educational system and the cultural system don't throw up independent minded thinking people how can they elect a proper representative democracy. Also the educational and cultural environment are also controlled by big business classes because they own the newspapers and other media and also educational institutions and will only impart the education that justifies their agenda. The state thus becomes an instrument of the capitalist class. Democracies that function within such realties can not be true democracies.

He argued even though democracy had worked to some extent in advancing the cause of freedom and equality against feudal privileges and in fighting colonial rule but on the whole for all its struggle he opined democracy has functioned within the capitalist system

and the rule of property has remained intact. So he advocated a movement to take democracy to its ultimate realisation and make it true and meaningful.

He also made a distinction between *democracy as a method* and *democracy as an effort*.

By *democracy as a method* he meant the methods that are followed in democracy to work like elections based on universal adult franchise, discussion, dialogue, parliamentary debates are all methods that provide a way for effecting social changes without bloodshed, violence or chaos.

By *democracy as an effort* he meant the goal or the efforts made in a democracy is for achieving freedom from inequality, injustice, exploitation and discrimination. In a capitalist system he argued the base is created against the feudal order, which is used by the democratic process to win democratic liberties of the person, freedom of thought, expression, association and the representative institutions. This limited the authority of the state and enabled the citizens to fight against injustices and wrongs even though the system was ultimately under the rule of property. The wrongs caused by the property base of society is ignored and democracy is reduced just into a democracy of methods like elections etc with no real power for the people. He argued the right to vote and civil liberties confuse and fool people's minds and create an illusion of democracy being real and of the whole society. The democratic state created in people's minds the notion that there are civil liberties and disputes are settled among classes. He argued people who are poor have to quietly suffer their plight because if they do anything other than by democratic methods then they are undemocratic and on the other hand the democracy as an equalising effort does not really work. Lohia contrasted the examples of Britain and Russia to make his point. He pointed out how in Britain there was perfect democracy but people who were unemployed could not really hope to achieve much by way of changing their lives by participation in the democratic method. In contrast he argued how in Russia there was a guarantee of a certain level of economic existence and to that extent democracy had scope to be more meaningful. He accepted that socialism as practiced in Russia did involve some undemocratic methods but it also demonstrated the weaknesses of liberal capitalist democracy.

Lohia saw socialism as a middle path that was ideal between the extremes of capitalism and communism. He believed in the end of the rule of property that socialism would achieve there would be scope to achieve true democracy for all. He believed the struggle between democracy as a method and democracy as an effort that ensues in a flawed capitalist democracy would disrupt democracy and in that situation direct action by the people combined with participation in democratic methods would lead to bridging of the gap between democratic method and democratic effort and the realisation of true democracy. Even though he was advocating direct action like strikes etc in many of which he himself led and participated and for which he was sent to jail many times in independent India when Nehru was the prime minister, he was against violence and to that extent he was quite Gandhian. Lohia stressed on the unification of democratic

method and democratic action and gave a blue print of a socialist society based upon the following democratic principles:

(a) Maximisation of equality of all kinds,
(b) Social and public ownership of the means of production,
(c) Technology development and adoption for small units that will benefit the village rather than large city based industries,
(d) A structure of state that is based on four pillars, *chaukhamba*, of village, district, province or state and the centre rather than just the centre and the provinces or the states with each of the four pillars having autonomous decision making powers in the interest of decentralisation,
(e) a reasonable and decent standard of living for everybody to reduce the wide gap between haves and have-nots, and
(f) ultimately the establishment of a world parliament and government that would enforce peace and promote development with each country contributing according to its capacity and each country being given according to its needs.

Periyar on Identity

Just as Ambedkar emerged as a great leader for social justice who wanted to battle the injustices that untouchables and shudras faced, in South India where also there was a lot of exploitation by upper castes particularly Brahmins to be found, E. V. Ramasami Naicker (1879-1973) popularly known as Periyar (the great man) had emerged as a great leader. He was actually a Kannad but because he communicated in Tamil and had his political career in Tamil Nadu he is also associated with having given non-Brahmin Tamils a sense of their strong identity.

The philosophy of Periyar was that all men and women should live with dignity and have equal opportunities to develop their physical, mental and moral faculties and to achieve this, he wanted to put an end to all kinds of discriminations and promote Social Justice and rational outlook. To put his principle into practice, Periyar associated himself with the Madras Presidency Association (MPA) in 1917. He was one of its vice-presidents. The Association advocated communal representation and had demanded reservation for the Non-Brahmins and minority communities, as the fundamental way for removing the social injustices heaped on non-brahmins. When Gandhi emerged as a great leader in the Indian National Congress movement, Periyar joined the Congress in 1919. in his stint in the Congress and for doing so resigned from 29 public posts he held at that time, including the municipal chairmanship of Erode town. He also gave up his very profitable wholesale dealership in grocery and agricultural products, and closed his new spinning mill. He launched himself into the spreading of the use of Khadi, of picketing of toddy and liquor shops, boycotting of the shops selling foreign cloth and eradication of untouchability. In 1922, Periyar moved a resolution in the Tamil Nadu Congress Committee when it met at Tirupur demanding that people of all castes to be allowed to enter and worship in all temples, as a measure to caste discrimination. Arguing citing the

authority of Vedas and other Hindu scriptures, the Brahmin members of the Committee opposed the resolution and stalled its passage. This reactionary stand of the members of upper castes provoked Periyar to declare that he would burn the Manu dharma Shastras, Ramayana etc. to show his disapproval in accepting such scriptures as the basis of governing the social, religious and cultural aspects of the people.

Periyar, even though he was a Congress leader, supported in 1923, the Justice Party's measure to form Hindu Religious Endowment Board with a view to put an end to the age-old monopoly and exploitation of the upper castes in the managements of Hindu temples and religious endowments.

In 1924 Periyar became a hero leading the Vaikom Satyagraha in Kerala which had been launched by the Congress against the restrictions that were imposed on untouchables on entering their own slums and colonies. The Maharaja of Travancore knew Periyar but his personal influence with him did not work and he had to accpet Periyar's uncompromising stand which paved the way for the "untouchables" to use public roads without any inhibition and for other prospective egalitarian social measures.

Periyar's break up with the Congress came starting with what is known as the Gurukulam episode. At Cheranmaadhevi near Tirunelveli in Southern Tamil Nadu, they started a National training school as an alternative to those run under the control of the British Government. That school, known as Gurukulam, was funded by the Tamil Nadu Congress Committee and by other non-Brahmin philanthropists. It was managed by V.V.S.Iyer, a Brahmin. Under his management, they showed discrimination between the Brahmin and Non-Brahmin students. Brahmin boys were treated in a better way than the others with regard to food, shelter and the cirriculum. Along with his companions Periyar opposed the discreminatory practice and decided to put an end to it. But all their efforts failed even though Gandhiji supported the need to end discrimination. Brahmins were only 3% of Tamil society but monopolised almost every field of activity. He decided to propose a series of measures including reservations to deal with this but in every Convention of the Congress his resolutions were rejected on one pretext or the other and he was condemned as a communalist who was trying to divide society. It was Periyar's firm conviction that universal enjoyment of human rights will become a reality only when the caste system was eradicated and till social reconstruction took place, he wanted reserved proportional representation of different castes as a measure of affirmative action to uphold social justice. When in 1925 Periyar proposed his resolution again for the last time, there were violent scenes of wild confusion and sticks and brickbats were hurled. Periyar was very disturbed and decided to leave the Congress. He was heard saying: "From now on it should be my sacred duty to destroy the Congress which is the close preserve of the Brahmins". He dubbed the Congress a tool for perpetuating Brahmin imperialism. He left Congress in November, 1925 at the Kancheepuram Conference. He had to part company with Mahatma Gandhi too because Gandhiji was not prepared to put an end to the Brahmin domination and to fight against caste system along the radical lines proposed by Periyar.

