

## POLITICAL SCIENCE

### PRELIMS

#### SECTION - A

1. **POLITICAL IDEAS:** Rights, liberty, equality, justice, rule of law, civil society, swaraj, revolution, and democratic participation.
2. **DEMOCRACY:** Meaning and Theories of democracy, electoral system, forms of representation and participation, political accountability.
3. **POLITICAL IDEOLOGIES:** Liberalism, neo-liberalism, Marxism, socialism, fascism, Gandhism

## CHAPTER 1 DEMOCRATIC AND HUMAN RIGHTS : THEIR BASES AND JUSTIFICATION OF CLAIMS

One of the important function of liberal democratic state has been to define the relation between the individual and the state. Whereas all political theories preceding liberalism had sacrificed individual at the alter of state i.e. they considered the state as an end and the individual as a means, liberalism reversed this philosophy and declared that state and society are for man i.e. they are the means for and to serve the individual ends. It emphasized the absolute moral worth of human personality and individual autonomy. As an embodiment of new individualism, liberalism advocated individual freedom as its goal—freedom from every arbitrary authority and freedom for the individual to develop his potentialities as a human being. This freedom was secured, on the one hand, by limiting the action of the state, and on the other, by defining the concepts like rights, liberty, equality, property, justice and democracy. As we have seen in the last chapter, with the rise of liberal democratic state, rights became an integral part of enlightened citizenship. The provision, enforcement and protection of rights became the criteria for judging the validity of the state. Today we talk about the rights of the individual citizens, rights of women and children, rights of ethnic groups or cultural minorities. The promulgation of Universal Declaration of Human Rights in 1948 brought new idea of human rights in the western world, which over a period of time has spread to the countries of Asia and Africa and has become a subject of political debate in recent times.

## RIGHTS: MEANING AND NATURE

Rights are the sum total of those opportunities which ensure

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enrichment of human personality. They are the basic condition of good life which are recognized by the state. According to Laski, 'Rights, in fact, are those conditions of social life without which no man can seek, in general, to be his best'.<sup>1</sup> T.H. Green defines rights as 'a power of acting for one's own ends, secured to an individual by the community on the supposition that he contributes to the good of the community'.<sup>2</sup> According to Salmond, 'A legal right...is an interest recognized and protected by the rule of law... an interest the violation of which would be a legal wrong... and respect for which is a legal duty'.<sup>3</sup> Bosanquet defines it as 'A right is a claim recognized by the society and enforced by the state'. According to Barker, the development of the capacities of the personality of the individual is the ultimate purpose of the state and the final political value. The law of the state is right and possesses the quality of rightness or justice, by virtue of securing and guaranteeing to the greatest possible number of persons, the external conditions necessary for the greatest possible development of the capacities of individual personality. These secured and guaranteed conditions are called by the name rights.<sup>4</sup>

On the basis of the above definitions, we can draw certain general conclusions regarding the nature of rights. Firstly, rights in their nature are the result and embodiment, in a particular person, of the general system of 'right' (as distinct from wrong) on which the state and its laws are based. 'Rights are a portion of right'.<sup>5</sup> Hence one cannot have rights apart from the notion of right. One cannot have secured and guaranteed rights in the legal sense of the term apart from the law which is based upon the notion of right. Rights are given on two grounds—the immediate and the ultimate. The immediate ground is that the concept of rights is the expression of the notion of right on which the legal system is based. The ultimate ground is that these rights are the conditions of achieving the ends which inspire and determine the whole system of Rights—the highest possible development of the personality of the individual. In short, rights are the demands of the individual from the society which are secured by law because they are the condition of the development of personality.

Secondly regarding the sources of rights, primarily, the origin, of rights is something in the individual himself. Rights flow from the inherent fact of individual's own moral personality and his

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social nature. In this sense, we can say that the rights are natural or human. But we cannot stop at this point. There is another side. One cannot possess the right unless they are secured and enforced by the state. In this sense, rights have a source outside man, and the rights flow from something more than one's own personal nature. This is to say, the state is the immediate source of rights. Rights are never rights unless they proceed immediately from that source. Thus rights are derived from two sources: i) individual personality and the quality of being a condition of its development, and ii) state and its law, and the quality of being secured and guaranteed by the action of law.<sup>6</sup>

Thirdly, the concept of rights is essentially about human relationship in the society. Hence enjoyment of rights involves respectful observance of certain fundamental cannons of social welfare. The rights are never absolute and unlimited and are governed by the social interest. They impose certain moral responsibilities on every individual. While enjoying rights, man must be aware of the similar rights of others. Individual is to enjoy rights in such a manner that he contributes to the enrichment of society. Rights and duties are co-relative. Every right carries a corresponding duty. They are like two sides of the coin. It is only in a world of duties that rights have any significance.

Fourthly, rights are not a selfish claim. Rights are given equally to all individuals in the society. Whereas privileges and prerogatives are limited to a particular group, class or section of the society, rights are given to all irrespective of birth, caste, creed, economic status, religion etc.

Fifthly, rights are dynamic in character. They have a tendency to grow. With the socio-economic development, new demands of individuals continue to come into existence and struggle for social recognition. Such demands which are recognized by the state through its law become rights. Right to work, right to strike, right to leisure etc are such rights which were recognized only in the twentieth century.

And lastly, the great majority of rights are limited in time and space because they have a reality only in the context of a particular human society that did not exist in the past and may not exist in future. The rights possessed by the Indian people after independence

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did not exist before and may not be the same in the next hundred years' time. Also the content of similar rights—say right to property—may differ from country to country. Of course, there are some rights which have universal application but how far they can be implemented is a big question mark. We shall discuss them in the section on human rights.

## BASES OF RIGHTS

The concept of rights emerged with the rise of modern state and out of the criticism of the old social and political order. Its tone was radical and in its ultimate employment, was revolutionary. Historically, the demand for individual rights was made by the rising commercial/middle class which was the product of industrial revolution. It became the accepted ideology of American and French revolutionaries and was expressed in the Declaration of Independence and the constitutional Bill of Rights in America and the Declaration of the Rights of Man in France. Prominent liberal writers such as Locke, Rousseau, Bentham, J.S. Mill, T.H. Green, Harold Laski, Ernest Barker and a host of others have advocated the rights of the individual on one ground or the other. In the post-war period, the concept of rights has been further expanded by John Rawls, Robert Nozic, Ronald Dworkin and others.

On what basis the rights should be given to the individual? No universal answer has been provided to this question for the past three hundred years. In their long history of development, different rights have been justified on different basis. These bases are commonly known as theories of rights. The main theories are:

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-individualistic theory of rights
7. Marxist theory of rights.

## THEORY of natural rights

The first theory which emerged as a justification of rights is known as theory of natural rights. Since 17th and 18th centuries, there has been a powerful opinion in the West attached to the idea

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that man possesses certain rights 'by nature', irrespective of any particular social, legal or political institutions and that these rights can be demonstrated by reason. The natural rights theory which was supported by Locke and other liberal writers, declared that all men are born with certain inherent rights. Rights inhere in individual human being rather than in society or state. 'God gives them to his children just as he gave them arms, legs, eyes and ears. Men are placed on this earth to lead a life and they must have certain freedoms if they are to lead their life to its fullest potentiality. God not only brings men into this world but he also

endows them with the innate authority to attain the best that life has to offer. Rights, according to this theory, were attributed to the individual as if they were the intrinsic property of man. Whatever rights are granted to a man as citizen of this or that state, his natural rights go with him wherever he goes.

Natural rights were derived from natural law and were propagated by the social contract writers like Hobbes, Locke and Rousseau. They assumed that man had certain natural rights before the origin of the state and he surrendered some of them to a superior authority, i.e., civil society, in order to safeguard the rest of them. Hobbes considered right to life as natural right. Locke declared right to life, liberty and property as the natural rights. Rousseau deemed liberty and equality as the gifts of nature. It was maintained that the individual cannot give up these rights to the state. The rights are inalienable because what nature has given to them is to last for life long. In fact, if a man seeks to give them up or is deprived of these rights, he has stripped himself of the attributes he needs to be called a man at all. A state which attempts to deprive men of their natural rights is creating a condition whereby its citizens will not be men but rather something less than human. In short, rights are inherent in the personality of man. They are inalienable, immutable, sacred from the day of his birth and are non-transferable throughout his life time. The rights belong to man independent of society and the state.

## CRITICISM

However, the idea of natural rights was not accepted by the later political philosophers. Edmund Burke attacked the whole idea of speculative rights and declared that the basis of rights can only be customs and sentiments of the society. The utilitarians

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like Bentham also rejected the whole idea of rights as prior to and against the state. Rights could only be conferred by law. In fact, the theory of natural rights had a number of weaknesses. Firstly, it was felt that if rights are attributed to the individual absolutely, we cannot resolve the conflict between man and society. For example, in a situation like famine, one man's right to life could be violated, by hoarding of food, by another man's right to property. That is, if the two equally absolute rights conflict, there is no principle upon which this can be solved. As Benn and Peter wrote, 'Social regulation is a continuous process of adjustment between conflicting claims, and a theory of absolute rights of the individual makes the process impossible'.<sup>7</sup>

Secondly, the most obvious criticism of this theory was what is meant by 'natural'. For example, G.D. Ritchie found that the word 'nature' was used in a

multi-dimensional sense such as: nature as the whole universe, nature as the non-human part of the universe, nature as the ideal (or completed purpose), nature as the original (the incomplete), and nature as the normal or average.<sup>8</sup> In short, the term 'natural right' remained vague at the hands of various writers.

Thirdly, the idea that man's nature demands rights was also attacked. There can be no right without a rule. Rights imply certain duties; they imply social relations on which duties can rest. Rights, in other words, are maintained by social recognition. As was pointed out by Green later on, every right must be justified in terms of ends which the community considers good and that which cannot be attained without rights. Moreover, one's rights are a necessary condition for the performance of certain functions in the community. Both Green and Laski related rights with useful functions in the society. The theory of natural rights was found imperfect in so far as it did not relate rights to the idea of social good or socially useful functions.<sup>9</sup>

Fourthly, the latter theorists of rights repudiated the natural right theory because by divorcing individual's interest from the community, it separated his claim from the basis upon which rights could be justified. The theory assumed that one could have rights and obligations independent of society. This was an erroneous view because the question of rights emerges only in the society and in the context of social relationships.

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Nevertheless, the theory of natural rights was a special theory conditioned by the peculiar features of its age. It asserted the value of individual's enterprise, opinion and belief against the traditional and ecclesiastical authority. As theory of the rising middle class, it stressed the authority of the individual's conscience in the field of economy, it defended individual's property against authoritarian interference and served as an ideology of radical movements.

## LEGAL THEORY OF RIGHTS

The theory of natural rights was succeeded by legal theory of rights. The legal theory maintained that rights are not natural but the creation of the state. Only that which the law gives is right. Rights are not absolute or inherent in man, they are artificial in the sense that they become rights only when they are determined and secured by the state. We find traces of this theory in the writings of Hobbes who held that the right of every individual is that of self-preservation and this right could best be preserved by the state. But the theory was developed by legal philosophers like Bentham, Austin and other writers of the analytical school of jurisprudence. Bentham rejected the theory of natural rights

which had been advanced by the early liberals and had been popular with the American and French revolutionaries. He described the theory as metaphysical, as a 'hodge-podge' of confusion and absurdity. Theoretically it might place a limit upon the despotism of the majority but in actual practice, the Declaration of Right of Man did not save from death a single one of the thousand persons who had been dragged before the revolutionary tribunals of France; nor the American Bill of Rights delivered a single negro from slavery. The practical value of natural rights being very little, Bentham justified its rejection and held that all rights of man are derived from law which itself is based upon utility. He described natural rights as 'simple non-sense upon stilts'. Law and rights are simply two aspects of something which is essentially one: law the objective aspect and right the subjective. The legal bases of rights implies three things: (i) the state defines and lays down a bill of rights. Rights are not prior to the state but state is the source of rights; (ii) the state lays down a legal framework which guarantees rights. It is the state which enforces the enjoyment of rights; (iii) As the law creates and sustains rights, so whenever the

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content of the law changes, the substance of rights also changes.

The legal theory maintains that rights are not necessarily the creation of the state, but without recognition and protection of them by the state, they are not valid. As Wilde remarked: 'They are enforced by the state only because they are rights; and not rights because they are enforced'.<sup>12</sup> Claims which are essential to the moral development of man and which are violated or ignored by the state can at best only be potential rights. They are only the basis or the grounds but not full-fledged rights.

The rights granted by the state are called positive rights. In modern state, citizens enjoy positive rights, such as right to life, liberty, property, education, old age pension or other benefits provided by law. These rights are contextual i.e. they are given to the citizens of a state covered by its jurisdiction and they exist only for such time the relevant law is not withdrawn by legislation or rendered null and void by the judiciary.

## CRITICISM

The legal theory of rights was also found deficient by the latter writers in certain respects. Firstly, the legal theory did not cover the whole range of rights. It explained the nature of only those rights which had been given legal recognition by the state. It was incomplete because it did not tell whether that which is guaranteed is actually right or really needed recognition. The theory assumed that what is guaranteed by the state is right. Secondly, the legal theory

did not take into consideration the rights of multiple associations in the society. For example, as Laski said, men enjoy rights not merely as members of the state but also as members of the society. He criticized the legal bases of rights on the ground that to limit the rights to a single source, i.e., the state, is 'to destroy the personality of the individual and not to preserve it.' Thirdly, the state does not create rights but recognizes, maintains, protects and coordinates them. As Wild remarked, the rights exist whether they are recognized or not. Higher than law is our conception of right and wrong. Rights must have a foundation of right. Finally, if the state and its laws are accepted as the sole source of rights, then there is no right against the state. The liberal writers like Green and Laski recognized the need to resist the state in certain circumstances. As Laski put it, the obedience to the state is limited

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and conditional. It is obedience to right and not might, to justice and not to authority. The material source of rights is the community's sense of justice and not the law. Law is nothing but the concretization of the feeling of the community.

## **HISTORICAL THEORY OF RIGHTS**

As a reaction to the rationalism of the eighteenth century, there arose a historical school of law, philosophy and jurisprudence in nineteenth century. It was a reaction against i) the paper constitution making, ii) confident disregard of traditional political institutions and conditions of time and place which characterised era of French revolution, and iii) the belief that the power of reason can work miracles in legislation. This historical school was represented by Savigny and Puchta in Germany, Sir Henry Maine and Edmund Burke in England and James Carter in the U.S.A. All of them maintained that the character of state and law is historical and so also the character of rights.

According to this school, law, state and rights are neither based upon the arbitrary creation of human will nor a product of nature but a product of history. They represent the manifestation of the particular genius of particular national consciousness. For example, Puchta wrote, 'All human Right presupposes a common consciousness as its source. A principle of Right becomes a fact by being recognized as such in the common conviction of those to whom it is applicable. Through this common consciousness of Right, as by a common language and a common religion, the members of a people are bound together in a definite union... The consciousness which permeates the members of a people in common is born with them... it constitutes a national mind...and it



is the source of human and natural right, and of the convictions of Right which stir and operate in the minds of individuals.<sup>10</sup>

Similarly, making a distinction between abstract rights and historically-embedded rights, Burke observed that the French revolution was based on the abstract rights of liberty, equality and fraternity applicable to all while the English revolution of 1688 was based upon the customary rights of Englishmen—the right? which Englishmen had been enjoying from the early days. Since the rights of man declared by the French Revolution were not a part of the common consciousness of the French people, even

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after executing the King and the declaration of rights, they could not get them and the revolution turned into a dictatorship.

According to this theory, it is history which is the basis of rights. Rights are the crystallization of custom, which, in the course of time, become rights. According to Ritchie, 'those rights which people think they ought to have are just those rights which they have been accustomed to have or which they have a tradition of having once possessed. Custom is the primitive law'. Many of the so called rights when scrutinized carefully turn out to be claims which have the sanction of the 'longest and the least broken custom.' On the other hand, the claims which are of quite recent growth or are not widely adopted are regarded as 'conventions' and not rights.

In short, rights are the crystallization of 'historical development'. The principles which were applicable to law could be applicable to rights. Briefly, they are: i) rights are relative to time and place and to particular people, ii) rights are to be found not by reason but in the historical process; the individual has little or no responsibility for shaping them, iii) the idea of universal individual rights should be replaced by the historical rights of Englishmen, Frenchmen or Germans, iv) reforms is impossible, it is better to allow the historical process to work without any hindrance, v) the idea of a transcendental natural order should be replaced by the idea of an order immanent in the historical process.<sup>11</sup>

## CRITICISM

The historical theory of rights was a protest against the natural law theorists who wanted to base laws on human reason, as well as against the analytical school of jurisprudence who wanted to restrict rights within the confines of the law of the state irrespective of the culture or traditions of society. But on the whole, the historical theory of rights provided a conservative and traditional view of history. It gave too much importance to customs and traditions. The main defect of the

theory was that it did not differentiate between a right and a wrong custom. The fundamental question was that if the customs of a society made slavery, polygamy, satee, or apartheid lawful, could they be called right. The answer is a categorical 'no'. Will the people have to wait for the day when the customs and traditions change so as to give a new meaning

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to rights. If the rights are only the crystallization of custom, then any idea of reform is given a good-bye. There is no doubt that no society can break itself from the past traditions and customs but it is also true that history cannot be relied upon exclusively. The radical social transformation of society not only required a new interpretation of history as was shown later on by Marx and his followers, but also deliberate action on the part of the state and society to abolish conservative, orthodox and reactionary customs and traditions. The historical theory of rights, by tying the rights to customs, gave only a partial explanation of the basis of rights. It missed the dynamic nature of rights.

## MORAL THEORY OF RIGHTS

According to this theory, rights derive their justification from a code of morality shared by the members of a community and are enforced by the conscience of the individual. Though the moral theory of rights is associated with idealism, thinkers like T.H. Green merged it with liberalism. The main supporters of this theory were Rousseau in France, Kant and Hegel in Germany, and Green and Bosanquet in England. The moral theory associates rights with the achievement of moral freedom of man as member of the society. According to this theory, every right is derived from one basic right right to personality. Whether it is right to life, liberty, property, education or health, they are all rooted in and are governed by the development of the personality of the individual. Rights are powers which an individual claims from the society on a moral plane and are recognized and enforced by the state through its law. The inner development of man does not depend upon the state; it is the sole concern of the individual himself. The function of the state is to help in creating the conditions in which the individual can achieve his moral freedom. Rights are thus the external conditions, recognized by the society and enforced by the state, for the moral uplift of man. Green speaks of rights as the 'powers necessary to the fulfillment of man's vocation as a moral being.'<sup>12</sup> His conception of rights is different from Locke. 'A right, on the one hand, is a claim of the individual arising out of his rational nature, to the free exercise of some faculty, and on the other hand; it is a concession of that claim by the society, a power given by it to the individual of putting that claim into force.'<sup>13</sup> They are rights because there is a 'common consciousness'

that an individual ought to have such rights. They are not natural but are ideals. Such rights vary from time to time and from place to place in accordance with the moral consciousness of the community. With the growth of moral consciousness, certain rights which were once regarded as natural lose value. Every right that an individual has is dependent on the social judgement of its compatibility with the general well-being. Ultimately, it is the well-being of the community than the humanity of the individual which determines his rights. Like Kant, Green also believed that the individual can have no rights against the state; its law must be to him of absolute authority. Because such resistance is liable to result in general anarchy and since 'such a destruction of the state would mean a general loss of freedom', it is to weigh carefully the possibility of anarchy against the idea of freedom desired.

Thus, according to moral theory, the basis of rights is not natural or legal but a moral value and a moral object. Rights are rooted in the personality of the individual. Rights are the conditions which help the individual to develop his personality to the highest possible extent. Since everybody in the society has a similar aim i.e., to develop his personality, it implies that rights arise only in the society and the rights of the individual are to be in harmony with those of others. In other words, rights are linked with the individual good and the common good of the society. The object of rights is not to serve the selfish interest of the individual but to help his moral upliftment. Rights are recognized by the society and enforced by the state. Apart from state and society, there is no question of rights. By relating individual good with the social good, it paved the way for the social welfare theory of rights.

Like historical basis, the moral rights are also contextual rather than universal because they are limited to people who share a common code of morality. Though it is argued that all codes of morality have certain basic beliefs in common but this is disputable and difficult to establish.

## CHAPTER 2 LIBERTY

The concept of liberty has been at the heart of liberalism. It recognizes liberty as one of the fundamental social values. The main slogan of liberalism right from its inception, has been liberty i.e. freedom from any authority that is capable of acting capriciously or arbitrarily and freedom of the individual to develop all of his potentialities as a human being. The achieve

liberty of the individual and to challenge the absolute authority of the state, liberalism demanded liberty in every field of life—personal, social, economic, political, religious, intellectual etc. Theories of political obligation, justice, democracy, rights all include a presupposition of the concept of liberty. Political thinkers in the liberal tradition have been asking themselves and answering questions about the nature and proper limits of liberty. The appeal to the idea of liberty has been so powerful in the Western political tradition that both the supporters and the critics of liberty have agreed to its centrality.

## MEANING OF LIBERTY

In spite of being the essence of liberalism, liberty has been the most vague and ambiguous but all the more prized and contested concept. The term has meant different things to different people. Its derivative word liber which means ‘free’ explains nothing. What do we mean by liberty? or to put it differently, what kind of things constitute restrictions upon or the denial of liberty? Does liberty involve not being hindered for doing whatever we can do or whatever we might wish to do? Certainly it is necessary to have some restraint on freedom. But political thinkers have disagreed about what restrictions should be on individual liberty even when they mean the same thing for the same term. Caudwell is right

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when he says that ‘liberty is a concept about whose nature men have quarreled perhaps more than about any other’.<sup>1</sup> Similarly, Pelczynski & Gray writes. ‘Writers of the liberal tradition have made liberty the central concept but each of them conceive liberty in his own way. It is a bold historian of ideas who will venture to say that Hobbes and Kant, say, shared a common view of liberty simply applying it differently.’<sup>2</sup> For example, according to Hobbes, ‘By liberty is understood...absence of external impediments, which impediments may oft take part of man’s power to do what he would do’<sup>3</sup>. Rousseau maintained that liberty consists in the obedience of General Will. For Hegel, liberty is obedience to the law. According to J.S. Mill, ‘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 theirs or impede their efforts to obtain it’<sup>4</sup>. Laski writes about liberty as ‘the absence of restraints upon the existence of those social conditions which in modern civilization are a necessary guarantee of individual happiness’<sup>5</sup>. Macpherson describes liberty as ‘living life to the fullest’. The Marxist tradition interpreted liberty as (i) liberation from the coercive social apparatus and institutions, and (ii) to establish an atmosphere in which man could build a world according to the needs of humanity.

At one stage of history, the thought concerning liberty looked at it as ‘absence of restraints’ in the free competition of men involved in achieving ‘the other satisfactions of life’. In this context liberty meant ‘an atmosphere where the law is silent and where state interference is the least’. But soon this contradiction was removed and liberty was made to stand on a wider perspective. With the change in the circumstances, attention was drawn to the means which the state or the social institutions could provide and which were considered necessary for the attainment of liberty. This led to a comprehensive conception of the nature of liberty but still it could not get rid itself of the old conception completely. We refer to these two stages in the development of liberty as ‘negative’ and ‘positive’ liberty.

To put the concept of liberty in proper perspective, we can better understand it in the context of the problems inherent in it. They are (i) nature of liberty, (ii) institutions to safeguard liberty, and (iii) hinderances to achieve liberty. Early liberalism talked of

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liberty as individual liberty i.e., freedom of every person to do whatever he likes to advance his personal happiness and welfare. Every person works for his own happiness and struggles for it. Early liberals were fighting against the medieval orthodoxy, feudalism, ignorance and a society based on privileges and they felt that only by individual initiative could these hinderances be challenged and overcome. They paid little attention to the hinderances in the way of humanity. They believed that once the society is rid of these absolute powers of feudal kings, people can find way for their individual happiness. For the achievement of this liberty, they were in favour of all those institutions which could express political, economic and cultural aspirations of man. Hence they emphasized representative government, rule of law, political rights, separation of powers, independence of judiciary as the ways and means to attain liberty.

(ii) Later, political parties were accepted as one of the important means to defend liberty. In the field of liberty, the major contribution of liberalism was the rule of law, constitutionalism and the Bill of rights. The rights and liberties granted by modern state are not only the legacy of liberalism but have also become the conditions of liberty. The liberal institutions are the means to safeguard liberty of the ‘people’. Unfortunately in almost all the liberal countries, the number of such ‘people’ is very small. This is the main defect of liberalism which socialism has attempted to remove.

(iii) The Marxist notion of liberty is materialistic. It talks of liberty as ‘the hinderances in the path of liberty’. According to this view, the hinderances 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 dangerous problems such as war, poverty, ignorance, disease, hunger, escapism, alienation etc. To remove these hinderances, individual initiative is not sufficient; it requires efforts on the part of humanity as a whole. In this collective initiative, it is possible that some people may lose their individual liberty which liberalism considers as sacred. Thus both liberalism and Marxism have been unable to solve this contradiction of liberty—the former wants to stick to individual initiative while the latter emphasizes the collective effort. The solution lies in the synthesis of the two.

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What is the quality of life which we are living? This is the basic question concerning the liberty today. Man does not spend his life, he wants to live it to the fullest. The contemporary notions of liberty revolves around this assertion.

## **DEVELOPMENT OF THE CONCEPT OF LIBERTY**

In the history of western political tradition, liberty has been understood as a ‘free and happy atmosphere’ for human life. When the Greek city-states compared their democratic states with

other eastern dictatorships, they had this aspect in mind. For the Greek statesman Pericles, freedom meant ‘advancement and political activity for full citizen.’ For Greeks, liberty meant participation in the affairs of the state or society. However, Socrates and Plato did not accept the notion of individual liberty against the society or the state. During the medieval period, liberty was associated with the liberty of the ‘soul’ and was deemed to lie in salvation. Christianity ruled out the question of liberty on this earth.

It was only after the great movements viz. Reformation, Renaissance and the commercial industrial revolution in Europe and the rise of the modern state that the question of individual liberty came to the forefront. The demand for liberty was raised by the rising commercial class who was fighting against the absolutist, religious, political order represented by the kings, feudal lords and papacy. In its rising phase, liberty was highly individualistic. It was regarded as liberty ‘from the state’. Early liberal writers saw the state as an ‘evil’ and a hindrance to the free development of the individual, and held that the liberty of the individual could be increased only by minimizing the functions of the state. For example, the English liberalism from John Locke to J.S. Mill is an urgent demand for political liberty. For Locke, the main problem was the defence and establishment of liberty. He invoked the doctrine of natural law and natural rights to preserve the liberty of the individual against the exercise of arbitrary authority. Through his social contract, he reduced the functions of the state to the minimum i.e. preservation of the rights of individual such as rights to life, liberty and property. He made these rights prior to the state and justified the existence of the state only for the sake of protection of these rights. Similarly, David Hume wrote that ‘liberty is the perfection of all societies’<sup>6</sup> which is one of the dual needs of man as a political animal; the other being peace and order. Physiocrats

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like Adam Smith advocated economic freedom—especially freedom from governmental regulations in the economic affairs. Liberty is inseparable, the Physiocrats taught, from property and the preservation of property is the primary duty of the state. ‘The social laws established by the Supreme Being prescribe only the preservation of the right of property; and that of liberty which is inseparable from it’. As a concrete step towards political liberty, Bentham advocated universal suffrage, annual parliaments, elections by ballot, abolition of monarchy, freedom of opinion and press etc. Behind his plea for the responsibility of the rulers to the ruled, and the right of the ruled to resist and change when power is abused was his insistence that the end of the government is to ensure security and liberty. J.S. Mill gave utmost importance to liberty of thought, speech, conscience, association. He tried to reconcile liberty of individual with the authority in a democratic society. If democracy is to be a stable form of government, then, Mill contended, that ‘liberty as a concept has to be defined and ensured, for liberty is the life breath of the individual—the clue to his individuality’<sup>7</sup>.

The nineteenth century was an age of transition—the transition from negative phase of liberalism to positive one. It was also an age which consciously groped towards finding the meaning of liberty and of defining its meaning and securing its end. The idea of liberty as ‘freedom from the state which ended up in individualism was central to the theory of Locke, Hume, Adam Smith, Bentham and Mill and other classical economists and philosophical radicals. The idea of ‘liberty

through the state', of the enjoyment of certain equal opportunities received attention in the writings of Green, Bosanquet, Hobhouse, Laski, Barker etc.

Green viewed both the individual and the liberty in the social context. He related individual good with the social good and redefined freedom as conforming to the common good. For Bosanquet, liberty meant 'freedom to'—i.e., conditions necessary for free and full development of the human self, which every state must ensure. The positive liberals like Lindsay, Barker, Laski, Russell confirmed the notion of liberty expounded by Green. In the twentieth century, the state was considered a source and a condition of liberty. 'The state in brief is at best an adjuster, a coordinator, and the authority it exercises is morally valid only if it seeks to promote liberty' 10.

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Another important development was to integrate socialism as an element of liberal creed. In particular, it meant reinterpreting the term 'economic liberty'. The extension of state control was not considered as a threat to liberty, it was the only effective means of enlarging it and making its meaning real for not a section but for as many members of the community as possible. Exponents of positive liberty justified the widening area of governmental control and the freedom secured through the state in sectors where the impact of an exploitative economy denied to a considerable section of the community opportunities for free self-development.

## **TWO CONCEPTS OF LIBERTY**

The history of the idea of liberty is characterized by shifting emphasis. As Rockow put it: The changing conception of the doctrine of liberty from Adam Smith to Hobhouse offers the best way to the understanding of the evolution of political thought during the past century and a half<sup>11</sup>. This shifting emphasis has been marked by a change from a negative to a positive concept of liberty i.e. from liberty as 'silence of laws' to freedom as 'the presence of socio-economic and political conditions'. Let us consider these concepts in detail.

## **NEGATIVE LIBERTY**

The concept of liberty as emerged from the theory and practice of early liberalism is known as Negative Liberty. This conception found classical expression in the writings of John Locke, David Hume, Adam Smith, Thomas Paine, Herbert Spencer, Bentham and J.S. Mill. Michel Oakeshott, I. Berlin, Milton Friedman, Hennali Arendt, F.A. Hayek and Robert Nozic are the 20th century supporters of this conception of liberty.

Early liberalism was closely associated with the philosophy of individualism. It regarded each individual as self-subsistent unit and society as a collection of isolated units, self-contained, self-satisfied and self-willed. The individual and his interests were regarded as a fundamental category and liberty was interpreted as the removal of all constraints which had been imposed upon the individual against his will. Hence liberty was defined in the simplest terms as 'absence of restraints'. The absence of restraints—economic, political, religious, moral—was regarded as a pre-condition for liberty of the individual. In the political sphere it meant a restraint

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upon the arbitrary authority of the state; non-interference of the state in the economic and social affairs of the society; that state is best which governs the least. In the economic field, it meant a policy of laissez faire; the state should refrain from any interference with the economy since such interference could not but be an arbitrary and unnecessary interference with the laws of natural order. 'Let things alone' because the economic world is self-regulating. At personal level, it meant that each individual should be given liberty with regard to his personal affairs, and the state as well as society should not interfere with it. There is no conflict between personal liberty and social interest and only by serving personal interest can the individual serve the social interest. In the good of the individual lies the good of the society.

Hobbes defined liberty as 'dependent on the silence of law'. With Locke also, the sovereign coercive power was considered suspect and it is law which must restrain it like all other arbitrariness. Law and liberty were not incompatible and the purpose of the law is to preserve and enlarge freedom. He wrote for the end of law is not to abolish or to restrain but to preserve and enlarge freedom, for in all states of created being; where there is no law, there is no freedom.<sup>12</sup> Benjamin Constant declared that at the very least, the liberty of religion, opinion, expression, property must be guaranteed against arbitrary invasion. Montesquieu defined liberty as the 'right to which the law permits'<sup>13</sup>. It must, however, be mentioned, here that in eighteenth and early nineteenth centuries, when liberty was safeguarded by the institutional devices of law, the law was relatively static, little positive action was demanded from government and there was no occasion for a legislature in almost constant session busily making laws. Parliament was represented by satisfied propertied classes and it could be relied upon in general to interfere 'little enough with people going about their daily life. The views on negative liberty were expressed by a number of thinkers but its classical exponent was J.S. Mill.

### **J.S. Mill on liberty**

J.S. Mill's famous essay *On Liberty* (1859), which has long been held to be the finest and the most moving essay on liberty is a powerful and an eloquent plea for liberty of thought, liberty of expression and liberty of action. He understood by liberty as not

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merely non-interference of the state but also of the pressures of the society, public opinion and conventions in the affairs of the individual.

In championing the cause of liberty, Mill had a broad goal in mind: the Greek ideal of self-development. The liberty he sought to defend was the liberty of the individual to develop, enrich and expand his personality. As such it is not surprising that he pleads that the individual should be left free to realise his own interests the way he likes provided he does not interfere with the similar freedom of others. He defines liberty as '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'.<sup>14</sup> So defined, liberty is a means to an end, the end being one's own good. He further writes, 'The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the



part which merely concerns himself, his independence is of right absolute. Over himself, over his own body and mind, the individual is sovereign,...the only purpose for which power can be rightfully exercised over any member of the civilized community against his will is to prevent harm to others'.<sup>15</sup>

Mill was writing in an age of emerging democracy when 'the extending suffrage conferred a measure of power on classes which had something to gain from legal interference in daily affairs'.<sup>16</sup> It was being accepted that the state had a legitimate and positive role to promote the welfare of the people. Mill had, however, reservations about democracy based on a fully democratic franchise and extended only conditional support to it. He maintained that phrases like 'self-government' or 'power of the people' do not express the truth. The 'will of the people' practically meant the will of the most numerous and the most active part of the people, i.e., the majority. It may lead to 'tyranny of the majority' where the liberty of the minority may vanish. He maintained that the advent of democracy does not mean that majority may take away the liberty of the minority. Hence liberty of the individual needed protection from the democratic state. Similarly, Mill reminded those who were willing to repress the individual liberty for the sake of strong state that the worth of the state is no more than the worth of the individuals composing it. He writes, 'A state which dwarfs its men in order that they may be more docile instruments

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on 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'.<sup>17</sup>

Just as Mills explodes the illusion that the evolution of government from tyranny to popular self-rule automatically solves the problem of liberty, he argued that social tyranny may be more formidable than many kinds of political oppressions because social tyranny leaves fewer means of escape, penetrating more into the details of life.<sup>18</sup> Protection against political tyranny was not enough; it must be supplemented by protection against the tyranny of prevailing opinion and feeling. Unless absolute freedom of opinion and sentiment—scientific, moral and theological—is guaranteed, a society is not completely free. His famous dictum was 'If all mankind minus one were of one opinion and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power would be justified in silencing mankind'. Silencing an unorthodox opinion is not only wrong but harmful because it robs mankind of an opportunity to become acquainted with ideas that may possibly be true, or partly true. All silencing of discussion is an assumption of infallibility. He based freedom of opinion and expression on three grounds: (i) any opinion we silence may be true, (ii) though the silenced opinion may be erroneous, it may be partly true and because the prevailing opinion on any subject is rarely the complete truth, it is only by the collusion of adverse opinion that the remainder of the truth has any chance of being supplied, (iii) even if the prevailing opinion may be completely true, it will inevitably become a dogma, prejudice and formula unless it is exposed to the challenge of free discussion.<sup>19</sup>

Regarding freedom of action, Mill divided the activities of the individual into two parts: self-regarding and other-regarding. The self-regarding action may include those matters which affect the individual himself, having no concern with others. While the individual was to be free in doing those things which affected himself alone, his independence was restricted in those cases which had a bearing on others. Society has no right to use force or

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compulsion in regard to matters which affect the individual alone and have no concern to others. In the self-regarding functions Mill included (i) the inward domain of consciousness demanding liberty of conscience in the most comprehensive sense, liberty of thought and feeling; absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral or theological; (ii) liberty of tastes and pursuits; of framing a plan of our life to suit our own character of doing things without impediments from other fellow creatures so long as we do not harm others; (iii) liberty of combination among individuals; freedom to unite for any purpose not involving harm to others.<sup>20</sup>

Mill understood that the issue of liberty was closely related to the larger question of social power and organization. Bred in the Benthamite tradition, his faith in the laissez faire tradition was stronger. However, as time went on, Mill gradually abandoned the purely dogmatic position of laissez faire economic liberalism and adopted a position of caution and selective interference by the state in the economic affairs of the society. But even here he was categorical that the decision between capitalism and socialism would be ultimately based upon one chief consideration: 'which of the two systems is consistent with the greatest amount of liberty'.

On the whole, Mill's argument rested upon a negative concept of freedom. He objected to social control over what he regarded as the self-regarding activities of the individual because he considered all restraints as evil. According to him, the individual is not responsible to the society for his actions in so far as they concern the interest of no person than himself. He believed that social progress depended upon giving to each individual the fullest opportunity for the free development of his personality. He was convinced that human personality can develop and expand only in an atmosphere of freedom. From it, it necessarily follows that freedom consists in the absence of restraints, the best thing for the individual is that he would be left to 'pursue his good in his own way'.