Periyar's basic position was that different sections of a society should have equal rights to enjoy the fruits of the resources and the development of the country and should be all represented in the governance and the administration of the state. Periyar's also insisted on a rational outlook to bring about intellectual emancipation. But most importantly he wanted an end to the hierarchal, graded, birth-based caste structure as a prelude to build a new egalitarian social order. He had declared that he saw the need for a fair socio-cultural base, before raising a strong structure of free polity and prosperous economy. Here he was closer in his sense of priorities to leaders like Ambedkar than to Gandhji and the mainstream Congress leaders.

The was in this context, the Self-Respect Movement, founded in 1925 by him, under the aegis of the Justice Party that he had joined decided to carry on a vigorous and ceaseless propaganda against ridiculous and harmful superstitions, traditions, customs and habits. He wanted to dispel the ignorance of the people and make them enlightened. He exhorted them to take steps to change the institutions and values that led to meaningless divisions and unjust discrimination. He advised them to change according to the requirements of the changing times and keep pace with the modern conditions. He was anxious to stop the assault on non-brahmins that the brahmins were carrying out. The self-respect movement innovated various kinds of protest action and attempted to directly change social customs. For instance, self-respecters performed marriages without Brahmin priests and without religious rites. They insisted on equality between men and women in all walks of life. They encouraged inter-caste and widow marriages. Periyar propagated the need for birth-control even as early as the late 1920s. He gathered support for lawful abolition of Devadasi (temple prostitute) system and the practice of child marriage. It was mainly due to his consistent and energetic propaganda, the policy of reservations in job opportunities in government administration was put into practice in the then Madras Province (which included Tamil Nadu and most other south Indian states) in 1928.

Periyar had realised since the British rulers in India had no vested interest in perpetuating the caste system they could influence or pressurise the government to take measures to remove caste based social inequality. So Periyar and his followers decided to adopt only a moderate policy in the struggle for political independence from the British to maintain the right equation with the government for lobbying social changes that were a greater priority for him to end caste based Brahmin oppression and domination.

Periyar had also advocated strongly that fighting economic equality is important and added it to his original programme of working for social equality and cultural revolution by 1930. Along with the communist leader M. Singaravel, he organised industrial and agricultural labourers to stand against the exploitation of big capitalists and landlords. In mid -1930s, the central and provincial governments under British orders took steps to ban the Communist Party and similar organisations and even started stopping the activities of the Self-Respect Movement.

Periyar at this point took a decision to save his anti-caste movement by dumping the economic movement that he had been carrying out along with the communists. His supporters have said he did this because he knew there were supporters for the work to carry on the freedom struggle and to organise the labourers but few people came forward to expose the religion-based traditional evils, and struggle against the exploitation of the powerful Brahminical upper castes. So he toned down his socialist activities in order to be free to carry on the task of the socio-cultural emancipation of the lower castes.

It was 1937 onwards that Periyar emerged as a Tamil nationalist hero. The Justice Party that was in power in the then Madras Province from 1921, except for a brief period, lost the elections to the Congress Party. The Congress Government that was headed by Rajagopalachari introduced compulsory study of Hindi language in the high schools. Periyar opposed this effort as a move to make non-Hindi speaking people second class citizens and organised an agitation. More than 1200 persons including women with children were imprisoned in 1938, of which two, Thalamuthu and Natarasan, lost their lives in prison. At this point Periyar added a new dimension to his movement, viz., demand for an independent Dravida Naadu. He was driven to make this demand in 1938-39, because suspected the Brahminical upper castes of the South whom he opposed for their social oppression, had formed an alliance with the North Indian Bania community and capitalists in imposing Hindi and in exploiting economically the people of South India.

Periyar's concept of Dravidians he had claimed was not based on the purity of blood related to a race, but on values and ways of life. While addressing the conference of Backward Classes and Scheduled Castes in Kanpur in Uttar Pradesh in December 1944, he appealed to the Non-Brahmins of North- India to give up the religious appellation of Hindu and call themselves as Dravidians on the basis that Dravidians are not a race but just represent a certain egalitarian philosophy just as those who followed the inequal caste system he branded as Aryans.

The Justice Party's provincial conference held in Salem on 27th August 1944 marked a turning point in Periyar's movement. The name of the Party was changed as Dravidar Kazhagam. The members were asked to give up the posts, positions and titles conferred by the British rulers. They were also required to drop the caste suffix of their names. It was also decided that the members of the movement should not contest the elections. So the Justice Party which was political was transformed into Dravidar Kazhagam and was sought by him to be made into a non-political socio-cultural movement. This is the origin of the modern political party of Tamil Nadu called DMK.

India had won freedom and the Constituent Assembly was formed with the process heavily dominated by the Congress party and in particular by Nehru. Periyar raised his sure voice against the manner in which the Constituent Assembly was constituted. Periyar declared that 15 August 1947, when India became politically free, was a day of mourning because the event marked, in his opinion, only a transfer of power to the

Brahmin - Bania Combine, whose socio-cultural domination, in addition to economic exploitation, would be worse than the British rule. The adoption of the Constitution of India in 1950 was also viewed by him in a similar vein.

The Congress tried to put restrictions on the functioning of the DMK using executive fiat after independence but that only made the DMK more popular. Periyar continued to maintain that the firmly entrenched and deeply rooted social evils in India centre around the existence and perpetuation of the caste system which formed a basic and inseparable part of the Hindu religion and it sanctified the heirarchy or graded inequality of caste. The beneficiaries of this social structure are the Brahmins and upper castese who have accumulated material resources and mental capabilities through this unjust privilege system of thousands of years. So he argued those who work for the complete transformation of the social order have to wage an unequal war against brahmins and upper castes .

After the adoption of the Constitution of India on the 26th January 1950, Brahmins went to the Madras High Court and then to the Supreme Court in the same year asking for the discontinuance of the provision of reservation in educational institutions to the historically disadvantaged communities, on the plea that the provision violated the fundamental right to non-discrimination. The courts upheld the plea and declared reservations meant to promote Social Justice unconstitutional. Periyar organised meetings and conferences against the judgement, and also initiated agitations that gained nation wide momentum as days passed by. As a result, the Constitution {First Amendment Act} was passed in 1951 adding the Clause 4 to the Article 15 that said: "Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

Periyar started the concept of celebration of Buddha's Day to follow a rationalist way of life, and the idols of the elephant god Vinayaga (Ganesha) were broken by his supporters to demonstrate symbolically the inefficacy of the innumerable deities worshipped by the educated and uneducated people. To understand the extreme atheistic views of Periyar it is instructive to read the following conversation that Periyar had with the freedom fighter and social worker Vinoba Bhave when they met on 18 January 1957. The Tamil daily Thina Thanthi reported that Periyar spoke to the paper's reporter about some of the issues that were discussed at the meeting. The paper reproduced the conversation between the two leaders as follows:

"Bhave: I heard that you are fully engaged in the struggle to abolish caste system.

Periyar: I have taken up the abolition of caste system as my first priority. I believe that if the system is abolished people would overcome ignorance and they would lead a disciplined life.

Bhave: I admit that caste system should be abolished. But, I cannot endorse your acts of breaking the idols of our Gods and burning of our Epics.

Periyar: The Gods and Epics are the root cause of the system. That's why, I am targeting them. If we get rid of the Gods and Epics, then the caste system that they created will automatically disappear.

Bhave: There are good things and bad things in Epics. We have to take the good and leave out the bad..."

Periyar: How many people can do it? If you mix poison and sugar and give it, how many people can eat the sugar alone."[38]

Periyar in formulating his anti-caste position decided to become an atheist for he was convinced that the only way of ending caste discrimination was by ending Hinduism itself by adopting a western styled rationalistic scientific approach. Periyar argued all religions are the creation of human beings and were created in tune with the conditions that existed when they were created and where they were created. Also he argued if there is one God why should there be different religions. The existence of many religions leads to conflicts and communal riots. He also argued against all religions talk about heaven and hell but scientists have not found any proof of heaven or hell. Periyar commented: "There is no God, no God and no God at all. He who created God was a fool, who propagated God was a scoundrel and who worship God is a barbarian". He also asked if God is the creator of the universe then who is the creator of the creator. Also if God is omnipresent and present everywhere why do we have to lock him up in temples under the care of Brahmin priests and indeed why should we at all go to temples. When the ornaments of God are stolen by a theif God is not able to catch or punish the thief.

Periyar also rejected the notion of a soul of man and that there is life after death. He argued man depends on the motion of body parts to live and just as when the moving parts of a clock are dead the clock stops, the body also stops when the parts dont function or are dead. The theory of the soul was invented by vested interests according to him and scientists had found no proof of its existence. He also asked the numerical question where new souls come from when there is an increase in population if only souls are reborn. He argued a man can not get away with a murder saying he had killed only the body but not the soul.

Periyar basically saw the Hindu religion as a clever invention of the Brahmin class to organise society in such a way that they can justify their privileged positions. That is the reason he attacked and fought the Hindu structure of rituals and organised religion all his life. Later interestingly his movement took a turn of a racial and somewhat chauvinistic Tamil and Dravidian nationalism which was also anti-Arayan and anti-north Indian.

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[38] Tamil daily Thina Thanthi, 2 August 2004

Questions:

1. Comment on Nehru's commitment to liberal democracy.
2. What was Lohia's prescription to make democracy meaningful.
3. What was Periyar's role in creating a Dravidian anti-brahmin Tamil identity? .

Suggested Readings:

1. Jawaharlal Nehru, *Autobiography*

Lesson 11

INTRODUCTION TO POLITICAL ARGUMENT - I

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After reading this lesson you will be familiar with:

- **Using political argument in analysing issues.**
- **Analysing the issue of whether democracy is compatible with economic growth.**
- **Analysing politically the issue of censorship.**

Political concepts and schools of thought that have been discussed elsewhere are not academic concepts confined to the realms of political philosophy. Politics is not abstract philosophy or metaphysics. One needs to understand that everyday in our lives we are confronted by complex issues and decisions. When pondering these circumstances how should we proceed and argue for or against a particular choice or decision? . That is where the importance of using political arguments in analysing issues come in. Almost every issue has two or more sides to it and a balance has to be sought between political concepts and ideologies when deciding upon them. Thus where exactly the balance will lie is to be found on the basis of political analysis and arguments. The choice that has more arguments in its favour should win.

For instance we may be confronted by questions like should there be affirmative action by way of reservations in educational institutions for backward communities. On the one hand, on the face of it, it seems to be against the liberal political concept of equality but there is another equally important concept and that is justice. Should not the fact that a backward community has been the victim of injustice throughout history be taken into account. Can democracy be realised without an effort at correcting social and economic injustices of the past. Hence we have a conflict between two or more political concepts and also between different political ideologies and schools of thought because different ideologies and schools of thought will have different answers.

The importance of using political arguments in analysing issues lies in the fact we need to make choices and arrive at decisions after careful intelligent consideration and not randomly. Of all the arguments that there are political arguments are as important as any other.

In this article and the next some select issues will be taken up and discussed to illustrate the process of political analysis and argumentation in deciding on issues.

Democracy versus Economic Growth

There has arisen a view from time to time that perhaps democracy and economic growth are not compatible. For instance let us suppose a dam needs to be built for economic

growth and to build that dam people in thousands and lakhs whose homes would come in the way have to be displaced from their homes, perhaps even homes that they and their families have been living in for thousands of years. Also that these people are farmers for whom the particular location of their homes is important in the way they earn their living as farmers. Naturally therefore the people who would be displaced would be unwilling to get displaced for emotional and economic reasons. Now in a democracy when the state forcibly via legislation or executive fiat tries to get them removed, they can take a whole series of actions. They can go the courts and try to use the rule of law in their favour if they can make a legal case in their favour, they can use their power of vote to vote for a party that will listen to them and not displace them and they can also use constitutional rights to protest and manage to build a strong public opinion against the dam etc. All these actions if they are taken by the affected can delay the building of the dam and hence of the economic growth that the dam was expected to trigger. Also it is entirely possible while some people in one part of the country are being benefited other people in some other part of he country are losers. What should the stance of the nation be in such a situation? . It is clear respecting political rights and civil liberties can slow down or impact the economic growth. Also how exactly should economic development be defined is a political question. Should it mean merely economic growth measured in terms of Gross Domestic Product (GDP) and similar indicators or should there be a different definition taking into account aspects like income distribution and income equality, natural degradation, literacy and educational levels etc.

In the debate on whether democracy and respecting democratic values should be the priority or economic growth at all costs many views have been advanced. Some schools of thought have argued that economic growth is a harsh process involving suffering in the process. For some time social concerns and welfare state values like helping the poor and vulnerable and subsidising basics like health and education have to be forgotten and reforms have to be carried out just to push investments and growth which will then eventually trickle down to the poor. this is generally the argument that is advanced by liberal and neo-liberal schools of thought. It is interesting that for the sake of economic growth liberals who would be expected to stand up for liberal values are ready to undermine them if need be.

The opposing view to the above is the view that democratic freedoms and rights are almost a basic human right and economic development does not mean mere economic growth measured in terms of GDP growth and in the profits of large companies and businesses (which is also reflected in their stock market prices often) but a more holistic phenomenon where how exactly the wealth is distributed, how many children are going to school and whether there are provisions for health care for everybody are more important. They argue what is the point of high GDP growth and profitable companies if the poor stay poor because the fruits of growth are cornered by a small section of the population and basic facilities like education and health are either unavailable to them or unaffordable. For instance if hundred rupees is earned in a population of hundred people and ten people keep ninety rupees of that while the remaining ten rupees is shared

between ninety people (average of 11 paise per head approximately), is that better than if only fifty rupees is earned by the population but each person gets distributed at least 40 or 50 paise per head. This view sees a connection between political freedoms and the fulfillment of economic needs. They also argue political freedoms can have a major role in providing relevant information in solving and fulfilling the economic needs and in providing incentives.

There have been many particularly noteworthy examples of rapid growth in some countries under *liberal authoritarian regimes* that has lent credence to the view that democracy is an impediment to growth. For instance Taiwan, South Korea, Singapore, Chile, Indonesia and even Chine have had authoritarian governments that were able to take fast decisions and implement them that has lead to rapid growth in these countries. This growth has also over time reflected in parameters like literacy, life expectancy, education etc. In contrast there are very few under developed third world countries that have achieved high growth under a democratic dispensation. Often in third world democracies it has been seen that corruption and the need for maintaining subsidies for politically powerful groups has slowed down growth and development. In 1959, Lipset gave a theory that the economically rich a nation is, the better are its chances of maintaining democracy because as country develops economically, the society and people develop the skills needed to sustain democracy faster and better. In fact India is an exception in that even while being a poor country essentially India has managed to maintain democracy. Adam Przeworski and Limongi after studying the period 1950-1991 had calculated that in a democratic country that has a per capita income of under $1500, the regime has a life of eight years, with $1500-3000, it is 18 years and above $6000, it is stable. About two-thirds of democratic countries which had the per capita income of $ 9000 have been the most stable.

Generally it is pointed out even in Europe it was only when the newly rich bourgeois class decided to assert their economic power and demanded political changes that the feudal system collapsed slowly and democracy was born. The rise of private people gaining economic power independent of the state led to them developing bargaining power and in dealing with the newly empowered class the state had to become more tolerant and less dictatorial. The economic liberalization that the monarchical dictatorships allowed the rise of a bourgeoise and a civil society that then became a moving force for the introduction of liberal democracy. Also it led to the rise of an educated middle class. Even Karl Marx had accepted the value of a bourgeois democracy in advancing the socialist cause.

The liberal capitalist school of thought who insist on seeing democracy as an impediment to growth advance three basic arguments. First, that democratic rights and freedoms hamper economic growth and development. This view is called as the 'Lee Thesis' after former Singapore Prime Minister Lee Kuan Yew who was an ardent proponent of it. Second, if people are given a choice between political freedom and fulfilling economic needs, people will invariably choose economic growth to rid themselves of economic

misery and deprivation. They would not care for democracy. Third, liberal political freedoms are a western cultural priority and obsession and culturally it is not that important for some cultures like those to be found in the middle east and in Asia. In Asian cultures order and discipline which facilitates prosperity are more important. Also the rights and aspirations of the family and the state are more important and individuals are expected to subsume their identities and rights to that of the state. As Lee Kuan Yew commented "I do not believe that democracy necessarily leads to development. I believe that what a country needs to develop is discipline more than democracy".