Although the artificial division between self-regarding and others-regarding functions of the individual was not accepted by the latter generation of liberal writers like Green, Hobhouse, Lindsay, Laski, Barker etc., the importance of Mill laid in his emphasis on the fact that social and political progress depended largely on the

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potentialities of the individual and his free choice. Mill was fully convinced that any increase in the power of the state, irrespective of its form, was antithetical to the liberty of the individual and the most valuable element in human life was spontaneous choice. Anything which is done by a compulsory power diminishes the scope of that choice and this infringes liberty. Similarly, his

plea for freedom of speech, thought and expression became fundamental tenets of liberal philosophy.

## **20TH century exponents of negative liberty**

Although the concept of negative liberty was replaced by positive liberty in the twentieth century, yet it has been revived by a number of writers such as Oakeshott, I. Berlin, Cranston, Milton Friedman, Robert Nozic and others in the twentieth century. Oakeshott writes, 'Rights are liberties and therefore arise not from law but from the silence of law'.<sup>21</sup> Berlin opines that the defence of liberty consists in the negative sense as warding off interference. Every plea for civil liberties and individual rights, every protest against the encroachment of public authority of the mass hypnosis of custom or organized propaganda springs from this individualistic, and much disputed, conception of man.<sup>22</sup> Berlin would agree with Mill, Constant and de Tocqueville that 'no society is free unless it is governed by two principles: i) no power but only right can be regarded as absolute so that people can refuse to behave inhumanly, ii) there are frontiers drawn within which men should be inviolable. Berlin describes liberty as 'absence of coercion'. To coerce a man is to deprive him of freedom. Negative liberty is simply the area within which a man can act unobstructed by others. He writes 'by being free in this sense (negative) I mean not being interfered by others. The wider the area of non-interference, the wider my freedom'.<sup>23</sup> In the context of negative liberty, Berlin maintains that there is no relationship between liberty and democracy, nor is it related to justice or equality. 'Liberty is liberty nor equality or fairness or justice or culture or human happiness or a quiet conscience. If I curtail or lose my freedom.. this may be compensated for by a gain in justice or in happiness or in peace, but the loss remains'. Again, there is a difference between liberty and the conditions of liberty. In the name of welfare and justice, the redistribution of property could be seen as redistribution of freedom. Justice or common good are not identical with freedom though

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they may be closely related.

Similarly, Milton Friedman in his book Capitalism and Freedom writes that liberty means, 'the absence of coercion of a man by his fellowmen' and feels that state interference in the economic matters is harmful to the economic liberty of the people. By economic liberty he means the availability of free market capitalist economy. The libertarian writers have also defined liberty as absence of 'any social and legal constraint'. Robert Nozic identifies liberty with the natural right to self-ownership. The limits of legitimate liberty are set by our natural rights and they are best understood in the propriety sense. Although they believe in the equal rights of self-ownership but do not defend this by an appeal to equality. They favour equal liberties because they believe in freedom and since each individual can be free, hence he should be free. Again, like Friedman, the libertarians also believe that only a free capitalist market economy and non-interference of the state in the affairs of the individual can enhance liberty.

## **characteristics of negative liberty**

On the basis of above discussion, the concept of negative liberty can be summarized as follows:

1. Negative liberty represents the early liberal assumption regarding man, society and the state. The view is based on the autonomy of individual will, rationality and goodness of man. Only the individual knows what is best for him. For the development of his personality, he requires certain freedoms from arbitrary authorities which can act against his will. Negative liberty restricts the idea of freedom to the individual and his person and sees both society and the state as anti-thesis. It does not touch the social aspect of individual liberty. The proponents of negative liberty are so much sensitive to the interference that they see both state and society as repressive institutions.

2. Freedom is absence of restraints. It is 'liberty from' as distinct from 'liberty to'. Hobbes describes it as 'silence of laws', Berlin defines it as 'absence of coercion', Milton Friedman terms it as 'absence of coercion of man by state, society or his fellowmen', Flew defines it as absence of 'social and legal constraints'. According to Nozic, it is a natural right of 'self-ownership'.

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3. Absence of restraints has very wide meaning. Restraints can be political, economic, civil, personal etc. In political sphere, liberty means restraint upon the arbitrary authority of the state as well as minimum interference of the state in the affairs of the individual; at economic level, it means free-trade, laissez faire capitalist economy, and an unlimited right to property; at civil level, it means absolute freedom of opinion and sentiment; at personal level, it means an area of personal affairs where individual can take decisions without any interference of state or society.

4. The laws of the state cannot take away liberty but can only regulate it. Since liberty is liberty from the state, the latter can guarantee it by restricting itself to the minimal functions. Law and liberty are antithetical.

5. Liberty is not identical with democracy, nor with equality or justice. The quest for justice or equality can jeopardize liberty.

6. There is a distinction between liberty and the liberty of action. Liberty is simply the absence of coercive interference by the state or society or other individuals and no more than that.

### **objections to negative liberty**

Usually, three kinds of objections are leveled against this negative concept of liberty: Philosophical, Moral and Economic. At philosophical level, critics hold that utilitarians and other classical liberals are mistaken about human nature. Man is not as selfish or rational as is projected by them. The history of man is not a history of isolated individuals coming together to form a civil society; rather, man has lived in communities and is a social animal. His most important values are socially determined and social laws which uphold these values are not necessarily a restriction upon the liberty of the individual. Morally speaking, freedom is not freedom to do what the individual likes but to do what is morally right. Moral norms are not against freedom, rather they exist to ensure the right use of freedom. At Economic level, negative liberty becomes meaningless. It interprets economic liberty as laissez faire i.e. to leave the economy to the natural forces of demand and supply and free competition. It does not see it as

‘economic security’ or ‘freedom from want’. The free and open competition leads to the concentration of property in a few hands and exploitation of the vast majority. Negative liberty is virtually identified with

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the protection of property and leaves the poorer section without the ability to take advantage of the opportunities which are legally open to them. Thus historically, the concept of negative liberty not only proved dangerous but also incomplete and inadequate. This was challenged not only by Marx who maintained that liberty cannot be attained along with private property; but also by the liberal writers themselves who became conscious of its inadequacies. The liberal thinkers from Green onwards made a conscious attempt to reinterpret liberty resulting in a different notion of liberty known as positive liberty.

## POSITIVE LIBERTY

The positive conception of liberty associates liberty with society, socio-economic conditions, rights, equality and justice. It was based upon the changed conception of the individual and the state which emerged out of a critique of negative liberalism by the socialist and liberal writers alike. This change was reflected in the thinking of T.H. Green, Bonanquet, Hobhouse, Lindsay, Laski, Barker and MacIver. C.B. Macpherson, I. Berlin, John Rawls are the contemporary supporters of this notion of liberty.

A thorough-going revision of liberalism which started in the fag end of nineteenth century revealed that liberalism could not be placed permanently on the narrow foundations of individualism. The new outlook believed that central to liberal philosophy is the idea of general good (against the individual good) or common well-being which is capable of being shared by everyone. The standard of liberty could not be individual alone or the minimum restrictions on the free choice because free choice is exercised in a situation, and sometimes situations are such that they reduce choice to a mockery. Choice may be formally unlimited but informally restricted. To provide a crippled with an artificial leg or an ignorant man with education, or an unemployed man with job-all count as positive extensions of freedom. Just to means opportunity and opportunity means a society that provides the political, economic and social structure to make the choice effective. Liberty is as much social as it is an individual conception and it refers at once to ‘a quality of society and quality of person that make up that society. As Green pointed out, freedom

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is not absence of restraints but ‘the positive power of say that there is no restriction on the crippled to get an artificial leg, or an ignorant man education is an incomplete interpretation of liberty. Choice

doing and enjoying something worth doing or enjoying and that too something which we do or enjoy in common with others’.<sup>26</sup> Liberty is the positive power of pursuing those ideals and objectives which the goodwill presents to itself: it is the ‘liberation of all the power of man for

the social good'. It implied not merely a legal but an actual possibility of 'developing human capacities, a genuinely increased power on the part of the individual to share in the goods which the society has produced and an enlarged ability to contribute to the common good'.

Similarly, according to Bosanquet, liberty depends on (i) the nature of the individual and (ii) the nature of liberty. The individual is a part of the social whole and can be considered only in the social context. Individuality has social roots. Liberty is the essential quality of human life because it is a condition of an individual's being himself, 'to be one's self. It is the absence of external constraints for the internal development of the personality of the individual. For Bosanquet, negative view of liberty means merely freedom from constraints, whereas positive liberty means not only freedom from but 'freedom to',—conditions necessary for free and full development of the self, which the state must ensure. The positive concept includes the negative one since it represents a greater area of activity and more extensive self-choice of self-determination.<sup>27</sup>

### **views of H.J. laski**

The most comprehensive views on positive liberty were expressed by Harold J. Laski in his book *A Grammar of Politics*. His views can be discussed on three premises: (i) nature of liberty (ii) kinds of liberty, and (iii) safeguards to liberty.

#### 1. Nature of Liberty

Explaining the meaning of liberty, Laski writes that 'liberty is the eager maintenance of that atmosphere in which men have an opportunity to be their best selves. Liberty is the product of rights. Liberty is positive thing. It does not merely mean the absence of restraints'.<sup>28</sup> Liberty is not absence of restraints because all conduct is social conduct and whatever one does, he does it as a member of the society. Hence liberty involves in its nature restraints.

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Regulations is the consequence of gregariousness because man cannot live without rules. What is important is that rules should embody the experience of the community: they should be built upon the wills of those whom they affect: However, liberty is not merely obedience to rule. What each of us desires in life is room for our personal initiative in things that add to our moral stature. What is destructive of our freedom is a system of prohibitions which limit the initiative implied therein.

Laski relates liberty to the availability of opportunities. He writes 'Freedoms are therefore opportunities which history has shown to be essential to the development of personality'.<sup>29</sup> In this context, liberty is inseparable from rights because rights demarcate the area of opportunities to be essential to the development. Laski does not want to leave liberty to the mercy of the state because 'liberty is never real unless the government can be called to account and it should always be called to account whenever it invades rights. The various aspects of liberty are related to this situation'.<sup>30</sup>

## 2. Kinds of Liberty

The three kinds of liberty which Laski talks about are (i) Private Liberty (ii) Political Liberty, and (iii) Economic Liberty. Private Liberty refers to 'the opportunity to exercise freedom of choice in those areas of life where the results of one's efforts affect the individual in the isolation with which the individual is surrounded.'<sup>31</sup> Religion is the best example of this kind of liberty. Private liberty is negative because it is that aspect of which the substance is mainly personal to man's life. In the modern state, Laski feels that invasion of private liberty is more subtle. Private liberty may be denied when the poor citizens are unable to secure adequate legal protection from the court. In short, private liberty is 'an opportunity to be fully himself in the private relations of life'.<sup>32</sup>

Political liberty means the power to be active in the affairs of the state.'<sup>33</sup> Political liberty, to be real, requires two essential conditions: (i) proper education to a point where one can express oneself in an intelligible manner, (ii) provision of honest and straightforward news, which alone can be a reliable guide or ground for political judgement. Distortion of news based upon propaganda prompts a distorted judgement and only a reliable supply of news is the basis of freedom.

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Economic liberty means 'security and the opportunity to find reasonable significance in the earning of one's daily bread'.<sup>34</sup> It means freedom from the constant fear of unemployment and insufficiency which saps the whole strength of the individual personality. A man must be safeguarded from the wants of tomorrow. Economic liberty also implies democracy in industry. It means two things: (i) the industrial government is subject to the system of rights which are obtained to the citizens, and (ii) the industrial direction must be of a character that makes it the rule of laws made by cooperation and not by compulsion. A system built upon fear is incompatible with liberty.

## 3. Safeguards of Liberty

Laski believes that freedom will not be achieved for the masses without special guarantees. He mentions three conditions for the realization of liberty. Firstly, Laski feels that freedom cannot exist in the presence of special privileges. The presence of privileges leads to frustration and the loss of creativity, as a result of which people lose the ability to realize their own good. As he writes, 'Special privilege is incompatible with freedom because the latter quality belongs to all alike in their character as human beings'.<sup>35</sup> Liberty is possible only on the condition of equality. Secondly, positive liberty can be enjoyed only in the presence of rights. There cannot be liberty where the right of some depends upon the pleasure of others.'<sup>34</sup> Presence of rights means the absence from the social organisation of those uncertainties which result in social loss and are deliberately planned by the individuals. Thirdly, the government must be responsible to the people. The incidence of state action should be unbiased. Here the maintenance of rights assumes so vast an importance that they become the guarantee of a minimum bias. They give the minimum assurance that the state power will not be perverted to the use of some few.

## contemporary writers on positive liberty

In recent times, positive liberty has been the subject of study of many liberal writers like I. Berlin, Macpherson, John Gray, John Rawls among others. Berlin, in his essay Two Concepts of Liberty, conceives of negative liberty as merely the absence of direct political and social interference in the affairs of the individual. His positive liberty, however is not so narrowly conceived. It

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requires the absence of other impediments as well because positive liberty is nothing but 'the absence of all humanly imposed impediments.'<sup>31</sup> He writes that positive liberty is derived from the wish on the part of the individual to be his 'own master, to be self-directed, to be moved by his own conscious purposes. to act and decide rather than to be acted upon and decided upon by others.'<sup>38</sup> Positive liberty is the liberty 'to act as a fully human being.'<sup>39</sup> There are three concepts merged into one in Berlin's idea of positive liberty: (i) liberty is individual self-direction or self-mastery: (ii) liberty is coercion by those who have attained self-mastery over those who do not yet know it; (iii) liberty is the democratic concept as a share in the controlling authority.

Macpherson in his book Democratic Theory defines positive liberty as 'a man's power in the developmental sense'.<sup>39</sup> Developmental power means 'man's ability to use and develop his capacities.'<sup>40</sup> It means removing impediments to gain access to the means of life and labour. The measure of liberty is the absence of the extractive power and the increase in the developmental power of the individual.

According to John Gray, 'The political content of the positive view of liberty is that if certain resources, power or amenities are needed for self-realization to be effectively achievable, then having these resources must be considered a part of freedom itself'.<sup>40</sup> It is on this basis that modern liberalism has developed the welfare state as a freedom enhancing institution. It signifies primarily and centrally having the. resources and opportunities to act so as to make the best of one's life.

Again Rawls argues that, 'The demand that liberty be maximized (or equalized) is given a definite content only when liberty is decomposed into a set of basic liberties such as freedom of speech, association or movement, occupation and life style etc. The content of basic freedoms is not fixed but embodies the conditions necessary in a given historical circumstance of growth and exercise of power of autonomy, thought and action.'<sup>41</sup>

## characteristics of positive liberty

On the basis of the above discussion, we can summarize the concept of positive liberty as follows:

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1. Liberty is essential for man's material and moral development. Like justice and equality, it is not an empty social idea floating in the air, but derives its specific content and meaning from a particular social and historical milieu in which it has to be understood. In the present context, it is not absence of restraints but a positive condition for free and full development of the individual in the society.
2. All restraints are not evil. Positive liberty affirms that restraints in some contexts are not antagonistic to liberty but its guarantee. Freedom through compulsion, however paradoxical it may appear, is justifiable and practically valid. On this ground, it justified the extension of social and welfare legislation.
3. At the core of this concept of liberty lies the fact that there can be no liberty without equality or unless there is some measure of economic equality. Liberty becomes real when it is rooted in equality. Equality provides the basis on which liberty comes to acquire a positive meaning.
4. Rights are necessary conditions of liberty. It is equally related to justice and morality.
5. The state is not an enemy of liberty but its best promoter. The duty of the state is not to leave the individual alone but, through positive action, create conditions and opportunities for the realization of liberty.
6. Liberty implies participation, autonomy, creativity, development, self-determination and social support for the goals of individual.

## CONCLUSION

On the basis of the above discussion, it seems that what is the true meaning of liberty can never be resolved. This is because of two factors: (i) liberty is so universally regarded as desirable that people will go to any extent to show that their liberty is the only real one, and (ii) there are philosophical differences. The negative liberals believe that the essence of man is that he is an autonomous being, master of values and an end in himself, whereas positive liberals hold that the essence of man lies in his being a social animal, deriving his values and ends from the community to which he belongs. However, if we want to understand the true meaning

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of liberty, we shall be mistaken if we were to commit ourselves to one aspect of liberty to the exclusion of the other. It would be certainly wrong to exclude the negative concept of liberty because this is how the term was used in its initial stage and will continue to be used in everyday speech. The case against negative liberty is that it is not wrong or undesirable but that it is insufficient as a guide to the various meanings that liberty has acquired in modern times. The concept of positive liberty is a complex one because the nature of positive freedoms to be granted to the citizens and the kind of community needed to be built may be interpreted differently by different thinkers. But still it is an essential requirement of the modern state; liberty cannot be left to be decided by the market forces.

According to Birch, the advocates of negative liberty would be more realistic if they acknowledge that democratic self-government is a kind of collective freedom. Also they should realize that extending the capacities and abilities of human beings tend to extend the value of freedom as well. Similarly, the advocates of positive freedom should also acknowledge that a

large measure of negative freedom is an essential prerequisite of the individual and liberty cannot necessarily be imposed from the top. The negative and positive aspects represent two kinds of liberty. In real world of political practice, an individual wants some of both, and if both sides make these concessions, the arguments would be more realistic in understanding the meaning and significance of liberty.<sup>41(A)</sup>

## MARXIST CONCEPT OF FREEDOM

Throughout the period of history, class struggle has always taken the form of struggle for freedom—for specific freedoms which people fought to retain or saw the possibility of winning. Such freedoms have been traditionally of two types: negative and positive i.e. ‘freedom from’ and ‘freedom to’. People seek to free themselves from the specific impositions and restrictions on their activities and to win the conditions in which they are free to do specific things. In the process of class struggle, people have managed to free themselves from the specific forms of oppression and to win specific rights. However, the fact remains that the exploited classes never won freedom from exploitation and the rights of the exploiters continued. The great contribution of Marx and Marxism

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has been to demonstrate how private property in the means of production had robbed the great mass of the working class of their freedom, and to work out the theoretical foundations of how to win back freedom. The Marxist concept of freedom can be discussed on the following lines:

1. Meaning of Freedom.
2. A critique of the bourgeois concept of Freedom.
3. Freedom as an end of Alienation.
4. Freedom as an end of Exploitation.
5. Freedom as recognition of Necessity.
6. Freedom as a Collectivist Enterprise.

### meaning of freedom

According to the standard liberal view, freedom is the absence of restraints or coercion. Marxism, on the other hand, has been a heir to a wider and richer view of freedom originating from such sources as Spinoza, Rousseau, Kant and Hegel who conceived of freedom as self-determination, self-realization, self-development, self-fulfillment and self-creativity. Even if the concept of freedom is taken as absence of restraints, Marxism invoked wider notions of the relevant restrictions and options, and of human agencies.

Marx and Marxism tended to see freedom in terms of removal of obstacles to human emancipation i.e. ‘to the manifold development of human powers and the bringing into being a form of association worthy of human nature’.<sup>42</sup> Notable among such obstacles, Marx pointed out, were the conditions of wage labour, ‘the conditions of their life and labour, and therewith all conditions of existence of modern society...over which the individual proletariat has no control and over which no social organization can give him control’.<sup>43</sup> Positively, he meant by freedom,

‘the full development of human mastery over the forces of nature and humanity’s own nature.’<sup>44</sup> Echoing these views, Huberman and Sweezy write, ‘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’.<sup>45</sup> Similarly, Petrosyan writes, ‘Marx’s understanding of freedom implies activity aimed at creating real conditions for the free all-round development and flowering of man’s individuality’.<sup>46</sup>

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Overcoming the obstacles to human emancipation is a collective enterprise and hence ‘freedom is collective in the sense that it consists of the socially co-operative and organized imposition of human control over both nature and the social conditions of production’.<sup>47</sup> For Marxism, the issue of individual freedom is dialectically related to the freedom of the society. True freedom is inconceivable without a free society. Such a freedom will be fully realized only by the suppression of capitalist mode of production, and replacing it with a form of association in which ‘it is the association of individuals which puts the conditions of the free development and movement of individuals under their control’.<sup>48</sup> It is only then that within the community has each individual the means of cultivating his gifts in all directions.

### **A critique of the bourgeois concept of freedom**

In his early writings, Marx criticized bourgeois democracy for its ambiguous interpretation of freedom as a fundamental human right. He explained that the bourgeois revolution had politically emancipated man but political emancipation does not mean total emancipation. Liberalism has wrongly equated political emancipation with human emancipation. Similarly equality had been achieved as far as the legal hurdles were concerned but the actual (i.e. economic) equality was forgotten. The masses, wages earners without property continued to be dependent upon the bourgeoisie which owned the means of production. As a result, Marx ruled out the possibility of liberty for the masses in a society based upon class division and class conflict. He pointed out that in a society based upon competitive market, man’s relations to other men become exchange relations and quite impersonal. Men behave with each other not as human beings but as agents of market exchange, or as buyers or sellers. ‘In their economic life, they are ruled by the law of value: in their political life, men are ruled by law.’ In such circumstances, men cannot be free. He cannot be free from religion, at best, he receives religious freedom. He cannot be free from property, at best he receives freedom to own property. He cannot be free from labour, at best he receives free labour. Instead of being free from the state, he receives political emancipation within the state. No doubt, the liberal state guarantees religious freedom, free labour, freedom to own property and political emancipation, but for the working class, it is not enough. The Marxist concept of

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freedom is absolute in the sense that man ought to be freed from all kinds of ‘alienation, necessities, oppression, exploitation and domination’.<sup>49</sup> Negatively speaking, it includes freedom from the market i.e. absence of man’s domination by inhuman external forces; freedom

from the material dependence (i.e. absence from domination of money power), freedom from the social division of labour; freedom from the state (in the sense of state as an instrument of a class); freedom from religion (in the sense of religion as false consciousness); freedom from labour as an objectified activity imposed upon man by economic necessity (i.e. scarcity).<sup>50</sup> Positively, freedom denotes that man is free not from something but for something. It implies participation, autonomy, creativity, development and self-determination. It means all-round development of man. Man is, by nature, the creator of his own life as well as the circumstances in which he lives. This indicates that man is the potential subject. Though not born as subject, he may become the subject through the long process of his total (human) emancipation which implies his 'active participation in a gradual supersession of all impediments to his human development which is an end in itself'.<sup>51</sup> Since for Marx, man is a social being able to change circumstances by changing himself, his concept of liberty as human development is a revolutionary one which can be achieved only by changing the material circumstances.

### **freedom AS an end to alienation**

The dehumanizing effect of capitalist society based on private ownership of property and means of production were elaborated by Marx in his concept of alienation.<sup>52</sup> Alienation means loss of personal identity or a feeling of personal identity. As Marx wrote, private ownership of the means of production leads to alienation of man from his labour and its products. Labour becomes a commodity like any other which means that the worker himself has become a commodity and is obliged to sell himself at the market price determined by the minimum cost of maintenance. The product does not belong to him but to the man who has purchased his labour. Labour which is the life of the species, becomes only a means to individual animalized life. The social essence of man becomes a mere instrument of individual existence. Alienated labour deprives man of his species life; other human beings become alien to him, communal existence becomes impossible

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and life is merely a systems of conflicting egoisms. Property which arises from alienated labour, becomes in turn a source of alienation. The process has its effect on the capitalist too, depriving him of his personality in a different way. As the worker is reduced to an animal condition, the capitalist is reduced to a symbol of money power. He becomes a personification of this power and his human qualities are transformed into an aspect of it. In such a situation, where labour becomes a servitude, a forced labour, a labour of self-sacrifice, there can be no freedom. An alienated man is an enslaved man, enduring torment in his productivity. 'He develops no free physical or spiritual energy but mortifies his body and ruins his spirit'.

True freedom can be achieved only by doing away with alienation and restoring the essence of man to his existence. For this purpose, abolition of private property in the means of production and the division of labour is a must. This can only be achieved through a revolutionary transformation of society from a capitalist to a socialist/ communist one.

### **freedom from exploitation**

Like liberalism, Marxism also believes that freedom implies absence of restraints. However, it disagrees with liberalism regarding the quality of restraints that it wants to throw off and which the liberal ideology is quite content to accept. According to Marxism apart from the restraints of law and the state, there are restraints of long hours of work, arduous, dull and unrewarding job, lack of good food and living conditions and above all constraint of finding work. Again there are constraints imposed by lack of education. Liberalism believed that by controlling the power of rulers to dictate to the citizens, freedom will be achieved. But even after gaining political freedom, we have to face the constraints of productive relations and the imposition of economic slavery on the working class. Marx and Engels believed that only by socializing the means of production, can the individual enjoy a freedom which he had never enjoyed i.e., freedom from exploitation of labour.

The essential element of freedom is: 'in making itself the master of all the means of production in order to use them in accordance with a social plan, society puts an end to the former subjection of men to their own means of production.' This will be giving 'each

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individual the opportunity to development and exercise all his faculties physical and mental in all directions'. 'The realm of freedom actually begins only where labour which is determined by necessity and mundane considerations ceases; thus in the very nature of things it lies beyond the sphere of actual material production.'<sup>53</sup> Marx and Engels considered freedom a goal worth striving for and which could be realized only on the basis of social ownership of the means of production. It consisted in each individual enjoying equally the possibility to develop and exercise all his faculties and to engage in that development of human energy which is an end in itself. The necessary condition for this is something which could only be realized by social action—the fullest development of social production on the basis of social ownership of the means of production and planning, overcoming the crippling effects of division of labour, abolishing all exploitation of man by man and reducing to the minimum the hours of necessary labour for each individual and the individual energy expended to them.' Hence it is only by the institution of socialism that men can make a real beginning for the achievement of a free society. To achieve such a freedom, not only more effective forms of democratic control of rulers be introduced but social relations must also be changed.

### **freedom AS recognition of necessity**

According to Marx and Engels, man makes himself free by his control and use of material conditions for his own purpose. The achievement of freedom depends on understanding and mastering the necessities of material existence. As Engels said. 'Freedom is the recognition of necessity'. Writing in the context of Hegel, Engels wrote 'To him, freedom is the recognition of necessity. Necessity is blind only in so far as it is not understood. Freedom does not consist in the dream of independence of natural law, but in the knowledge of these laws and to make them work towards definite ends. Freedom of the will, therefore, means nothing but the capacity to make decisions with real knowledge of the subject. Freedom consists in the control of ourselves and over external nature which is founded on knowledge of natural necessity, it is therefore,

necessarily a product of historical development'. Necessities exist in nature and society in the shape of objective laws. These can be the law of gravity, laws of mode of production,

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laws of private property, laws regarding the development of society etc. Until we know the laws of nature, existing and acting independently of and outside our mind, it makes us the slave of blind necessity. But once we come to know these laws, we become the masters of nature. Thus freedom is based on the knowledge of necessity or objective laws and in the possibility of making them work towards definite ends. At the dawn of history, man being unable to grasp the mysteries of nature, was a slave of unknown nature and hence unfree. The more man learned the objective laws, the more conscious and free became his activity. Apart from nature, man's freedom is also restricted by his dependence on social forces which dominate him under certain historical conditions. In a society divided into classes, the social relations stand opposed to people and dominate them. In this context, freedom lies in understanding the laws of capitalist development, destroy the class antagonism and free people from the social oppression. In the course of building socialism/communism, the conditions of life which hitherto dominated people as alien elemental forces come under man's control. 'A leap from the realm of necessity into the realm of freedom takes place'. Thus freedom begins where necessity ends.

### **freedom as a collectivistic enterprise**

Marxism takes a collectivistic concept of freedom. In order to make the individual free, one has to free a large social entity (a class, nation or mankind). Again, freedom of all cannot but be based on freedom of each individual. The dialectic of the individual and the social is an inseparable part of the Marxist concept of freedom. Thus the right to liberty has to be deduced from the association of man with man rather than from the separation of man from man; from a life in the political community where man considers himself a communal being rather than from life in civil society where man considers himself as a private individual. Since man is a social being, and his human essence is his communal essence, he may become a social being only in and through the community. It will be a community based on common sentiments, interests, intentions, ideas and values, a community where classes have been abolished, which is co-operative in spirit, where power has been transformed into authority, a community which rests upon mutual aid, assistance and solidarity and which is based

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upon self-government and self-management'. Men must be stripped of possessive liberal individualism before they enter the realm of freedom. But this has to happen much earlier than one would assume and the instrument is revolution. As Marx put it. 'Both for the production on a mass scale of this communist consciousness and for the success of the cause itself, the alteration of men on a mass scale is necessary, an alteration which can only take place in a practical movement, a revolution. The revolution is necessary not only because the ruling class cannot be overthrown in any other way, but also because the class overthrowing it can succeed in getting itself rid of all the much of ages and become fitted to found society anew'. Thus to become

emancipated, man has first to be changed and re-educated through a revolution (or through praxis) which is the means to both the classless society and the alteration of man.

Thus freedom is associated with Marxist humanism. Its understanding is much wider than the liberal notion of freedom. It analyses freedom in the context of free society which is a communist society. It associates freedom not with the 'absence of restraints' but with the absence of alienation, exploitation, domination and necessities. Freedom for all will be possible only in a communist society. In the light of the ideal which Marx conceived of a society formed on all-round development human beings living in harmony and concrete freedom, both the liberal freedom of the selfish man and the legal freedoms of bourgeois democracy become superfluous.

## **PROBLEM OF FREEDOM IN SOCIALIST STATES**

The Marxist concept of freedom may be accepted at philosophical level but it could hardly be acceptable as a political concept. As has been pointed out by Selucky, Lenin failed to understand properly Marx's famous passage in the third volume of Das Capital dealing with the realm of freedom as well as Engles' notion in AntiDuhring, concerning the 'kingdom of necessity' and the 'kingdom of freedom'. Since the 'realm of freedom' can only consist in socialised men, the associated producers, rationally regulating their interaction with nature, and bringing them under common control', and the 'kingdom of freedom' can only consist in that 'the whole sphere of the conditions of life which environ man, and which have hitherto ruled man, now come under the domination and control of man', freedom in this broader philosophical sense

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presupposes the end of the state as an organization superimposed upon the society. But it is true only for this kind of freedom, and not for freedom in the political sense. Therefore, when Lenin repeated Engles' dictum 'while the state exists there can be no freedom' and 'when there is freedom, there will be no state' he confused the two absolutely different concepts. If we see the concept of freedom politically, then the maximum freedom which one may reasonably pursue in politics is the freedom of choice in given circumstances. Lenin's doctrine of Dictatorship of the Proletariat and the concept of the party as the vanguard of the proletariat were used, after the revolution, to justify the proclamation of one party rule and the absence of any democracy in the Party itself. It turned into an autocratic regime which was perfected by Stalin. Rosa Luxemburg protested against the suppression of freedom in the name of the theory of revolution, prohibition of rival workers' parties, the supersession of freedom of press etc. Under Stalin, democracy and freedom of choice gave way completely. The Party ideologues assumed that the abolition of private property in the means of production had given rise to the identity of the interests of the people and the Party.

In the standard Soviet text books on Dialectic Materialism, freedom was defined as 'an insight into necessity.' The formula 'insight into necessity' raises an important point with regard to freedom because liberation from dependence on the nature cannot be understood unless we understand its essential law. However, this freedom could not be confused with concrete human liberty. An alternative was found in 1936 when USSR Constitution was promulgated which

proclaimed to guarantee democratic freedoms to all soviet citizens and also included a comprehensive list of rights. However, all these rights and liberties were subordinated to the monopoly of the communist party which was made the vanguard of the people. The party was invested with the monopoly of leadership. Non-political rights were insufficiently guarded because the constitution lacked the independence. After the death of Stalin, some jurists endeavoured to introduce a greater measure of security under law. However, in Soviet philosophy of law, personal rights were subordinated to the rights of the community. Instead of freedom of choice, the socialist states stressed on conformity which created the problem of dissidence and labour camps.

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The problem of freedom became the subject of growing discussion in all socialist countries from 1970s onwards. Critical Marxists like Kolakowski, Selucky, Stojanovic and dissidents like Solzhenitsyn, Roy Medvedev attacked the orthodox doctrine of party and state chiefly basing their argument on Marx's early works. For example, Medvedev wrote that sixty years after the revolution, when all the enemies of the revolution had been annihilated, there should be relaxation in the political system. In this context, he demanded the establishment of political parties apart from the communist party, freedom of speech and expression, freedom of press, democratization of the party structure etc. These were the basic conditions for protecting freedom. Again, the rise of Solidarity under the leadership of Walesa in Poland clearly proved beyond doubt that the state and the Communist Party alone did not represent the will and interests of the community as a whole. The fall of USSR and the rejection of communist rule by the East European countries in 1989 proved that the state sponsored freedom is not necessarily compatible with the freedom of the individual.

## CONCLUSION

We can conclude with the views of Steven Lukes that there is no inherent link between freedom and private property or egoism. However limited may be the character of bourgeois freedoms, it does not make them less genuine. It is a mistake to think that the exposure of bourgeois freedoms essentially leads to the conclusion that they are illusory. In their zeal to prove that liberal freedom is nothing except the freedom to accumulate private property, Marxism precludes other more valuable freedoms like freedom of thought and expression, freedom to dissent etc. In practice, by its failure to call liberal freedoms as freedom, Marxism legalized their wholesale suppression and denial, all in the name of freedom.<sup>54</sup>

## CHAPTER 3 EQUALITY

Of all the basic concepts of social, economic, moral and political philosophy, none is more confusing and baffling than the concept of equality because it figures in all other concepts like justice, liberty, rights, property etc. During the last two thousands years, many dimensions of the concept of equality have been elaborated by Greeks, Stoics, Christian fathers who separately and collectively stressed on its one or the other aspect. Under the impact of liberalism and Marxism,



equality acquired an altogether different connotation. According to Barker, 'equality is a Protean notion: it changes its shape and assumes new forms with a ready facility'.<sup>1</sup>

Equality is essentially a modern and progressive concept and the value of equality can be taken as a criterion of radical social change. The debate about equality has gone on for centuries. A feature of modern societies is that they are committed to the principle of equality and they no longer regard inequality as naturally justifiable or divinely ordained. Though in practice, they continue to be unequal, but this inequality is not regarded as inevitable. Under the conditions of modern state, it is 'inequality which requires justification and not equality'. The principle of equality enunciated by the American and French revolutions has become the central plank of all modern forms of social change and the social movements for the reorganization of societies.

## EQUALITY VS INEQUALITY

The demand for equality has always been against the prevailing inequalities of the times. The existence of social inequalities is probably as old as human society and the debate about the nature and causes of inequalities is an ancient topic of political philosophy.

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In classical Greece, Aristotle in his book Politics distinguished three social classes and noted the significant difference between citizens and slaves, men and women in terms of rational and civic capacities. Participation in the Polis was restricted to the citizens only. Similarly, in our Hindu society, according to the classical text, the society was divided into four categories: Brahmin, Kshatrya, Vaishya and Shudras. All rights and duties were based upon this classification. The medieval feudalism had legal privileges based upon status and birth which were supported by Christianity. Such examples can be extended but the point is simply this that various forms of inequalities have existed in all known societies. Different types of inequalities have been long enduring, giving rise to the notion that inequality is inevitable in social relations. In fact the pre-eighteenth century teachings argued that men were naturally unequal and that there was a natural human hierarchy. Different ideologies justified inequality on grounds of superior race, ancestry, age, sex, religion, military strength, culture, wealth and knowledge.

Under feudalism, the society was divided into three estates: clergy, nobility and the common masses. The first two enjoyed all rights and the third estate had only duties. During this period these social inequalities got legal recognition. Legal privileges meant only for clergy and the aristocracy were widely acclaimed. Even in modern societies, there is a continuity of inequality despite the new ideology of equality as the basis of citizenship. Inequality is universal, endemic and resistant to social policies aimed at bringing about a substantial measure of equality. It is prevalent not only in the capitalist societies where there is a massive inequality of wealth and income but has been equally present in socialist societies where there has been considerable redistribution of wealth and regulation of economic market.

According to Turner, inequality is multidimensional and the elimination of one aspect of inequality often leads to the exaggeration of other aspects of social, political and cultural

inequalities. In fact, all human societies are characterized by some form of social inequalities in terms of class, status, power and gender.

Hence while studying the concept of equality, this contradiction between equality as a general value of modern society and inequalities at practical level and a fact of all human societies must be kept in mind.

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## **STRUGGLE FOR EQUALITY**

If inequality has been a universal phenomenon, protest against the inequalities based upon privileges and birth had also been voiced right from their emergence. Thus in the history of Western political ideas, the doctrine of equality is practically as old as its opposite. After the death of Aristotle in 22 BC, the most prominent star in the Greek philosophy was Zeno who founded the Stoic School and supported equality among men. The Stoics concluded that all human beings possess reason and thereby all mankind is differentiated from other animals and is united.<sup>2</sup> On this account, the concept of humanity does not admit of degree. As such all men are equal as men. The stoic philosophers gave the idea of universal brotherhood and they were opposed to slavery. The promulgation of the 'law of the people by the Roman empire was another way in which the Romans attempted to give effect to the principle that all men are equal and as an extension to that, they conferred citizenship both on the individuals and the entire communities. The climax reached in 212 A.D. when the notable-edict of Emperor Caracalla conferred citizenship of Rome upon all free inhabitants of the empire. The trend initiated by Greeks and Romans was continued by the preachers of Christianity. St Paul said to Galatians, 'There is neither Jew nor Greek there is neither bond nor free, there is neither male or female, for ye are all one in Jesus Christ '<sup>3</sup> From fifth century to the end of fourteenth century, the demand for equality was a cry against serfdom, medieval gradations of rank and hereditary nobility, and the equality for career opportunities in the Church. From 15th to 17th century, the cry for equality was against the landowners' status and religious intolerance and was raised by puritans, levellers, doctrine of natural rights and John Locke. The struggles for equality did take place but equality in the modern sense of the term was missing.

From the mid-seventeenth century, mankind advanced towards equality in a notable sense. The movements of Renaissance and Reformation raised powerful voice against the legal privileges of the clergy and nobility based upon birth and demanded equality by birth. It was the seventeenth century exponents of natural law who postulated equality as a natural state for all men which finally created the theoretical basis for the political realization of the equalitarian concept. Henceforth, the affirmation that all men are

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born equal was to figure in the manifestos all over the world. The revolutions in Britain in 1649 and 1688, in USA in 1776 and in France in 1789 made right to equality by birth as their central plank. 'Men are born free and equal and they are free and equal in their rights'.

John Locke talked of ‘a state of perfect equality’<sup>4</sup>; Jefferson pronounced the self-evident truth that ‘all men are created equal’. The declaration of 1793 proclaimed that ‘Governments are institutions to guarantee to men the enjoyment of their natural and imprescriptible rights. The rights are equality, liberty, security and property. By nature and before the law, all men are equal’.<sup>5</sup> During this phase, the demand for equality coincided with the abolition of special privileges of the nobility and the achievement of political and legal equality with the nobility. It meant only juristic equality i.e. all men are born equal and they are equal before law. Whether it was England, France or America, the issue at stake in the context of equality was not economic or social but only uniformity of legal rights. As stated earlier, since the demand for equality was primarily raised by the rising middle/bourgeois class which had acquired wealth but lacked legal status, and which was anxious to achieve political and legal equality with the nobility, the demand for legal equality served its purpose well.

The main precipitating cause for equality in the nineteenth century was undoubtedly economic. The economic and social dimensions of equality which emerged during this phase were the results of the conflicts and struggles between the capitalist/industrial/feudal classes on the one hand and the workers and peasants on the other. The laissez faire policy of the state in the economic affairs created wide economic disparities in the society. As a result, along with legal equality, demand for economic and social equality was raised by liberal, socialist and Marxist writers alike such as J.S. Mill, T.H. Green, Babeuf, Karl Marx etc. Simultaneously, the demand for political equality also grew stronger. The movement to broaden the franchise was an offshoot of the industrial revolution which increased the social power of the urban middle class and converted a large section of the population into factory workers. The reforms Acts of 1832, 1876 and 1884 in Britain were steps towards political equality.

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In the twentieth century, the demand for equality became more insistent. Today it has become the *sin qua non* for the socio-economic mobility typical of highly industrial societies. The national liberation movements against imperialism and colonialism, movements against apartheid, socialist revolutions in Russia, China and East European countries brought the issue of equality into the forefront. The Declaration of Human Rights in 1948 extended the recognition of equality, which had hitherto been accepted as the aim of all strata of industrialized countries, to the people of the third world countries who had been discriminated against, thus contributing to the eventual emergence of an international society based upon socio-economic equality.

## WHAT IS EQUALITY

While equality is one of the many concepts (others being rights, liberty, justice etc), it is a crucial one in a world in when so many differences exist among men. Every modern political constitution has some notion of human equality inscribed as fundamental law and every political theory of any importance has contributed to the nature and feasibility of socio-economic equality. However it is as difficult to define it clearly as it is to achieve it politically. The concept of equality can be understood not in an abstract manner but only relatively and in the concrete context. Equality is not identity of treatment or reward. There can be no ultimate identity of treatment so long as men are different in wants, capacities and needs. As Laski wrote, ‘the

purpose of society would be frustrated at the outset if the nature of a mathematician met an identical response with that to the nature of a bricklayer'. Inequalities gifted by nature are an inescapable fact and it has to be accepted in the society. Injustice arises as much from treating unequals equally as from treating equals unequally.

However, to attribute all differences in capacities and temperament to natural endowment is to ignore the reality. Apart from natural inequalities, there are inequalities created by the society—based upon birth, wealth, knowledge, religion etc. Claims for equality have always been negative denying the propriety of certain existing socio-economic inequalities. When liberalism urged that all men are equal by birth, it meant to challenge the privileged position of nobility and aristocracy in the society. Similarly, when it was

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urged that all men are entitled to vote by reason of equality by birth, it meant to challenge a property-owning franchise. The Declaration of the Rights of Man explicitly recognized that superior talent and qualities of character are proper ground for distinction of wealth, honour and power. During the twentieth century, we have been dismantling an educational and social system in which opportunities for advancement depended on the family means and replacing it with one that makes skill in passing examinations one of the principal criteria. Thus, out of context, equality is an empty framework for a social ideal. It is concrete only when particularized. The movement of history is not towards greater equality because as fast as we eliminate one inequality, we create a new one: the difference being that the one we discard is unjustifiable while the one we create seems reasonable. Social, political, educational and other equalities are always in need of re-enforcement and reinterpretation by each new generation. The idea of equality constantly erodes the foundations of every status quo.

Like liberty, equality can also be understood in its negative and positive aspects. Ever since the rise of the idea of equality, it has been engaged in dismantling certain privileges whether they were feudal, social, economic etc. Hence negatively, equality was associated with 'the end of such privileges'. Positively, it meant 'the availability of opportunity' so that everybody could have equal chance to develop his personality. Explaining the meaning of equality in this context, Laski writes that equality means:

- i. Absence of special privileges. It means that the will of one is equal to the will of any other. It implies equality of rights.
- ii. That adequate opportunities are laid open to all. It depends upon the training that is offered to the citizens. For the power that ultimately counts in society is the power to utilize knowledge; and disparities of education result, above all, in disparities in the ability to use that power. Opportunity should be given to everyone to realize the implications of his personality.
- iii. All must have access to social benefits and no one should be restricted on any ground. The inequalities by birth or because of parent and hereditary causes are unreasonable.<sup>5</sup>
- iv. Absence of economic and social exploitation.

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Similarly. Barker writes that the idea of equality is a derivative value—derivative from the supreme value of the development of personality—in each alike and equally but in each along its own different line and of its own separate motion. According to him, ‘The principle of equality, accordingly, means that whatever conditions are guaranteed to me in the form of rights shall also and in the same measure be guaranteed to others and that whatever rights are given to others shall also be given to me’. According to Raphael, ‘The right to equality proper...is a right to the equal satisfaction of basic human needs, including the need to develop and use capacities which are specifically human’.<sup>8</sup> According to E.F. Carr, ‘Equality is just to treat men as equal until some reason, other than preference, such as need, capacity or desert, has been shown to the contrary’.<sup>9</sup> Recently, Bryan Turner in his book Equality<sup>10</sup> has given a comprehensive meaning of equality which includes the following:

1. Fundamental equality of persons
2. Equality of opportunity
3. Equality of condition where there is an attempt to make the conditions of life equal for relevant social groups
4. Equality of outcome or result.

The first kind of equality is common to cultural, religious and moral traditions typically expressed in statements such as ‘all are equal in the eyes of God’. This is concerned with the quality of ‘men as men’, something called ‘human nature’, ‘human dignity’, ‘personality’, ‘soul’ by virtue of which they must be treated as fundamentally equal. Equality of opportunity means that access to important social institutions should be open to all on universalistic grounds, especially by achievement and talent. The debate about equal opportunities is specially important in the development of modern educational institutions where promotion and attainment are in theory based upon merit. In order to have equality of opportunity in any significant content, it is essential to guarantee equality of condition i.e. all competitors in the race should start from the same point with appropriate handicaps.

The most radical notion of equality is the equality of results. A programme of equality of results would seek to transform inequalities at the beginning into social equalities at conclusion. Social programmes of positive discrimination in favour of disadvantaged

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(i.e. scheduled caste, scheduled tribes, women, children, handicapped etc) are meant to compensate for significant inequality of condition in order to bring about a meaningful equality of opportunity to secure equality of results.

## **VARIOUS DIMENSIONS OF EQUALITY**

Equality is a multi-dimensional concept. The need for equality is felt in different fields of social life. Accordingly, the different dimensions are:

1. Legal equality
2. Political equality

3. Economic equality
4. Social equality

## LEGAL EQUALITY

Classical liberalism, when it was fighting against feudal and religious privileges, held that equal distribution of opportunities required merely the equal allocation of basic rights of life, liberty property. If legal privileges are abolished and legal rights are protected, no obstacles will stand in the way of one's pursuit for happiness. It meant two things: Rule of law and Equality of law. Rule of law means that the law is sovereign and no person, no matter how great he is or thinks he is, can declare himself above law because that would be tantamount to arbitrary rule. Equality before law means that law guarantees freedom and equality to each citizen. This is popularly explained as Equality before Law and Equal Protection of Law.

Equality before law: It consists in 'equal subjection of all classes to the ordinary law of the land administered by the ordinary law courts'.<sup>11</sup> It means that amongst equals the law should be equal and should be equally administered and that 'like should be treated alike'. In other words, the law is not to make any distinction between rich and poor, feudal lord or peasant, capitalist or worker. In the eyes of law, all are equal.

Equality before law implies equality of rights and duties in law i.e. equal protection of life and limb of everyone under the law and equal penalties on everyone violating them.<sup>12</sup> However, since law creates classes with special rights and duties such as landlord, vs tenant, police vs people, member of parliament vs judges etc.,

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in such circumstance, differences in rights are inevitable.

Equality before law also implies equality in the actual administration of laws.<sup>13</sup> In spite of the fact that people may be equal before law, the judges may be corrupt or biased. Equality before law must ensure that the judges are free from political pressures, free from corruption, bias etc. The inequality in the application of law may also arise if poor men are kept from the cost of a legal action; if a rich man can force a settlement on less favourable terms than a poor opponent would get in court by threatening to carry the cause to appeal.

Equal protection of law: Equality before law does not mean absolute equality. While the law will not make any distinction between the people, equal protection means that on grounds of reasonable circumstances, certain discriminations can be made. The law, in certain special circumstances can make rational discriminations. It means 'equal laws for equals and unequal laws for unequals'. This can be understood very well in the context of Indian constitution where the law, while not recognizing any distinction based upon birth, caste, creed or religion, does accept certain rational discrimination like reservation of posts for scheduled castes and tribes; reservation of seats or special queues for ladies; concessions given to students in railway journeys. Such discrimination based upon backwardness, sex, ability etc are considered rational discrimination. In such cases, law protects the people by unequal rather than equal application.

Talking about legal equality, J.R. Lucas writes that equality before law does not necessarily mean that the law will treat all alike, but rather determines that law will be within the reach of everybody. In other words, nobody will be small enough that he cannot take the shelter of law and nobody will be big enough that he will not be accountable to law. It means that anybody can ask for the help of courts, everybody is bound to obey its orders., and the courts will also take decisions impartially. Equality before law means equal subjection to law and equal protection of law.

However, legal equality becomes meaningless in the absence of equal opportunities to get justice. In the liberal societies, people need both time and money to have justice to protect their equality. All may possess equal rights but all do not have an equal power to

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vindicate those rights, so long as the vindication demands expenditure and so long as some are more able than others to meet the expenditure demanded. Thus in actual operation of the courts, as distinct from the rule of law of the land, inequality still prevails, though it is steadily being diminished by reforms in their operation.<sup>14</sup>

## **POLITICAL EQUALITY**

While some thinkers have advocated the equalization of political power through direct democracy, it is generally assumed that political power is universally distributed and that political equality can only mean 'right to participate in the political process'. Political equality is associated with democratic institutions like suffrage, representation and majority rule. Early liberals did not include political rights among the basic rights to be given to all; they wanted that only wealth should replace birth as the criterion for franchise. Extending franchise to the propertied class was considered an egalitarian demand directed against the privileged nobility. Talking about political equality, Lipson writes, 'Normally and customarily, many had always been governed by few for the benefit of the few...Humanity as a general rule has lived under regimes of inequality and privilege. The bases of inequality in political matters have been knowledge (Plato), religion and God (monarchy), birth (aristocracy) money (Plutocracy), colour (South Africa), race (Hitler), elite (Pareto, Michel, Mosca) etc.<sup>15</sup> The demand for political equality, against all these, is 'one-man-one-vote'. This is the basic principle of political equality which has now found unqualified acceptance in nearly all countries of the world. The principle is expressed in the right to vote, the right to stand for elections, to hold public office and no distinction on the basis of caste, colour, sex, religion, language etc. According to Laski, political equality means that the authority which exerts that power must be subjected to the rules of democratic governance.<sup>16</sup> However, in recent years, we have begun to realize that the principle of political equality is not as simple as the liberal meaning conveys. If the word political means the ability and skill to influence others which an individual exercises in controlling, managing and arranging things according to his will or to the will of the party to which he may belong, obviously, we cannot say that everyone is politically equal. In modern times, functioning of the government has become very complex and real political power vests in bureaucracy, police and

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army over whom people have virtually no control. The elite theory of democracy discourages the participation of the people in political affairs.<sup>17</sup> Again, how much we may harp about political equality, the prime minister or the party boss of this or that party can never be said to be politically equal. Political equality and political power are distinct categories. There are many constraints put upon the common man to get his voice heard and the multiplicity of factors which include different abilities, the ability to assert oneself and above all the differentiation imposed by the maladjusted property system. However, the merit of the political equality lies in recognizing the basic truth that if men are equal in law, then there should be equality amongst them regarding the right of governance.

## ECONOMIC EQUALITY

The twentieth century has witnessed a sharpening of concern for the economic aspect of equality and the means of securing it, either within the framework of the liberal system or by establishing a socialist society. Rapid industrialization brought about an increasing awareness that equality of opportunity cannot be achieved by the 'majestic equality of the law which forbids rich and poor alike to steal bread or to sleep under bridges'. Equality of opportunity does not only presuppose the equal allotment of certain rights but also requires application of another rule of distribution: equality of the satisfaction of certain basic needs. It means privileges for the economically underprivileged. As Tawney wrote 'Equality of opportunity is not simply a matter of legal equality. Its existence depends not merely on the absence of disabilities but the presence of abilities. It obtains insofar as, and only insofar as each member of the community, whatever his birth or occupation, or social position, possesses in fact and not merely in form, equal chances of using to the full his natural endowments of physique, of character and of intelligence.'<sup>18</sup>

Early liberals meant by economic equality as equality of choosing one's trade or profession irrespective of his caste, creed or economic status. It was also understood as freedom of contract or that everybody is equal insofar as the contractual obligations are concerned. Many a time it was also understood as equalization of wealth and income. However, all these meanings were considered insufficient. Explaining the economic equality, Rousseau wrote 'By equality, we should understand not that the degree of power and riches be absolutely

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identical for everybody, but that no citizen be wealthy enough to buy another and none poor enough to be forced to sell himself'.<sup>19</sup> Economic equality is concerned with the apportionment of goods. To bring the poor to the general starting line, law must compensate them for those initial disadvantages by means of social legislation and social services such as minimum wages, tax exemption, unemployment benefits, free public schooling, scholarship etc.

According to Laski, economic equality is most largely a problem in proportion.<sup>20</sup> It means that the things without which life is meaningless must be accessible to all without distinction in degree or kind. All men must eat and drink and obtain shelter. Equality involves, up to the margin of sufficiency, identity of response to primary needs. The equal satisfaction of basic needs as a precondition for equality of opportunity does require economic equality i.e. reduction of extreme inequalities in the distribution of commodities.



Economic equality is two-fold: (i) it is a matter of status and (ii) it is a matter of property and income.<sup>21</sup> The matter of status raises the issue whether the state should seek to turn the industrial production into something like a 'partnership of equals' and should introduce a system under which the directing and managing elements stand on an equal footing. With regard to property and income the issue is what methods the state should seek to correct inequality in their distribution. The liberal state through its policy of mixed economy, methods of differential taxation, regulation and raising the wages by methods of social expenditure, and other welfare services has been making corrections in the wide disparities of wealth. The state taxes the rich to provide welfare to the poor. While liberal sociologists like Dahrendorf, Raymond Aron, Lipset feel that through the extension of welfare services to all strata of society and redistribution of income and wealth through progressive taxation, the state has been able to lessen economic disparity and assure satisfaction of basic needs of all, Galbraith has gone to the extent of declaring that economic inequality has ceased to be an issue in men's minds in the Western democracies.<sup>22</sup>

However, the liberal socialists feel that, inspite of the fact that state action has resulted in greater diffusion of property, the permanent ownership of capital resources and the disparity between rich and poor continues and is 'still greater'. State action 'only

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touches the fringe of the problem of finding a general system of its more equitable distribution'.<sup>23</sup> The state has yet to grapple with the problem of finding a general system of profit sharing.

## **SOCIAL EQUALITY**

Social equality is concerned with equality of opportunity for every individual for the development of his personality. It means abolition of all kinds of discriminations based upon caste, creed, religion, language, race, sex, education etc. The cardinal question which confronts us today is how the state and its laws should go to promote equality of different castes, classes and races, emancipation of women so far as equality in property and voting rights is concerned, and equality of right of admission to educational institutions. Equality of race and colour denies that the class whose cause it champions is not inferior to any. Inferiority implies two considerations: (i) the refusal to extend the principle of equal consideration to the class in question such as the negroes, blacks in South Africa, jews etc., and (ii) to prove the inferiority by means of dubious biological evidence that some races are superior than others.<sup>24</sup>

The case for equality of sexes can be understood as (i) that inspite of physical and psychological difference between men and women, there is no evidence that women are in general inferior to man in intelligence, business capacity, soundness of judgements etc, and that discrimination resting on such assumed inferiorities is misplaced; (ii) the admitted differences will not support discrimination between the sexes in respect of voting rights, entry to profession, educational opportunities, levels of remuneration etc. Thus 'equal pay for equal work' means that men and women should be paid equally if they work equally well; (ii) there are admitted biological and psychological differences in the functions within the family.<sup>25</sup> A mother is expected to occupy

herself with house and children, a father with earning the family living. But this does not justify elevating the husband to the position of a lord and master, nor the complete sacrifice of woman's personality to the demands of the family. The emancipation of women has to be expressed itself not only in law and economics but also in changes in conventional marital relations. For example many husbands now recognize that the domestic burden carried by mothers

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of families in previous generations was out of all proportions to the difference in function implied by the difference in sex. Their readiness to share the household functions and the baby minding is a sign of a practical extension of the principle of equal consideration.

Social equality also depends upon openness of educational institutions on an equal basis to facilitate social mobility. This is a field where extreme inequalities prevail. In almost all the liberal countries, education has been very much organized on the lines of social classes and educational opportunities are very much associated with wealth and position. There are different kinds of schools serving different social strata of society such as the elite, middle classes, lower middle class and the poor masses. In the prestigious schools where children of the affluent section of the society receive their education, the boys are encouraged to regard themselves as one of the ruling classes whether in the field of politics, administration or business. On the other hand, an elementary school education, mostly run by the government, is always and still remains a cheap education. An elementary book is a cheap book adopted to the needs and powers of the children of a certain section of society who are supposed not to require the same kind of education as the children of parents who have more money. Even if the elementary school boy, in today's changed circumstances, is not taught that the world is divided by God into rich who are to rule, and the poor who are to be ruled, the circumstances in which he is put provide ample proof of it. He is taught in unhealthy buildings, deficiency of playing fields, school libraries and laboratory facilities for practical work, shortage of books, non-availability of teachers, lack of funds etc. The opportunities for the children of the poor masses are rationed like bread.<sup>26</sup>

Moreover, public opinion is so much convinced by the influence of a long standing traditions of educational inequality that they have accepted it a social fact. Equality of educational opportunity is still largely only a paper realization. The inequality in educational opportunity could only be eliminated if the society becomes unstratified or the school system is totally undifferentiated. Neither outcome appears likely in the liberal countries and the present inequality in education and occupations will persist.

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## **POTENTIALITIES AND LIMITATIONS OF EQUALITY**

There has been a continuous debate whether adequate equality has been achieved in liberal countries. To a considerable extent, the problem of equality in the liberal societies boils down to the complex relationship between politics and economics. Although people are more equal socially than they were before the advent of the welfare state in the twentieth century, yet basic inequality in terms of power, prestige and wealth continues. While the liberal democratic state

preaches public principles of impartiality and open government, it allows inequality in the economic sphere associated with capitalism. The liberal-capitalist society generates massive inequalities in the distribution of wealth both through inheritance and personal achievements in the occupational field. At the industrial level, people experience a society which is economically unequal while the political stage suggests that democracy is open, free and equal especially at the level of opportunity. The government, being a welfare state, cannot ignore the welfare and redistribution of resources, but at the same time, it has to pay attention to the requirements of free capitalist economy. The socialist state (see Marxist view of equality) have tried To solve this dilemma but the results have not been encouraging.

Recently, American political sociologists like Talcott Parson, Kingley David, E.M. Wilburt have declared that inequality is a necessary condition of all social organisations. Instead of worrying about the origin of inequality and social classes, they have attempted to demonstrate that social differentiation and stratification are indispensable to the very existence of the social structure. Each society has functional norms which promote the kind of inequality to be desirable. However, since the history of the idea of equality has been, to a considerable extent intermittent and sometimes violent, it is desirable that the debate over equality should be an unending one with every new resolution a beginning for a new one.

## **RELATION BETWEEN LIBERTY AND EQUALITY**

The relation between liberty and equality has been one of the interesting controversies of liberalism. The root of the controversy is: Are liberty and equality opposed to each other or are they complimentary to each other. In the modern constitutions we find

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a frequent association of both liberty and equality in the list of fundamental rights. But they have not always been the same. The English liberal tradition seemed to place more emphasis on liberty while the French tradition had always sought to secure recognition of the principle of equality. Historically speaking, early negative liberalism preferred liberty to equality. It held preservation of liberty in the sense of ‘absence of restraints’ as the principle function of the state and any concession for equality beyond ‘equality before law’ was deemed as exceeding the proper scope of the functions of state. Positive liberalism as developed in the twentieth century takes the opposite view. It considers equality as something good and basic to liberty. It holds both the attainment of liberty and equality as complimentary to each other.

### **LIBERTY AND EQUALITY—OPPOSED TO EACH OTHER**

Liberty and equality as opposed to each other has been an important current of early liberalism. Classical liberalism gave so much importance to liberty that equality became a slave of it. It believed that liberty is natural and so is inequality. So by nature liberty and equality are opposed to each other. Early liberal thinkers like Locke, Adam Smith, Bentham, James Mill, Tocqueville felt that there should be minimum of restrictions on the liberty of the individual. Liberalism during this era was based upon the concept of free market and open competition among the egoistic rational individuals and it believed that the outcome of economic competition, though

unequal, is benevolent and progressive. This legitimization of inequality had a strong emphasis on and commitment to the doctrine of individualism. At political level, it asserted that there is a necessary contradiction between liberty and equality. Whereas liberty is associated with the individual, equality is concerned with social intervention. Hence any attempt to remove inequality involves considerable social and political intervention to equalise conditions and to remove existing privileges. However this intervention must interfere with the individual and his private exercise of freedom. Early liberals believed that no individual will voluntarily give up wealth and privileges in an unequal society and as a result, programmes of social equalization must interfere with the democratic rights of the individual. Only the individual is fully able to know and express his peculiar needs and interests; it is inappropriate for the state or some other body to interfere in

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the life and liberty of the private citizens. Liberty, choice and money were closely interwoven in early liberalism. The wealth of the rich also constituted their liberty and that in being coerced to part away with their wealth meant a double encroachment of their freedom.

In the twentieth century, the theory has been supported by Bagehot, May Stephen, Hayek, Milton Friedman, Mosca, Pareto etc. They believe that given the financial and social inequalities, a political programme to secure social equality of conditions or equality of outcome would require massive social and political regulation by the state resulting in totalitarian and authoritarian regime. According to Hayek, 'From the fact that people are very different, it follows that if we treat them equally, the result must be inequality in their actual position and that the only way to place them in an equal position would be to treat them differently. The equality before law which freedom requires leads to material inequality. The desire of making people more alike in their conditions cannot be accepted in a free society and is a justification for further and discriminatory coercion'.<sup>27</sup> Similarly Keith Joseph writes, 'The pursuit of equality has in practice led to inequality and tyranny is not a mere accident'. In other words, the price of significant equality would be political despotism which would subordinate individual talent and achievements. In the name of equality, the state unnecessarily increases its powers and restricts the rights and liberties of the people'

Radical equality of persons and outcome requires a totalitarian system of regulation. However, even this is no guarantee to equality. In practice, the so called authoritarian regimes have never achieved total regulation. Since human beings are averse to absolute regimentation, some degree of inequality of outcome appears inevitable despite all social and political attempts to eradicate such inequalities. Hence regardless of ideology, the achievement of equality is a problem.

The supporters of the elite theory of democracy believe that people are politically unequal and to save democracy and liberty from mobocracy, it is essential that only elites (i.e. individuals and groups who are superior and hence unequal) should participate in the political process. In other words, to retain political liberty, inequality and not equality is the basis of liberty.

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In short, liberty and equality are incommensurable; liberalism stands for liberty; equality is desirable only before law; political equality should be limited to right to vote and election of elites; social and economic equality, insofar as it increases the powers of state, is a threat to liberty.

## **LIBERTY AND EQUALITY AS COMPLIMENTARY TO EACH OTHER**

The early liberal argument that equality and liberty are mutually exclusive assumed an inevitable conflict between personal interest and social requirements. But this dichotomy of individual versus society proved false historically. The demand for economic and social equality raised in the nineteenth century by the socialists and positive liberals made equality the prime requirement of liberty. Positive liberals maintained that liberty and equality are complimentary to each other and the state was assigned the task of correcting the social and economic imbalances through legislation and regulations. The main supporters of this viewpoint are Rousseau, Maitland, T.H. Green, Hobhouse, Lindsay, R.H. Tawney, Barker, Laski etc.

Positive liberalism saw the individual as a social being whose personal desires could be satisfied in the context of a cooperative social relationship and in a social environment. It interpreted liberty as 'equality of opportunity' which meant that opportunity should be given to everyone to realize the 'implications of his personality.' to provide such opportunity, deliberate social restraints need to be placed upon the individual freedom. As Tawney wrote, The liberty of the weak depends upon the restraint of the strong and that of the poor upon the restraint of the rich. Everyman should have this liberty and no more to do up to others as he would that they should do him<sup>28</sup> Liberty demands that none should be placed at the mercy of others. By securing opportunities for all to be their best selves, liberty makes equality real. Without liberty, equality lapses into dull uniformity.

Without the satisfaction of economic needs, liberty cannot be realised. In a society of economically unequals, gross inequalities make liberty a privilege of the few. As Laski wrote. 'An interest in liberty begins when men have ceased to be overwhelmed by the problem of sheer existence; it is when they have a chance of leisure, economic sufficiency and leisure for thought, these are

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the primary conditions of the free man<sup>29</sup> Equality which aims to put an end to gross inequalities of wealth and power is the true basis of liberty. Wherever there is inequality, liberty is thwarted. To quote Tawney again, 'A large measure of equality far from inimical to liberty, is essential to it. A society which permits gross inequalities cannot secure political or civil liberty. Where there are rich and poor, educated and uneducated, we find masters and servants<sup>30</sup> Inequality of wealth results in the division of society between rich and poor where the rich use their wealth to capture power and use it for their selfish ends. Likewise if there is social inequality, people cannot enjoy liberty. For example, the untouchables, scheduled castes and tribes who are both socially and economically unequal cannot enjoy liberty. Similarly, equality in justice is a primary condition for the attainment of civil freedom but the inability of the poor to employ skillful lawyers becomes a fatal bar to get justice. Thus as Pollard writes, 'There is only

one solution to liberty and it lies in equality. Liberty without equality can degenerate into a license of the few.'

Positive liberals did not agree with the view that state regulation in the economic and social spheres will lead to authoritarianism. On the other hand, as Hobhouse wrote, the state has been driven by the manifest teachings of experience that liberty without equality is a name of 'noble sound and squalid results'. Rightly understood, the welfare legislation appears not as an infringement of the two distinct ideals of liberty and equality but a necessary means of their fulfillment. The social legislation in the field of unemployment, health insurance, old age pension, free education, increase in the general amenities etc. have gone a long way to reduce the inequalities in the society. Rather the limits of improvement in this direction of greater equalization is yet to be reached. Both equality and liberty are complementary and one is not complete without the other. Both have a common end: the promotion of individual personality and the spontaneous development of his personality. In this context both liberty and equality complement and supplement each other. Without liberty, there can be no equality and without equality there can be no liberty. Both have to be reconciled. As Deane writes, 'Liberty and equality are not in conflict or even separate but are different facets of the same ideal... indeed since they are identical, there can be no problem of law or to what

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extent they are or can be related; this is surely the nearest; if not the most satisfactory solution ever devised for a perennial problem of political philosophy'.<sup>34</sup> Similarly, Gans writes... 'there is no inherent conflict between liberty and equality. The society we must create should provide enough equality to permit everyone the liberty to control his or her own life as much as possible without inflicting undue inequality on other'.<sup>35</sup>

However, inspite of reconciliation between liberty and equality, even positive liberalism prefers liberty to equality. For example Barker writes that whatever claims be made in the name of equality it cannot be viewed in isolation for the principle stands by the principles of liberty and fraternity. But still there are reasons for thinking that liberty matters even more than equality. It is greater because it is more closely connected with the supreme value of personality than the spontaneous development of its capacities. It is greater because the cause of liberty unites men together in something which each and all can possess, while the cause of equality, exclusively pressed, may make them sink into jealousy of supposed forms of invidious difference and produce division rather than unity'.<sup>36</sup> Equality, if pressed to the point of uniformity, would defeat its own purpose, 'the subject will become the master and the word is turned topsy turvy'

## **EQUALITY AND JUSTICE**

Like liberty, the relation between equality and justice is also a controversial one. As we have seen above, what we find in society is not equality but a number of inequalities both natural and man-made, such as inequalities of age, sex, ability, education, social status, wealth, opportunities etc. Inequalities of wealth and social status lead to inequalities of power and dependence, and subordination of many to the will of the few. Historically speaking, such inequalities have not only been justified but also perpetuated. The Greek philosophy of justice as explained by Plato

was based upon birth and caste. Early liberalism while championing the cause of legal and political equality did not bother about the economic and social inequalities resulting from freedom of contract, open competition and private property.

However, with the advent of socio-economic equality, the struggle against the prevailing inequalities became an important element

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of justice. Today equality is invoked by every theory of justice in one form or the other. Justice demands that politics should operate to produce equality of opportunity, equality of treatment, uniform distribution of goods and services, one-man one-vote etc. Again only by applying the principle of equality before law and equal protection of law, one can be sure that his case will be treated at par with others. Equality thus becomes central to the theory of justice.

No discussion of the relationship between equality and justice would be complete without talking about John Rawls who has attempted to outline a social theory of justice which would reconcile the liberal theories of rights and liberties with social egalitarian conception of economic and social equality. According to him, a just society would involve the maximization of equal basic liberties where liberty of one person would not conflict with the liberty of others. Also he outlines a set of proposals which would establish a sense of justness with respect to social and economic inequalities. These inequalities, according to him should be so arranged that i) they contribute to the greatest benefit of the least advantaged in the society, and ii) the offices and positions should be open to all under conditions of equality of opportunity. His general conception of justice is that all essential social goods should be distributed equally among all unless an unequal distribution of these goods would be to the advantage of the least favoured members of society. In simple words, it means that the inequality above the income median is socially desirable from the point of view of justice only when it helps to reduce the inequalities which exist below the median. Equality is desirable because the principle of justice based on equality brings an increasing benefit to all members of society, especially the least favoured. But it must be noted that Rawls does not rule out inequalities altogether in case they serve, for example, as incentives, creating a greater stock of goods for redistribution to the least advantaged.

The relationship between equality and justice can also be understood at more abstract and fundamental level, namely, the ideal of equality not in the sense of equal distribution but as 'treating people as equals'. Justice demands that, at least at theoretical level, governments treat its citizens with equal consideration. Each citizen is entitled to equal concern and respect. According to

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Kymlicka, this more basic notion of equality is found in Nozic's libertarianism as well as in Marx's communism. While libertarians believe that equality means equal right over one's labour and property, the Marxists take it as equality of income and wealth. Any theory which claims that some people are not entitled to equal consideration from the government, or if it is claimed

that certain kind of people just do not matter as much as others, then most people in the modern world would reject that theory immediately.<sup>38</sup> In this context, Dworkin has gone to the extent of saying that every plausible political theory has the same ultimate value, which is equality, and that 'each person matters equally' is at the heart of all contemporary theories of justice.<sup>39</sup>

## MARXIST NOTION OF EQUALITY

In the Marxist-Leninist philosophy, equality is defined as 'abolition of classes and equal social status for all'.<sup>37</sup> It denotes identical conditions of people in the society, but having different contexts in different historical epochs and among different classes. In the liberal society, equality has been taken as equality before law while the exploitation of man by man, economic and political inequality and the actual absence of rights for the working people remain intact. Liberal theory proceeds from the right of every man to own private property but the main thing i.e. relations to the means of production is not taken into account. Marxism proceeds from the premise that whether it is economic equality i.e. in the sphere of production, distribution and consumption of material wealth; political equality i.e. classes, national or international relations; or cultural equality i.e. in the sphere of production, distribution and consumption of cultural values—all of them are impossible without the abolition of private ownership of the means production and liquidation of exploiting classes.<sup>38</sup> 'We want to abolish classes and in this sense we are for equality' wrote Marx. Similarly Engels wrote that the demand for equality has either been the spontaneous reaction against the crying social inequalities, against the contracts between rich and poor, feudal lords and the serfs, slaves and masters, the surffiters and the starving; or the demand has arisen as a reaction against the bourgeois demand for equality and serving as an agitational means in order to stir up the working class against the capitalists. In both cases, the demand is for the abolition of classes.<sup>39</sup> In the same vein, Lenin felt that

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only the abolition of classes will achieve social equality and help promote the all round development of human personality.

Just as the bourgeois demand for equality was made in relation to feudalism, the same demand is made by the proletariat against the capitalist class. For the proletariat, equality means (i) abolition of the private ownership of the means of production; (ii) end of human exploitation, (iii) elimination of classes, and (iv) eradication of all political and cultural discrimination against the proletariat. The socialization of the means of production must precede the universal obligation to work and equality of pay regardless of age, sex or nationality, though wages may be according to the quality and quantity of work. Marx emphatically rejected the possibility of establishing equality between men in the sense of equality of physical and mental capacities; for him, the aim was not leveling but an enhancement and differentiation of personal needs. Marx claimed that only by collectivizing the means of production and by material incentives would the productive forces be developed to a point where every human need is finally satisfied in a fair measure.

The question of establishing equality in the socialist/communist societies came to the forefront after the Russian Revolution. During the phase of the Dictatorship of the Proletariat, Lenin



declared that the socialist system retains some elements of social inequalities owing, among other things, to the inadequate development of material production, the survival of substantial distribution between mental and physical labour, between town and country. Political inequality must also operate to the detriment of the former class of exploiters for whom there would neither be democracy or rights. This is because classes as such would not be entirely abolished despite class antagonism. After collectivization, Stalin claimed that the economic antithesis and social gaps between industrial workers and the peasants were decreasing and becoming blurred. Classes still existed but they were now harmonious and they tended to draw closer prior to the formation of a classless society. All citizens had the same political rights; all enjoyed electoral franchise and eligibility for getting elected to the Soviets. On the other hand, there could be no equality for the non-conformists or equal opportunities for the potential opposition—an aspect which was criticized by Rosa Luxemburg after the revolution.

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The Constitution of USSR established equality of rights of Soviet citizens in all spheres of economic, cultural, social and political life. During the early years after the revolution, the policies of the Communist Party were extremely tilted towards equality. Examples of this trend were: virtually equal remuneration for all types of work, equal ration, equalization of property, abolition of ranks and titles etc. However, subsequently, when industrialization was launched, the demands of technology necessitated the training and employment of skilled labour and specialization. This in course of time led to the emergence of a new class of intelligentsia with the result that several scientists, artists, leading party functionaries, senior government officials sometimes earned 20-30 times higher salary than the ordinary workers. The end of 1930s saw the establishment of a class structure which was highly differentiated.

The extreme inequalities of the Stalin era were largely overcome by raising the minimum wages, socialization of the means of production, uniform wage fixing, a relatively standardized supply of consumer goods etc. Similarly social and political control over process of basic foodstuffs, fares, rents etc. helped greatly in achieving economic equality. Difference in status and income was also mitigated by the welfare facilities and services available to all citizens such as free medical care, creches, day nurseries etc. Considerable progress was achieved in the equality of women. Again, all the tuition fees were abolished in 1956 in the educational establishment. A systematic large scale development and promotion of educational facilities enable, at least in law, any soviet citizen to receive education suited to his needs and ability.

However, the political field offered a different picture. The system of government remained centralized and authoritarian and the whole apparatus continued to be controlled by the politbureau of the CPSU. This group virtually controlled the means of production and distribution of national resources, formulated ideological policy and manipulated public opinion through strict control over press, radio, television etc. This prevented the masses from becoming fully aware of the prevailing inequalities and its implications.