The so called Asian tiger economies have all followed systems that have been from less than democratic to quite dictatorial. These governments always believed their main job was to tightly control the population for orderly functioning in the interest of economic growth. This school of thought argue what is the need for democratic rights and duties when governments think about and work for the welfare of its citizens. They have argued since collective goals are clear, principally of economic growth, the government's job of delivering on them should not be hampered by democratic checks and balances. These governments have also propounded the view that even accountability and transparency are unimportant even if that leads to suspicions of corruption. In the countries that have followed this philosophy all organs of the state have often functioned in a merged unity - the bureaucracy, the parliament, the judiciary, the army etc. Democratic and liberal values have been seen to be undermining efficiency and transparency. The proponents of the strong state focusing on harmony and discipline fail to explain though if they are so disciplined why they need coercive authoritarian force to hold that discipline.

Some scholars like the Noble Laureate economist Amartya Sen in his book *Development as Freedom* has argued that democracy and growth are not linked and need not be incompatible. He pointed out for instance that countries like Botswana which was a democracy but yet achieved a fast rate of growth. He argued that countries that had developed under authoritarian systems developed not because of the dictatorial styles but because of other policies like high levels of literacy, presence of basic facilities like health care, land reforms, use of international markets, open competition etc.

He also argued growth should not mean increase in GDP alone but also in the quality of lives and capabilities of the citizens. He makes the point political and civil rights give the people an opportunity to draw attention to their exact demands and guide policymaking and implementation towards those. he argued governments respond to pressure and for that pressure to be exercisable by the electorate there is need for a highly developed environment of rights and freedoms. He also contests the view that poor people will necessarily choose economic rewards and need fulfillment over political rights. He argued people do need and demand dignity and basic human rights and it is wrong to argue that people will be willing to barter that away. The only test for what people really want is known in elections and the freedom of opposition. He classified the importance of democratic systems in economic growth and development into three categories:

(i) democracy has an intrinsic value, (ii) and an instrumental value and (iii) and plays an important role in the creation of values and norms.

He explains human beings naturally value unrestrained participation in social and political activities. The absence of democratic rights and freedoms may be fine when everything is going fine and there is economic prosperity but when situations crumble and there is need for protest and to make opinions known, the lack of a culture and environment of democratic protest and dissent is badly missed in authoritarian states. The political incentives provided by democratic governance acquire practical value at these times. He also argues that a culture of political freedoms and civil rights also plays a major part in helping the formation of values and in the identification of needs. This is what he means when Amartya Sen suggests democracy has an *intrinisic* value.

The second role that Amartya Sen points to is the *instrumental* value of democracy. He argues the ultimate objective of economic growth is the realisation of human freedom. And to that extent democracy has an instrumental value. The people in a society have to feel and be seen as actively participating in creating their own destiny and be not just passive recipients of the fruits of development programmes. He suggests the ends of growth happen nit just via economic means but via democracy. The instrumental role of freedom has many components like economic facilities, political freedoms, social opportunities, transparency, guarantees and protective security.

Thirdly, Amartya Sen makes the case in his book that economic needs and political freedoms are linked constructively. The exercise of political rights lead to a policy response from the government to economic needs and the formulation and conceptualisation of economic needs need the presence of political rights. Arriving at a decision or consensus on what economic needs are requires a discussion and exchange of views which is facilitated in a political environment. The right to debate and discuss is vital to allow the presence of multiple choices and the best decisions emerge.

Democracy provides an opportunity to work its processes and institutions and use it for growth and development. So ultimately the success of democracy will depend on the use that people put to it. If people make use of their rights and use it properly they can not only generate the right ideas for development but also potentially implement it much better than in a authoritarian state where people can not think, choose or consider from among choices but have to accept and give heir consent to what is given to them. A democratic set up thus can be very valuable and people and any society have to always be on the lookout to make it even more successful. Thus development, growth and social justice depends on the quality of functioning and practices of democratic institutions.

Some commentators have argued that economic policy making and implementation should be freed from the vagaries of changes in political dispensations and should be professionalised. That institutions like the Central Bank should be made powerful, the judiciary should be powerful enough to make laws as and when necessary and

professional bureaucrats should be in charge of policy making and implementation. This prescription mainly emerges from thinkers of a liberal and neo-liberal capitalist persuasion. The problem with this prescription according to thinkers of a leftist persuasion is that if the powerful institutions and professionals running them are under the influence of a particular class of industrialists or business houses etc or are involved in a system of corruption, or are themselves representative of class interests, the poor and the powerless will have no effective way of using the democratic system and processes to make their actual demands flow up and get heard and adopted.

Censorship - is it justified

Censorship is the editing, removing, or otherwise changing of speech and other forms of human expression. It is exercised by governing authorities on mass media to stop what the authority thinks may undermine its authority or the social and moral order of society. The usual motives of censorship are often to stabilize, improve or persuade the society group that the censoring organization wants to have control over. Censorship is usually applied on acts of expression that occur in public circumstances or are meant for public dissemination, and generally is done by criminalizing or regulating expression. Censorship also often includes less formal means of controlling perceptions by excluding various ideas from mass communication. What is censored generally ranges from specific words to entire concepts and is influenced by value systems or political agendas. Also sometimes the most common real reasons for censoring information are the particular items of interest of the news and entertainment organisations, their owners, and their commercial and political connections.

The justification of censorship that is advanced is usually that it is an 'incitement to action' and hence a matter of public concern. For instance in India during the emergencies of the seventies when Indira Gandhi had ordered censorship the plea was that some people are trying to spread chaos and disrupt democracy and hence newspapers have to be censored because they are carrying such incitements. As the democratic values of liberty from which flows free expression has gained momentum world wide, censorship has come to be frowned upon. But even so recognition of free exchange of ideas is still a relatively recent development and is not accepted in large parts of the world. Just to give an example in all countries of the middle east and in countries like Pakistan there are many forms of censorship. Also China censors parts of the internet and many foreign magazines and newspapers. Censorship can be explicit, like in laws passed to prevent select views from being published or propagated (e.g., in China, Saudi Arabia, Germany, Australia, and The United States), or it can be implicit, taking the form of subtle intimidation by the government functionaries, where people are made to become afraid to express or support certain opinions for fear of losing their jobs, their position in society, their credibility, or their lives. This latter form is similar to what is called McCarthyism in the United States and is prevalent in a number of countries including the United States. Democratic countries also carry out some forms of censorship for various reasons. For instance adult sexual content in films and television is censored for children in most

countries of the world. Some censorship is also carried out sometimes by closed social groups and communities and not by the state by the force of social custom. This is a complicated subject because it is very subtle often.

Censorship can be of many types - political censorship, military censorship, religious censorship, corporate censorship, censorship against violation of social morality and censorship against academic freedom.

Political censorship refers to the situations when governments conceal secrets from their citizens. The aim usually is to prevent the free expression needed to revolt. Democracies do not officially approve of political censorship but often endorse it privately. Any dissent against the government is regarded as a "weakness" for the enemy to exploit.

Military censorship is the process of keeping military intelligence and tactics confidential and away from the enemy and is used to counter espionage. Military censorship can also involve a restriction on information or media coverage that can be released to the public such as in Iraq, where the U.S. government restricted the photographing or filming of dead soldiers or their caskets and its subsequent broadcast.

Religious censorship refers to the banning of any material which is objectionable to a certain faith. This often happens when a dominant religion forces limitations on less dominant ones. Alternatively, one religion may shun the works of another when they believe the content is not appropriate for their faith.

Corporate censorship happens when editors in corporate media outlets intervene to halt the publishing of information that portrays their business or business partners in a negative light. Privately owned corporations in the news business sometimes refuse to distribute information due to the potential loss of revenue from advertisers or loss of shareholder value which adverse publicity may bring.