In the Western liberal societies, where equality is constitutionally guaranteed as a political and legal principle, one's attitude towards its acceptance or its opposition is tolerated as an expression of

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ideological opinion. Toleration of the most diverse opinion is essential to the political principle of equality. When comparing the extent to which such a demand has been met in the liberal or in the communist regimes on the soviet model, one finds that the latter lagged far behind.

To invoke an ideal society in the name of equality when in practice intensifying inequality in the form of repression of those who are unequal—whether through the Dictatorship of the Proletariat or by some other authoritarian regime—is so out of keeping with the normal trend of industrial society that one is compelled to question the principles of economic and social equality propounded by Marxism and practised in the erstwhile communist states.

## 4 Concept of Justice

### Meaning of Justice

The concept of justice is as old as man himself. In every era, the concept of justice was discussed in various forms for reforming the conditions prevailing at that time. Being a very complicated concept, it is very difficult to define it. As far as linguistic meaning of justice is concerned, it is derived from a Latin word 'Jus' which means restriction or to restrain. Thus, justice means that social set-up in which every body is restrained by mutual relations. Everybody in the society is related with the other members of the society as father-mother, sister-brother, master-servant, friend-foe, teacher-taught, ruler-ruled etc. In these relations, some rights and duties are concerned with everybody. Justice means to carry on these relations very well. When an individual makes use of his rights and performs his duties, i.e., he behaves with others in a desired way, he is doing justice. According to C.E. Merriam, "Justice consists of in a system of understandings and procedures through which each is accorded what is agreed upon as fair". Three following conclusions can be drawn out of the statement of Merriam, given above. Firstly, justice is based on the principles prevailing at that time. Therefore, Merriam says that with the change in the prevailing circumstances, the point of view regarding justice also changes, i.e., the concept of Justice is growing. Secondly, justice is concerned with a procedure following which the courts decide about justice according to the laws prevailing at that time. Thus, for the establishment of justice, judiciary, definite laws and legal procedure are essential. Thirdly, some rights and facilities are necessary for human development, therefore, the aim of justice is to provide those rights and amenities to the individual, which are sanctioned by the society and which are extremely essential for the development of man.

Most of the political philosophers see justice from the point of public welfare. In fact, justice has become synonym of welfare. Aristotle, Thomas Aquinas, Kant and Mill philosophers have seen justice as a feeling of human welfare. Even the communists accept the existence of justice in the communist society, because it will be an equal society without exploitation, in which everybody will have full opportunities for development and the individual will make efforts for social good after getting his rights. According to Hume,

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"Public utility is the sole origin of justice." Emphasising the public side of justice, J.S. Mill has said, "Justice is a name for certain classes of moral rules, which concern the essentials of human well-being more clearly, and are therefore, of more absolute obligations than any other rules for guidance of life." This very concept of justice is accepted in the modern era.

## Development of the Concept of Justice

Justice has been an important subject of discussion of the political philosophers of East and West.

(a) Justice in Indian Political Thought. Very much of importance was attached to justice in the Indian Philosophy, in the ancient times. The characteristic of the ancient Indian philosophy is that in India, during that very period, that legal concept of justice had been accepted which has been given by the Western thinkers in the modern period. Manu, Brihaspati, Somdev, and Kautalya were such thinkers.

The two categories of cases in the modern period—civil and criminal— had been divided by Manu, in ancient India. According to Kautalya, justice is the life of the state. His point of view was that the state, which does not make provision for impartial justice for its subjects, will be destroyed soon.

(b) Justice in Western Political Thought. In Greece, before Plato, there were three forms of justice—liberal, extremist and empirical. The liberal theory was expounded by Syphlus and Polymacus. They said that when an individual pays his debt, i.e., behaves with the enemies like enemies and with friends like friends, he is on the path of justice. The extremist theory was expounded by Presymocus and according to him, justice is the 'right of the strong'. Justice means behaviour according to law. The man in power formulate laws for their own interests. Therefore, it is in the interest of the strong. Gloucan expounded the empirical theory. He said that justice is the interest of the weak. He said that, in the absence of justice, the strong harass the weak. The weak ones framed laws for limiting the oppression of the strong through mutual contract.

Plato expressed his ideas against all the concepts of justice prevailing before him. He made justice the basis of his whole ideology. He gave justice so prominent a place in his 'Republic' that the sub-heading given to the book was 'concerning justice'. According to Ebenstein, "In the discussion of justice all elements of Plato's political philosophy are contained." Plato has used the word justice from moral point of view. He has put forth two forms of justice—individual justice and social justice. He sees three factors in human soul—Appetite, Spirit and Wisdom. The most just state is that in which everybody works and chooses professions according to his main factor. That is why he says that there are three classes in every state—ruling class, military class and productive class. These three classes represent the three classes of human souls. According to Plato, a just man is he who works according to his special nature and ideal and just state is that in which rulers,

fighters and artisans do their special work. Thus, to understand the just man, it is necessary to understand the justice present in the state, the bigger form of the individual, Plato says, "A man is just in the manner in which a city is just."

Aristotle has discussed the concept of justice in another way. According to him, there are two forms of justice—Distributive justice and Corrective justice. Distributive justice is that in which ability for getting the political office is the service done towards the state. Corrective justice means that while fixing the mutual relations of the two citizens, the social life should be kept organised.

Saint Augustine considers justice as the main factor of state of God. He says that a state without justice is a group of dacoits. In the 13th century, Thomas Aquinas considered law and justice mutually related.

## **Legal, Political and Socio-Economic Dimensions of Justice**

Though the various sides of justice are discussed, yet these sides are not fully different from each other. Like the interdependent various aspects of the whole social system, the various aspects of justice also are interdependent. But for studying it conveniently, it may be divided into legal, political, social and economic justice.

### **1. Legal Dimension of Justice**

Law and justice are very much inter-related. The law establishes customs already prevailing in the society. The formation, borders, and the behaviour of the state being based on justice, it is called just. In democratic countries, law can not be separated from justice. The legal aspect of justice can be studied on the following bases.

(a) Laws should be just.

(b) Justice according to law.

(a) Law should be just. Just law means that it should be based on justice. There can be three forms of it. Firstly, the law is just when it is made for public interest. Sometimes, law is framed to replace the rotten customs of the society. Common man may oppose them because of their conservatism. But the laws framed for the broader interest of the public are just. The progressive laws, framed for referring the bad customs, come in this category. Secondly, the formation of just laws is possible only through the legislatures elected by the people. In an arbitrary administration, the law is obeyed not because it is just but because it is based on fear. Thirdly, for making the laws just, it is necessary that it should be based on social values and social morality. Not only this, the unwritten principles prevailing in a society, traditions and customs, are important like written laws for establishing justice. In this connection, the example of the Common Law of England may be given. Barker says, "Authority gives validity to law and justice gives it value.....a

law has value, so I am found to obey it not legally, and not only by an outward compulsion, but also morally and by an inward force, if it possesses the inherent qualities of justice."

(b) Justice According to Law. Justice is concerned with the procedure of law also. It means that it is not enough that law should be just but the procedure of law also should be just. If the law is implemented arbitrarily, it can not remain just. Therefore, it can be said that with the law being just, the procedure of implementing it should also be just. According to Article 21 of the Indian Constitution, "No person shall be deprived of his life or personal liberty except according to the procedure established by law." Thus, for the establishment of justice, it is essential that if the government of India wants to curb someone's rights, it shall have to follow the procedure given in the law concerned. If it is not done so it will be considered breach of justice.

The justice according to law means that everyone will be considered equal before law. Moreover, all will be provided equal protection of law. Equality before law is the negative aspect of justice, which means that there will be no privileged class in the eyes of law, and the law of the land will be equally applicable to all. 'Equal protection of law' is the positive aspect of justice, which means that, in equal circumstances, all will be equally protected by law. For the establishment of justice, it is given in Article 14 of the Constitution that "The State shall not deny to any person equality before the law or the equal protection of the law within the territory of India."

## 2. Political Dimension of Justice

The government influences all the persons of the society. Therefore, the political power should be used in such a way that the interests of all may be satisfied. They may get such opportunities that they may influence the government equally. This is called political justice. This position can be available only in the democratic countries, because it is in such countries that the adult persons can take part in the procedure of government without any discrimination.

For the establishment of political justice, three conditions are necessary. Firstly, the democratic institutions may be established in political life of the society, so that these institutions may represent public interest, and may fulfil the same. This work is possible through popularly elected legislature and executive. Not only this, protection of the freedom of judiciary also is a part of justice. It can be said in brief that to establish justice in a country, it is necessary that constitutional government should be established. Secondly, political justice is that condition in which the citizens have the freedom to express their ideas, and they may criticise the government and its policies. Thirdly, the people should have the right to organise associations, institutions and groups to protect their interests. They may communicate their ideas to the government through political parties and the pressure groups. Thus, they may oppose or support the government policies. They may express the rejection of

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governmental action against public interest through peaceful opposition. Through democratic and constitutional means they may force the government to change their policies.

## 3. Social Dimension of Justice

The concept of social justice originated in ancient times. Social justice means that there should be no discrimination against any citizen on social grounds. They should be given opportunities for self-development. It is necessary for the establishment of social justice that the political authority should establish such a system of legislature and executive which may establish such a society which is based on equality. This, social justice is available in a society where all men are equal and there is no discrimination on the basis of religion, caste, colour, mode of living etc.

The system of social justice is as necessary as complicated. In society, there are certain diversities. There seems to be a struggle among them. Therefore, to implement the point of view of social justice is very difficult. In India, there are so many types of diversities, and sometimes, there is clash in their mutual interests. Because of religions and caste differences, this question becomes very complicated as to what is the form of justice and to which extent can the state establish it. In spite of all this, the following ideas can not be ignored for the establishment of social justice.

(a) Abolition of differences on the basis of caste and colour. It is necessary for getting social justice that the difference based on caste and colour should be abolished. The bad effects of casteism have been ended by constitution of India. The discrimination against the so called low or untouchable castes has been legally ended. The state may use force to end it. But social justice can not be established by ending the unjust social customs through law. Social consciousness also is needed for it. Colour prejudice is going on in Africa. The White persons, in minority, are not giving equal rights to the Blacks who are in majority. In spite of the world opinion against Apartheid, the discrimination is going on there.

(b) Limit of intervention of state. This also is controversial as how far the state should intervene for social justice. There are certain spheres of social life, in which the free speed of the growth of social organisation will be blocked by state intervention. Social customs should be kept free from state intervention, even though the customs of different societies are different. Thus, the growth of the idea of morality should be in a free atmosphere, even though those moral principles are different in different societies. Religious faith is a personal sphere of the individual, and the intervention of the state is intolerable. The function of the state is to defend the religious faiths, not to propagate or spread any particular religion. MacIver has said that the state should not intervene in religious faiths or moral principles.

In spite of this, establishment of law and order, for the protection of public property and for public moral life, state intervention is right.

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(c) No discrimination in the use of public places. Now it is universally accepted in the cultured societies that there should be no discrimination on any ground regarding the use of public places. The use of bank, cinema, hotel, educational institutions, wells, ponds, shops etc. should be open for all. The Indian constitution has ended the discrimination, in the use of above given public places, on the ground of colour, caste, religion, family language etc.

#### **4. Economic Dimension of Justice**

Thinkers have been studying, from ancient times, regarding the economic justice. Aristotle called economic equality wrong. Kautalya said that the state will perform its economic duties in such a way that the economic interests of the weaker section will not suffer. Marxism gives top priority mainly to the economic justice.

The meaning of economic justice is the provision of equal opportunities to the citizens to earn money and to use this money for the satisfaction of the necessities of their life. Not only this, economic justice implies this also that the society should help its helpless class, which can not earn money. In fact, to realize the dream of economic justice it is necessary that all should be equal participants in the property and income of the nation, and the national property should not be allowed to be concentrated in a few hands and the major part of the society is debarred from it. The following ideas are important in the establishment of economic justice.

(a) It is essential to fulfil the minimum material needs. In a society, where minimum material, needs of the people are not fulfilled, imagination of the economic justice is not possible there. Democracy political justice and rights etc. ideas will be useless because, till the minimum fundamental needs are not fulfilled, the individual will remain busy in securing them and he will be exploited economically.

(b) Unearned Income should be limited. It is necessary to restrain the unlimited use of hereditary property. It will decrease economic inequality, and it will be useful in the just distribution of wealth.

(c) Equality should be established among the equals. Economic justice means that equal pay should be given for equal work. Workers doing the same type of work in an industry should be given equal wages. Peons working in an office should be given equal pay, clerks should be given equal pay and, similarly, officers of the same status should be given equal pay. Equal pay to the labourer digging earth and the teacher is not economic justice. Economic justice establishes economic equality among those who do the same type of work.

(d) Everybody should work according to his ability and his general needs should be fulfilled. It is necessary for the establishment of economic equality that every individual should work according to his capacity and, in return his general necessities should be fulfilled. If someone does not work according to his capacity, he has no right to fulfil his needs.

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(e) The question of state intervention in the economic field. The question of state intervention in the economic affairs is very controversial. On the one hand, the capitalist society is against state intemention in economic affairs, on the other hand, in the communist countries, the whole economic sphere is under the state, and the individual has no right to earn personal profit in the economic sphere. In fact, both these points of view make the individual dependent in the economic sphere. In the capitalist countries the. individual is exploited by the capitalists. In the communist countries, he depends on the state for his economic development. Both the powers economic and political-being in the hands of monopolists, the qualities of the individuals can not develop fully.

Therefore, the idea of mixed economy is being accepted these days. On the one hand, the state works for the welfare of the people in the economic sphere, on the other hand, in the private sector, the individual has a chance to prove his merit.

## CHAPTER 5 THEORIES OF DISTRIBUTIVE JUSTICE

Justice is the highest good of political life yet it is injustice which dominates political debates. It is easier to identify and deplore injustice than to define precisely what is just. Different ideologies have produced radically different theories of justice. Justice is kind of ultimate concept, a value to which either other values are subordinated or the value which synthesizes other political values like rights, liberties, equality and property. Thus any discussion of justice has to take into account the multi-dimensional character of the concept.

Justice is a flexible terms which is stretched to fit any idea of good. The Greek philosopher Plato tried to define justice as virtue. For him justice is not to give every man his due but is based upon 'just proportion' among various parts of society. As an egalitarian concept, justice is there where highest place is accorded to the value of equality. In the liberal scheme of things, justice lies in liberty. The utilitarian concept understood justice as 'the greatest good of the greatest number.' Some identify justice with duty, others with the maintenance of law and order, still others with social ordering of individual rights. Some relate it with legal system and punishment. Socialists base justice upon 'need and fundamental equality' 1.

In political arguments, justice is regarded as the property of distribution of something. According to Kolb, justice is used in two senses (i) to give man his due, and (ii) setting right of wrong either by compensation or by punishment<sup>2</sup>. In the first place, justice is concerned with deciding the principles of allocation of rights and duties, material goods, security, dignity and opportunities in

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the society. Since the distribution of goods and services is determined by historical circumstances of a particular society, the principles of justice are never absolute and keep on changing with the change in circumstances.

Secondly, justice is related with the legal system and punishment. If what is due to man is because he is man, then it is natural justice. If what is due is according to certain customary rules which happen to be accepted by the community, then the justice is conventional. If the due is in virtue of a rule the breaking of which makes the breaker answerable for his action or actions to the public power, then the justice is legal.

According to D.D. Raphael, 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)<sup>3</sup>. According to Gurvitch, the term justice is used in two senses: (i) it is the



faithful realization of the existing laws as against any arbitrary infraction of it, and (ii) it represents the ideal element in all the law—the idea which the law tends to subserve. It is only in the latter sense that the terms can have a separable and substantial meaning. In this context, the term is understood too broadly and is seen to merge with the entire content of morality.<sup>4</sup>

## CRITERIA FOR JUSTICE

In the contemporary political thought, justice is regarded as a property of distribution of something. It depends upon what is the criteria for distribution of goods and services. In modern democratic societies, three criteria are usually offered, i.e. Equality, Merit and Need.<sup>5</sup>

Since eighteenth century, with human equality and rights of man having been universally accepted, equality has been a fundamental presumption of the theory of justice. The demand of justice is that all men are equally deserving unless proved otherwise. Equality before law, for example, has gradually become a tenet of a reformed legal system. Similarly, economic equality in the form of egalitarianism, social equality in the form of non-discrimination on the basis of caste, creed, colour etc, and political equality in

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the form of universal adult franchise and other political rights are considered the minimum requirements of justice. However, a belief in equality does not necessarily lead to a just society because men differ in different ways and they deserve different treatment. What equality requires is that ‘equals should be treated equally and unequal unequally’. Nevertheless, a notion of equal treatment must reside in any theory of justice.

The theory based upon merit, desert or entitlement makes a distinction between men on the basis of merit and justifies different rewards. Man’s moral worth or intrinsic virtues and talent deserve reward and reward should be backed by his contribution to the society. Historically, the idea of merit played a progressive role in challenging the idea that people were entitled absolutely to whatever they happen to inherit or acquire—the rich their wealth and poor their poverty. With the rise of the capitalist society, merit became a major criterion for justice. A new social element was used that those who contribute most deserve the most. Merit measured by contribution is the mainstay of liberal theory of justice based upon the assumption of ‘equality of opportunity’, the assumption that everyone has equal choice to make a contribution and so to deserve his reward.

The theory of justice based upon need presupposes everyone’s humanity and equal right to have their needs satisfied irrespective of their merit as is suggested by the socialist maxim ‘From each according to his ability and to each according to his need’. This criterion holds that human beings a priori have equal right to respect, dignity and freedom and these can be enjoyed only if their basic needs are satisfied. But the practical question ‘what is need’ is very vague. For example, the minimum income needed to keep an American citizen above the poverty line would make an Indian relatively rich. Similarly, good health is a universal need but the standard of medical care considered adequate varies from country to country. The system of payment according to need may be disadvantageous because the talent goes unrewarded.

None of the criterion is problem free. Equality has no measure. The criterion based upon need reflects the fundamental idea of human equality and happiness at the cost of individual talent while the one based upon merit gives importance to the different worth

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of the individuals and leaves the undeserving in the lurch. A true criterion of justice lies in the synthesis of all the three, i.e., equality, merit and need.

## **THEORIES OF JUSTICE**

### **GREEK AND ROMAN CONCEPTS OF JUSTICE**

The concept of justice has been dynamic and multi-dimensional. In every society, there is a different concept of justice. In his book Republic, Plato, the great political philosopher of Greece gave an ideal concept of justice. He conceived of justice as perfectly adopted to man's nature and which can be discovered by reason. He treated justice as one of the four principles of virtue, the other three being temperance, wisdom and courage. Justice was regarded as the supreme virtue, which harmonises all other virtues. According to Plato, nature has made some men philosophic and contemplative— they are nobles; others valient and aggressive such as warriors, and the rest as good workers and artisans. Justice lies in 'sticking to one's station', i.e., duty, towards one's own work for which one is best suited. Again, since individual virtues are the reproduction in miniature of the virtues of the social whole, i.e., the state, one could discover the nature of justice only by studying the harmony of the state. This harmony consisted of each individual accomplishing the task which the state assigned to him. For Plato, justice meant balance and harmony that results from this.<sup>6</sup>

Plato's disciple Aristotle modified this hierarchical concept of justice by admitting that justice implies a certain degree of equality. This equality could be based upon (i) identity of treatment, and (ii) proportionality or equivalence. Identity of treatment leads to commutative justice and the proportionality leads to distributive justice. While the distributive justice is the business of the legislature, the commutative justice is the business of the judge. Aristotle wrote that political rights, honour, wealth and goods should be allotted according to distributive justice. On the other hand, punishment should be imposed and damages paid according to commutative justice. It is related to a judiciary whose duty is to restore the middle point of equality wherever it is lacking between the parties. Holding that the supreme criterion of the good is the just mean or the equilibrium, Aristotle recognized the third aspect of justice—justice as a moving equilibrium which seeks to reconcile

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the demands of distributive justice with that of commutative justice.<sup>7</sup>

### **STOICS AND ROMAN CONCEPTS OF JUSTICE**

For stoics, justice could be discovered by Reason and was superior to positive law and customs. It was natural in the sense that man could see how he ought to behave. It was divine and immutable and same for all men. Positive law, to be worthy of law, must conform to it. The natural law or justice of the stoics treated all men as equal. It consisted not of the rules that are actually common to all people but rules that derive from the essential nature of man. The Roman jurists absorbed this concept into their account of law. In Justian's Institutes, there is a clear distinction between the law prescribed by reason and the common law of the people (jus gentium). The Institutes included three precepts of justice: (i) it is the objective expression of the right order in a recognized and enforced body of rules; (ii) it consists in living up to one's position and not injuring the position of another; and (iii) actually and positively respecting another's position and rights. All this combined with the most pragmatic meaning of justice as the faithful realization of law. The idea of natural justice was taken over by the Christian fathers and survives among European people to this day. It was increasingly assimilated into the general law of the universe.

## **MODERN THEORIES OF JUSTICE**

The secularization of justice was accomplished only after the liberating effects of Renaissance, Reformation and commercial/ industrial revolution in Europe. The harbingers of this secular concept of justice were Grotius, Pufendorf, Bodin, Hobbes, Locke, Rousseau, Kant etc. Hobbes identified justice with the commanding will of the state. Locke, Rousseau and Kant associated justice with the synthesis of liberty, equality and positive law. Institutions such as feudalism, absolute monarchy and caste privileges were considered unjust and hence illegal. Justice could be realized only through the social contract which guaranteed liberty and equality.

Nineteenth century Europe was witness to some rival notions of justice. Bentham and Mill through their utilitarian theory associated justice with what was conducive to the happiness of mankind. Happiness consisted in the rights and liberty of every

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individual and with those rules and acts which affected human welfare. But they did not consider the gross inequalities arising out of capitalist property relations as unjust. Its critique was provided by Marxism (see next chapter) which related justice with the abolition of capitalist mode of production and the creation of a classless and stateless society. However, in spite of criticism, the utilitarian view of justice remained the dominant liberal view till the second world war. With the rise of welfare state in the post-second world war Europe, it was found inadequate. In this context, John Rawls' A Theory of Justice is a major contribution, which synthesizing liberty, equality and social welfare produced a liberal egalitarian theory of justice. The rise of libertarianism with its emphasis on free market, minimal state and absolute individual rights to freedom and property has advocated another theory of justice known as 'Entitlement theory of Justice'. This has been popularized by Robert Nozic in his book Anarchy, State and Utopia. Let us discuss these theories in detail.

## **UTILITARIAN THEORY OF JUSTICE**

The first comprehensive liberal notion of justice was provided by David Hume, Jeremy Bentham and J.S. Mill known as the utilitarian theory of justice. Hume declared that 'the public utility is the sole origin of justice'. Although there were elements of utilitarianism in the writings of Hume, its sustained and detailed development is found in the works of Bentham who declared that the principle of 'the greatest happiness of the greatest number was the measure of right and wrong or justice and injustice'. Utilitarianism in its simplest formulation claimed that the morally right act or just policy is that which produces the greatest happiness for the members of society. The utilitarian theory valued justice as the most important and most privileged of social utilities. In *A System of Logic*, Mill wrote that there must be some standard by which to determine the goodness or badness, absolute and comparative ends or objects of desire. And whatever that standard is, there can be but one...that the general principle to which all rules of practice ought to conform and the test by which they should be tried, is that conducive to the happiness of mankind' (Book VI, Chap. 12, Sec. 7). Justice for him, was the appropriate name for certain social utilities which are vastly important and therefore more absolute and imperative than any other. Justice is concerned with man's feelings that certain

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pain producing actions of others ought to be constrained since the security of a large number of men is involved. Positively, justice was concerned with those rights without which security of men perhaps of all men would be placed in jeopardy. In brief, from utilitarian point of view, Mill associated justice with rights, the affirmation of liberty of every individual and with those rules and acts which most crucially affect human welfare.<sup>8</sup>

As compared with previous theories of justice, utilitarianism had two attractions: Firstly the goals it sought to promote were not dependent upon God. The good, happiness, welfare or well-being was something that we all pursue in our own daily life. Secondly, it believed that all customs, rules, laws and actions should be tested against the standard of human improvement i.e. how far they increased the happiness of the individual. It believed in the old dictum, 'Man is the measure of all things'.

Thus in its radical form, utilitarian theory of justice was a strong weapon against prejudices and superstitions, providing a standard and a procedure that challenged those who claimed authority in the name of morality. It identified itself with reform-minded political programmes, extension of democracy, penal reforms, welfare provisions etc. The utilitarian heritage has been profoundly influential and the liberal tradition in Anglo-American law has reflected ever since the basic view that the maximization of social welfare is the proper objective of justice.

However, the theory was challenged in the twentieth century on a number of grounds and was found inadequate to the needs of liberal democratic welfare state after the second world war. Firstly, it was argued that what maximizes the total amount of happiness may differ from what maximizes the number of people whose happiness may be advanced. The utilitarian principle was a combination of two opposite principles. It threatened to oppress some members of the society in the interest of greatest good of the greatest number. It could justify sacrificing the weak and unpopular members of the community for the benefit of the majority. Secondly, the utilitarian theory also violates the principle of justice and can sanction acts which can be unjust.

For example, one might imagine a state of affairs in which a maximum amount of happiness would be produced and its distribution to the maximum

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number of people achieved by the enslavement of minority. So in principle, utilitarianism could be compatible with an unjust institution such as slavery. Similarly, critics have searched for more and more examples of morally deplorable actions which utilitarianism in principle can permit such as punishment of innocent, denial of minority rights etc. Lastly, questions were also raised about the nature of utility, its quantity, quality, whose utility etc.<sup>9</sup> As a result it was replaced by a more comprehensive theory of justice by John Rawls.

## **CONTRACTARIAN THEORY OF JUSTICE—VIEWS OF JOHN RAWLS**

The utilitarian theory of justice was replaced by an alternate theory of justice by an American philosopher John Rawls through his now most famous book of twentieth century A Theory of Justice (1971). The book has been compared in various ways with the works of Plato, J.S. Mill and Kant. The basic objective of the book was to provide a coherent theoretical foundations for a conception of justice that could be offered in opposition to the utilitarian point of view which had been dominant in the western liberal thought since nineteenth century, and to provide a theory of justice which could meet the needs of liberal democratic welfare state as emerged in the post-war period.

Rawls begins by describing justice as the first virtue of social institutions and sets out to discover what principles of justice are most defensible. In doing so, he develops a Contractarian theory of justice in the tradition of Hobbes, Locke and Rousseau. Since for Rawls, justice is the foundation of social structure, all political and legislative decisions must take place within the limits of the principles of justice. The primary domain over which justice operates is the distribution of goods. In Rawls's theory, these things are called 'Primary goods'. They are of two types:

- I. Social goods: goods that are directly distributed by social institutions such as income and wealth, opportunities and power, rights and liberties.
- II. Natural goods: goods like health, intelligence, vigour, imagination, natural talents which are affected by social institutions but are not directly distributed by them.

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How such goods are distributed in a just society will depend on what principles of justice are reflected in the system of rights; law process and positions that constitute the society functioning as a political entity.

As mentioned above, Rawls theory of justice is based upon the contractual view of society. The basic purpose of adopting the social contract is to show that the principles of justice which form the basic structure of society are the result of the original agreement. They are the principles that

free and rational persons concerned to further their interests would accept in an initial position of equality. These principles are to regulate all further agreements. According to Kelly, the contract theory as adopted by Rawls is based upon the assumption that political and social arrangements are legitimate only if society is conceived of as a voluntary scheme of fair social cooperation in which individuals are regarded as free and equal. The contract is crucial for Rawls because it provides a justification which accommodates this conception of individuals as free and equal. In short, the contract, though hypothetical, serves two purposes: i) it provides a mechanism for choosing the two principles of justice, ii) it aims to show why people ought to accept the terms of association specified by the two principles.<sup>10</sup>

Since the theory of justice is based upon contract, like Hobbes and Locke, Rawls also talks of a pre-social state of nature in which people would decide consensually on the form of society that they would agree to live in. His presumption is that given a chance, they will choose a society which is 'just under the sterile conditions of impartial choice'. He makes a number of assumptions about these individuals such as—i) all of them are mutually indifferent; as long as they satisfy their own interest, they do not suffer from envy, iii) in agreeing to form a society, they all seek to maximize satisfaction of their own interests like rights, liberty, opportunities, income or wealth, iv) they will be under a 'veil of ignorance' which prevents them from knowing the full details of others' talents. This situation in which people find themselves is called by Rawls as 'original position' in which everyone has 'particular wisdom' and 'general ignorance'. Rawls believes that the society chosen on these impartial grounds would be a just society and the concept of justice arrived at would be 'Justice as Fairness'

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Based upon the above presumptions and given a chance to decide on the form of society, Rawls says that each person would seek to advance his own interest but since no one is able to distinguish himself from others, he will favour principles which allow the maximum opportunity for the pursuit of one's life plans to everyone. In other words, everyone will choose a kind of society which minimizes his possible losses and makes sure that even the worst of persons is not too destitute in case he turns out to be such a person. Rawls calls this the 'maximizing principle', because it maximizes their minimum welfare. Of such people, no one would like to live in a slave-owning society because no one would risk becoming a slave although he may become a slave owner.

Taking maximum advantage and the distribution of primary goods, Rawls says that the people would choose two principles of justice:

- (i) each person to have an equal right to the most extensive basic liberties compatible with similar liberties of others.
- (ii) social and economic inequalities are to be arranged so that both are (a) to the greatest benefit to the least advantaged, and (ii) attached to positions and offices open to all under conditions of fair equality of opportunity.<sup>11</sup>

As people consider the above two principles of justice, they may realise that conflict is possible between them. That is, it is possible that a restriction on liberty of some individuals may

constitute an inequality that satisfy the second principle: it may result in an increase of goods that benefits everyone. But Rawls rules out such inequalities and declares that people will give first principle (i.e. liberty) an absolute priority over the second. Even an improvement in the welfare of everyone is an insufficient justification for inequitable abridgement of liberty. Crucial to Rawls' theory is the conviction that among the primary goods, self-respect is central and that a fundamental characteristic of human beings is their desire to express their nature in a free social union with others.<sup>12</sup> He writes, '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 liberty principle are fundamental contentions of justice.

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After deciding about the principles, according to Rawls; the next step is the choice of a constitution which satisfies the principles of justice and is best designed to lead to just and effective legislation. For this, the constitution will have to protect 'liberty of conscience and freedom of thought, liberty of the person and equal political rights'.<sup>13</sup> Thus at the constitutional level also, the principle of justice is subsumed into the principle of liberty. After the establishment of constitution, people have to decide about the proposed bills and policies. Legislation is largely concerned with the achievement of long term social and economic goals as well as to fulfill the principle that requires that 'social and economic policies be aimed at maximizing the long-term expectations of the least advantaged under conditions of fair equality and opportunity' Thus laws favouring the privileged are excluded as unjust unless they result in benefits which accrue to the least advantaged to the maximum extent.

At social and economic level, Rawls is in favour of redistributive justice. He considers the proper function of government as not only to maintain a social order but 'the achievement of distributive justice by placing the highest social value on the need of the neediest'. However, he does not believe in complete egalitarian distribution. He advocates privileges and inequalities—not in the utilitarian sense of maximization of social good—but in order to improve the plight of the least advantaged. This is because, according to Rawls, natural abilities and circumstances of birth foster privileges and inequalities and since such inequalities cannot 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. To reward those endowed with superior ability would be arbitrary justice. Justice properly understood calls not for rewarding those with, superior ability but for compensating those endowed with lesser ability. In short, justice is not an 'ethics of reward' but 'an ethics of redress'.<sup>14</sup>

Thus rising above laissez faire view of classical liberalism which believes in individual liberty but leaves the individual alone, and the highly controlled communist states that submerged the individual autonomy in the interest of social equality, Rawls propounds a theory of justice in consonance with the requirements of liberal

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democratic welfare state. It postulates constitutional democracy which is restrained, respectable and accountable; it believes in the regulation of free economy in many ways. As he writes, 'If law and government act effectively to keep market competitive, resources fully employed, property and wealth widely 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' .15

## **EVALUATION**

Like other theories, Rawls theory has also raised many questions and it is not without critics. Brian Barry has made a critical study of Rawls theory of justice and has brought out a number of objections such as: i) it is difficult to earmark the least-advantaged individuals and groups in the society, ii) what is included in the connotation of 'self-respect' is not clear, and iii) the theory offers fragile principles of constitutional engineering. According to Norman P. Barry, Rawls theory is no more than a restatement of the liberal-capitalist principle and in his system, 'the pleasure of the better off, however great, cannot compensate for the pains of the worst off. According to Macpherson, the theory presumes that any capitalist society still is a class divided society; that inequality of income will always be necessary in such a society as an incentive to efficient production. Hence in a welfare state transfer payments must be limited to an amount which will still leave one class better off than another. Rawls ignores the fact that this class inequality in the market system can lead to inequality of power as well as income and as a consequence allow one class to dominate over the other. The libertarian critics of Rawls have objected making talents and natural assets as the common pool to be distributed according to the principles of social justice. Nevertheless, inspite of objections from various quarters, Rawls theory of justice has become an important landmark in political theory.

## **ENTITLEMENT THEORY OF JUSTICE—VIEWS OF ROBERT NOZIC**

The entitlement theory of justice has been advocated by libertarian writers, particularly, Robert Nozic in his book Anarchy, State and Utopia. As mentioned earlier, libertarianism as a political theory defends market freedoms and demands limitations on the use of

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state for social welfare policies. It opposes redistributive taxation schemes to implement liberal welfare theory of socio-economic equality. It believes that redistributive taxation is inherently wrong, a violation of people's rights. People have a right to dispose of their goods and services freely. As Nozic put it, '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'16. He considers government interference as equivalent to forced labour—a violation, of our basic moral right.

### **NOZIC'S entitlement theory**



Libertarians relate justice with the market. This is best expressed in Nozic's theory of entitlement. The central theme of this theory is: if we assume that everyone is entitled to the goods they currently possess (their holdings), then a just distribution is simply whatever distribution results from people's free exchanges- Any distribution that arises by free transfers from a just situation is itself just. For the government to tax these exchanges against anyone's will is unjust, even if the taxes are used to compensate for the extra cost of someone's undeserved natural handicap. The only legitimate taxation is to raise revenues for maintaining the background institutions needed to protect the system of free exchange i.e. the police and justice system needed to enforce people's free exchanges.<sup>17</sup>

The entitlement theory is based upon three principles: i) The principle of transfer, i.e., whatever is justly acquired can be freely transferred, ii) The principle of just initial acquisition, i.e., how people come to own things initially which can be transferred according to the first principle, iii) principle of rectification of injustice, i.e., how to deal with acquisitions which are unjustly acquired or transferred. To give an example, if I own a plot of land, the principle of transfer tells me to engage in any transfer I wish, the principle of acquisition tells me how the plot was initially came to be owned, and the principle of rectification of justice tells me what to do if the first two principles are violated. Taken together, if people's current holdings are justly acquired, then, the formula of just distribution is: from each as they choose, to each as they are chosen.<sup>18</sup>

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Why Nozic's claim to people's entitlements should be accepted. According to Kymillicka, Nozic gives two arguments which are worth consideration: i) free exercise of property is more attractive, ii) property right lies in 'self-ownership'.

The first argument, i.e., free exercise of property is more attractive, is that if we have legitimately acquired something, we have absolute property right over it. We can freely dispose of as we see fit, even though the effect of these transfers is likely to be a massively unequal distribution of income and opportunity. Given that some people are born with different natural talents, some people will be amply rewarded while those who lack marketable skill will get few rewards. Due to these undeserved differences in natural talents, some people will flourish while others will starve. These inequalities Nozic concedes are the possible results of unrestrained capitalism. But Nozic asks us to specify any initial distribution which we feel is legitimate and then argues that if free exchange results in inequalities, there is no logic in taxing the rich on the claim of distributive justice on behalf of a third party who had no claim on any holding of others before the transfer. According to Nozic, 'No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements over'.<sup>19</sup> Though he admits that it seems unfair for people to suffer undeserved inequalities in their access to the benefits of social cooperation, but the problem is that people have rights over their income.

Nozic defends the entitlement theory of justice on the principle of 'self-ownership'. By it he means that people should be treated as 'end-in-themselves'. The heart of Nozic's theory is that 'Individuals have rights, and there are things no person or group may do to them (without violating their rights)'. Society must respect these rights because they 'reflect the underlying

Kantian principle that individuals are ends and not merely means. They may not be sacrificed or used for the achievements of others' ends, without their consent'. Because we are distinct individuals with distinct claims, there are limits to the sacrifices that can be asked of one person for the benefit of others. Libertarian society treats individuals not 'as instruments or resources' but as 'persons having individual rights with the dignity this constitutes. Treating us with respect by respecting our rights, it allows us, to choose

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our life and to realize our ends and our conception of ourselves, in so far as we can, aided by the voluntary cooperation of other individuals possessing the same dignity'. In short, the entitlement theory believes that: i) recognizing people as self-owners is crucial to treating people as equal, and ii) only unrestricted capitalism recognizes self-ownership.<sup>20</sup>

Hence the conclusion of Nozic's entitlement theory justice is that 'a minimum state, limited to the narrow function of protection against force, theft, fraud enforcement of contracts, and so on is justified, any more extensive state will violate person's rights not to be forced to do -certain things, and is unjustified'. So there is no public education, no public health care, transportation, roads or parks. All of these involve the coercive taxation of some people against their will, violating the principle, 'From each as they choose, to each as they are chosen'.

## EVALUATION

According to Nozic, the most important right is the right over oneself — the right of self ownership. It means that 'What one owns and what is owned are one and the same and the whole person'. That is, if I own myself, then I own my talents and also what proceeds from my talents. Hence the demand for redistribution taxation from the talented to the disadvantaged violates self ownership. The egalitarian liberals like Rawls believe that though a person is a legitimate possessor of his talent, still talent is a matter of brute luck. Hence the right over talent does not include the right to accrue unequal rewards from the exercise of those talents. Those who are naturally disadvantaged have a claim on those with advantages. The talented only benefit from their talent if it also benefits the disadvantaged. But for Nozic, it is denial of self-ownership as well as treating people as an end in themselves. Hence it is not acceptable. Secondly, the libertarian view that liberal welfare programmes by limiting property rights unduly limit people's self-determination is also not accepted by the egalitarians. Redistribution programmes do restrict the self-determination of the well-off to a limited degree. But they also give real control over their lives to people who previously lacked. Liberal redistribution does not sacrifice self-determination for some other goal. Rather it aims at fair distribution of the means required for self-determination. The libertarian view allows undeserved

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inequalities in the distribution which harm those who need help in securing those conditions. As Kymlica writes, if each person is to be treated as an end in itself, there is no reason for preferring a libertarian theory of justice to an egalitarian theory of justice.<sup>21</sup>

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## CHAPTER 6 SOCIALIST THEORIES OF JUSTICE

The socialist movement in nineteenth century which arose out of the criticism of capitalist society produced its own ideas of liberty, equality, justice, democracy etc. The early socialist doctrine based its criticism of economic inequalities and disorder not on the ideas of justice which seemed to them a mirage produced by the individualist preconception, but directly on the ideas of love, fraternity and happiness or of technology and prosperity. But the deepest basis of the socialist critique was the search for a more profound justice not only formal but substantial which would provide an alternative to the capitalist economic system as such. This was provided by Marx and Engels. They were not satisfied with defining justice as 'social justice' alone. They held that to criticize the capitalist system as 'unjust' and drawing attention towards its inequalities was not sufficient because it obscures the essential nature of the capitalist mode of production which is inherently exploitative. Hence any talk of justice in the capitalist society was an impossibility. The need was to create a just society which could be nothing short of a socialist/communist society. The fag end of nineteenth century saw the rise of another form of socialism known as evolutionary or democratic socialism. It challenged some of the basic notions of Marxism and attempted to synthesize socialism with liberalism and democracy. Consequently, its conception of justice came to be radically different from Marxism. Apart from them, there arose a number of different schools of anarchist thought (both of liberal and socialist shades) who rejected the state as the principal form of political authority and declared that social order is possible without such an authority. They found state as the symbol of injustice in the society and tried to create just societies

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based upon individual self-regulation and freely formed groups. In this chapter, we shall discuss different perspectives of justice as enunciated by Marxism, Democratic Socialism and Anarchism.

### MARXIST THEORY OF JUSTICE

As stated above, justice is a dynamic and multi-dimensional concept. Considering it as a fundamental value, different theories have associated it with morality, equality, liberty, property, law, welfare etc. However, the Marxist concept of justice is totally different. Classical Marxist theory did not allow any place to justice in the analysis of the capitalist mode of production. Their theory of justice was more a critique of the liberal theories of justice rather than propounding their own theory of socialistic/ communist justice. Moreover, a number of contradictions pointed out by the Marxist writers in the liberal theories of justice have been resolved by the egalitarian theory of justice explained by John Rawls.

There are two variations of Marxist thought on justice today. First, a number of Marxist writers object to the very idea of justice. They argue that the need for justice is because of some conflicts in social life which it seeks to mediate. The purpose of communism is to overcome these conflicts and hence in a communist society, there will be no need of justice. Justice is beyond communism. Second, there are other Marxist writers who share the liberal emphasis on justice. However, they discuss justice in the context of private ownership of the means of production and firmly believe that justice can be achieved only in a classless and stateless society. Private property being exploitative and alienating, justice requires socializing the means of production and the establishment of a communist society.<sup>1</sup> Let us discuss them in detail.

## COMMUNISM IS BEYOND JUSTICE

While the liberal theory of Rawls claims that justice is the first principle of social institutions and a standard of other values, Marxism objects to the very idea that communism is based on the principles of justice. A number of Marxists do not emphasize justice. In this connection, they follow Marx who attacked the very idea of justice as ‘equal rights’ or ‘fair distribution’ because such terms obscured the underlying capitalist exploitation. For example,

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according to Marx, since some people have greater natural talent, ‘the equal right becomes an ‘unequal right for unequal labour’. As a result, the right to equality is in fact a right to inequality.<sup>2</sup> Similarly, the notion of ‘just distribution’ concentrates too much on distribution rather than on the more fundamental question of production.<sup>3</sup> Even if the income is redistributed from those who own means of production to those who do not, we still have classes and exploitation. As a result injustice will continue. We should instead concentrate on the distribution of the ownership of the means, of production because when this is accomplished, the question of fair distribution becomes obsolete. Moreover, any attempt to rectify ‘injustice’ on the distributive side must assume that some sort of equilibrium could be found between the irreconcilable class conflict in the capitalist society, which in fact is not possible.<sup>4</sup> And lastly, while justice helps to resolve conflicts, it also tends to create conflicts and reduce the natural sociability of man. Hence justice is a necessary evil in the present societies, it will be a barrier to a higher form of community i.e. the communist society. It is better if people act spontaneously out of love for each other, rather than viewing themselves and others as bearer of just entitlements.

The above objections point to the limitations in the way of developing any conception of justice. The heart of Marxist critique of justice is an objection to the very idea of a juridical community. Marxists believe that the question of justice arises only when we are in the circumstances of justice—circumstances which create the kind of conflicts that can only be solved by the principles of justice. These conflicting circumstances are usually because of two factors: conflicting goals and limited material resources. If we could eliminate either the conflicts between the goals or the scarcity of resources, then there would be no need for a theory of juridical equality. Marxism wants to overcome the conflicting circumstances and create a kind of community where there is identity of interests and to do away with the need for justice. The other

solution is the elimination of scarcity through the creation of a communist society based on the principle of ‘to each according to his need, from each according to his capacity‘.

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## COMMUNIST JUSTICE

Now, if justice is desirable, what would be the Marxist concept of justice? Since Marxism criticizes the early liberal as well as the egalitarian liberal views on justice, it is natural that it should be more equalizing than the liberal versions. What distinguishes Marxism from liberal egalitarian theory of justice is not only the extent to which resources should be equalized but also how the equalization of the amount of private property should be achieved. In this context, Marxism believes not in the equalization of property but in the abolition of private property. It is fundamental to Marxism that ‘there is no moral right to the private ownership and control of productive resources‘. Private ownership of the means of production should be abolished because it gives rise to wage labour relationship which is unjust and inherently exploitative and alienating. Only a socialist society after the proletarian revolution, by equalizing resources in the modern industry, can create the basis of a just society.

The root cause of injustice, according to Marxism, is exploitation and in the context of modern industrial society, the exploitation of the worker by the capitalist. The fundamental flaw of liberal state is that it legalizes that exploitation by allowing buying and selling of labour. According to Cohen, the Marxist argument is like this: the labourer is the only person who creates the product which has value; the capitalist receives some of the value of the product; therefore, the labourer receives less value than the value of what he creates; the capitalist receives some of the value of what the labourer creates, hence labour is exploited by the capitalist.<sup>5</sup> Workers are forced to work for the capitalists. Since the workers do not in general own any productive assets, they can only earn a living by working for the propertied class. Hence wage-relationships are inherently exploitative.

Another writer John Roemer has expanded the theory of exploitation—exploitation in the sense of unequal access to the means of production by the non-propertied class. Disenfranchised women, the unemployed, the wage-workers all suffer from injustice and the capitalists benefit from the unequal access to the means of production. Again, the exploitation of the workers by the capitalists is just one form; the worse form of exploitation is for those who are forced not to sell their labour such as women, unemployed or

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those who lead their existence from crime, begging etc.<sup>6</sup>

Moreover, it is wrong to argue that the capitalist class acquired their property through conscious savings or through their hard work or better talent. Marx clarified that conquest, enslavement, robbery, murder, in short, force, played the greatest part in the capitalist accumulation.<sup>7</sup> This unjust initial acquisition falsify the argument that capitalist class is entitled to profits because they take risk in investing their capital. Rather it is the working class which faces more risk of

occupational disease, unemployment, low wages, ill-health and what not. Thus so long as private property remains, the majority of the working class cannot hope of any justice.

## JUSTICE AND ALIENATION

If Marxists are committed to abolishing private property, they must appeal to something other than exploitation. Here Marx introduced an ethical argument that private property and the mode of production based upon private property inhibits the development of our most important capacities. The problem with private property is that it is not only exploitative but even those who benefit from exploitation are alienated from their essential human powers. The theory argues that the resources should be distributed in such a way as to encourage the 'realization of distinctively human potentialities and excellence' and to discourage ways of life which lack these excellences. Marx explained this distinctive excellence as 'our capacity for freely creative cooperative production'. To produce in a way that stunts this capacity is to be alienated from our true 'species nature'

How can this be achieved? Marxists writers argue that it is best promoted by abolishing wage labour and socializing the means of production because this will ensure that each person has an effective say in how his work life is organized. Also, it will enable him to organize production so as to increase its intrinsic satisfaction rather than to increase the profits of the capitalist. Capitalism reduces our life's activity to a means of securing a decent living. Socialism will restore work to its rightful place, as an end in itself, as 'life's prime want' and ensure the labour to assume this rightful place. Real justice can be achieved only in such a society.

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## CONCLUSION

To conclude, both kinds of Marxism analyse the question of justice and injustice in the context of working class. The struggle against capitalist injustice will take the form of a struggle between two increasingly hostile classes: capitalist and proletariat. Only workers are capable and willing to challenge the whole edifice of capitalist injustice. Marxist theories of justice are attempts to give the justification for this class struggle.

However, it is difficult to accept this traditional Marxist view of centrality of working class to revolutionary politics. Many of the most important contemporary struggles for justice have been associated with groups which are not oppressed by wage relationship such as racial groups, immigrants, disabled, minorities, women liberation movements etc. It is increasingly becoming clear that the exploited working class and the needy groups who are in dire need of justice are not always the same.

Justifying the need for justice, Kymillicka writes that justice is more than rectifying the wrongs in the society. Justice does resolves the conflicts but more that than, it also expresses the respect which is due to individuals as an end in themselves. Justice recognizes the equal standing of the members of the community through rights and entitlements which an individual can rightfully claim. But it does not force people to exercise these rights at the expense of others. Justice

constitutes a form of concern that we should have for the members of the community. Hence the view that we can create a community of equals by abandoning the notions of fairness, rights and duties is not convincing.<sup>8</sup>

## DEMOCRATIC SOCIALISM AND JUSTICE

Apart from Marxism, a number of other schools have also played their part in moulding socialist thought and action. Some of these aimed to supplement Marxism, some endeavoured to revise it, and still some others attempted to transform Marx's revolutionary doctrine into an evolutionary one. Differences centred around both as to what strategies should be adopted for the establishment of socialism and what constitutes the substance of socialism. Broadly, the socialist movement came to be divided on two lines: revolutionary communism and democratic socialism.

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As discussed earlier, Marxism aimed at the revolutionary overthrow of capitalism and setting up of the dictatorship of the proletariat until the remnants of capitalist economy, society, ideology and habits of thought are liquidated. It visualized the transition from capitalism to socialist ownership as sudden and complete, with no compensation for expropriated property because the capitalist property was economically, socially and morally a means of exploitation. Hence it could never become a basis for a just society. What is important is that Marxism rejected the very notion of justice in the capitalist society and any attempt to define communism in terms of social justice or fair distribution of resources. It thought of justice as beyond communism. Justice demanded a just society which could be nothing short of a classless and stateless society established through a proletarian revolution.

The democratic socialism introduced a reformist approach for the establishment of a socialist society. It challenged the basic premise of Marxism and propounded a theory of socialist transformation to be brought through peaceful reforms and working within the capitalist-liberal framework. It believed in bringing about a just society through constitutional and democratic means i.e. a new society could be established slowly, step by step, with the consent of the people. Nor did it consider the state as an instrument of class exploitation. Rather it wanted to make use of it to bring about socialist justice.

Democrat socialism defined justice in the context of prevailing inequalities and unfairness of distribution of goods and resources and sought to remove them through peaceful democratic means. It deemed democrat as the basic condition, in the absence of which people will not have any control over the state or the society.

Democratic socialism made two basic changes in the Marxist theory which had repercussion on their view of justice and just society. Firstly, it did not agree with the Marxist view of state as an instrument of a class and that socialism could be achieved only through revolutionary transformation. This was the result of certain historical developments which were outlined by Bernstein. According to him, the collapse of the capitalist system as envisaged by Marx was not imminent; the social conditions did not develop so acute an opposition between the classes; and the concentration of productive



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industry did not come through. On the other hand, the factory legislation, democratization of governments at local level, freedom of trade unions, democratization of political organizations had diminished the revolutionary tendency of the working class. Secondly, socio-economic changes could be brought about peacefully, through universal suffrage, direct legislation, and civil rights. The greater security for lasting success laid in a steady advance rather than in the possibilities offered by a catastrophic crash. Socialism was seen as the logical carrying out of certain liberal principles. The struggle for socialism had to be gradualist and reformist. A just society consisted of an attempt to achieve full democracy, appropriation of the means of production by the workers through both political power and trade union pressure. The task was to struggle for particular socialist objective and not to wait for socialism to emerge fully complete from the womb of history.<sup>9</sup>

In its Fabian form, democratic socialism was influenced by welfare liberalism and a number of writers tried to synthesize liberalism, democracy and socialism. It emphasized the achievement of greater social justice and a fairer distribution of economic rewards through positive state intervention. It aimed at reorganization of society by the emancipation of land and industrial capital from individual and class ownership and invest them in the community for general benefit, abolish private property and rent in land, transfer of industrial capital to the community as a whole, abolish the idle class living on the labour of others, and to bring about these changes through gradual, constitutional democratic means acceptable to the majority of people, causing no major dislocation. It considered the state and political reforms as major means to secure social justice. It equated justice with political democracy, welfare state, educational opportunities, and social justice to be developed in the context of mixed economy.<sup>10</sup>

In the post-war era, democratic socialism associated justice with equality, social justice and diffusion of economic power which could be achieved through widespread ownership (rather than concentration) of industry, control in the hands of experts, recognizing the rights of the trade unions, nationalization of key industries, and a comprehensive welfare state. Even among these qualities, equality was given the highest place. Equality was made the basis of justice which could be achieved with less social tension by

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leveling up rather than down, and the fiscal dividends of growth that would allow the better off to retain their absolute standard of living while improving the relative position of the worst off members of the society. Gradually, democratic socialism combined justice with traditional concerns of mixed economy and redistribution of wealth for greater equality and industrial decentralization.<sup>11</sup>

Democratic socialist view of justice can be understood at three levels. At political level, justice consists of equal dispensation of political rights, democratization of political process, decentralization of political power, and consensus among the people regarding the fundamental issues. At social level, it is associated with equal opportunities for development and non-discrimination. Social justice consists in correcting the arbitrary and uneven distribution of

talents and natural abilities. It also includes reformatory justice such as social equality, social security, unemployment allowance, old age pension etc. At economic level, it calls for drastic economic reforms in order to correct the imbalance of property. It wants a central authority to distribute property proportionally according to its own criterion of merit such as state control over the economy, nationalization and welfare schemes for the poor. It believes that justice can be achieved through conscious design of social and economic institutions.

In brief, democratic socialist view of justice can be summed up as follows:

- 1. Democratic socialism believes in the establishment of a socialist society through peaceful and constitutional methods. As distinct from Marxism, it wants to make use of the state to bring about a just society. Socialism is the fulfillment of liberal democracy.
- 2. Socialism seeks to replace capitalism by a system which aims at full employment, higher education, rising standard of living, social security, fair distribution of property and income, equality of opportunity.
- 3. Public ownership may take the form of nationalization of existing industries, creation of new public enterprises or consumer and producers' cooperatives. However, these various forms of public ownership should not be taken as an end in itself but as different means of controlling the basic industries and services on which the welfare of the community depends.

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- 4. Trade unions and organizations of producers and consumers are necessary element of a democratic society.
- 5. Socialist planning does not mean that all economic decisions are placed in the hands of government. Economic power should be decentralized.
- 6. Individual should be rewarded according to his efforts.<sup>12</sup>

## **ANARCHISM AND JUSTICE**

Anarchism is a doctrine and a movement which rejects the principle of political authority and maintains that social order is possible and desirable without such an authority. Its central negative thrust is directed against the modern state: its territorial frontiers, its sovereignty, exclusive jurisdiction over people and property; its monopoly of major means of physical coercion; its system of coercive laws which override all other customs and conventions, and the idea of the nation as a paramount political community. Positively, it believes in the creation of a just society which will be a 'natural society' i.e. self-regulated society of individuals and freely formed groups, in which personal freedom is at a maximum, in which material goods are fairly distributed, and the common tasks are carried out by voluntary agreement. However, there are major differences of opinion as to how these desirable aims could be achieved.

### **WHAT IS ANARCHISM**

Philosophically, Anarchism is a theory, principles and practice of anarchy. The word is derived from the Greek word, 'an archos' meaning 'without a chief or head' or 'without a top authority'.

According to dictionary meanings, it means ‘lack of coercive government’ or ‘absence of a political state’, ‘want of authoritarian political head or leaders, institutions organizations’. In political terms, Anarchism is against three structural components: Authority, Coercion and State. This has recently been extended to other institutional forms of authority such as church, army, law etc. All these institutions are denounced for coercing their victims, for exploiting them by extracting money or serving by threat or indoctrination.

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However, as has been pointed out by Richard Sylvan, Anarchism does not only mean as ‘absence’ ‘lack’ or ‘want’ of centralized coercive forms. Certain positive characteristics are also worth mentioning. Firstly, a variety of political arrangements and organizations including governments of certain kinds are not totally rejected by anarchism. What is important is that these should not be coercive. Secondly, anarchism is also not against regulation or a positive non-coercive law and order. Anarchism does not mean disorganization, disorder, confusion, lawlessness or chaos. Thirdly, while organization or government are not entirely incompatible with anarchism, it believes in total state abolition either in its present form or in the form of ancient power structures such as empires and kingdoms.<sup>14</sup> Any radical theory of justice must include opposition to the oppression and domination of the state and its institutions and the gross power relations.

## **JUSTICE AND STATE**

For the anarchists, state is an abomination. It deals unfairly with its subjects not by accident but unavoidably. A transformation based upon an anarchist sense of radical justice is not the one that is based upon an equalizing state or a socialist/communist state. Rather it leads away from the state altogether. A commitment to liberty lies behind the anarchist critique of the state. In their criticism, the state appears as an authority that crushes both individual and collective liberty. Since it conflicts with liberty, state authority cannot be legitimate. The anarchists find the state as an unnecessary and unjustified evil. Also the state is a device for channeling privileges and wealth to certain minorities having close links with the authorities. Societies have lived without the state. State can be replaced and it can even decay. A just society will be essentially a stateless society. The anarchists give a number of arguments for the non-justification of the state, some of which are as follows:

### **STATE—AN UNNECESSARY EVIL**

According to anarchism, state is a symbol of inequities, domination and exploitation. It is a device for the protection of wealth, property and privilege; it redistributes awards making rich richer and poor poorer. It is inherently corrupt. It is expensive and constitutes a heavy drain upon regional resources and local environments.

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In poorer regions, it is the main cause of people’s impoverishment and injustice. It is a major source of war, supplier of military technology and weapons. Also it is a major hurdle in

satisfactory international order because of the 'reluctance of the nation-state to surrender their powers and the danger of their being dominated by other powerful states'.<sup>15</sup>

Anarchists do not believe in any of the theories advanced for the origin of the state. Rather they argue that the state is an unnecessary evil imposed upon the people by conquest or through colonization, often using military means rather than by offering much sweetness or choice.

### **FUNCTIONS OF STATE NO JUSTIFICATION**

Historically, the state has been justified because of its core functions such as defence and public order, taxation and money supply, for controlling and limiting such social evils as crime and corruption. However, anarchists argue that there is no guarantee that insecurity, disorder or conflicts are eliminated under the state. The state, far from limiting corruption and crime is itself a major source of them. The state structure, by virtue of its power, induces much of the evil it is supposed to remove such as crime. All anarchists agree that since the major background source of these crimes is the state and its partisan 'law and order', it can never do justice to the people. In fact the state is neither necessary nor sufficient to resolve the problems of common man. There is no inherent reason why societies should not institute and regulate specialized bodies among themselves to ensure adequate maintenance or production of various types of public goods.<sup>16</sup>

### **STATE AND BUREAUCRACY**

There is an iron law of bureaucracy. States have become more and more dominated by their own bureaucracies. Democracies cease to signify popular control as bureaucracy gains more control over the state. This is the fountainnairisme that Proudhon said leads to the absorption of all local and individual life into the machinery of administrative state. Similarly, the anarchists also attack the reification of the state. The state is supposed to be an instrument rather than an end in itself but it does come to defend, through its sovereign power, its own power to act as an instrument.

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This makes it a thing in itself that reacts hostilely to any challenge and works ceaselessly to enhance its image.<sup>17</sup>

### **STATE CRUSHES LIBERTY**

As stated above, a commitment to liberty lies behind the anarchist critique of the state. State crushes individual liberty in a multidimensional manner. At political level, state is controlled by a small number. This leads to high degree of bureaucratization, centralization, representation and reification of power. The power is contested among a small group of elites. At economic level, state promotes a particular kind of economy in which only a small number of people control the producers who constitute a much larger number. An economic system without the exploitation of producers can emerge only in a non-state society. At social level, state is an instrument of advancing only certain forms of social struggles. It functions to support the struggles of the dominant classes to realize their interests.

In short, modern state is essentially flawed, howsoever it might change. Reforms will not alter the roots of those features of the state that render it vulnerable to criticism. Hence any acceptable transformation should lead away from the state altogether. No attempt to transform the state to meet the demand of radical justice would succeed.

## VARIETIES OF ANARCHIST JUSTICE

Anarchism is essentially a modern ideology, arising after and in opposition to the modern state. During the last 200 years, several varieties of anarchism have appeared, out of which four main currents of anarchist thought can be distinguished: Individualism, Mutualism, Collectivism and Communism. However, what is worth noting is that these different forms of anarchist thought are not alternate models to build a just society but only distinct forms of strategies for achieving the goal. The different varieties represent the internal tensions and strains within the ideology as well as response to the changing social circumstances in which the ideology found itself. In spite of rich variety, there are certain common features of the just society which hold them together. The are:

- i) opposition to the oppression and domination of the state and its institutions and power relations. All want an end to the coercive and authoritarian power of the state.

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- ii) reliance on self-regulatory methods of organization that require little or no intervention. All are opposed to highly regulated procedures tending towards centralism or parentalism,
- iii) emphasis on voluntary methods, in place of imposed methods
- vi) favouring decentralization and deconcentration, rather than centralized or concentrated structures.
- v) discouragement to empowerment and encouragement to depowerment.<sup>18</sup>

Although each type of anarchist society will have such features, they differ in detail. They differ most radically about the economic arrangements that should prevail in a stateless society. For example, such arrangements can range from the defence of private property and free competition in the market to the advocacy of complete ownership, cooperative labour and distribution according to needs. These differences which are analysed below reflect divergence of views on the anarchist view of justice.

### INDIVIDUALISTIC ANARCHISM

It takes individual as the starting point and considers the ego of individual as the symbol of all that is human and the state as the symbol of all that is inhuman. The propounder of this school was Max Stirner who believed in uncompromising egosim and declared that the individual should always act as he pleases taking no notice of God, state or the moral rules. However, this branch of anarchism was advanced by American anarchists Josiah Warren, Lysander Spooner and Benjamin Tucker. The essence of their argument is that each person has an inviolable sphere of action upon which no one else must intrude, and social relationships are formed primarily

through exchange and contract. Tucker enunciated the view that justice means that each person should enjoy maximum liberty compatible with an equal liberty for others, implying in particular unlimited rights to acquire and dispose of goods in the market. He attacked the state created monopolies and held that without the state, each person could exercise his right to protect his own freedom, if necessary, using the services of private protective associations. Warren advocated a system of 'equitable commerce,

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whereby each producer working either alone or in association would exchange goods on the basis of the labour time embodied in them, using a system of labour notes'. Taken together, all of them believed that:

- i) collective form of society leads to authoritarian system. They held the system of private property and individual proprietorship as sacrosanct so long as it was the result of individual labour,
- ii) the purpose of society is to preserve the sovereignty of the individual,
- iii) the principle of individuality requires absolute equality of sexes, absolute equality of races and equality of labour. Anarchism must seek the extinction of interest, rent, dividend, profits except as represented by the work done.
- iv) the system of democracy based upon majority decision is null and void. Any impingement upon the natural rights of the person is unjust and symbol of majority tyranny.
- v) any definition of liberty begins and concludes with liberty of the weaker party. Since the laws of the state are made and enforced by the majority in the legislature, the true test of liberty is to oppose, disobey and violate such legislation.<sup>19</sup>

Individual anarchism has recently been revived and now forms a part of the broader movement known as Libertarianism. However, while the early individual anarchists thought of a society of equal freedom which would modify capitalism, the libertarians support the capitalist system and often describe themselves as anarcho-capitalists.

## MUTUALISM

This term was adopted by French anarchist Proudhon and his followers for an economic system which could reconcile property and communism. He was the first person to use anarchy in a non-pejorative sense, to refer to a society without government. He believed that for working men, justice meant their emancipating themselves, not by political but by economic means, through voluntary organization of their own labour. For them, 'the abolition of exploitation of man by man and the abolition of government are one and the same thing'. His principle was that each person must

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possess his own means of production either singly or collectively and should be rewarded for his labour, thus eliminating profit and rent and ensuring a high degree of equality. Exchange should

occur between self-governing producers through an ethical form of bargaining in which each party seeks only an equivalent for what it is offering. Integral to this scheme was the establishment of a mutual credit bank which would lend to producers, at a minimal rate of interest, covering only its costs of administration. Along with it, he envisaged a radically decentralized and pluralist social order to be linked at all levels by applying the federal principle. As he wrote, 'it is through mutual interplay of collaborative associations and their federation, through the humanization of property by its transformation into a social function in the hands of cooperative association and finally through the counter balancing of the state by organized economic society that justice can best be apportioned'.<sup>20</sup>

## COLLECTIVIST ANARCHISM

This stream of anarchism became dominant under the influence of Russian anarchist Bakunin. He held that man is a social being and possesses an instinct for freedom through self-activity within the community of equals. State (and God) are the enemies of human liberation. However, Bakunin's effort was to free anarchism from what he held 'the authoritarian communism of Marx' and put it on the mass base. It was the anarchism of the people against the state. Collectivist anarchism is 'a continuation of the human against the inhuman, a break with the class theory and class solutions'<sup>21</sup>. It argued that the state claims as its victim society as a whole, the exploited mass as a whole and not just a particular class, such as workers. It favours one group over the other and breaks the solidarity of all the oppressed—whether it is the proletariat, peasantry or the lumpen-proletariat. The role of anarchism is essentially to prevent this catastrophe, and the task of socialism must be a collective one since communism is a collective need. Hence collectivists favour society against the state, the great masses against the very few. The poor masses already carry the germs of true collective life and social revolution is prefigured by their life style.

In the context of justice, collectivist anarchism believed that a

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positive reappropriation of man's powers and potentialities could only be affected through the free association of individuals in pursuit of common purposes within a federation of free communes. They looked to a future in which organized labour had expropriated capital and each group of workers managing their own means of production. The distribution of the proceeds would be a matter of collective decision but it was generally assumed that rewards would be proportionate to labour.

## ANARCHO-COMMUNISM

Although the anarchist vision of future society closely resembles that of the Marxist view of classless and stateless communist society, yet anarchists and Marxists have been at war within the socialist movement. The immediate issue was whether a socialist society could be established through the destruction of the present state as the anarchists believed or through the creation of a workers' state as the Marxists believed. The view that communism could be imposed only through an authoritarian state was challenged by writers like Kropotkin, Malatesta and Elisee

Reclus. They argued that natural human solidarity can lead to the elimination of all property distinctions. They believed that human nature is social and people would work without material incentive once private property is abolished. They regarded communism as the highest form of social organisation and attacked private ownership along with political authority as an inherently exploitative practice. However, they stressed that communist system must be adopted voluntarily rather than imposed by force. Many of them accepted collectivist method as viable transitional arrangement until people feel sufficient solidarity to dispense with property distinctions entirely. For example Kropotkin believed that 'Everything belongs to everyone and distribution is based upon human needs'. He envisaged a society of the future in which each person would make use of common resources according to need. Productive work would be organized on the supply side by local communes whose task would be to identify the needs of the local people. The means of production, which have been developed during the course of centuries by all humanity, must belong to the human race as a whole. Inequality and private property can have no place in an anarchist society. Administration and control of means of production will be vested in the communes of producers. All goods thus produced would be

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placed in a common pool from which men would draw according to the need. Communes would federate to coordinate projects such as roads and railways systems that crossed their boundaries.<sup>22</sup>

The appeal of anarcho-communist justice lay perhaps in its communist goal combined with its repudiation of state as a means of exploitation.

## CONCLUSION

Given the general attitude towards the state, the anarchists have been opposed to all attempts to create a just society through parliamentary means or overthrow the existing regimes and replace them with a new political body. However, many of them continued to think in terms of revolutionary transformation of society. For men like Bakunin and Kropotkin, this meant a mass revolt against the existing forms of authority and economic institutions leading to spontaneous construction, on local basis, of new forms of organization. But the role of anarchists was primarily to be educative one: they had to awaken the spirit of revolt by pointing out injustices and inculcating anti-state ideas in the masses. On the other hand, the idea of revolt was not endorsed by all anarchists. Individual anarchists have been suspicious of the threat to freedom that revolutionary organization poses, and argued that the transformation of human relationship that anarchy requires can only come about through a long period of education. Revolutions can destroy but they cannot themselves rebuild a society of future.

On the whole, the anarchist ideology has never attracted large number of adherents. The anarchist view of a just society without central authority seems to run directly counter to the experience of all advanced societies, where industrialization has gone hand in hand with an enhancement of the state power. However, as a source of critical ideas for other ideologies and movements, anarchism can claim some success. Anarchism has been constantly present in the socialist thought, criticizing their centralist and statist tendencies. It has also helped the liberals



to overcome their inconsistencies regarding individual freedom. Recently, it has contributed to the growth of feminism. The anarchist ideas of justice as freedom from coercion and exploitation has been extended to the relationship between man and woman. The radical wing of environment movement has also absorbed anarchist thought. All

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these have something as common: opposition to all relations of power and a belief in direct action instead of conventional political methods. These ideas seem to be the lasting contribution of anarchism.<sup>23</sup>

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## **CHAPTER 7 FEMINIST AND SUBALTERN PERSPECTIVES OF JUSTICE**

Apart from the liberal, Marxist and socialist theories of justice, twentieth century has also been witness to various social protest movements against the injustices perpetuated by the domination of nations, classes, races, gender etc. Examples of such movements can be: national liberation struggles against colonial rule, peasant movements, civil right movements, feminist movements, movements concerning ecology, disarmaments etc. These movements challenged not only the institutional structures, way of life, thinking norms and moral codes but also the dominant views about history, politics and civil society. They are all linked with justice and social transformation. Such movements have been redefining the boundaries of institutional politics, have been able to produce new meanings of political and social concepts, and new forms of social life and action. In the process they have produced alternative views about liberty, equality, justice etc. These movements have played a double role. While on the one hand, they offered resistance to the encroachment on their life and world which was subordinated by systematic economic and political changes brought about by industrialization, imperialism and colonialism, on the other, they also called into question the validity of the existing patterns of life and offered alternative perspectives. In this chapter, we shall study two more notions of justice which have emerged out of such social protest movements. They are: Feminist and Subaltern notions of justice. The significance of these notions is that both see justice in the context of domination versus subordination. While the feminists view justice as an end of domination of 'men as a class' over

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‘women as a class’, the subalterns view it as an end of domination by the elite groups over the subordinate groups which is perpetuated through state, law, police, religion, race, property etc.

## **FEMINIST VIEW OF JUSTICE**

Feminism has redefined various political concepts which according to it, are based upon the experiences, interests and perceptions of only half of the human race, i.e. men. The common starting point of all feminist ideas is the belief that women are disadvantaged in comparison with men and that this disadvantage is not a natural or inevitable result of biological difference but something that can be and should be challenged and changed. It looks at women's situations and inequalities between men and women as central political issues, and provides a critique of the dominant assumptions of various political concepts like rights, liberty, equality, justice etc. However, like other ideologies there are fundamental disagreements among feminist theorists about the nature of causes and cure of women's inequalities, subordination or oppression. There are liberal, Marxist, socialist, radical and black feminists. While liberal feminism talks about equal rights and opportunities to compete with men in all fields, Marxist feminists argue that women's oppression is essentially a by-product of class society and that full equality will only be achieved when capitalism is replaced by a classless and stateless society. Both use existing male theories and apply them to women's situations. Radical feminists claim to provide a new perspective based upon women's own experiences and argue that patriarchal domination is basic to women's subordination. The socialist feminists seek to combine the radical perspective of patriarchy with the Marxist class analysis by exploring the relationship between capitalism and patriarchy. Some feminists now argue that the experiences of black women and the lower class women of the underdeveloped countries must not only be included in the feminist analysis but should be taken as the starting point of any feminist studies.

Although a number of political theories share the egalitarian principle that all members of the society should be treated equally yet until very recently, all of them had defended sexual discrimination. While traditional views about sexual discrimination have been progressively abandoned, many feminists believe that

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the principles which were developed with men's interests and experience in mind are incapable of adequately recognizing women's needs or incorporating women's experiences. Talking in the context of justice, it is claimed that the very emphasis on Justice is itself reflective of a male bias and any theory of justice which is responsive to the interests and experiences of women is yet to be formulated. The feminist view of justice can be examined on three broad issues: i) The nature of sexual discrimination, ii) Public versus private sphere controversy and iii) Justice and ethics of care.<sup>1</sup>

## **JUSTICE, SEXUAL EQUALITY AND DISCRIMINATION**

Till recently, political theorists believed that there was a ‘foundation in nature’ for the confinement of women to the family and for the legal and customary subjection of women to their husbands within the family. As such restrictions on women's civil and political rights were

justified because women by nature were found unsuitable for political and economic activities outside their home. However, contemporary political theory has abandoned this assumption of women's natural inferiority. It has accepted that women like men are free and equal, capable of self-determination and a sense of justice, and are free to enter Public sphere. The constitutions of all liberal as well as socialist states ensure equal rights to education, employment, political office etc.

However, the feminist argument is that all these anti-discrimination laws have not brought about sexual equality which could do Justice to women as a class. Nor the domestic violence and sexual assault have been reduced. According to Mackinnon, sexual equality laws have been utterly ineffective in getting women what they need. They are still socially prevented from having reasonable physical security, self-expression, individuation minimal respect and dignity.<sup>2</sup> This is because sex discrimination involves the arbitrary or irrational use of gender in awarding positions or benefits. According to feminists, it is because women are refused a Job even though gender has no rational relationship to the task being performed. While there is no discrimination so long as there is a genuine sexual difference which explains and justifies the differential treatment (such as having separate bathrooms for men and women), the cases of arbitrary differentiation are so common that the burden of proof rests on those who claim that sex is a relevant ground for

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assigning benefits or positions.<sup>3</sup> This approach which is also called 'the difference approach' as the standard interpretation of sex equality law in most western countries had some success. Women were able to get access to what men had access to, such as access to employment and education, the public pursuits including academic professional and blue collar work, the military and more than nominal access to athletics. The difference approach has helped to create gender neutral access to competitions for existing social benefits and positions.

However, its success was limited because it viewed sex equality in terms of ability of women to compete under gender neutral rules for the roles that men have defined. Equality could not be achieved by allowing men to build social institutions according to their interests and then ignoring the gender of the candidates when deciding who fills the roles in these institutions. According to feminist theorists, the problem is that the roles may be defined in such a way as to make men more suited to them even under gender neutral competition. Hence there is no guarantee that gender neutrality will lead to sexual equality.<sup>4</sup> As Janet Radcliff Richard writes, 'If a group is kept out of something for long enough, it is most overwhelmingly likely that activities of that sort will develop in a way unsuited to the excluded group'.<sup>5</sup> Women were kept out of many kinds of work and this resulted in the belief that the work is unsuited to them. The most obvious example is the incompatibility of most work with bearing and raising of children. If women had been fully involved in running the society from the start, they would have found a way of arranging work and child-rearing to fit each other.