Moral censorship is the means by which any material that contains what the censor deems to be of questionable morality is removed. Pornography, for example, is often censored under this rationale. In India the Censor Board censors films in advance for objectionable material.

Censorship has had a long history. In fact it can be said censorship has followed the free expressions of men and women like a shadow through history. Some ancient societies, such as those in China, regarded censorship as a legitimate instrument for regulating the moral and political life of the population. In China, the first censorship law was introduced in 300 AD. The origin of the term censor in English can be traced to the office of censor established in Rome in 443 BC. In Rome, and in ancient Greece, the values of good governance included shaping the moral values and character of the people. Hence censorship was regarded as an honourable job. The most famous case of censorship in ancient times is that of Socrates, sentenced to drink poison in 399 BC for charges of

corrupting the youth and because he acknowledgement unorthodox divinities and principles. Many others other than Socrates it is safe to assume were also severely punished for violating the moral and political codes. This ancient view of censorship, as a benevolent public service in the best interest of the people, is still upheld by some countries such as China as has been pointed out above.

The struggle for freedom of expression is as ancient as the history of censorship. The playwright Euripides (480 -406 BC) defended the liberty of men and the right to speak freely. He had commented somewhat diplomatically: "Who neither can nor will may hold his peace. What can be more just in a State than this? ".

Free speech and freely expressed thoughts and ideas had posed problems to pre-Christian era kings, but not more than it did to the guardians of Christianity, as orthodoxy became established. Measures to fend off a heretical threat to Christian doctrine were introduced, such as the Nicene Creed, promulgated in AD 325. But books were more and more easily written, copied and increasingly widely disseminated, subversive and heretical ideas were spread beyond control. Consequently, censorship became more and more rigid and punishment more severe. The problem increased with the invention of the printing press in Europe in the middle of the 15th Century. Although printing greatly aided the Catholic church and its mission, it also aided the Protestant Reformation and "heretics" such as Martin Luther, thus the printed book became an arena for a religious battle. In western history, censorship took on a whole new meaning with the introduction of the Index Librorum Prohibitorum - lists of books banned for their heretical or ideologically dangerous content, which was issued by the Roman Catholic Church, and with the Sacred Inquisition which saw the banning and burning books and sometimes also the authors. The most famous of the banned authors was undoubtedly mathematician and physicist g Galileo in 1633. Some of the victims of the Inquisitions trials were the Joan of Arc (1431) and Thomas More (1535). The first Index of Prohibited Books was drawn up by order of Pope Paul IV in 1559. The lists were issued 20 times through the centuries by different popes, with the last one being issued in 1948. The practice was finally suppressed in 1966. The Catholic Church, controlling universities such as the Sorbonne, also controlled all publications through its decree in 1543 that no book could be printed or sold without permission of the church. Then in 1563, Charles IX of France decreed that nothing could be printed without the special permission of the king. Soon other secular rulers of Europe followed suit, and scientific and artistic expressions, potentially threatening to the moral and political order of society, were brought under control through systems of governmental licence to print and publish.

The dual system of censorship created through the close alliance between church and state in Catholic countries, was also introduced or exported to the colonised countries in the South America. "The Spanish authorities were not only worried about the religious situation in Europe, but also in America. The possibility that America could be invaded with ideas from protestant countries was considered a permanent threat." Notes the Peruvian historian Pedro Guibovich in his article The Lima Inquisition and Book

Censorship. The Inquisition established in Peru in 1568, was part of a colonial policy by Philip II of Spain, designed to deal with the political and ideological crisis in the Peruvian viceroyalty. The Peruvian system was a blueprint of the Spanish, entailing control of the import of books, the inquisitorial officers periodically examining ships and luggage in ports, inspecting libraries, bookstores and printing houses. When the Inquisition was established in Peru in 1569, the Tribunal's district ranged from Panama to Chile and Rio de La Plata. Hardly anything can compare to the devastating effect of the destruction by the Spanish invaders of the unique literature of the Maya people. The burning of the Maya Codex remains one of the worst criminal acts committed against a people and their cultural heritage, and a terrible loss to the world heritage of literature and language.

The introduction of the postal system proved as vital to dissemination of information as the printing press. First established in France in 1464, the postal service soon became the most widely used transportation system of person-to-person and country-to-country communication. However, the postal service also came to play a crucial role as an instrument of censorship in many countries, particularly in times of war, and was particularly efficiently employed by the British during the first half of the 20th Century. To this day the postal service remains an efficient tool of censorship in many countries where the import of prohibited literature, magazines, films etc. is regulated

As the number of postally distributed newspapers rapidly grew, greatly improving the sources of information, so did also the official concern of the harm inflicted on peoples morals and minds, particularly in times of war or internal crisis. For instance a Licensing Act (1662) was ruthlessly enforced in Britain until after the Great Plague of 1664-65. In Germany, the press was effectively inhibited during the Thirty Years' War (1618-48), not only through censorship, but also through trade restrictions and lack of paper. To this day such means of restriction are still used effectively in hampering the development of a free press in many countries across the world.

The powerful bureaucratic system of pre-censorship practised in late Medieval Europe, was attacked by John Milton in his much disputed speech "Areopagitica" to the Parliament of England in 1644, vigorously opposing the Licensing Act passed by Parliament in 1643. Milton’s in his plea for freedom of the press, quoted Euripides, adding the weight of the ancient struggle for free expression to his own arguments. Milton's strong advocacy in defence of free expression helped in the final lapse of the Licensing Act in Britain in 1694. Milton’s "Areopagitica" also became one of the most quoted sources of argument for freedom of expression.

The 17th and 18th centuries saw a great rise of reason rights and liberty and dignity of the individual became a matter of great political focus, and eventually saw legislative protection. Sweden was the first country to abolish censorship and introduced a law guaranteeing freedom of the press in 1766, then Denmark/Norway followed suit in 1770. Today, the First Amendment of the Constitution of the United States (1787), guaranteeing freedom of speech as well as of the press, is regarded as one of the legal

pillars for the comprehensive protection of freedom of expression in western countries. Another important development was the statement by the French National Assembly in 1789 that said: "The free communication of thought and opinion is one of the most precious rights of man; every citizen may therefore speak, write and print freely."

Even though censorship as a practice lost its traditional legal authority during and after the 18th century in Europe, governments still maintained some legal frameworks curbing freedom of expression. The new instruments that began to be used were legislative acts of national security, criminal acts on obscenity or blasphemy, or laws on libel. In the United States, were formal censorship never existed, the law on libel and thus the courts became the testing ground for free expression. This was also the case in Britain after the lapse of the Licensing Act in 1694. Subsequently, the courts became the controllers in many a country embracing the principles of freedom of expression. Laws of libel were often subject to loose interpretations, giving license to continued restraint, harassment, and persecution of the mounting challenges by artists, journalists and other intellectuals to the contemporary concepts of national security, blasphemy and obscenity. This is also the situation in India somewhat where even though there is no pre-censorship of anything published (whether books/newspapers/magazines etc), it can be banned after publication or face legal action under laws against defamation and national security. Also it can attract in extreme cases criminal prosecution under provisions of the Indian Penal Code. thus authors and publishers have to watch out and be careful which arguably is also a form of censorship.

In the 18th century, the press in most of Europe was frequently subject to strict censorship. It was only in the 19th century that we saw the emergence of an independent press and censorship gradually had to cede to the demand for a free press. Colonial governments, such as those of Russia or Britain, exercised a tight control on political publications in their colonies; Russia in the Baltic states, Britain in Australia, Canada, India and the colonised African countries. In Australia, full censorship lasted until 1823. In South Africa a press law was passed in 1828 to allow some publishing freedom but the politics of racial division saw freedom being suppressed during Apartheid but was again abandoned in the last decade of the 20th century. In modern times, restrictions on press freedom continue in many African and Asian countries, in eastern Europe, and in Latin America.