Thus, inspite of legal equality, injustice remains because all important roles and positions in the society are gender biased According to Mackinnon, every quality that distinguishes men from women goes in favours of men. For example, 'man's physiology defines most sports, their needs

define auto and health insurance coverage, their socially designed biographies define workplace expectations and successful careers patterns, their perspectives and concerns define quality in scholarship, their experiences and obsessions define merit, their objectification of life defines art, their military service defines citizenship, their presence defines

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family, their wars and ruler ship define history, their image defines god...<sup>6</sup> In short, although all social activities are legally gender neutral, yet they are unjust because the things beings pursued in a gender neutral way are based on men's interests and values. Women are disadvantaged not only because some favour men in awarding the job but also because the entire society systematically favours men in defining of job merit. And the more society defines positions, the less it is able to detect inequality.

## **JUSTICE AND PUBLIC VS PRIVATE CONTROVERSY**

The other issue of feminist view of justice centres around the public vs private controversy. This is related to justice in the context of family relations and can be understood in three interrelated problems: i) unequal distribution of domestic labour, ii) privacy of women, and iii) career and family.

i) Mainstream political theorist had never analysed family relations in the light of standards of justice. Classical liberal theory had assumed that the family as male-headed is a biologically determined unit and that justice is only a matter of relations between families. Justice refers to the public sphere where adult men deal with adult men. Family relations were considered a private concern governed by natural instinct. The male philosophers had no interest in questioning a sexual division of labour from which they benefited. This was rationalized at the level of theory through the assumption that domestic roles are biologically fixed, based upon the assumption either in claims of women's inferiority or in the more recent ideology of sentimental family which claims that the emotional ties which naturally arise between mother and child is incompatible with the characteristic traits needed for social and political life. Feminist theorists deny that only men are capable of acting within the public realm. Theories of justice continue to ignore relations within the family which is assumed to be and essentially natural realm. It is assumed that natural family is male headed with the women performing the unpaid domestic and reproductive work. Feminists argue that, as a result, women are concentrated in low paying part times work which makes them economically dependent. Moreover, there remains the question of why domestic labour is not given greater public recognition. Even if men and women share unpaid domestic labour, this would hardly count as genuine sexual equality

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because our culture devalues women's work or anything feminine. Injustice is present not only in the distribution of domestic work but also in its evaluation. Since the devaluation of housework is tied to the broader devaluation of women's work, a part of the struggle for increased respect to women will involve respect for their contribution to family. The family is, therefore, at the centre of both the cultural devaluation and economic dependence which are attached to women's

traditional roles. The result is that men have unequal power in nearly all marriages, power is exercised in decisions concerning work, leisure, sex, consumption. It is also exercised in acts of threats and domestic violence.<sup>7</sup> Hence the fight for injustice must go beyond public discrimination to the patterns of domestic labour and women's devaluation in the private sphere.

ii) The other concern is the right to privacy. The feminist theories also criticize the right to privacy in family life because it becomes a hindrance to further reforms of women's domestic oppression. According to Mackinnon, the idea of a right to privacy has been interpreted to mean that any outside interference in the family is a violation of privacy. However, it has served to immunize the family from reforms designed to protect women's interests. For example, it has limited state intervention which would protect women against abuse or to empower women to sue for non-support or officially recognize the value of domestic labour. As Mackinnon points out, 'the right to privacy reinforces the division between public and private that...keeps the private beyond public redress and depolarizes women's subjection within it'. It is not a coincidence that the very things feminism regards as central to women—the very place, the body, the very relations, reproductions, the very feeling—are considered as private. Thus the legal concept of privacy has helped to preserve these institutions whereby women are deprived of their identity, autonomy, control and self-definition. This right to privacy is nothing but a right of men to be left alone to oppress women one at a time.

Hence given the centrality of family in perpetuating sexual inequality, it is important from the point of view of justice that it should pay attention to the effects of family organization on women's lives. The family has so far been not only relegated to the private realm but has simply been ignored. And women's interests are

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harmed by the failure of political theory to examine the family either in its public or private components because the gender roles associated with traditional family are in conflict with the public ideas of equal rights and resources.

iii) Another important element of injustice according to feminists is that only women are presented with a choice between career and family. Any women who cannot raise children and child-rearing and simultaneously do the job is rendered economically dependent on someone who is a stable income earner. Hence in order to ensure that she acquires this support, she must become sexually attractive to men. As a result many girls do not try as hard as boys to acquire employment skills which can only be exercised by those who avoid child raising. Whereas boys pursue personal security by increasing their employment skills, girls pursue security by increasing their attractiveness to men. This leads to a cultural differentiation in which 'muscularity' is associated with income earning and 'femininity' with domestic service of men and nurturing of children. So men and women enter marriage with different income positions which widens during marriage as man acquires valuable job experience. Since it is hard to lead life outside the marriage, women becomes more dependent on maintaining the marriage which allow men to have greater control over it. As a result, men as a group exercise control over women's general life chances and individual men exercise control over economically vulnerable women within marriage. Thus injustice to women as a class results because of male domination where

gender differentiation are made relevant to the distribution of benefits to the systematic disadvantage of women.

## JUSTICE AND ETHICS OF SENTIMENTAL CARE

An important reason given for the public-private distinction and the relegation of women to the domestic sphere is that men and women are associated with different modes of thought and feeling. Political theorists have distinguished morality on gender lines. It is believed that the task of governing and regulating social order and managing public institutions is monopolized by men because they are more rational, whereas the task of sustaining private personal relations is dominated by women because they are more sentimental, friendly and caring. In other words, justice

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and rights are the male domain while domestic care and responsiveness belong to female norms, values, and virtues.<sup>8</sup> These two types of moral thought are not only fundamentally different but opposed to each other. Women's caring ethics are dangerous to the impartial and rational justice required for public life. The health of the public domain depends upon the exclusion of women from it.

Historically, such a theory was used to justify patriarchy. Early feminists like Wollstonecraft argued that women's caring and sentimental notions were simply because of the fact that they were not allowed to develop their rational capacities fully. If women thought only of the men around them ignoring the general public, it was because they were prevented to accept public responsibilities. Some contemporary feminists argue that the whole tradition of distinguishing 'masculine' and 'feminine' morality is a cultural myth. However, there are others who argue that we should take seriously the distinct morality of women. It should be viewed as a mode of moral reasoning and a source of moral insight and not simply the artificial result of sexual inequality. Also this caring sentimental thought morality is better than the male morality, especially once we recognize that sex equality requires a breaking down of the public-private dichotomy.

According to Carole Gilligan, the different notions of morality arise from different kinds of responsibilities preferred by men and women. Perhaps men and women speak in different voice not because they actually thought different but because men feel that they should be concerned with justice and rights and women feel that they should be concerned with preserving social relations.<sup>9</sup> But the question is whether there is a care-based approach to political justice, and if there is, whether it is a superior approach. A number of feminists argue that the care ethics while initially developed in the context of private relationship has public significance and should be extended to public affairs. Any real theory of justice should make them complementary to each other. 'Whereas the ethics of justice are concerned with learning moral principles, solving problems by seeking principles that have universal applicability and attending to rights, the ethics of care is concerned with developing moral dispositions, seeking responses that are appropriate to a particular case and attending to responsibilities

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and relations. In other words, justice should not only concern itself with universality, respect for common humanity and claiming rights but should also take into consideration particular relationships, distinct individuality and accepting responsibilities. Thus the question of justice requires not only the redistribution of domestic-labour and a breakdown in the sharp distinction between public and domestic but should also integrate with the ethics of care. Theories of justice have so far constructed impressive edifices by refining traditional notions of fairness and responsibility. But by continuing the centuries old neglect of the basic issues of child-rearing and care for dependents, these intellectual achievements are resting on shaky grounds. Any adequate theory of justice must confront these issues in a serious manner.

## CONCLUSION

The feminist view of justice is more a critique of the prevalent theories of justice based upon 'male domination' and 'women's devaluation'. The subordination of women is not fundamentally a matter of irrational differentiation based upon sex but more because of male supremacy under which gender differences are made relevant to the distribution of benefits to the systematic disadvantage of women. The feminist theorists argue that since the problem steins from male domination, a real theory of justice must not only include absence of discrimination but also the presence of power. Equality should mean not only an equality of opportunity to pursue male defined roles but also an equal power to create women defined roles or androgynous roles that men and women have an equal interest in filling. The result of such empowerment could be very different from the equal opportunities to enter male dominated institutions that is favoured by contemporary sex discrimination theory.

Again, acceptance of the male dominance approach would require many changes in gender relations. But what changes would it require in the theory of justice? Feminists argue that all theories of justice whether liberal or Marxist interpret equality in ways that are incapable of recognizing women's subordination. The struggle against sexual subordination requires us to abandon the very idea of interpreting justice in term of equality. Since women must be free to redefine social roles, their aim can be best described as

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politics of autonomy' rather than 'politics of equality' Making a distinction between the two, Elizabeth Gross writes, 'whereas struggle for equality implies an acceptance of given standard and a conformity to their expectations and requirements, struggle for autonomy implies the right to reject such standards and create new ones'.<sup>10</sup> The argument for women's autonomy appeals to rather than conflict with the deeper idea of moral equality because it asserts that women's interests and experiences should be equally important in shaping social life. Equality in this sense means individual's having equal value as human being.

## SUBALTERN VIEW OF JUSTICE

The word subaltern means 'of inferior rank'. It is used for the general attribute of subordination particularly in the context of erstwhile colonial societies of Asia, Africa and Latin America, and



is expressed in terms of class, caste, age, gender, office or any other way. Subordination cannot be understood except as one of the constitutive terms in a linear relationship of which the other is domination. Subaltern groups are always subject to the activity of the dominant group, even when they rebel or rise up.<sup>11</sup> The method of dominance can be law, police, bureaucracy money power, caste, religion, custom etc.

Subalternism is a view of history, society and politics from below. The coming of colonialism led to a number of conflicts between imperialist powers and most sections of the colonized societies on the one hand, and among various groups and classes within the colony itself. Colonial rule and its accompanying commercialization strengthened the penetration of rural and tribal areas by outsiders from the plains such as moneylenders, traders, land-grabbers and contractors. Forest zones were tightened for revenue purposes. Attempts were made to monopolize forest wealth through curbs on the use of timber and grazing facilities. More importantly, colonial legal concept of property as absolute private property eroded the traditional joint ownership of land and sharpened tensions within the peasant and tribal societies. Peoples' response to these changes were expressed through occasional violent outbursts. They were direct movements of resistance against exploitation by dikus, moneylenders, zamidars and the colonial law and state.<sup>12</sup> For example, talking in the context of India. Katherine Gough

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writes that there were more than 77 peasant uprisings involving violence before the idea of national movement took root in India.<sup>13</sup> These struggles changed the living conditions of the subordinate groups, their consciousness and their views about colonial rule and its law, liberty or justice. While the mainstream history covered the activities of western educated intelligentsia who led the national liberation movement, there exists considerable anthropological and sociological literature in the form of studies of tribes, lower class people, villagers, peasants, agricultural labourers and artisans who were affected adversely by the colonial state and their allies, and who fought their own struggles with imperialism.

The subaltern writers want to study history from below. Their purpose is to understand the consciousness that informed and still informs the political action taken by these subordinate groups of their own, independent of any elite initiative. They believe that it is only by giving this consciousness a central place in the historical analysis that we can see the subalterns as makers of their own history. For example, a peasants view of the British Raj in India as a trimurti of sarkar, sahuakar and zamidar makes it amply clear that their consciousness was different from that of the national leadership.<sup>14</sup> Thus in the subaltern writings of history, the tribal rebellion of Sirsa Munda might find mention before the quarrels of moderates and extremists in the Indian national movement. In this context, subalternism offers a theory of change which argues that i) the moments of change be pluralized and be seen as confrontation rather than transition, and ii) such changes marked a functional change from religions to militancy such as crime and insurgency. The most significant outcome of this revision in perspective is that the agency of change was not only the national leaders but the also insurgents or the subalterns.<sup>15</sup>

The subaltern writers believe that the major ideologies of liberalism, Marxism or nationalism are almost bankrupt in providing support for the subordinate people. Liberalism in its many varieties

has tended to sweep aside issues of race, gender, equality or the rights of the indigenous people into its assimilative individualism. Similarly, revolutionary Marxism has been too narrow and insensitive a language to take account of cultural specificity of groups framed by race or gender rather than class. And if we turn to the ideology of nationalism, this can be seen as a disastrously insensitive to

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matters of cultural and social differentiation and equality. We find that it is associated primarily with the activities and ideas by which, for example, the Indian elite responded to the institutions, opportunities and resources generated by colonialism. It fails to acknowledge the contributions made by the subordinate people of their own, independent of the elite, in the development of nationalism. Again in many countries, the resistance of the subordinate people in the tribal areas towards ecologically disastrous projects has been termed as 'anti-national' because they are considered a hindrance to development.<sup>16</sup>

In short, these ideologies are more limiting rather than liberating as far as the subaltern groups in the society are concerned. According to Baxi, the value of approaching particular issues through the idea of subordination is that it cuts through the conceptual division of race, class or gender, without denying the importance of them. It deals with a more inclusive conception of oppression or subordination than is possible under any particular ideology. Thus it is possible to see subordination arising from a number of sources such as colonialism/imperialism, tribalism, untouchability, patriarchy, religion, developmentalism etc. All these forces have in common an ideological and cultural derive to subordinate social groups that stand in their way. Subalternism deals with the experience and struggles of these subordinate groups which have been a victim of colonialism and post-colonial state apparatus as well as elite groups in the civil society who have been a major factor in the process of their subordination.<sup>17</sup> Ranjit Guha has summed up the problem by saying that 'the experience of the subordination is deeply desolate like a cry and solitary like silent weeping, and it is not only the institution of law but the formulation of social sciences which have worked to prevent such cries being heard.

## **SUBALTERISM AND JUSTICE**

As explained earlier, subaltern thinkers divided the society into two groups: the elite and the subordinate masses. The elite is the privileged groups, even in a poor society, who are the holders of truth, consumers and producers of knowledge and who set the standards of rights, liberty, property or justice. The second groups consists of the under-privileged masses such as poor peasants, tribals, bonded-labour, migrants, women labourers, untouchables

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etc. They are a sort of raw material who are used by the elites. In their long history these subordinated groups have been manipulated by the state as well as by the elite groups. Colonialism and elite manipulation hindered the growth of nation with a bond of unity among various groups in the society to come up to its own. As a result, even after independence, we can find two kinds of political languages in these societies. One is the language of the elites who talk

in terms of nation-building, rights, liberties, political representation, citizenship. It is a part of our colonial heritage and it is what nationalism in ex-colonial countries owes to the colonial experience. The other language is the language of the people—the subaltern—which is rooted in the relation of power, authority and hierarchy, colonialism and even pre-colonialism. While the problem of the elite groups is how to use and exploit the subordinate group, the problem of the later is how to resist, ambush, fight or negotiate.

Subaltern writers differentiate between mainstream theories of justice and subordinate people's concept of justice. Their argument is that mainstream theories of justice whether of Plato, Aristotle or Rawls never talk about justice from people's perspective. For example, Aristotle justified slavery and Manu justified caste system. The two languages of justice are different. Whereas for the elite group, justice lies in rule of law, rights, liberty and equality, for the subordinate groups, they are just ploys for domination. For them justice lies in ending this legal, political, economic and ideological domination and the methods can take the form of crime, insurgency, terrorism or counter-violence. For them the problem is how to re-orient or disown the knowledge in ways through which they can fight to micro-fascism of power which takes different forms of domination, suppression and exploitation. If for the elite, property is a right, for the subordinate classes, it is a theft. Legality of the subordinate groups is the denial of class legality of the elite. For them crime may not be abnormal but as normal as compliance. As Baxi writes, for the subaltern groups, 'Criminality is a celebration of denial of authority'. If for the elite, violence of law converts an act of insurgency into a series of crime, for the subalterns, the law of violence seeks to valorize 'crime' as a pathway to justice. For them, law is no more than an 'emissary of the state' representing dominance and suppression.

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They know that they will always be victimized because wherever there is power, there are victims of power. Law represents 'the will of the state that could be made to penetrate, reorganize part by part and eventually control the will of the masses in much the same way as Providence is brought to impose itself upon mere human destiny'.<sup>10</sup>

The naivete of post-colonial era has given way to a realization of the extent of social injustice towards the subordinate groups and the reasons that keeps them in their place. Also there is greater self-consciousness in these people than before. Simultaneously, there is a realization that the state would incur damage to its own image if it continues to deny such people their rights as ordinary human beings. Hence justice lies in redistribution of resources in the egalitarian liberal sense; it also consists in preventing encroachment of their life world. It may be giving them rights of cultural nature by developing 'legal structures with which the collective dimension of human existence may be given clearer shape and form'. There is a need to move beyond a jurisprudence of rights based upon individual and his relations to the state. What is important is that the process of overcoming the subordination of the whole community may entail recognition of the collective rights to order their own affairs. For the subordinate groups, justice lies in lessening encroachment to their life world and restoring them to their historical place.

## CONCLUSION

The subaltern view of justice has drawn our attention to the experiences and struggles of the social groups which have been a victim of state apparatus as well as the civil society. For example, talking in the context of India, it was first the British colonial state and then independent India which laid bare vast tracks of forest land and turned it into agricultural land, impoverishing and subordinating the tribals and creating ecological disasters. Similarly, at the level of civil society, untouchability has been sustained by economic and social forces rather than by the state structure. It refers to the specific nature of class relationship in the colonial and ex-colonial societies where the such relationships are subsumed into the relations of domination and subordination between the members of elite and subaltern classes. Class relations in such

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societies have been expressed through the notion of hierarchy, domination and subordination. In other words, subalternity — the composite culture of resistance to and acceptance of domination and hierarchy—has been a dominant characteristic of these societies. The formal liberal equality and rule of law which have been the cornerstone of mainstream theories of justice has served only a veil to hide the violent and feudal nature of political system still based upon power and authority. Hence there is a need to go beyond the formal legal structures and restore the subalterns their rightful place in the society.

## Chapter 8 Theories of Social Change

A defining characteristic of modernity is the belief that things can change and should change. The Enlightenment has traditionally been seen as the era when this Belief first captures the minds of significant numbers of opinion makers. Change is considered to be a pivotal concept in social sciences and terms like evolution, development, movement, variation, transition, transformation and decline indicate the criterion by which one evaluates the relative performance of regions and nations. Change varies in scope—world historical change, societal change, economic change and particular facets of social change, like electoral behaviour or development of new political parties and new social movements. Some change is short-term while others are long-term. Change could be incremental, evolutionary or revolutionary. As individuals one may prefer stability to change, equilibrium and not chaos but as Heraclitus (544-484 BC), the Greek philosopher, succinctly states 'you cannot step twice into the same river, for other waters are continually flowing on'. This means that 'all is flux, nothing stays still' or remains static. Everything is constantly in a state of flux and carries within it perpetuity and change, stability and instability, order and disorder. An important change between our times and the earlier ones is that we live in a world of quick and unprecedented global change.

Theories of political and social change help us with understanding the connection between agency and structures. Since the nineteenth century, explaining and predicting social change has become a major preoccupation due to two reasons: first, was the awareness of the social impact of industrialization on European societies and the second, is the basic gap between European industrial societies and the relatively backward ones. Theories of social change have focussed on

the nature of capitalist or industrial development and the evident absence of social development in regions that Europe colonized. They concentrate on the long-term and large-scale development. Theories of social change especially the nineteenth century ones can be categorized into theories of revolution and theories of social evolution.

Theories of social change require a causal analysis giving us reasons as what makes something happen over time, but this has always been a contentious issue in social sciences. To say that 'x causes y' suggests a sense of determinism. Furthermore, any sequence of social causation, if it happens, is likely to be complex and immeasurable. Even a rigid theory of change like that of Marx is heavily dependent on human consciousness which is

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hard to determine. Moreover, there is also a problem of deciding as to whether or when causation refers to a causal relationship between one thing and another. Is there a more indirect link whereby the causal factors have contributed or is there a situation in which outcomes occur necessarily because of the characteristics of the objects involved but contingently due to the circumstances in which they are found? Most often social scientists tend to be cautious when making statements about relationships between variables preferring to talk about 'tendencies' or 'probabilities' or 'degrees of association', especially the nature of the relationship involves the use of statistical analysis. Two other factors need to be considered when political and social change is discussed: first is to clarify which variable is independent and which one is dependent. Nordlinger (1981) stipulates what he calls 'societalist' factors like the degree of class conflict or the power of interest groups, or the ethnic composition of a country to explain the choices governments make. Wallerstein (1974, 1980, 1989) in his study on the making of the modern world diminishes political aspects—the role of nation states, war and ideological conflicts between government—to the fundamental effects of economic forces operating on a world scale. In this Wallerstein has had some important assistance. While Marx consigned most, if not all, political forms to the periphery of economic and structural explanatory analysis there are enduring attempts, of late, to reintroduce a more politically centred analysis of historical change. This attempt infers from insights of theorists like Weber, Durkheim and Hegel to construct an alternative theoretical model to the one that Marx offers. The second is the question of whether change is due to internal or external factors. For instance, studies of social change and especially of modernization of Third World have often assumed that factors internal to a society play a crucial role in the level of that society's development.

Theories of social change can also be divided, besides being revolutionary and evolutionary: (1) By their level of analysis namely micro and macro. (2) Whether change is caused by factors internal or external to society, institution or social group. (3) The cause of social change—demographic pressure, mass migration, class conflict, changes in the mode of production, technological innovation or the development of new systems of belief. (4) Agents of change. (5) Nature of change (whether a gradual dissemination of new values or institutions or a radical departure of the social system. Embedded in the notion of change is both stability and change. Nonetheless most of social theory emphasize either of the two. Marxism broadly propounds a theory of revolutionary conflict as the locomotive of change while functionalist stress on norms and values that promote social and political stability. Stable societies are seen as those that

perform their basic functional imperatives—socialization, reproduction, education—necessary for their survival while effectively adjusting to technological, economic, societal and cultural changes peacefully. A Functionalist is concerned with factors that ensure order explaining the normal process of change as evolutionary and regarding revolutionary change as dysfunctional or

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abnormal. The purpose of analysis is to establish the means by which societies can regain equilibrium (Parsons 1967).

## WHAT IS REVOLUTION?

Revolution signifies drastic and fundamental transformation. Hence it is customary to refer to Industrial Revolution, French Revolution of 1789, Russian Revolution of 1917, Chinese Revolution of 1948, Cuban Revolution of 1959, Iranian Revolution of 1979 and the present Info-tech revolution for these basically have altered the nature of the social and political systems in which they occurred, 'Revolutions are a form of massive, violent and rapid social change. They are also attempts to embody a set of values in a new or at least a renovated social order' (Dunn 1989: 12). Revolutions are complex events essentially involving three aspects—state breakdown, competition among claimants for central authority and building new-institutions which need not occur, 'clearly separated stages or in a consistent order'. These three factors coalesce with one another to differentiate revolution from forms of political violence (Goldstone 1987: 437). The complexity of the revolutions makes it difficult to explain them though theories attempt to dissect them in terms of causes, the various forms of struggle and the possible outcomes.

Plato points out that all governments inevitably would go through a sequence of change and degenerate into finocracy, oligarchy, democracy and tyranny. He is convinced that a chain of creation, decay and dissolution grips the world firmly and only at rare intervals, individuals snatch, a brief moment of seeming immortality. Aristotle counters Plato by pointing to change as inevitable. Things change because they have the potential to move towards perfection. Change is teleological, meaning movement towards a predetermined end. Unlike Plato, Aristotle perceives multiple reasons for revolutions, other than a regime's prominent deficiency like extreme inequality. He analyzes both the general and particular causes for revolutions along with preventive measures as remedies from revolutions. He perceives order as being more important than disorder. Following Aristotle, Machiavelli discusses social dissension and their causes. He identifies (a) rivalries among the great, namely the rich and the socially superior; and (b) the endemic and natural enmity between the great and the people, or the rich and the poor as the two main causes for disturbances. He accepts conflict as permanent and universal, seeing it as natural unlike his predecessors who viewed social conflict as unnatural and curable by certain kinds of social systems. The basis of social conflict is the permanent struggle between the common man and the powerful and the money though he does not explain the struggle in economic terms. From Polybius he learnt that conflict is not only widely prevalent but can also be transformed into an instrument to promote socially useful ends. During the Roman period theorists were preoccupied with justification rather the causes of revolution. Polybius views revolutions as a corrective tool for restoring a just and properly

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ordered society that has been disturbed by a tyranny. Nicholas of Cusa and Locke justified revolutions if the monarchs and rulers violate people's trust. Locke was categorical that governments can be altered, amended, changed or dissolved legitimately and lists five occasions when this is possible. These are as follows:

1. Whenever such a prince or single person establishes his own arbitrary will in the places of laws.
2. When the prince hinders the legislature from assembling in its due time or from acting freely, pursuant to those ends for which it is constituted.
3. When by the arbitrary power of the prince, the elections and the ways of elections are altered without the consent, and contrary to the common interests of the people.
4. The delivery of the people into the subjection of foreign power, either by the prince or by the legislature.
5. The person who has the supreme executive power neglects laws already enacted, and could not be executed (Locke 1960: 454-59).

Locke clarifies that people can use force against unjust and unlawful authority and that authority has to be transparent and accountable. He emphatically stresses that government based on consent coupled with the right of the people to rebel is the best fence against rebellion. On the contrary, Filmer and Bodin maintained that the king derives his powers and authority from God which is irrevocable and absolute. The Glorious Revolution of 1688 and the American War of Independence of 1776 were understood in the sense that Polybius explained revolutions. Burke reiterating Polybius held that only tyranny justifies a revolution. On the other hand, some theorists like Hobbes never justified revolutions for the chaos and bloodshed it leads to.

The meaning of revolution underwent a change with the French Revolution which was no longer seen as a means to get rid of a tyranny but as a way of establishing a new society. It elicited diverse reactions from the conservatives, liberals and the Marxists. Conservatism as an ideology crystallized in response to the French Revolution. Burke's *Reflections on the Revolution in France and on the proceedings of certain societies in England relating to that event* (1790) contains the quintessence of the conservative position. Using the two principles of conservation and correction he contrasts the English with the French Revolution, for in the former the two principles allowed rectification of the deficiencies of the existing deficiencies within the existing framework. This balanced the old with the new. In France, wholesale attack on established religion, traditional constitutional arrangements and the institution of property disturbed the sources of political wisdom that provide a bulwark against sweeping changes. He rejects the French effort to make a clean slate operation by making a complete break with the past. In response to Burke, Paine

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defends the French Revolution and Enlightenment Liberalism and supports representative government, rule of law and universal suffrage. He rejects Burke's idealization of the hereditary system of government. Interestingly, Burke supported the American Revolution, as it did not redress its grievances by resorting to a doctrine of natural rights. It merely represented freedom of the colonies from British rule whereas the French Revolution made equality and nationalism the two dominant values and both these are possible means of tyranny that eventually erodes the social and moral conditions of the liberty of citizens. Burke also championed the cause of the cause of Ireland and spoke against the oppression, exploitation and misrule in India by the English East India Company. Tocqueville was alarmed at the attack on ideas of equality of persons before law and democracy that the French Revolution unleashed for that destroyed all class privileges and removes all hindrances to the authority of the state. The Revolution led to a centralized state, for prior to the Revolution the powerful and privileged groups stood alongside the state but after the Revolution the state got isolated garnering all the power to itself. Marx and Engels viewed the French Revolution as a symbol of the demise of feudalism, inauguration of a bourgeoisie society which eventually would be dislodged by the socialist revolution. The idea of total apocalyptic change, central to Marxism came from by the French Revolution.

The theories of revolutionary social change particularly deriving from Marx emphasize the importance of class conflict, political struggle and imperialism as the principal instruments of fundamental structural changes. For Marx, history and historical change represented the unfolding of exploitative relationships between social classes in which clash of great social forces are of paramount interest than the individual. The unavoidable strife between social classes determined by whether they own the means of production or whether they are mere agents of production. For Marx, political change is an important aspect of social change determined by economic factors. Writing in the background of the optimism of the Victorian age he provided a blueprint for wholesale revolutionary change.

Marx comprehends the courses of human history to contain a series of major conflicts that he calls social revolutions, which originates out of objective contradictions or because of strain and disorder that exists in all class divided societies. These contradictions are general to all modes of production but assume particular forms according to historical circumstances. Contradictions ensue within modes of production because of the inevitable tensions between the forces of production (types of technology) and relations of production (ownership of property and social class division whereby one extracts the economic productivity from the other). The exploitative nature of relationships intensifies class conflicts making social revolutions imminent as exploited classes acquire a consciousness and unity, which are then visible in struggles against the dominant class. Conditions for social revolution mature when the structures of a new mode of production— capitalism within feudalism or socialism within capitalism—produce strain

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that solidify the revolutionary potential of the young classes. Revolution for Marx represents a cataclysmic leap from one stage to an another and stops with the attainment of communism, the perfect society. In the Manifesto, Marx and Engels prophesize the inevitable destruction of capitalism in the advanced industrialized areas through a world wide proletarian revolution. The majority of the working class will spearhead this consciously. However, following the abortive



revolutions in Europe in 1848 Marx concluded that as a prelude to a long-drawn one that would come. Engels wrote many significant articles on The Peasant War in Germany (1850) drawing parallels between the role of nobles and burghers in the sixteenth century to crush the peasants' revolt and the alliance between the bourgeoisie and the aristocracy in 1848 against a newly emerging proletariat. He claimed that behind religious struggles lay different interests, demands and requirements of the various classes. Similarly, the French Revolution of 1789 is more than an intense debate on the advantages of constitutional monarchy over royal absolutism for economic concerns of social classes were the key issue.

Taking a cue from Engels' demand for a new mode of struggle as elucidated in the 1895 Preface to the Class Struggles Bernstein insists on the need for a revision of the Marxist doctrine. His close association with the English Fabians during his exile in England reinforced his views. The Fabians emphasized on gradualism, permeation and constitutional democratic procedures as a means to usher in socialism, Bernstein insists on the need for a revision of the Marxist doctrine. While paying tributes to Marx's genius he points out to the open cleavage between the Marxist theory and the social, economic and political realities within late nineteenth century capitalism. Contrary to Marx's predictions, the rate of profit has not fallen, the wages have not gone down and there are no signs of an imminent collapse of capitalism. Most important of all, the working class has not shows any desire or inclination to make a revolution in countries with advanced capitalism. Instead of concentration, there is diffusion of wealth making peaceful transition to socialism desirable. Impressed by the progress of the democratic state, Bernstein insists that the workers could use the ballot box effectively to press forward their cause. In this changed situation Marx's clarion call for revolutionary overthrow of capitalism is neither practicable nor desirable. He also rejects mass strike including Georges Sorel's (1847-1922) idea of a general strike as being outmoded in a full-fledged democracy. Bernstein's vision of socialism realizable through nonviolent, evolutionary, gradualist and democratic method becomes the guiding force for not only the advanced capitalist countries of the West but even for the developing world in the later half of the twentieth century. His success, most impressive and crucial lay in promising 'socialism without the tears of revolution' (Dunn 1989: 25).

Within the socialist doctrine one can see support for both revolution and reform. Babeuf's stress on insurrection and revolution is kept alive by Blanqui 'thus providing a link between the Jacobin Left and the nineteenth

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century radicals' (Kolakowski 1981a: 214). Blanqui's rejection of parliamentarism and majority rule principle and defense of the need for a small organized disciplined party to foment a revolution is echoed by Marx, Tkachev and Lenin. On the other hand, the earliest advocate of gradual peaceful reform by the state with the purpose of transforming society is Blanc. Lassalle and Bernstein also echo Blanc.

### **Restatement of Marxist Orthodoxy**

Lenin read Bernstein's Evolutionary Socialism (1899) while he was in exile from 1895 to 1900. Fearing Bernstein's observations on trade unionism or economism of the working class to be true

he chose to insist on the need for voluntary and decisive individual action with the help of a highly disciplined and organized party that acts as a vanguard of the working class. The party will be based on the principles of secrecy, democratic-centralism, specialization and exclusivity. This all-encompassing and powerful role of the party is the most important post-Marx development within Marxism. Lenin combines Marx's majoritarian perspective with that of Nicholas Gavrilovich Chernyshevsky's (1828—89) elite revolutionism, for he insisted on the need for a conscious party leadership acting in unison with the masses on the outside. Though Russia was not the advanced capitalism that Marx and Engels saw as a precondition for revolutionary transformation, for it had a large agrarian social base yet that did not refrain them from making contradictory observations. In 1875 Engels thought that the revolution in Russia was imminent. In 1882, Marx and Engels expressed the possibility that if there was an outbreak of a revolution in Russia it might set into motion similar movements in the West. Lenin too hoped in his analysis of imperialism that if Russia, the weakest link in the imperial chain snapped then it would trigger off revolutions elsewhere. In 1885, Engels told a Russian correspondent and in a letter to Vera Zasulich (1852-1919) that if there was a possibility of a Blanquist kind of revolutionary change engineered by a band of conspirators then it could be in Tsarist Russia that was so highly unstable.

Georgii Valentinovich Plekhanov (1856-1918) who popularized Marxism in Russia proposed revolutionary seizure and exercise of power though he cautioned against premature socialism. Lenin an already committed Jacobin-Blanquist in the 1880s read Plekhanov to secure the necessary introduction to Marxism but he never wavered from his conviction that terror and violence are the means for realizing the dictatorship of the proletariat. Interestingly, Plekhanov censured Bernstein during the revisionist controversy though subsequently during the debate on Lenin's proposals within the Russian Social Democratic Labour Party (RSDLP) he insisted that a true revolution have to be a democratic one. It is, therefore, not surprising that in 1918 Plekhanov felt responsibility for what Lenin had done. With profound anguish and regret he told an old colleague as a dying confession that perhaps he had not done the right thing by beginning a propaganda of

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marxism too early in a country that is pre-modern and backward. This sums up the dilemma and the subsequent distortion of Soviet Marxism both at the level of theory and practice.

Sorel concurs with Bernstein that most of Marx's predictions have not materialized for developments within capitalism and the consolidation of trade unions has raised the standard of living of the workers, thereby blunting class war. While Bernstein denounced violent revolution in an age of democracy Sorel endorsed it as the surest way to recapture the essence of Marxism. Its guiding force is the dream of a new civilization and heroic morality, which replaces the decadent bourgeois one. He insisted on the need for a myth for the masses to revolt for that inspires militant consciousness, forge group solidarity and instil the spirit of heroism and self-sacrifice. He equated revolutionary myths to religious myths and proposes the myth of general strike as the supreme and final aim that subordinated all other actions. His hope was in non-political syndicates that builds and sustains consciousness and solidarity among the workers and rejected political parties and trade union for these normally frustrate the workers' aspiration for

liberation. Sorel supported the use of military and not political violence for that is free of cruelty since the wealth of the propertied is left intact. The idea behind the general strike is not to attain political power but to destroy the existing order without setting up a new authority or a master. It is not conspiratorial, for force and repression are not the means to realize it.

Luxemburg criticizes Lenin for his rejection of spontaneity of the working class movement and desires a dialectical reciprocity between the spontaneity of the masses, the intellectuals and the political leaders, a point found in Gramsci and Fanon. She criticizes Lenin's extraordinary faith in ultra centralism, his implicit contempt for the creativity of the working class and his distrust of spontaneity. She also criticizes Bernstein for equating reform with revolutionary class struggle and digressing from the main essence of socialism by positing social reform as the sole and final aim. She, like Sorel impressed upon the need for a myth to create proletarian consciousness.

Mao reiterates the Marxist-Leninist view of revolution as the means of actualizing socialism except, unlike Marx and Lenin, he considers the peasantry to be revolutionary by insisting that the Chinese Revolution had to be conducted under the hegemony of the proletariat. He reiterates the idea of permanent revolution that Marx and Engels first enunciated and which was then restated by Plekhanov and Trotsky. He contends that the proletariat effects a permanence of revolution after the bourgeois-democratic revolution with the purpose of overthrowing the bourgeoisie and establishing their transitional state—the dictatorship of proletariat—to create the material basis of true communism. Unlike Lenin, he insists on mass mobilization of peasants and workers to realize revolutionary goals

## **ARENDT'S ANALYSIS**

For Arendt a revolution aims at freedom by establishing the political realm

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which is the realm of republican freedom and therefore has to preclude violence as it is strictly part of politics. She insists that political freedom must not be confused with liberation which is also an aim of revolution, that is the liberation of people from tyranny for such a liberation does not in itself establish freedom. She understands revolution in the sense of establishing a new political order, a body politic that provides the framework for the realization of freedom and not Social and economic transformation. She compares the American and the French revolutions, for it is during these two revolutions that the idea of freedom emerges. The French Revolution is hailed as an important event but the American one remains inconspicuous and its immediate influence marginal. However, both these revolutions illustrate two different aspects of revolutionary phenomena. Their individual revolutionary experience provides the clue to the structure of the body politic and society ushered in by the revolution. The French Revolution with its slogans of liberty, equality and fraternity could not fulfill its own promise of ensuring, freedom, for it degenerates into violence and tyranny. The American Revolution in contrast succeeded, for it established a constitutional structure for realizing freedom. She called it a clean revolution, for it did 'not break out but was made by men in common deliberation and on the strength of mutual pledges' (Arendt 1969: 280). For Arendt, the French Revolution was a tale of necessity while the American one was a tale of freedom. The efforts of the French

Revolutionaries were bound to fail because the battle against poverty could be won only through technological efforts. The Jacobins were keen to redress the misery of the Parisians and moved by a sense of 'pity' desired to solve the social question by political means. As a result, they were able to justify tyranny and terror in the interest of social betterment. They overthrew absolute monarchy but failed to give their republic a stable footing. The power of the state and its police grew while the freedom of the individual, of press, of speech, of association and of free enterprise steadily diminished. On the contrary, the founding fathers in America were not moved by any messianic dream of solving the social question and this coupled with their training in town meetings during the colonial period had a sobering influence. The result was a constitutional republic that became the basis of freedom and a polity based on free contract with no need for terror and violence. She described this achievement as 'perhaps the greatest enterprise of European mankind' (1969: 55). Furthermore, the American Revolution also demonstrated the importance of moderation and bringing about far-reaching changes in an evolutionary manner without resorting to violence and messianic zeal.

Arendt admits that issues like mass poverty cannot be ignored by revolutionary leaders but if they get carried away by a sense of 'pity' to end mass misery and poverty then the consequences are fatal, similar to that of the French Revolution. If the goal of survival replaces the goal of freedom then freedom becomes a mere Shibboleth that is invoked more as a routine mechanical symbol and important concerns like public happiness, public freedom and public spirit become a thing of the past. While it is important

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to take care of human wants, it is equally necessary to restrain men, their passions and their liberties. She saw a certain continuity between the French and Russian Revolutions. Hegel's 'revolutionary' idea that the 'absolute of the philosophers' as revealed in history is, she suggested due to the influence of the French Revolution on his thought (1969: 51-52). Marx inherited this idea and transmits it to Lenin and his successor Stalin. She saw Hegel introducing and restated by Marx the 'most terrible and least bearable paradox in the whole history of modern thought'—'the paradox that freedom is the fruit of necessity'. Revolutionary freedom came to be seen, paradoxically, as the child of 'historical necessity' 'Instead of freedom, necessity became the chief category of political and revolutionary thought' (ibid: 53-54, 58). The French Revolution's change of aim from freedom to happiness infected and corrupted the entire revolutionary tradition. A similar confusion exists in Marx's thought who despite his concern with freedom 'finally strengthened more than anybody else the politically more pernicious doctrine of the modern age, namely that life is the highest good' (ibid: 64). The *raison d'être* of revolution became economic progress. Unlike Fanon who justified violence since it cleanses like fire, necessary to regenerate human nature and create a new community, Arendt is moderate. She nevertheless permitted violence for short-term goals or if it has a chance to succeed or helped to 'dramatize grievances'.

## RECENT THEORIES OF REVOLUTION

Skocpol offers the most incisive analysis of revolution by comparing historically what she calls the 'social revolutions' in France, Russia and China. She defines social revolution as one that

involves 'rapid, basic transformations of a society's state and class structures, often accompanied by class based revolts from below' (1978: 26). She called this kind of change as 'structural change' to differentiate it from other sorts of conflicts and processes that may bring about radical but not comprehensive change. It is the coincidence of political and social transformation that characterize a revolution. By this criteria, the Chinese Revolution and the end of the Khmer Rouge in Cambodia between 1975 and 1979 are social revolutions. However, the Puritan Revolution in England in the seventeenth century nor the Portuguese Revolution of 1974 that overthrew Salazar's dictatorship are not revolutions, for these did not undermine the class structures of these societies. The industrial revolution brought about changes in the social structures but without resulting in or leading to political upheaval. Skocpol says that revolutionary events share some characteristics with other transformative phenomena, like coups or riots but it is the powerful combination of social and political change that distinguishes them.

Tilly (1975 and 1991) is more cosmopolitan in defining revolution as involving political discontinuity arising from challenges to the control of a government over a single independent political system. It is important to distinguish between political discontinuities on the grounds (1) of how far

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they change the structure of the polity in question, (2) the make-up of the contending forces and (3) the extent of (social) structural changes that results from the revolution. By this definition Tilly labels accession of Mustapha Kemal to power in Turkey in 1923 and the restoration of the Meiji dynasty in Japan in 1868 after two centuries of rule by the Shogunate (military warlords) as revolution. Skocpol however, characterizes these as rebellions or coups, for she is interested only in the structural aspects of revolutionary change and not the manner in which people view change or contribute to it. She is not concerned with cultural and ideological factors. Gurr (1980) recommends that political instability is likely to develop when individuals experience a sense of relative deprivation that is a psychological state which occurs when people perceive a gap between what they have and what they feel they should have—be it in politics, welfare benefits or consumer goods. This perception need not be related to an objective or measurable criteria of deprivation. When there is a feeling of intense and widespread sense of relative deprivation the conditions for violence are present. Davis (1962) describes the dangers for rules when the gap between people's rising expectations and the declining capacity of the government to deliver it widens in course of time for it is during these two that a potentially revolutionary situation emerges. However, these accounts leave unanswered questions pertaining to which segment of a population are likely to rebel? Can collective violence trigger discontent? Why do some discontent people revolt while others do not? Will revolutionary gaps occur where there is an opportunity to express discontent through available political channels? Does the type of value system that is dominant in society matter?

Functionalist accounts of revolution, like those of Johnson (1966) and Smelser (1963) place premium over values as the basis of collective action or else to examine more closely at the conditions in which revolutionary action occurs. These accounts are basically interested in causes of what Smelser calls disturbance and strain in societies and in how, as Johnson claims 'synchronous changes' causes shifts in values and the modifications in the environments of

communities and societies that accelerate revolutionary activity and disturb social equilibrium. Henceforth, during a period of change caused by factors, like progress in technology or migration or conquest, a system may not be able to endure its equilibrium whether culturally, economically or otherwise. If the changes are sufficiently rapid or intense there will be greater pressure on political elites to respond and if that does not happen it may result in an enormous loss of trust in the system and reduce the perception of the legitimacy of rulers. This 'power deflation' that Johnson calls it, in turn, make it more difficult for the elites to introduce effective measures to restabilize the system. Augmented violence and other forms of coercion, which the state elites exercise to keep an appearance of control only, lead to further legitimacy deficiency. What is then required is an immediate trigger or accelerator—like a chance event, a massacre of protestors, or an attempted coup by the military to accompany a full

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insurrection. Functionalist explanations of revolutionary change suffer from the same problems as functionalist explanations in general as they are overly concerned with equilibrium and have a built-in tendency to interpret all change as causing disequilibrium. They overlook psychological factors relating to the motivations of actors or treat them in a rather cursory fashion. Notions like relative deprivation are subjective perceptions and if such kind of subjectivity is introduced it becomes difficult to explain as to why whole populations do not engage in violent revolutionary activities.

## **THEORIES OF SOCIAL EVOLUTION**

Theories of social evolution perceived social change to connote basic stages of development by which society proceed from simple, rural, agrarian forms to a more complex, differentiated, industrial-urban ones. In the eighteenth and nineteenth centuries there were efforts to explore 'the true foundation of society' without using the social contract theory and its attendant idea that society is a mere collection of individuals whose psychological ends conclude in social institutions. There are two types of evolutionary theory: (1) that which assumes the unilinear, ordered or progressive nature of social change. Comte, Spencer and Durkheim developed this type of evolutionary theory (2) and that, which is based on an analogy with evolution in plant and animal populations, following Darwin's theory. (1) Evolutionary viewpoints are primary to the nineteenth century approach to the study of society emphasizing on ordered and directional nature of change. Saint Simon pioneered the idea of viewing society as an organic equilibrium—conventional in the late eighteenth and nineteenth century conservatism—inherently stable because individuals and social classes depend on the success of the whole for their survival. To this he added an evolutionary idea of social development, a continual progression of organic societies representing increasing levels of advancement. Each society was appropriate in its own time but superseded by higher forms. He saw growth of knowledge as playing a decisive role in evolution which Comte later developed as three stages: primitive, intermediary and scientific with corresponding forms of human knowledge organized on an identical continuum of theological, metaphysical and positive reasoning. All humankind inevitably passed through these stages as it develops implying unilinear direction and progress. For Comte, society was an organic entity whose parts are interdependent, each balancing the other and in the process creating an integrated whole. He viewed evolution as the growth of functional specialization of

structures and better adaptation of parts. Human thought advanced by a process of increasing complexity and decreasing generality. Society through division of labour became more complex, differentiated and specialized. The division of labour along with language and religion created social solidarity but also produced social divisions between classes and between the private and public spheres. Spencer maintained that social systems like organisms adjust to their environment by a process of internal

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differentiation and integration. Societies evolve from simple homogenous and undifferentiated units as in militant society to complex and heterogeneous ones, where the parts of the whole become more specialized by remaining integrated as in industrial society. He used the organic analogy but does not subscribe to the view of society as an organism. From this Spencer concluded that social planning, social welfare and state intervention interferes with the natural process of social evolution and progress that guarantees personal freedom in industrial society. Spencer is generally regarded as one who subscribed to the idea of the survival of the fittest but he clearly pointed out that this is dominant only in militant societies but as societies progresses it will depend more on co-operation, persuasion and altruism rather than aggression and conflict.

Durkheim is concerned with change and stages of development though he does not subscribe to the organic view of society. It is noteworthy that Marx and Engels also spoke of change and stages of development without viewing society as an organism and without understanding change as evolutionary. Marx stressed on social revolutions to explain the transition from one stage to another with conflict rather than order as the mechanism for change. Durkheim pointed out that as societies industrialized and urbanized it becomes more complex. The increasing division of labour erodes moral integration and mechanical solidarity that one finds in primitive societies based on the common beliefs and consensus embodied in the collective conscience. Social order becomes increasingly problematic. However, a new social order arises in advanced societies on the basis of organic solidarity comprising of interdependence of economic ties. Thus, arising out of differentiation and specialization within the modern economy, a new system of occupational associations such as guilds that connects the individual to the state emerges and once this happens they collectively create moral restrains on individualism.

(2) Twentieth century anthropologists and sociologists have been less interested in evolution except for the revival of interest among American functionalists in the 1950s and 1960s. This revival is sometimes referred to a neo-evolutionism, for it tried to utilize the principles of natural selection and adaptation drawn from evolutionary theory of the biological sciences. Functionalism use an organic conception of society and find in Darwin's evolutionary theory an explanation of how organisms change and survive, that has a semblance of being incompatible with its own assumptions. The starting point is the adaptation of societies to their environment that includes both natural world and other social systems. Change from whatever source is the fundamental ingredient of evolution. Those changes that enhances the adaptive capacity of the society measured by its long-run survival, are selected and institutionalized following the principle of the survival of the fittest. Sociological functionalism identify differentiation, the process whereby the main social functions are dissociated and comes to be performed by

specialized collectivities in autonomous institutional spheres, as the main source of adaptation and selection. Functional differentiation and the parallel

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structural differentiation enable the effective performance of each function. Anthropological theories often focus on specific evolution of an individual society to its particular environment whereas sociologists concentrate on general evolution, the evolution of superior forms within the total development of human society. This general viewpoint imply a unilinear direction of change and that some societies are higher than others on a scale of progress assumptions absent in theory of specific evolution.

Functionalism continues to analyze social change within the framework of evolutionary theory regarding change as the adaptation of a social system to its environment by the process of internal differentiation and increasing structural complexity. It explains a social activity by referring to its consequences for the execution of some other social activity, institution or society as a whole. From the varied meanings three are crucial: (1) A social activity or institution may have latent functions by some other activity. For example, the change from an extended to nuclear family benefits the process of industrialization for people are freed of their family ties and become geographically more mobile. This explains the change in the family structure. (2) A social activity may contribute to the maintenance of the stability of a social system. For example, Durkheim argues that religious practices promote social stability. (3) A social activity that fulfills the basic social needs or functional prerequisites, an argument that Parsons advocates. Societies have certain needs that must be fulfilled if they are to survive and institutions have to meet these needs.

Functionalism has been criticized on the grounds that it cannot explain social conflict or other forms of instability because it considers all social activities as interacting smoothly to stabilize society. Functionalists have responded to this assertion by suggesting that social conflict may, in fact have positive functions for social order or, in the notion of dysfunction conceding that not all social activities will have positive functions for all other activities. Furthermore, critics point out within functionalism there are no methods that will disturb existing functional relationships. Functionalists respond by invoking concepts such as differentiation. Functionalism has been described as a form of teleology in that it explains the existence of a social activity by its consequences or effects.

Modernization theory combining economic, psychological and sociological factors understood modernity to include value systems, individual motivation and capital accumulation. It emphasizes that values, norms and belief-structures play a significant role in the transformation of a traditional society into a modern one. Western societies evolved due to internal factors from within. Developing ones conversely modernize by their exposure to outside forces, which can be ideas, technology, education, literacy, increased political consciousness and participation, capital investment, greater economic opportunities, emergence of rational-legal system replacing the traditional one, development of mass media, emergence of nuclear family and representative government. These changes bring about social and structural differentiation. Modernization theory has been criticized on two grounds:



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First, it is based on an idea of development that is Western and is, therefore, ethnocentric in nature. Second, modernization need not necessarily lead to industrial growth and equal distribution of social benefits since it is an essentially uneven process that may result in underdevelopment and dependency. Rostow speaks of the universal stages of economic development that all societies pass through before they become fully modernized. These are: traditional or agricultural societies, the stage that prepares the preconditions for economic 'take-off, actual take-off, where full commercial and industrial systems are established, sustained economic growth and, finally, the mature high mass-consumption society that represents the completion of social evolution.

## **POPPER'S PIECEMEAL SOCIAL CHANGE**

Popper (1945 and 1957) advocated piecemeal social change that is gradual and evolutionary in contrast to holistic revolutionary change by linking piecemeal change to the idea of an open society. An open society, a term used Bergson, connotes two sources of religion and morality, one source of ethics which is tribal and other universal. The first one gives rise to a closed society and the second one, to an open society. Popper borrows the idea from Bergson and developed it as one that is democratic and liberal in character committed to the rule of law and a constitution. It will allow the full play of the market but with the state regulating and intervening to mitigate avoidable suffering that the market may unleash. It values individual merit, places premium on education rather than indoctrination and accepts that society changes not on the basis of some grand design. An open society implicitly rejects utopianism and historicism, which for Popper means trying to obtain first hand knowledge with help of certain laws that govern human societies and individuals. On this basis Popper rejects theories of Plato, Hegel and Marx because their theories attempts to provide total and scientific explanations of society with the help of discoverable laws of history. Popper is sceptical of such claims, for he argues that a scientific theory cannot and need not try and explain everything. If a theory tries to explain all sorts of possibilities without paying attention to actual state of affairs substantiated by observation and experimental results as evidence, then it cannot contain scientific information. An open society maximizes the freedom of the individual and mitigates his avoidable suffering and unhappiness guaranteeing to the individual a wide range of freedom of choice by making education, arts, housing, health and other facets of social life available.

Popper understands the notion of change in the context of Historicism, a term that he uses for describing inexorable laws of historical development: the assertion that if natural sciences can predict eclipses then social sciences ought to be able to predict political revolutions. In a highly systematic manner he shows how both, those who think that social sciences are not at all like natural sciences (anti-naturalists) and those who think social

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sciences are like natural sciences (the naturalists) have a common aim: that of predicting history. Both advocate the methodology of historicism, which he sees as bankrupt, for they tend to consider societies as whole responding to the pressures of rudimentary social forces. Instead,

Popper, like Hayek, prescribes methodological individualism: rules to the effect that the behaviour and actions of collectives should be explained by the behaviour of individuals acting appropriately to the logic of their social situation as best they can and as best as they see it. Holistic phenomena are to be described as the unintended consequences of such individual actions resonating through the social system. Social theories are to be tested not by historical predictions that are more in the nature of prophecies but by its efforts to invent institutions that correct social mistakes by social engineering. Historicism is a form of determinism, which Popper rejects for he believes that evolution produces genuine unpredictable creativity and novelty. Hence he advocates piecemeal change rather than Utopian social change. Popper considers universal ideologies, like Marxism, with its claim to the ultimate truth a threat to open society. Believing in the idea of relative truth Popper believes that those who claim to have the ultimate truth can impose it on the rest only through force and compulsion and that is contrary to the spirit of the open society.

Popper accepts not only the inevitability of change but also the fact that the pace of change gets faster with each year. He rightly points out that a theory that accepts the idea of quick change could never offer a blueprint of an ideal or perfect society. In fact the idea of a perfect society itself becomes incomprehensible if one accepts that change is not going to stop. Therefore, ideal societies are not only unfeasible because they are perfect, but also static if these societies are to conform or remain close to a blueprint, for embedded in the notion of a perfect society is the idea of a fixed and unchanging order. Accepting the idea of quick change, Popper advises that it is important to learn how to maximize one's control over actual events that occur in a process of change that is never ending and to use that control wisely. Popper's advocacy of piecemeal social engineering is a middle path to conservatism and holistic Utopian change. He rejects social revolution as a political method for the following reasons. To abolish all institutions and traditions, what he often called canvas cleaning, leaves the Utopian engineers confused and at a loss as to how to act. The other reason is fallibility of our scientific knowledge as well as social science knowledge. Therefore, it is rational to resort to piecemeal changes that can be executed all the time by private individuals, groups as well as governments. There is a constant process of learning from the inevitable errors and adjusting expectations accordingly. In the absence of any finality it is wise to adopt a wait and watch policy and go by the trial and error method that allows us to rectify mistakes and wrongs as and when they occur, for it is not possible to anticipate all contingencies. Reforms through this method are modest but democratic, for it tries to accommodate differing points of view, publicly discuss and make open its conclusions and consequences.

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On the contrary, holistic revolutionary change proceeds with the assumption that it is possible to anticipate all eventualities and the person who makes the master plan can never go wrong. Popper rebuts by asking, 'who plans the planner'? The larger the scale of social experiment the more difficult it is to learn from it. Holistic Utopian change is contrary to the spirit of a scientific theory and is also irrational. For Popper change would have to be modest and gradual since there is nothing like an absolute truth and he doubted any one who claims to have found it. Truth at best is relative, depending on the perception of the one who perceives it. He is convinced that Utopian change erodes human freedom, for it is simplistic in its understanding the scope of

independent individual choices. Opinions about what constitutes an ideal society differs while Utopian social engineers would not tolerate deviations, for that frustrates their favoured blueprints. Thus, even if human liberation is the original aim of the Utopian engineers, they find themselves compelled to resort to more and more coercive methods to actualize their ideal. Popper's non-determinism and belief in relative truth makes him an advocate of non-violent piecemeal change. He echoes Gandhi who too shuns determinism and deterministic ideologies like Marxism. Gandhi never overlooks the human factor in any social transformation and believes in the efficiency of non-violent revolutionary changes to bring about total transformation of the individual and society.

## **EVOLUTIONARY THEORY BY CONTEMPORARY WRITERS**

In the recent times, some authors have resorted to using cyclical pattern of historical change—a variation of evolutionary theme. Paul Kennedy (1988) discussed the decline of the American power in the last few decades of the twentieth century as part of the cyclical pattern of growth and decline largely as a result of economic and technological factors. According to his assessment, global and regional domination always goes to the strongest nation-state. However, domination is not permanent. Strong states prosper and may become more powerful than any rivals but would be replaced by other more resourceful and stronger states. Cyclical models of change underlies Wallerstein's (1974, 1980 and 1989) world-systems analysis. Like Kennedy, Wallerstein saw history of the modern world as one of ascending and descending hegemonies—those of the United Provinces (now called the Netherlands), Britain twice and, most recently, the United States. He admitted that the core and the periphery are not a static structure and one can move from the core to the periphery and vice-versa. He cited the example of Argentina for the core becoming a periphery and the example of South Korea as one moving from a periphery to the core. Some evolutionary theory go beyond perceiving history as cyclical in nature by offering a universal history as evident in Fukuyama's (1992) work that announced the world wide triumph of liberalism following the collapse of communism. Using Hegel's framework he announced the end of ideological evolution with liberal democracy becoming a universal phenomenon since both fascism

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and communism have failed. He understood historical change, just as modernization theory, as the unfolding of the features of Western modernity across the world. Historical stages represented the progressive unfolding of the human potential and human spirit. The end of history, however, need not signify the end of conflict but only that such conflicts can be resolved peacefully.

In conclusion, Laski while writing at the centenary of the Communist Manifesto in 1948, propounds the doctrine of 'revolution by consent,' signalling the arrival of the democratic age. Not many today echo Fanon's eulogy of violence as a cleansing force, as the track record of violent revolutions has shown that they inevitably lead to terror, suppression of democratic freedom and institutions and untold human sufferings. It is generally agreed that the ballot

box is much more revolutionary and effective as a mode of change than the barrel of a gun. Owing to the universal acceptance of liberal democracy and the spectacular progress of East Asian countries, without having to resort to repression and sacrifices by the ordinary person, the revolutionary theories of social change have ceased to cast their magic spell as they did earlier on. On the contrary, theories that advocate peaceful change, emphasizing new social and economic issues have crystallized in the form of new social movements like feminism, environmentalism, and the movement of the indigenous people and marginalized groups and individuals. The potentiality of all these movements to effect peaceful social change is much more than the yesteryears' insurrections and violent movements for capturing of state power. It is for this reason that Havel proclaims 'violence is not radical enough'

## CHAPTER 9 THEORIES OF DEMOCRACY

Today's world is a democratic world. Sartori has called it a world of 'democratic confusion' because democracy is the most confused concept of political theory. It is not simply a form of choosing and authorizing government, it has also been defined as 'a type of society and a manner of life', as an ideal or as an end in itself. Every state, whether it is liberal, socialist or communist, boasts itself of being democratic and does not hesitate to call its opponents undemocratic, with the result that the concept has been the victim of contradictory interpretations. Dictatorships have been established in the name of democracy. According to Hagopian, democracy is 'one of the most defused and pervasive concepts of history'.<sup>1</sup> Similarly, according to Macpherson, there is a good deal of muddle about democracy and this is due to 'a genuine confusion as to what democracy is supposed to be, for the word democracy has changed its meaning more than once and in more than one direction.'<sup>2</sup> Moreover, the term cannot be divorced from ideological considerations.

There was a time when democracy used to be a bad word. Democracy, in its original sense of 'rule by the people or government in accordance with the will of the bulk of people', was considered a bad thing—something dangerous to nobility and civilized living. However, its full acceptance as a respectable form of government became apparent only by the time of first world war, a war which was fought by the Western liberal-capitalist countries to make the world safe for democracy. Since then, the question of merits and demerits of democracy or whether democracy is the best form of government has been relegated into oblivion, so much so that

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everybody claims to be democratic. National liberation movements against imperialism and colonialism were attempts to assert the democratic right of self-determination of the peoples of Asia and Africa. Similarly, revolutions were made against the Western type of liberal democracy in the name of proletarian democracy or peoples' democracies. Such movements have changed the face of democracy and have made it the most ambiguous term of political theory. In 1949,

UNESCO sponsored an inquiry into the conflicts and ideals associated with the concept of democracy. The questionnaire was sent to scholars of many countries and two points emerged:

i) There were no replies averse to democracy. Probably for the first time in history, democracy was claimed as the proper ideal description of all systems of political and social organizations advocated by influential proponents.

ii) The idea of democracy was considered ambiguous and even those who thought it was clear or capable of clarity were obliged to admit certain ambiguity either in the institutions or devices employed to effect the idea or in the cultural or historical circumstances by which the word, idea and practice are conditioned.<sup>3</sup>

Contemporary democracy is not the monopoly of western world. It cannot be equated exclusively with the unique western liberal democracy. The erstwhile non-liberal systems of communist countries such as USSR and East European countries, and the somewhat different semi-liberal systems of most of the under-developed countries of Asia and Africa have also a genuine historical claim to the title of democracy. All of them evolved their unique characteristics of democracy. In this chapter, we shall discuss various theories of democracy in the modern nation-states which have come into existence during the last 200 years.

## **DEVELOPMENT OF THE IDEA OF DEMOCRACY**

For the greater part of human history, democracy was treated by intellectuals and political leaders with contempt. Democracy originally meant rule by the common people, the plebians. It meant rule by the untrained, ignorant mob. Its egalitarian character was contrary to the naturally hierarchical character of society. Democracy

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considered what is right by the counting of heads rather than by any standard of truth or justice. Plato defined it as ‘the worst form of government, less than tyranny’. In democracy, freedom degenerates into license and equality into insolence. Aristotle considered it as the rule of the poor, regardless of whether the poor were a majority or minority. He emphasized three elements of democracy: i) intellectually, democracy meant equality, ii) constitutionally, it meant rule of the majority, and iii) socially it meant rule of the poor at the expense of the rich.<sup>4</sup>

On the other hand, Greek philosopher Cleon defined democracy as the rule ‘of the people, by the people and for the people’. A classical theory of democracy was developed in Athens. It was justified on the grounds that citizens should enjoy political equality in order to be free to rule and be ruled in turn. The key features of this democracy were: i) direct participation of citizens in the legislative and judicial functions, ii) assembly of the citizens being sovereign and had the power to legislate on all common affairs of the city, iii) public offices were filled through direct election, lot or rotation, and had short duration. However, this type of democracy was limited to small city-states, and had a slave economy which created ‘free’ time for citizens. And more importantly, citizenship was restricted to a relatively small number of people.

In the middle ages, one could not expect any theory of democracy or any demand for a democratic franchise. When feudalism prevailed, power depended on rank, whether inherited or acquired by force of arms. It was only in the seventeenth and eighteenth centuries that democracy became a respectable term. It were movements like Reformation and Renaissance that made the case for democratization of state, society, economy and politics. The initial theoretical thrust came from English puritans of the left such as Diggers and Levellers. The classical democratic element was provided by John Locke who sought to free the individual from arbitrary government and establish him as an independent sovereign being guided by his conscience and right reason. Government, according to him, must derive its authority from the free consent of the governed. The equalitarian element of democracy was provided by Rousseau who sought to re-introduce elements of direct democracy through his theory of 'General Will'. However, while these philosophers provided the foundation of a plausible concept of

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democracy, they did not push their thought to logical conclusion. Their views were far away from the fact that people actually rule.

During eighteenth century, the American revolutionaries and constitutionalists such as Jefferson and Madison tried to lay down the institutional basis of democracy. In England, Bentham and James Mill advocated right to vote and representative government. J.S. Mill elaborated the aims, ideals and institutions of democracy which later on came to be known as classical-liberal democracy. Implicit in his writings was the view that democracy was desirable not only because it produces public policies but also makes participation in a common undertaking rewarding. He saw democracy as participatory, developmental, educative and constructive. This type of democracy was endorsed by many subsequent liberal writers such as T.H. Green, Harold Laski, R.M. MacIver, John Dewey, W. Wilson etc.

During the latter half of twentieth century, classical liberal theory of democracy was challenged not only by liberalism itself which produced a new theory known as Elite theory of Democracy, but also by two other non-liberal variants of democracy: the Marxist-communist or peoples' democracy, and a host of theories evolved by the underdeveloped countries. The major thrust of the elite theory of democracy was that democracy as a government by the people was a myth and political power, far from being wielded by the people, was competed among the elitist/pluaralist groups. A new theory of democracy known as Participatory Democracy which has evolved in Europe and America during the last twenty-five years is trying to free democracy from the elitist elements.

A powerful critique of liberal democracy and a radically different image of good society was provided by Marxism. Marxism rejected the whole idea of liberal democracy, terming it as 'class democracy' since capitalist society was a class-divided society. Instead, it proposed a new theory of democracy to be established by the working class after overthrowing the capitalist state. This is known as the proletarian democracy or 'Dictatorship of the Proletariat'. Again, after the second world war, a large number of Asian and African countries got independence from colonial rule either through revolutionary struggle or without any actual use of force. These revolutions were made by the leaders who were able to get support

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for their vision of building a future society. A part of this vision was democracy. However, these leaders arrived at their own theories of democracy by the conscious selection of those elements in both liberal and Marxist theories which they found applicable to the problems of their own people.

Thus we find that though democracy is a legitimate and universally appropriate form of government, different structural foundations or social pre-conditions produce quite different but possible democratic systems. However, in all kinds of democracies, the ultimate ethical principle at the most general level has been the same: to provide conditions for the free development of human capacities and to do this equally for all members of society. However, serious differences arise when we move from the general to the particular level in different societies. The different theories of democracy are nothing but different attempts to achieve this goal.

## MEANING OF DEMOCRACY

Seen from the above account of the development of the idea of democracy, it is next to impossible to give any universal definition of democracy. Cranston writes that democracy is nothing but different doctrines in different people's mind. C.D. Burns also complains: 'Few words have been more loosely and variously defined than democracy. It has almost literally meant all things to all people'. The UNESCO questionnaire had also pointed out the vagueness of the term: 'voices of complaints on the looseness and vagueness of current use of the word democracy have been heard at least since the days of the French Revolution'. One can agree with Laski that 'Democracy has a context in every sphere of life and in each of these spheres it raises its special problems which do not admit of satisfactory or universal generalization'. The difficulty with giving any precise definition of democracy lies also in the fact that the term has been understood not only as a form of government but also as an ideal or a way of life. The latter meaning takes a broader view of democracy which includes the ideals of democratic man, democratic society, democratic economic system and democratic morality. A number of definitions have appeared from time to time associating democracy with the process of government, some of which are as follows:

Lincon : Democracy is 'a government of the people, for the people

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and by the people'.

Seelay : Democracy is a form of government in which everyone has a share'.

Sartori : A democratic political system is one that makes the government responsive and accountable and its effectiveness depends first and foremost on the efficiency and skill of its leadership'.

Lipset : Democracy...may be defined as a political systems 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 : ‘...democracy is merely a mechanism for choosing and authorizing governments or in some other way getting laws and political decisions made‘.

Schepeter : ‘The democratic method is that institutional arrangement for arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will‘.

From the various definition of this controversially interpreted political concept, the following ideas may be selected which are commonly associated with this democracy:

i) A high level of political participation in the selection of public policies and public officials at regular intervals. It is the right and duty of all citizens to get involved in elections, public discussions and other aspects of political process.

ii) Meaningful and extensive competition among individuals and organizations for effective positions of government.

iii) Availability of civil and political liberties, sufficient to secure integrity of political competition and participation such as constitutional state, guarantee of basic rights such as right to vote, freedom to form organizations, free and fair elections, decentralization of political power etc.

In short, democracy is associated with Participation, Competition and Civil and Political Liberties. Historically, it has been defended

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on grounds of fundamental values such as equality, liberty, moral self-development, social utility, satisfaction of wants, efficient decisions etc.

## **THEORIES OF DEMOCRACY**

As mentioned above, democracy means rule by the people. However, to define democracy as the rule of the people raises more questions rather than helping to clarify its meaning. There is a lot of disagreement on both what constitutes ‘people‘ and what is meant by ‘rule‘. If ‘demos‘ means people, then the question is who constitute ‘people‘, what is the scope and extent of their participation; what are the conditions which are conducive to participation. Similarly, if ‘crats‘ means rule, then what is the scope of that rule; does rule mean control of the people over law and order, control over the economy and the public policies? What is the mechanism for those who do not want to participate? Just as there are innumerable questions, numerous answers have been given by different thinkers to these questions. While some thinkers believe that all should



directly participate in the decision-making, others believe that people can also participate through their representatives. Still others believe that rulers should be chosen by the people and should be accountable to them. The rulers should be accountable to the representatives of the people. Some believe that if the rulers act in the interest of the people, this will suffice. The different theories of democracy answer these questions in a systematic manner. For the purpose of our study, the following theories can be identified:

- 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 peoples' democracy

While the classical-liberal and Elitist/Pluralist theories are representative democracy, the participatory theory and the peoples' democracy try to blend elements of direct democracy so as to make the participation of the common man in the decision-making process a reality. Let us now discuss these theories in detail.

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## **REPRESENTATIVE DEMOCRACY**

Modern democracies are representative democracies. Though the rise of democracy in Athens is associated with the direct participation of citizens in the affairs of the state, the rise of modern nation-state made the institution of direct democracy irrelevant. The industrial revolution, creation of towns and cities, migration of population and capitalist economy created a number of problems such as the scope and extent of participation, participation vis-a-vis the requirements of skilled administration. The increase in population and other geographical and physical limits made direct democracy not only impossible but also unnecessary and undesirable. The ideal form of democratic state in the modern period was found in Representative Democracy in which people exercise their power through deputies or representatives periodically elected by them. The concept of representative democracy was systematically put forward by J.S. Mill in his book *Considerations on Representative Government*. According to him, a representative system along with freedom of speech, press and assembly provides a powerful mechanism whereby government can be watched and controlled. Through electoral competition, it is able to harness leadership qualities for the maximum benefit of all. Echoing Aristotle's views, he writes that when the government is controlled by all citizens, there is a constant danger that the wisest and ablest will be overshadowed by the lack of knowledge, skill and experience of the majority. Again, there is a difference between controlling the business of government and actually doing it. Control and efficiency increase if people do not attempt to do everything. The business of government requires skilled employment. The more the electorate muddle in this business, the greater the risk of undermining efficiency and reducing overall benefit to all. Thus the benefits of popular control and efficiency can only be had by representative democracy which separates functions and control. Representative democracy combines accountability with professionalism and expertise. It can combine the advantages of bureaucratic government without its

disadvantages. The different forms of representative democracies value both democracy and skilled government

## **CLASSICAL-LIBERAL THEORY OF DEMOCRACY**

Liberalism supported the democratic ideas right from the beginning. In fact, it was only with the rise of liberalism in England

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and Europe that the path was cleared for democracy and it became a respectable concept. Democratic ideas were nothing but a logical requirement of the governance of a society which had freed itself from absolute power of the kings and religious traditions. The ideas of liberty, equality, rights, secularism and justice became the cornerstone of liberalism and democracy became a means of achieving them. The liberal democracies that we know were liberal first and democratic afterwards. According to Macpherson, before democracy came in the western world, there came a society and politics of choice, a society and politics of competition, and a society and politics of market. It was the liberal state that was democratized and in the process, the democracy was liberalized.<sup>5</sup>

Early traces of classical-liberal democratic ideas are found in the writings of Thomas Moore's Utopia (1616), Winstanely's The Law of Freedom (1652) and English Puritanism as well as in the thinking of Levellers. However, it was the social contract theory which became crucial in establishing the foundation of democracy because the contract could be made only when all men were assumed to be equal. Thomas Hobbes in Leviathan (1651) elaborated the democratic principle that the government is created by the people through a social contract. It was John Locke who provided the formula that government must be by the people and aim solely at their good. The essence of his argument was that:

- (i) ultimately all political power inheres in the people,
- (ii) the legitimate power of the government is a limited one; the government should not violate certain rights of the people, otherwise, the contract between the government and the people is dissolved, and
- (iii) individual rights are a part of man's nature. Ultimately, a government is dedicated to the needs of the individual and not vice versa.

Locke's ideas about politics were complemented by Adam Smith in the realm of economics. He opposed mercantalism promoted by the state and argued that the best economic decisions should be made by the people themselves. Freedom to produce, buy and sell, free and open competition, free economic exchange would give advantage to the best endeavours and most industrious

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proportionate opulence. The French philosopher Montesquieu elaborated the theory of separation of powers which had a great democratic appeal and influenced the making of American constitution. On the American continent, Jefferson, Madison and Hamilton tried to give institutional shape to the ideas of Locke, Adam Smith and Montesquieu.

### Views of Bentham and J.S. Mill

Jeremy Bentham was the first modern liberal thinker who prepared the ground for the attitude towards democracy. He along with James Mill and J.S. Mill justified democracy on utilitarian grounds. He said that individuals require protection from the governors as well as from each other, and an assurance that those who govern pursue policies that are in consonance with the interests of the individual. Thus for him the problem was how to make sure that governments follow the wishes and interests of the community in matters of law and policy. In other words, the problem was how to find a system of choosing and authorizing government which would make and enforce the laws needed by the society. The solution to this problem was representative democracy, constitutional government, regular elections, secret ballot, competition between parties and leaders, majority rule etc. Thus Bentham came to see democratic franchise as essential to the goal of the greatest happiness of the greatest number. The only way to prevent the government despoiling the people was to make the governors frequently removable by the majority decision. However, his views on democratic franchise were not consistent. Till 1802, he advocated limited franchise, in 1809 he called for a householder franchise limited to propertied class, in 1817 he talked about universal franchise for men. However, broadly speaking, liberal democracy with universal franchise and constitutional government was seen as the best protector of individual rights and laissez faire capitalist economy.

It was J.S. Mill who set the course of democratic thought in the nineteenth century. Through his writings he sought to defend a concept of politics which increased individuality, representative government, efficient administration and non-interference in the economic affairs. While accepting the views of Bentham on democracy as a means of protecting the citizens from the oppression of the rulers, he supplemented it with another dimension—the

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moral worth of democracy for the improvement and development of mankind as a whole. His emphasis was more on what democracy could contribute to human development. Macpherson has called Mill's views on democracy as 'Developmental democracy'. According to Mill, man is capable of developing his powers and capacities and a good society is one which permits and promotes these activities. Liberal democracy or representative government was important because it was an effective means for the free development of individuality. Democracy drew people in the operations of government by giving them a right to vote which could bring a fall in government. Participation in political life such as voting, involvement in local administration and jury service was vital to create a direct interest in developing citizenry. Like Rousseau, Mill conceived democracy as a prime mechanism of moral self-development and highest and harmonious expansion of individual capacities.