Censorship directly violates the democratic political concepts of rights, freedom and liberty. Yet it continues to this day and age when democracy is supposed to have triumphed. Indeed most nations that are constitutional democracies have incorporated the rights to freedom of expression in their constitutions. Yet they have also carefully introduced safeguards and enabling provisions to allow for forms of censorship on miscellaneous grounds like public order, morality, obscenity prevention, national security, etc. The argument is made that to promote true democracy and help the cause of justice including social justice it is necessary to impose some censorship at times. For instance if an artist like M.F. Hussain paints pictures in the nude of godesses like

Saraswati and Durga, it can perhaps hurt the sentiments of some people very severely causing them to disrupt peace and order or if upper castes ridicule and abuse Dalits in some manner it is possible that it can be interpreted to be against the cause of social justice. Sometimes in situations like these an attempt is made to justify censorship. The most successful practitioners of censorship have been authorities, whether religious, monarchical, dictatorial or democratic, who have invariably argued that the ideas and views that are sought to be stopped are dangerous to the overall health of the nation or its existence (as Indira Gandhi argued during the emergency years) and can become a cause for dangerous incitement. The authorities don't always use only legal authority but also employ economic and ideological means to suppress ideas that are dangerous to the status quo and these can be more subtle but more effective. For instance a government is a large advertiser and many newspapers depend for a large portion of its revenues on government adverts. If the government wants it can decrease or stop the flow of adverts to a particular newspaper or magazine that it wants suppressed. Ideological supression/censorship is employed when the authority carries out a brain-washing exercise to make its own ideology the only exiting ideology or set of views. This can be done by changing school and college textbooks for instance or by carrying out propaganda on state owned television/radio. In a democracy where democratic values have taken hold and the democracy is mature such measures are not available to the state or the authority. For instance in Britain the British Broadcasting Corporation, the publicly owned national broadcaster is not controlled or employed by the British government. The Tony Blair government did try to use economic censorship though when it suddenly proposed measures that would have made the economic existence of BBC very difficult by withdrawing state taxation support because the government was not happy with the independent and critical stand of the BBC on the British government's role as an ally of the USA in the Iraq War. It is a testimony of the strength of the British democracy that the proposed measures have not seen the light of day.

Thus the ways of exerting censorship can be varied and not necessarily be just a straight forward ban. It can be a restraint or a ban on publication of books, comics, black listing of authors/publishers, blocking the employment of some authors in public service and media and communication organisations and introducing rules for prior permission for movies, radio, and television programs, and of school and college textbooks etc.

Some of the usual justifications that are offered for censorship are:
(a) that the views and ideas that are sought to be suppressed are a threat to social harmony and law and order and peace or because they can hurt the feelings of some social/cultural groups who can then get incited to violence.
(b) that some views can harm some people if they exposed to them because they are not ready to understand them. This is the ground on which sexually explicit content is blocked to children in mass media.
(c) that the views expressed can incite people to commit crimes like terrorism etc. The easy availability of technology like internet web sites, mobile phones, bulk SMS facilities from mobile companies etc have made such censorship ineffective. Also we need to

remember as Justice Oliver Wendell Holmes once remarked: "Every idea is an incitement".

Questions:

1. Discuss the following using political arguments and analysis:
(a) Should democracy and economic growth be regarded as incompatible? .
(b) Censorship and its justification.

Suggested Reading:

1. Amaryta Sen, *Development as Freedom*

Lesson 12

INTRODUCTION TO POLITICAL ARGUMENT - II

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After reading this lesson you will be familiar with:

- **Analysing the issue of protective discrimination.**
- **Analysing with political arguments whether the state should intervene in the institution of the family.**

In this article two further issues will be analysed to illustrate political analysis and argumentation. These issues are the very controversial issues of protective discrimination or affirmative action and its fairness and the institution of the family and whether state intervention in the family is justified.

Protective Discrimination and the Principle of Fairness

Equality and justice are both important and basic political concepts. The interesting thing is granting both is impossible sometimes and they are not always compatible. If we proceed from the basic premise that all human beings are born equal and deserve equal treatment we are taking a straightforward position for adhering to the principle of equality. But while all of us as human beings are equal we have not had the same environment and facilities while growing up. Maybe some of us grow up in rich homes where we had access to the best for training ourselves. While some others among us have grown up in poor homes where maybe we did not even have enough to eat let alone facilities for training ourselves adequately. If we then say that those who win and are successful in life deserve to do so because they did so in an environment of free and equal competition and following the principle of survival of the fittest have to accept the winners of the game we are maybe following the equality principle rigorously but we are not doing justice. If we are to do justice then we have to take into account the differences in past circumstances which have not been equal.

It has been generally accepted in political philosophy that one of the goals of democracy is the promotion of a truly equal and egalitarian society. And while trying to realise this goal societies have again and again have had to face the problem of achieving both equality and justice at the same time. The reason is though legal equality solves the problem of providing granting equality of opportunity it does not reduce economic and social inequalities whether based on class, race, sex, gender etc without which real equality and justice can not be said to have been achieved.

One solution to this problem that has been advocated particularly in liberal democracies has been protective discrimination. It often takes the form of what is called affirmative action which most popularly or notoriously (depending on your viewpoint) takes the form of reservations in educational institutions for backward castes and communities in this country.

On the face of it such discrimination is unfair because it makes a difference between people and treats them unequally but by the concept of 'positive discrimination' is implied that some people are favoured to a limited extent and others are asked to suffer some restrictions to create what is called a level playing field. The aim is to increase the competitive power of those who are handicapped to begin with on the rationale that to discriminate positively in favour of the week in the circumstances of some societies is more useful in creating real equality and justice.

The policies of positive discrimination can take many forms, the most popular of which are: reservations in jobs and educational institutions, special scholarships and other monetary grants, government contracts, etc. The concept of positive discrimination is as may be expected a hugely controversial and much debated issue. Generally positive liberals and socialist and other left and left of centre political schools of thought have been found to be supportive of such discrimination whereas extreme liberals of the classical or the neo-liberal capitalist schools of thought are generally opposed to it.

The Case for Protective Discrimination

Rousseau, the great French political philosopher who had a poor upbringing as an abandoned child, had commented, that it is because the force of circumstances tend to destroy equality that the force of law must always tend to maintain it. As the idea of democracy has developed it has come to be accepted real equality and justice are not possible without raising the level of those who were due to the circumstances of their lives left behind. These circumstances can be economic or social and may be of recent origin or historically older origin. Whatever they are, the handicapped need to be given a fair chance and a level playing field.

Originally the liberal philosophers had been content to understand by equality a very mechanical legalistic notion of it. All it meant is everybody is equal before law. But by the twentieth century the arguments of socialists and marxists and of the positive liberals had established mere equality means nothing if there is an absence of *both* equality of opportunity and circumstances. Since everybody in society does not start his life similarly and is not blessed with the same circumstances mere equality of opportunity merely leads to a consolidation of inequalities and creation of further inequalities. Therefore equality of opportunities needs to be extended to equality of conditions and the equality of conditions requires equality of results or outcome. Legislative and political interventions are necessary to ensure equality of results. Protective discrimination is a way of attempting to create real equality of opportunity. The main arguments in favour of protective discrimination are: (a) there is no equality of opportunity in a real sense, (b) being under privileged or poor or backward and eventually inequality with others is linked causally, (c) there has to be concrete intervention to ensure a more equitable distribution of goods, services and resources to ensure fairness in society, (d) and equality

of opportunity is not possible if there is unequal distribution of resources and (e) finally equality is ensured with positive discrimination.

John Rawls, the American liberal thinker has argued that the function of government is not merely to maintain social order but to achieve distributive justice by ensuring that resources and income is diverted to the most needful. Rawls argued that inequalities in ability that naturally come from birth and inequalities due to circumstances of one's birth can not be eliminated and so a just and fair society will actively try to compensate instead for the inequalities by investing its resources to improve the situation of the least privileged and the most needy. Justice he argued is not to allow more and more rewards to the smartest and the most able in a situation of free competition but compensating those endowed with less ability. Justice is not according to him an 'ethics of reward' but an 'ethics of redress'.

Many countries have introduced constitutional and legislative safeguards to be in a position to carry out protective discrimination. India is one such country. The presence of leaders like Nehru and Ambedkar in the Constituent Assembly had ensured that India got a constitution that had provisions for implementing affirmative action for the backward castes and communities. The policy that Indian leaders decided to have for protective and compensatory discrimination and for which accordingly provisions were made in the Constitution is based upon the notion that certain castes and communities were placed in very disadvantaged and underprivileged circumstances because of historical discriminations and wrongs against them which needed to be rectified. In a fundamentally unequal society due to a vast differences in caste and class where the identities of caste and community have been the reason for vast discriminations there is no sense in hoping that equality can be allowed based upon individual achievement. They also realised that the individual's achievements need to be honored otherwise his sense of equality will be violated and so a balance was sought by ensuring equal opportunity for the forward castes on the basis of merit. But it was also clearly understood for national social goals some people would have to suffer some restrictions because of reservations for the backward castes. The framers of the Indian constitution were clear that India needed a policy and a constitution that would allow for building a new social order based on real equality and justice though the instrument of law.

The Case against Protective Discrimination

Some schools of thought like the Libertarians in America and some extreme conservative capitalist ideologies do not agree with the tool of protective discrimination without mostly disagreeing with the general case for taking into account the under privileged and the victims of discrimination in policy making. They argued when some people are asked to suffer positive discrimination in favor of others, the same sort of discrimination is practiced on them that was inflicted on those for whom corrective measures are initiated by way of protective discrimination. Granting privileges to people by way of protective discrimination for reason of their being of a particular caste, race or sex in the procedural

sense is as illogical and unfair as depriving them of opportunities for the same reason. Further to deny present generations of communities opportunities because of how their ancestors may have behaved is unfair. Nozick has argued that affirmative action and other protective discrimination measures deny people the right to self-ownership and treat individuals not as ends in themselves but as expendable. Also such measures disturb the confidence and initiative of the talented and meritorious. Hence there are moral problems with protective discrimination and equality should be limited to equality of opportunity. Aiming for equality of outcomes and equality of conditions are not compatible with other values like liberty and hence should be unacceptable. Another reason why protective discriminations are not liked by some liberals is that it increases the power of the state. Further there is no guarantee that protective discrimination will work in achieving equality they also argue.

Another argument that is advanced is that protective discrimination can not work because equality of opportunity and equality of conditions is likely to result in inequality because a competitive system (that all capitalist liberal democracies are) is inherently unequal because not everybody can be a winner in a competition. Hayek has commented in this context: ".....from the fact that the people are very different it follows that if we treat them equally, the result must be inequality in their actual position. The desire of making people more like in their conditions can not be accepted in a free society and is a justification for further discrimination and coercion'.

The American libertarians also argue that the pursuit of excellence in society by definition excludes the possibility of equality. Protective discriminations are a curb on merit and excellence and while it is essential to maximize access and opportunity that does not necessarily promote equality simply because some people are better than others. A society that wants to nurture what is the best in that society can only do so by recognizing inequalities and encouraging specialization and mobility. Inequalities among people have to be accepted because inequalities in accomplishments have to be accepted. The pursuit of excellence they argue is justifiable because ultimately it benefits everybody when there is a new discovery or invention for instance.

Another argument that is given against protective discrimination is that it does not distinguish between different members of the group that is sort to be offered favorable discrimination. It is possible some members of the backward group or caste are more privileged and better off than other members of the group and a general protective discrimination or affirmative action does not take into account this fact and thus causes an injustice. Also to treat somebody equally he has to be treated and regarded with dignity and self-respect and valued but the knowledge that somebody was given preferential treatment can not but add to his sense of inferiority in his eye and in the eyes of others.

The followers of Elite Theory argue inequalities are as natural as liberty and so any attempt to level the field by protective discrimination or affirmative action is unfair. Also

the attempts to do so by social and political legal interventions make the state all powerful and authoritarian which decreases the level of liberty in the society and thus ultimately promotes tyranny and inequality. The increase in the coercive power of the state that provisions for such discriminations entail is harmful to equality ultimately.

The theory of functional stratification of society has argued that some crucial functions in society are needed to be performed by competent people for the general well being and maintenance of society. The people who can serve in these positions require years of hard training that they would not agree to undergo unless they have the incentive of significant social differential involving privileges and disproportionate access to rewards like financial rewards. Thus social inequality has to be tolerated for the general and total well being of the society. Differences in money, power and prestige are thus inevitable and desirable.

State Intervention in the Institution of the Family

The family is really the smallest unit of any society. A society is composed of these small units, called families and therefore studying the role and position of the family is very important in any social analysis. The family is where we are nurtured into adulthood and without whose support we would be unable to survive after birth. The family plays many roles - biological, economic, moral, legal, psychological and societal. The values and attitudes that a society will have is ultimately built to the major extent at the level of the family unit of society. The family it has been argued holds the society together as without it there would be a breakdown of the values a certain minimum of which is absolutely necessary for society to function viably.

The Classic definition of family, according to sociologist George Murdock, is "a social group characterized by common residence, economic cooperation, and reproduction. It includes adults of both sexes, at least two of whom maintain a socially approved sexual relationship, and one or more children, own or adopted, of the sexually cohabiting adults."

Within the society traditionally there have also been many ills. Particularly with respect to treatment of women and girl children for instance. Many scholars have throughout history commented on the family but it was only starting in the 60s and 70s that social commentators who were of a *feminist* persuasion started commenting on the fact that everything within the family may not be as fair and sacred as was assumed and there may be the need for intervention within the family unit in the interest of justice. Feminism is a subject of study that emerged out of the women's liberation movement and deals with the study of women's position in society and how women can be liberated from patriarchal male domination. Many feminist scholars have analyzed the position of women throughout history and have again and again come to the conclusion that women are denied an equal treatment and position as a consequence of the whole structure of society which is dominated by male patriarchal attitudes and the level of women have to lifted by

state and societal interventions if necessary. The differences in the position of the men and women which has been traditionally sought to be explained on biological differences and by way of sometimes religion ordained stereotypical male and female roles within and outside the family, are referred to as gender inequality.

In general 'Feminism' refers to social theories, political movements and moral philosophies, largely motivated by or concerned with the liberation of women. Feminism is especially concerned with social, political and economic inequality between men and women (in the context of it being to the disadvantage of women). Feminists have even argued that gender stereotypical identities, such as "man" and "woman", are socially constructed and not natural. Feminists differ over the sources of inequality, how to attain equality, and the extent to which gender and gender-based identities should be questioned and critiqued. Generally feminism is the ideological belief in social, political and economic equality of the sexes, and the movement organized around the belief that gender should not be the pre-determinant factor shaping a person's social identity, or socio-political or economic rights.

Gender inequality is also about power and the wide difference in power of men and women and the arguments can be made if democracy treats all adults as equal citizens with equal power inherently then how can half the society be less empowered than the other half for democracy to be real. Feminists have argued it the man's access to and first call on resources both within and outside the family in the world of work that is at the heart of women's subordinate position. According to feminist scholars the process of domination over women in society happens through many ways as follows: (a) through an indoctrination of gender roles to children from an early age, (b) depriving girl children from a proper and full education, (c) denying to women the knowledge of their own history, (d) by restraint, coercion and violence on women, (e) by restricting access to economic resources and political power and by (f) creating a general environment of female inferiority to males. Gender differences can be seen everywhere from within the homes to the place of work and places like educational institutions. Feminists argue only a social transformation can remove this inequality and suppression of half the population of any society.

Feminist theories question basic assumptions about gender, gender difference and sexuality, including the concept of "woman" itself as a holistic concept, other theories question the male/female dichotomy and suggest that there needs to be recognized instead a multiplicity of genders. Some other feminist theories take for granted the concept of "woman" and provide specific analyses and critiques of gender inequality> But most feminist social movements promote women's rights, interests and issues. Several subtypes of feminist ideology have developed over the years. Early feminists and primary feminist movements are often called the first-wave feminists, and feminists after about 1960 the second-wave feminists. More recently, some younger feminists have identified themselves as third-wave feminists.

The Case against State Intervention in the Family

There is much disagreement among feminists on different feminist issues and even on the question of where the state should intervene there is a lot of difference in views too. The feminists of the liberal schools have argued that the family is basically a private institution and should not be subject to any intervention from the state. They have argued that male domination is not sever a problem as is sometimes assumed and can be tackled without state intervention or activism.

Interestingly the ides of non-intervention in the family dates back to ancient times because the traditional notion almost worldwide has been that a man's family is his private property and what he does with his property is his business and nobody has the right to intervene. Also there had been religious ideas of the divine sanctity of the family which were not in contradiction but in tune with the traditional notions in practical terms. In the western tradition there has been the *pater familias* doctrine which means a man's family is an extension of his personality. The women was regarded as having lost her identity on marriage and become an adjunct of the identity of the man. Given the strong social and religious backing to the traditional patriarchal notions of family and its unity and autonomy that challenges to the traditional notions which subordinated and suppressed women have been very difficult. Nevertheless with the evolution of liberal democratic political concepts like rights, liberty and equality and justice and universal adult franchise, which is the basis for one-adult-one-vote democracy, feminist notions of equality became unstoppable. There were many milestones in the women's rights movement but Feminism became an organized movement in the 19th century as people increasingly came to believe that women were being treated unfairly. The feminist movement was rooted in the progressive movement and especially in the reform movement of the 19th century. The utopian socialist Charles Fourier who has been credited with coining the word féminisme in 1837 (but this is disputed) had argued that the extension of women's rights underpinned all social progress as early as 1808. The organized movement dates to the first women's rights convention at Seneca Falls, New York in 1848. In 1869, John Stuart Mill published *The Subjection of Women* to demonstrate that "the legal subordination of one sex to the other is wrong...and...one of the chief hindrances to human improvement".

Many countries began to grant women the vote in the late 19th century and early 20th century (New Zealand being first in 1893, with the help of suffragist Kate Sheppard), especially in the final years of the First World War onwards. There were many reasons for women winning the right to vote but it was one of the most important achievements and milestones of the women's movement.

The 1960s onwards the doctrine of family autonomy and privacy was challenged by many feminist thinkers. But feminists of a liberal persuasion continued to hold on to their view that there should be two spheres - the public and the private, and family should be part of the private domain. Also that naturally there is nature ordained or divine plan that

women will be partner to the man in running his family and her role is most suited to the home. Even J.S. Mill who had argued for opening all spheres of achievement to women had assumed that women would always manage the domestic side of the family as primary duty. He defended the scheme of things where women manages the domestic set up as 'the most suitable division of labour between the two persons'.

Even contemporary theorists like John Rawls in building his theories of justice talked only about the need for justice for a family and took up no questions of justice within the family. He talks about income distribution but he does not take into account instances for instance where the male head of the household may not allow a sufficiently major part of his earning to his family for the use of the family members but is maybe using it all on alcoholic drinks or other intoxicants. Also that the women in the house is also working and it has an economic value. As the liberal approach treats the family as the center of the private sphere (as opposed to the public sphere) it automatically means everything that happens in the family is outside the influence of the state and the law. If a wife gets beaten up by her husband cruelly or is not allowed any say in how many children she wants to have etc then theoretically in the liberal scheme of things all of it would be outside state and legal action. Some liberal feminists have accepted some role for church and religious organisations or non-governmental social work organisations but not the state or the law. But extreme liberal would even keep the civil society out and not just the state.

On the whole liberal feminists lay stress on compromising with what they see as biologically fixed roles. Also some of them feel women's rile as mothers and nurturers are sentimentally and emotionally incompatible with political and social roles in the public space. They accept that women do an unfairly larger share of the domestic chores for instance but their prescription is to encourage men to voluntarily share a larger share of the burden. Also they say all problems should be mutually amicably settled between husband and wife. They agree the family institution needs reforms but they want it to happen as a process of human evolution without state or public intervention. That is the way to preserve the richness of the family institution in their view which would otherwise be threatened.

The Case for State Intervention in the Family

Other schools of thought like the radical schools of feminism do not agree with the *natural separation of public and private* spheres as argued by the liberals but argue that women have been subordinated and kept suppressed historically by patriarchal male designed social structures in which women have not been treated as full human beings with full rights and all economic and political power have been cornered by men. Also that the institution of marriage and family as they exists fundamentally supports the oppression of women and encourages patriarchy. The family is basically a receptacle for traditional values that ordain women to a life of chains like in a prison. This is so because the family breeds economic dependency in women and encourages her subtly to devalue

her work and not demand full credit for it. It is not enough to have neutral policies for recruitment etc in educational institutions and work places or absence of public discrimination but it also important to enter the arena of the family and deal with the devaluation of women's work inside the home or the absence of its recognition and issues like domestic violence etc. They have argued the 'personal' of the women is also 'political' because otherwise there is injustice that will be allowed to go on. They reject the notion that a right to privacy means nobody outside the family can interfere into the family whatever happens. The state according to them should intervene via legislations and state policy. Privacy should not be allowed to stop reform measures from working out for the benefit of women and to liberate and protect women. Privacy and similar traditional notions associated with the family institution has only deprived women from realising their identity, autonomy, control of their lives and capacity to define themselves as persons. Further there is no formal public recognition, economic or social, of the work that women do inside homes. They argue the devaluation of women's work in the home is part of the general devaluation of the work that women do. Women are not paid for the work they do either by the state or by the families. In fact the women just is positioned like a slave to her husband who is the master of her body and soul. The fact that men don't share house-work is not a mater of lack of balance in the relationship between husband and wife but is just an aspect of the general oppression of women which also includes such things as wife beating or assault. Women are almost like a separate class of oppressed human beings.

Radical feminists stress on lack of economic empowerment but also on domestic violence to understand how women are oppressed. Gloria Steinem, a radical feminist has commented: "Patriarchy requires violence or the threat of violence in order to maintain itself.....The most dangerous situation for women is not an unknown man in the street or even the enemy in war time, but a husband or 'lover' in the isolation of her home".

Persistence of domestic violence worldwide has made the case of radical feminists stronger that the family is nothing but a socia-political power domination of women as a class. The traditional notion that a family is a place for private nurturing and loving relationships crumbles when women face brutal domestic violence from husbands and lovers and are sometimes even killed mainly because men choose to be violent to exercise power. Men have been conditioned socially to feel that they have the right to own and control the women in their lives and can discipline women by resorting to violence. Of course women will tend to suffer this violence much less if women are economically and legally sufficiently empowered. The radical feminists see domestic violence as a socio-economic crime that must be dealt with politically.

Some radical feminists go to the extent of rejecting the institution of marriage all together because they regard it as nothing but a system of enslavement for women where women are treated as chattel. Even sexually they see a wife serving as some sort of 'sexual spittoons' for husbands. As some of them tend to put it all men are looking for is a cook in the kitchen and a whore in bed’.

Not all radical feminists reject marriage. They only want the institution of marriage and family to be a more equal experience for women. They suggest that women should maintain as separate and independent an economic identity as possible. Also symbols of personal identity like maiden names which should not be changed upon marriage and things like separate bank accounts and tax returns etc.

The position of Individualist Feminists

There is a school of feminist thought known as 'individualist feminism' who are wary of the idea of state intervention because they feel the state may not have the same goals as feminists and is likely to use its power to protect the interests of men as a class. They argue the woman should see herself as a self-owner and maintain that attitude within the family too. A woman because she owns herself has the inalienable right to use her body and property as she wishes. They agree that a woman needs to be liberated and facilitated to take full charge of herself but they are very wary of letting the state having a role in it because they fell the state will then become all powerful and the individual women will be less powerful to that extent and will be the loser in the bargain. That is why they agree the family and marriage should be outside the control of the state and law and should be totally a private affair. That way women can do as they please and not have to comply with myriad marriage and divorce laws etc that are made and implemented by the state. They seek to have control themselves and not have the state have it for them.

Question:

1. With appropriate political arguments analyse the issue of protective discrimination and its fairness or unfairness.

2. Explain the cases made by feminists for and against intervention in the family by the state.

Suggested Reading:

1. Betty Friedan, *The Feminine Mystique*