However, while accepting participation in the elections as an essential means of human development, Mill did not favour universal franchise or the principle of one-man-one-vote. He was fearful that the working class being in majority, one-man-one-vote may lead to legislation in the interest of one particular class at the expense of other classes as well as of posterity. Instead, he recommended a system of plural voting for the members of the smaller classes so that neither of two classes should outweigh the other and impose class legislation. While everyone should have vote, some should have several votes. In his later book, Representative Government (1861) he argued for plural vote for some along with the exclusion of others such as people receiving poor relief, bankrupts, illiterates, those not paying taxes etc. While participation in the political process was necessary to improve people's quality, participation with equal weight was deemed to reinforce low quality. Hence those who had already attained superior quality, through education or property must not be made to yield their power to the rest. As he wrote 'It is not useful but hurtful that the constitution of the country should declare ignorance to be entitled to as much political power as knowledge'.<sup>6</sup> Thus, although from a purely arithmetical point of view, Mill could not be ranked as a full egalitarian yet his moral dimension was more democratic because it wanted to move towards a society of individuals more

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humanly developed. On the whole, he drew the conclusion that a representative democracy, the scope and powers of which are tightly restricted by the principle of liberty and laissez faire in economic relations is the best guarantee of free community and brilliant prosperity.

The above ideas of classical-liberal democracy found further support in the writings of T.H. Green, Hobhouse, Lindsay, Barker, Laski, MacIver, John Dewey, W. Wilson etc. With the evolution of the party system in the twentieth century, the classical-liberal theory was further strengthened. The contradiction which Mill had seen between universal franchise and the class interest turned out to be unfounded. Franchise was extended to all adult population. In fact the early twentieth century liberal thinkers felt that the democratic party system had overcome the dangers of class government. For example, MacIver saw the party system as an effective way of reducing the multitudinous differences of opinion to relatively simple alternatives. Similarly, John Dewey felt that democracy was the best method to organize the scattered, mobile and manifold public.

## **CHARACTERISTICS OF CLASSICAL LIBERAL DEMOCRACY**

From the above discussion, we can sum up the characteristics of classical-liberal theory of democracy as follows:

1. The classical liberal theory of democracy from John Locke onwards, enshrines supremacy of the people.
2. It takes individual as the basic unit of democratic model, assuming that he is rational, ethical, active and self-interested. It emphasizes individual freedom and the right of the individual to pursue his own good with minimum of state interference.

3. It hated the tyranny of the old regimes of monarchies and aristocracies, stressed the role of vigilance and participation in protecting the hard won rights against the sinister interests of the government. Hence participation in political life was felt necessary not only for the protection of individual interest but also for the creation of an informed, committed and developing citizenry. Political involvement was considered essential for the development of the individual.

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4. Participation was deemed a virtue. Through this opportunity, it was believed that the horizon of the individual would be widened, his knowledge extended, his sympathies made less parochial, his practical intelligence developed. It would serve as a means of intellectual, emotional and moral education, leading towards the full development of the capacities of the individual.

5. At institutional level, it advocated representative government with elected leadership, regular elections, secret ballot, constitutional state, independent judiciary, individual rights and civil liberties including freedom of thought, feeling, taste, discussion, publication etc.

6. It made a clean demarcation between elected representatives and the bureaucracy. The benefit of popular control and efficiency can be had only by recognizing that they have quite different functions.

7. At economic level, it was built upon economic inequality and political equality. It believed in competitive market economy, private possession and control over the means of production and laissez faire economy. According to Macpherson, democracy was to maximize the liberty of citizens and above all secure their property and the working of the capitalist economy. Liberal democracy neither destroyed or weakened the state, it strengthened both the state and the capitalist society.

## CRITICISM

In spite of being a comprehensive theory of democracy, the classical-liberal theory was vehemently criticized and found inadequate to meet the needs of highly industrialized and technological states which emerged during the inter-war period and the second world war. The main grounds of criticism are as follows:

1. The classical theory rests on a view of man as rational, active, informed and ready to take active part in the political process. Lord Bryce, Graham Wallas and later the empirical writers maintained that man is neither as rational, as disinterested, as informed or active as it is assumed to be. The classical theory either ignores, underplays or simply condemns the role of organized groups, leaders or emotions in political affairs. As Davis writes, 'the reality of irrational mass emotions, self-interest, group egoism and the

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prevalence of oligarchic and hierarchical social and economic organizations need no longer be denied in the name of democratic values’.

2. The classical democracy is centred around the proposition that ‘the people’ hold a definite and rational opinion about every individual question and they give effect to this opinion by choosing their representatives who will see to it that their opinion is carried out. However, it fails to provide definition of such terms as ‘people’ or ‘rule’ which are obviously central to a conception of government as the rule of the people. Public opinion as the basis of government is a ‘democratic myth’. In actual practice, public opinion does not make the government; rather it is the government which moulds the public opinion.

4. The classical theory is based on the assumption that there exists a common good (such as human self-development) which is always simple to define and which every normal person can be made to see by means of rational argument. However, as was pointed out by Schempeter, there is no such thing as a uniquely determined common good on which all people could agree or be able to agree by rational argument. Common good is bound to mean different things to different people.

5. Public policy is not necessarily the expression of the common good as conceived by the people after widespread discussion, debate, consultation and consent. Such a description of policy-making is held to be dangerously naive because it overlooks the role of demagogic leadership, mass psychology, group coercion and the influence of those who control concentrated economic power. According to Walker, classical democracy is unrealistic because i) it employs concepts of the nature of man and the operation of society which are Utopian, and ii) it does not provide an adequate operational definition of its key concepts.

6. With the advent of the party system, democracy has been reduced essentially to a competition among the elites rather than the masses. These elites are the driving force and they formulate issues. What we are confronted with in the analysis of the political process is not a genuine but a manufactured will, manufactured in ways similar to commercial advertising. People neither raise nor decide issues but the issues that shape their fate are normally raised or

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decided for them. The wishes of the electorate are not the ultimate ideas nor the electorate’s choice flows from its initiative. Rather it is shaped by the elite.

7. The classical theory takes an over-simplified view of the complex procedure and decision-making process in politics. It lacks a satisfactory treatment of the problems caused by simultaneous affirmation of majority rule and minority right. The complex and technical nature of the political process is beyond the understanding of an average man who is too much engrossed in his own activities. As Davis writes, ‘The highly technical and complex process of policy making is over-simplified and misunderstood (by the classical theory)’.

8. The classical theory of democracy was based upon political equality (equality before law) and economic inequality. While the early liberals such as Bentham, James Mill and J.S. Mill tried to

absorb the working class aspirations through limited political participation, the theorists of the first half of the twentieth century increasingly lost sight of the class character of liberal democracy and its exploitative consequences upon the working-class. The neoliberals like Lindsay, Barker, MacIver, Dewey felt that democracy with its regulatory and welfare state could be the best way of bringing a good society. Although they were not insensitive to the concentration of economic power in a few hands, yet they did not find fundamentally anything wrong with the capitalist relations of production. They hoped that with some redistribution of rights between the classes, the democratic process could adjust the differences of various interests through peaceful and rational give and take. For example, Barker wrote that such redistribution would be 'a matter of constant adjustment and readjustment, as social thought about justice grows and as the interpretation of the principles of liberty and equality broaden with its growth'. And this could be done through voluntary class cooperation aided by the state. However, as been pointed out by Macpherson, such a redistribution still remains a dilemma of liberal democracies.

## CONCLUSION

In spite of the critical attacks both from the empirical political scientists and Marxists, there is no denying the fact that the classical

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liberal theory broadened the vision of democracy. It associated democracy with democratic humanism. It understood democracy as a value and a way of life. The heart of classical democracy remained its moral purpose. It prescribed this purpose, then a general strategy for its fulfillment and the various institutions through which this strategy may be carried into operation. It emphasized self-government through individual participation, free debate on political issues, consultation and consent. However, with the rise of liberal welfare state and the complexities of the state in the twentieth century, liberal democracy was found lacking. It was replaced by Elitist and Pluralist theories of democracy. However, the shortcomings of the elitist-pluralist theories have once again compelled to revise our views on democracy. This will be made clear in the participatory democracy.

## ELITIST THEORY OF DEMOCRACY

The classical theory of democracy which gave central place to the idea of political equality and individual participation in the affairs of the government was challenged in the twentieth century by a number of thinkers determined to bring democracy face to face with the empirical reality. For them, the problems were: how realistic is it to expect the individual to directly participate in the day-to-day politics? can the ordinary citizen bear the strain of playing public role? will liberty be not destroyed if the masses are allowed to bring a variety of impulses unaided by an externally imposed discipline? In other words, is self-government possible? The answers to these questions led to models of democracy very different from the classical-liberal theory of democracy. These models are popularly known as i) Elitist Theory of Democracy and ii) Pluralist Theory of Democracy.

What led the realists to revise the classical theory of democracy? Historically, a number of factors during the inter-war period created favourable circumstances for such a change. Primarily, they were: large scale warfare, international rivalry in economic growth, economic depression, rise of fascist governments in Italy and Germany which led to the general enhancement of the importance of leadership, an increased need to remove political decisions from the democratic responsiveness, and the belief that only the experts could save the democratic system. What became

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overwhelmingly clear was that the industrial organization of society demanded so much specialization, hierarchical and bureaucratic control that the demands for democratic participation in the decision-making were simply unrealistic.

On the whole, the drive away from equality of control in the modern society became extraordinarily powerful. Not demanding much from individual citizens, the revisionists defined democracy in terms of 'system maintenance'. They encouraged their readers to appreciate the value of orderly, constitutional government, political stability, and an electoral system that successfully makes elites accountable to the more visible parts of the body politic.<sup>7</sup>

The elitist theory of democracy can be studied on the following lines:

- (i) Meaning of the concept of Elite
- (ii) Elite theory of democracy
- (iii) Characteristics of the elite theory of democracy
- (iv) Criticism

## **MEANING OF THE CONCEPT OF ELITE**

The term elite is usually used to mean a minority group distinguished from the mass of the people by some factor or factors that put it in a more advantageous position than the mass with regard to certain important aspects of social life.' According to Suzanne Keller, elites are those 'minorities which are set apart from the society by their pre-eminence in the distribution of authority, achievement and reward'.<sup>8</sup> The kind of elites with which we are concerned are the political power elites and are often categorized as 'governing elites', 'political elites', 'power elite', 'ruling elite' etc. Such elites have as one of their distinguished feature the position of special access to or special ability to gain political power. According to Lasswell, 'the political elite comprises of the power holders of the body politic. The power holders include the leadership and the social formation from which leaders typically come and to which accountability is maintained during a given period'.<sup>9</sup> Similarly, Presthus defines political elite as 'minority of specialized leaders who enjoy a disproportionate amount of power in the community's affairs'.<sup>10</sup> In short, the elite is a group of people who hold political power because of their higher ability

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and provide leadership in all affairs of the society. An elite holds political power because it is an elite.

The elitist tradition of political thought has a long history. In a sense, Plato was an elitist. But modern organizational elitism has arisen in the last 50 years or so, achieving its most notorious expression in the works of classical elitists like Vilfredo Pareto, Geatano Mosca, Robert Michels and J.O. Gasset. In USA, the theory found expression in the writings of James Burnham and C. Wright Mills! The elite theory is based upon the idea that the society consists of two broad categories of people—the selected few and the vast masses. Pareto, in his book *Mind and Society*, wrote that every society is ruled by a minority that possesses the qualities necessary for its accession to full social and political power. Those who get to the top are always the best. They are the ‘elites’—persons who rise to the top in every occupation and stratum of society. He also believed that the elites generally came from the same class, those who are wealthy and are also intelligent. Thus society consists of two strata of population: (i) lower stratum or the non-elite, and (ii) a higher stratum or the elite which is divided into governing elite, and non governing elite. Pareto also gave the concept of the circulation of elites which was further developed by Mosca. According to Mosca, two classes of people appear in every society: a class that rules, and a class that is ruled. The former is less numerous, performs all political functions; monopolises power and enjoys the advantages that power brings; the latter more numerous, is directed and controlled by the first in a manner that is now more or less arbitrary and violent. ‘The domination of an organized minority over unorganized majority is inevitable’. It is always the minority organized as a group which rules over the unorganized majority. Similarly, Robert Michels, whose name is associated with the ‘iron law of oligarchy’ asserted that the majority of human beings in a condition of eternal tutelage are predestined to submit to the domination of a small minority and must be content to constitute the pedestal of an oligarchy’. Leadership is a necessary phenomenon in every form of social life. The majority of human beings are ‘apathetic, indolent and slavish and permanently incapable of self-government’.

In short, the theory holds that:

- i) Division of society into dominant and subordinate classes is a universal fact. People are unequal in their ability and capacities;
- ii) The elites exercise power and influence because of their superior quality such as intelligence, ability, administrative capacity, military power or moral authority;

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- iii) The elites are open groups and there is circulation of elites. Some new elites are admitted and some old go out. Sometimes a whole set of elites is replaced by a new one through revolution.
- iv) Since, the majority of the masses are by and large apathetic, lazy and indifferent, society needs leadership in every walk of life. Elites provide this leadership.
- v) In the present century, the ruling elites consist of three kinds of people—intellectuals, managers of the industries and bureaucrats. C Wright Mills who used the term ‘Power elite’ discussed three major elites—economic, military and political.

## ELITE THEORY OF DEMOCRACY

A generation of theorists of political elitism flourished around the second world war who tried to attempt a theory of democracy which could be reconciled with the theory of political elites. Considering the existence of political elites as inevitable phenomenon of modern political life, these democrats welcomed elitism and evolved what they called an 'Elitist Democratic Theory'—a kind of democracy in which elites were seen as the bulwark of democracy, protecting it from the dangers of totalitarianism'. They evolved a concept of democracy as a political system in which political parties in the form of elites compete for votes of the mass of electorate, the elites are relatively open and are recruited on the basis of merit, and people are able to participate in ruling the society at least in the sense that they could exercise a choice among the rival elites.

The elite theory of democracy was deeply influenced by the classical elitism of Pareto, Mosca and Michels. In the English speaking world, the theory was systematically formulated by Joseph Schumpeter in his book *Capitalism, Socialism and Democracy* (1942). Since then it has been built up by many political scientists

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and has been supplemented by a host of writers such as Bernard Berelson, G. Sartori, Robert Dahl, Eckstein, Raymond Aron, Karl Mannheim, Almond and Sydney Verba etc.

The elite theory of democracy begins by attempting to assess realistically what is meant by 'rule by people' in a complex industrial society. Relying on the arguments presented by elite theorists, it was claimed that popular rule means very little indeed. It could be demonstrated conclusively that any large scale organization (such as the state) is of necessity organized on hierarchical lines. There are certain people who possess more power than others. Any organization can be divided into two groups—the elites who make the decisions, and masses who follow it. The reasons are obvious. Every member cannot be expected to know the full details involved in running the government. People are normally concerned with earning their livelihood for themselves and pursuing their individual interests. To expect an ordinary citizen to be a full time participant in the political process is simply absurd. The complexities of modern society demand that we adopt a specialization whereby some people become expert in running the organization. In other words, the basic assumption of the elite theory of democracy was that most men are incapable of understanding the complexities of government decisions, adhering to liberal values or even continuing to have an enthusiasm in the democratic procedure.

Secondly, the elite theory of democracy feared the participation of the people in the political process and wanted to restrict their entry. The fear originated as a reaction to the totalitarian and fascist movements and regimes which sought to mobilize mass support as a means of achieving power and then destroying the democratic system itself. Whereas for the classical liberal democracy, the enemies were the kings, aristocrats and plutocrats, for the elite theory of democracy, the new enemy was the people. Any deep incursion by them into politics and rapid mobilization of their numerical strength was a sign of authoritarian trend. Democratic and liberal values could be saved only by keeping the masses away from politics.

Whereas the classical-liberal theory of democracy believed that people hold a definite and rational opinion about national issues and they give effect to their opinion by selecting their representatives,

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the Elite theory of democracy reverses this process. That is to say, the role of the people is only to elect the representatives who in turn produce a national executive or government. 'Democracy is simply a mechanism for choosing and authorizing governments, not a kind of society nor a set of moral ends.'<sup>11</sup> The voter's role is not to decide political issues and then choose representatives who will carry out those decisions, it is rather to choose the men who are responsible for choosing the policies and enacting legislation. The mechanism consists of a competition between two or more self-chosen set of political parties (elites) for the votes which entitle them to rule until the next elections. The individuals who compete are politicians. The citizens' role is simply to choose between sets of politicians periodically at elections time. The citizens' ability thus is to replace one government by another which protects them from tyranny. In short 'the democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's votes'.<sup>12</sup>

Similarly, Giovanni Sartori, in his book Democratic Theory writes, 'the democratic theory of elites is, in the light of present day factual knowledge, the core of democracy itself. He cautions that democracy is terribly difficult. It is so difficult that 'only experts and accountable elites can save it from the excess of perfectionalism, from the vortex of demagogy...adequate leadership is vital to democracy.'<sup>13</sup> He rejects the idea of self-government demos as either deceptive myth or a demagogic device and accepts elites as necessary evil. Democracy can be defined as a system 'where the majority designates and supports the minority (elite) which governs.'<sup>23</sup> Political democracy is a method or procedure by which, through a competitive struggle for sanctioned authority, some people are chosen to lead the political community. Democracy is the product of effects that results from the adoption of this method. Similarly, Plamenatz writes, 'In democracy, those who govern acquire the right to do so by competing for the people's votes'

All elite theorists deny that there can be in any real sense government by the people. Raymond Aron writes 'it is quite impossible for the government of a society to be in the hands of any but a few...there is government for the people, there is no government by the people'.<sup>24</sup> In any society which is large and

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complex, democracy can only be representative, not direct and the representatives are a minority who clearly possess greater political power than those whom they represent. Democracy means rule of the political elite which has been elected by the people. We have democracy when competition for power between various competing elites goes on and the people vote to decide who will enjoy political power.

In what sense the Elite Theory is democratic? Firstly, the simple and important point that the theory believes in plurality of elites. The existence of choice for the people as to which elite (s) shall hold political power is the key democratic feature. Although there is at any one time rule by a minority but over a period of time, there is an alternation or some other form of changing the elites. Secondly, while the power is held by elites, the choice as to which elites shall hold power remains in the hands of people. It is this decision-making by people, together with the dynamic relationship between elites and masses which makes the elite theory democratic. Thirdly, the process of moving in and out of power involves elite competition: they compete for the position of power, which gives the people the ultimate power. The result of competition among the elites is democracy because the power of deciding between the competitors is in the hands of the demos. Fourthly, people's ultimate power consists in the capacity to remove one set of elites from power and appoint new ones. This feature of elite democracy ties it with the general idea fundamental to all theories of democracy that there should be a meaningful choice for electorate. Thus the electoral process holds key place in the elite theory. It is a mechanism which gives people ultimate control over the elites. The elites in power have a duty to give an account of themselves and their action to the people who have a right to remove them if the account is unsatisfactory.

The elite theory of democracy has two sides: the elite side and the democratic side. The elitist side is the stress on the importance of leadership and the need for specialization; the democratic side consists in the 'openness of the elites'. The masses can become members of the elites. There is a possibility of the rise of new elites from out of the masses. According to Bottomore, the elitist democratic system implies the following conditions:

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- i) the elites are relatively open
- ii) they are recruited on the basis of merit,
- iii) there is a continuous and extensive circulation of elites,
- iv) the mass of population is able to participate in ruling society to the extent that it can exercise choice in selecting between the rival elitist groups,
- v) the democratic elites have a mass background,
- vi) the distance between the elite and the masses is minimum.

## **CHARACTERISTICS OF ELITE THEORY OF DEMOCRACY**

1 At the heart of elite theory of democracy is the presumption of an average citizen's inadequacies. The concept of an active, informed democratic citizen is a myth. The theory believes that the political inactivity of the average citizen is more or less a permanent aspect of his behaviour. It considers political inactivity as a sign of satisfaction with the operation of the political system. It is considered as a form of passive consent. As a result, a democratic system must rely on the wisdom, loyalty and skill of its political leaders and not on the population at large.

2 The elite theory conceives democracy primarily in procedural terms: it is seen as method of making decisions, a mechanism for choosing and authorizing governments, and not a kind of

society nor a set of moral ends. The mechanism consists of competition between the two or more self-chosen elites arrayed as political parties, for the votes which will entitle them to rule till the next election. The voter's role is not to decide the political issues but to choose representatives who will make decisions which ensure efficiency in administration and policy-making. The average citizen has some measure of political power because of his right to vote in regularly scheduled elections. The theory expects that the political leaders in an effort to gain support at the polls, will shape public policy to fit the citizens' desires.

3. The elite theory of democracy calls for an agreement on democratic values among the elites which it considers as the only main bulwark against the breakdown of constitutionalism. It calls for a consensus among the elites—political parties, leaders, trade union executives, and leaders of voluntary associations to defend

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the fundamental procedures of democracy in order to protect their own positions from the irresponsible demagogues. Agreement among the political leaders is more important than consensus among the common citizens for achieving stability.

4 Several elite theorists have suggested that democracies have good reason to fear increased political participation. They argue that a successful democratic system depends on widespread apathy and general political incompetence. The idea of democratic participation is thus transformed into a noble lie, 'designed chiefly to ensure a sense of responsibility among political leaders.' If the uninformed masses participate in large numbers, democratic self-restraint will break down and peaceful competition among the elites—the central theme of the elite theory—will become impossible.

5 The principle aim of the elite theory was to make democracy more realistic and to bring it closer to the empirical reality. The elite theorists were convinced that the classical liberal theory does not account for 'much of the real machinery' by which the system operates. But in the process of bringing it closer to the reality, they have transformed democracy from a radical theory into a conservative political doctrine, stripping away its distinctive emphasis on popular political activity so that it no longer serves as a set of ideals towards which society ought to be striving.

6. The elite theory of democracy has shifted the emphasis of democracy from individual participation in decision-making to the needs and functions of the system as a whole. The central question for the elite theory is not how to design a political system which encourages individual participation and enhances the moral development of the citizen but how 'to combine a substantial degree of popular participation with a system of power capable of governing effectively and coherently'. The elite theory allows the citizens a passive role in political activity. The overriding concern of the elite theory is with maintaining the stability of the democratic system. Political participation has been substituted by stability and efficiency as the prime goals of democracy.<sup>15</sup>

## CRITICISM AND EVALUATION

The elite theory of democracy has been criticized by a number of writers, prominent among whom are C.B. Macpherson, Greame

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Duncan, Barry Holden, Bottomore, Plamenatz, Christian Bay, J.L. Walker, Robert Dahl etc. The main lines of criticism are as follows:

1. The elite theory of democracy is excessively arbitrary and does not pay attention to the recognized characteristics of democracy. According to Barry Holden, if we define democracy as the making of political decisions by the electorate, then elite theory is not democratic. The appointment and removal of elites by means of elections is held as the key to the democratic process. If it means that the electorate only appoint and remove governors and do not decide upon issues and policies, then this is not an instance of democracy. If the electors are only to choose the representatives, this means that they have no voice in running the country.

2. The heart of the classical theory of democracy was its moral purpose. The elite theory deliberately empties out the moral content from the democratic phenomenon. There is no nonsense about democracy as a vehicle for the improvement of mankind. Elite democracy changes the means and the locus of the contributions of the government to human development. Politics may play a part in the pursuit of the ideal but it no longer has the paramount role which it had before. The most significant realms for responsible personal activity lie beyond the limits of politics—economics, education, arts etc. Elite democracy, though not denying the traditional democratic hopes for moral progress, conspicuously excludes them from the list of essential features in the definition democracy.

3. For elite theory of democracy, participation is not a value in itself. All elite theories deny that there can in any real sense be government by the people. Popular government in the classical democracy meant active participation of most adult citizens in the determination of public policies. In the elite theory of democracy, the popular rule means only the popular choice at periodic elections of governors who make policy-decisions. The extent of popular participation, which is essential for political democracy, is more than that. However, according to Bottomore, this is an undemocratic element which becomes 'more apparent when the representative principle is applied in a system of indirect elections whereby an elected elite itself elects a second elite which is endowed with

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equal or superior political power.

4. Responsibility of the government, according to the elite theory, refers to the accountability of the creative and governing elite to those who have been the object of its policies. Citizens must have minimum involvement in the affairs of the state. They have to judge the governors, their records and their promises largely as passive objects. That is, they are to judge the world they never made. If a high degree of social solidarity and a sense of community are necessary for the

effective functioning of any sort of democratic government, then it must come largely from some other source than the political activity of the citizens.

5. An important unsatisfactory element in the theory is its concept of passive apolitical common man who pays allegiance to his governors and to the sideshow of politics while remaining primarily concerned with his private life, evening of television with his family, or the demands of his job. Only when the average citizen finds his demands threatened by the action or inaction of government that he may vigorously strive to influence the course of public policy.<sup>17</sup>

6. The primary concerns of the elite theory of democracy have been the maintenance of democratic stability, the preservation of the democratic procedure and the creation of machinery which would produce the most efficient administration and coherent public policies. With this the social movements have been pictured as a threat to democracy or as political extremism. Whereas the social movements also serve as the 'creators and carriers of public opinion', the elite theory fears that the social movements put the system out of gear and disrupt the mechanism designed to maintain the due process of law.

7. By replacing the classical theory of 'democratic humanism' by that of 'democratic mechanism', the elite theory of democracy has stripped democracy of much of its radical elan and has diluted its Utopian vision, thus rendering it inadequate as a guide to the future. As Davis Lane writes: 'The institutional idea of contemporary democracy lacks the radical bite of classical theory. It is bound by the limits of political reality. It is less a guide to future action than a codification of past accomplishments.'<sup>18</sup> The theory generally accepts the prevailing distribution of status in society and finds it

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not only compatible with political freedom but even a condition of it.' It provides democracy with something of a system to be preserved rather than an end to be sought. Those who wish a guide to the future must look elsewhere.

## **PLURALIST THEORY OF DEMOCRACY**

Apart from Elite Theory of Democracy, modern democratic theory has another dimension which has been developed primarily by the American political scientists since the second world war. This is known as the Pluralist Theory of Democracy. The elitist and the pluralist theories of democracy are distinguished as two types of democracy but there are important inter-connections between the two and the writings of some theorists contain an amalgam of both.<sup>19</sup> Both theories point to the power of groups other than people as a whole and as such both run counter to the classical-liberal democracy. Both see democracy as consisting of plurality of power holding groups and their relationship to one another and the mass of the people. Nonetheless, there are enough differences to outline them as two separate theories. In the Elite Theory of Democracy, the concern is with the elites that control or seek to control the government. In the pluralist theory, the focus is on the groups that seek to influence rather than control the government. This is understood by distinction between political parties and pressure groups. Another difference is the different role given to the electoral process in the two types of theories. Elite theory is

centred upon elections: it is by virtue of competition for the peoples' votes that the elite model is held to be democratic. In the pluralist theory, although elections may be seen as a necessary condition for the existence of the democratic process, that process is itself constituted primarily by the inter-election activity of the groups.

To a very great extent, the pluralist theory of democracy was a reaction against the non-democratic character of elitism. The pluralist theory of democracy was formulated as part of the rejection of the elitist analysis of politics. Whereas elite theory believed that the masses were incapable of making decisions on major issues, the pluralist democracy, recognizing the inadequacies of the electoral process, called for other means of eliciting the will of the people.

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## **MEANING OF THE CONCEPT OF PLURALISM**

Although the origin of pluralism lies far back in history, it became part of the liberal creed in the twentieth century. Pluralism can be characterized by its' view that power is and ought to be decentralized and scattered among a number of groups and associations. In USA, pluralism manifested itself especially in the group theory of politics. Some writers treat 'group theory of politics and pluralism as synonymous. It was the group theory of politics associated with Bentley and Truman that provided the immediate intellectual basis for the pluralist theory of democracy. Group theory entered into pluralism in two ways. Firstly, it provided the view that the society is basically composed of various interest groups. Such groups engage the interests of the population and act as a chain between the masses and the elites. Secondly, groups provide the foundation of what is known as the 'pressure group' theory which represent the masses in a much more meaningful way because they articulate and make effective the specific demands of the citizens. On the whole, groups provide for some real participation and they advance the perceived interests of the masses.

The modern concept of pluralism believes that in the industrial/ technological societies, power is highly fragmented; it is so amorphous, shifting and tentative that only a few are said to have more than others over a period of time. Power is broadly shared among a group of competing public and private groups; those in high places appear to have more power but in fact they are mediators among conflicting interests for whose power and support they always bargain. As Durkheim maintains: 'Collective activity is always too complex to be able to be expressed through a single and unique organ of the state...A nation can be maintained only if between the state and the individual, there is inter-related a whole series of secondary groups near enough to the individual to attract them strongly in their sphere of action and drag them in this way into the general torrent of social life'<sup>20</sup>. Through their leaders, such groups mediate between individual and all organized forms of power, thereby ensuring the representation of affected interests. They give private citizen a voice in the government and ease consensus.

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Even though industrial and political 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. The competition among big business, labour and government keeps each interest from misusing its power. Though there are inequalities in wealth, education and power, the presence of associations and groups provide the broadest possible representation of private interest that make democracy viable. Pluralism insists that government is not merely the responsibility of politicians and officials but also that of individuals and social groups of any kind who have their part to play and make their influence felt in indirect ways.

Modern pluralism agrees that some form of elite rule by highly educated and interested groups is the essential requirement of our system. However, pluralism exists if no single elite dominates decision-making in every substantive area. If bargaining and opposition among three or four elite groups persists, pluralism remains. Here pluralism comes near the elite theory.

## **PLURALISTIC THEORY OF DEMOCRACY**

The pluralist theory of democracy has been supported by a number of American political scientists such as S.M. Lipset, Robert Dahl, V. Presthus, F. Hunter, R.E. Agger etc. According to these writers, political power is divided among diverse interest groups, associations, classes and organizations in the society and the elites which lead them. These groups raise their demands directly or through the mediating agencies of political parties on the political system. Pluralist democracy means 'a political system in which policies are made by mutual consultation and exchange of opinions between various groups so 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.<sup>21</sup> The theory believes that power should be shared by all groups in the society and all organizations and groups must have their share in the policy making. No social class should really control the machinery of the government to the total exclusion of other competing classes or groups.

According to Presthus, pluralist democracy is 'a socio-political system in which the power of the state is shared by a large number of private groups, interests, organizations, and individuals represented

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by such organization...pluralism is a system in which political power is fragmented among the branches of government, it is moreover, shared between the state and a multitude of private groups and individuals.<sup>22</sup> Duverger defines it as 'a plurality of decision centres'. According to Truman, twentieth century democracy consists of a pluralistic struggle among diversified interest groups. Writing in the context of USA, he felt that United States was a democracy by virtue of the fact that no small set of the multifarious interests controlled a dominant share of public policy decisions.'

For the pluralist democracy, the behaviour of the individual citizens per se is not crucial since the virtues of groups would make up for the failures of individual citizens to conform to the popular democratic image. If the citizens are ignorant of the political issues that affect their interests, the relevant interest groups would protect them. If the individual citizen lacks the resources to make his wishes known, the relevant interest groups would pool their resources, aggregate their separate concerns and articulate them to the appropriate decisions makers.

The key character of this model of democracy is that no single group or minority coalition groups dominate in all important areas of political decisions. For group theorists like Dahl, modern democracy itself could be defined as ‘a process of governance by which minorities—plural—rule’<sup>23</sup>. In order to effect such a rule, the theorists postulate an open political system in which all citizens have the legal opportunity and the economic resources to organize and to pursue their interests in the political arena. Such an opportunity is vital because it provides an instrument by which support and opposition towards a proposed measure may be expressed.

The pluralist theory believes that normal politics consists in the resolution of conflicts among groups. As most citizens lack the competence to govern directly, democracy works better when citizens are governed indirectly through membership of or identification with a group that supports their interests. Individuals should actively participate in and make their will felt through groups of many kinds.

The democratic quality of the pluralist theory is preserved not only by the great diversity of competing groups but also by the greater commitment to the democratic principles among the group

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leaders and activists. A consensus must exist on what is called ‘democratic creed’. All groups must have faith in the democratic methods of voting, organizational membership and other political activities. They must believe that elections are a viable instrument of mass participation in political decisions.

In the political community there must be different centres of power, influence and competition. Also a lively competition among individual elites and groups possessing different basis of power is a critical factor in the pluralist theory of democracy. Here pluralist theory comes very near to the elite theory. As has been pointed out earlier, the line between the elitist and the pluralist democracies can become blurred or non-existent. The greater the emphasis on the importance of plurality of elites and the dispersal of power, the nearer elite theory comes to the pluralist theory. Indeed, the two have been merged by Robert Dahl in his ‘pluralist-elitist’ theory of democracy.

#### Dahl’s Polyarchy

Robert Dahl has explained the theory of democracy in his books *A Preface to Democratic Theory* and *Polyarchy*. In his democratic theory, Dahl has combined the elite concept of government and the electoral competition with the pluralist stress on the dispersal of power. The plurality of elites is regarded in the same light as that of the plurality of groups. According to him, people act both through the electoral system and the group process. In his type of democracy which he calls ‘Polyarchy’, there are several places where decisions are made—merchants, industrialists, trade unions, farmers’ associations, consumers, politicians, voters. A number of groups and association influence policy making in the government. No one succeeds in obtaining full satisfaction of their demands. Some groups may be more influential than others, though it is difficult to measure the different degrees of this influence exactly. Moreover, the groups have greater power to resist policies which are not wanted and relatively less power to get

desired policies implemented by the government. He defines the normal political process a polyarchal democracy by which he means 'a political system in which all active and legitimate groups in the population can make themselves heard at some crucial stage in the process of decisions.<sup>24</sup> Dahl argues that in polyarchal democracies, it is the

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minorities—plural—which rule. This argument is based on two lines of reasoning: i) even superficial observation suggests that in USA, decisions are made by endless bargaining; perhaps in no other national political system in the world is bargaining so basic a component of the political process, and ii) all groups share the political power and minorities rule<sup>25</sup>. If minorities do not exercise political influence effectively, they at least are accorded sufficient political status to prevent revolutions stemming from the disregard of their intense preferences by the majority.

According to Dahl, the formulation of elites is natural in the industrial democratic societies but he rejects both the notion of the 'power elite' and the 'ruling class'. In his book *Who Governs*, he came to the conclusion that the city was governed by a combination of elites in the cultural and economic fields but none of which could be described as a ruling elite. He firmly believes that the political elite in USA is a democratically competing pluralist elite leadership drawn from a large number of elites in different fields of society. The laws passed by the government are the result of a compromise between the forces of labour, capital and the organized power of other intermediary groups. Thus although minorities rule in both democracy and dictatorship, the characteristic of polyarchy greatly extends the number, the size and diversity of minorities, whose preferences influence the outcome of government decisions.

## **CHARACTERISTICS OF PLURALIST THEORY OF DEMOCRACY**

- 1. It believes that democracy is a political system run by competitive minorities because only they can secure political liberty of the masses.
- 2. No single group should dominate the decisions-making process. Power should be decentralized, shared, contested and bartered among various groups in the society.
- 3. To keep a check on the concentration of power, there should be a system of checks and balances between legislature, executive, judiciary and administrative bureaucracy.
- 4. The function of the government is to mediate and adjudicate among different groups.

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- 5. There should be different centres of power, influence and competition with wide resource base of different groups.
- 6. There must be consensus among different groups on political procedures, range of policy alternatives and legitimate scope of politics.

## **CRITICISM AND EVALUATION**

The pluralist theory of democracy presumes that the group process and its outcome constitute the popular will and the general interest. However, as Holden points out, this is based on a general

fallacy since that which results from the pursuit of particular interests may not be that which is desired by anybody.<sup>43</sup> Firstly there is a mistake of supposing that the outcome of the clash of interests will necessarily bear a relevant relationship to those particular interests. For example, the result of the clash of interests among the groups of property developers, inhabitants, architects, local authorities, and the environmentalists over a policy of slum clearance might well result in that nothing is done. This would be an outcome that nobody wants. Secondly, it is also misleading that the individuals want only what is incorporated in their various interests. Indeed what an individual wants may run counter to what is involved in the pursuit of group interests. For example, as a wage earner, many people may want higher wages, but if asked at the elections, they might well say that as individuals they want a sound economy and an end to inflation even if this may mean a wage restraint.

Critics remain unconvinced that the procedural safeguards that assure competition form an adequate foundation for democracy. For example, Micheal Mavgolis points out that the pluralist theory of democracy, inspite of assuring competition among elites, does not give a satisfactory explanation on the following grounds:

(i) it does not devise ways for the elected legislature, the central institution of liberal democracy, to control the huge bureaucracy;

(ii) it does not limit military's control of the budgetary resources and technical information that allow it to manipulate public policy in its favour;

(iii) it lacks the capacity to limit or control the great concentration

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of wealth, income and employment opportunities found in large private corporations;

(iv) the theory does not devise ways to increase or redistribute society's resources so that traditionally underprivileged groups like racial minorities, women and those of lower socio-economic status get sufficient share to allow them opportunities to participate in politics with their compatriots on a substantial footing;

(v) it could not devise ways to achieve all the above within the limits of natural resources available for development at reasonable economic and environmental cost.<sup>26</sup>

Thus in order to improve upon the pluralist theory of democracy, many American political scientist have developed possible restatements of democratic theory that may meet many of the above criteria. Rober Dahl, for example, has suggested socialization of private corporations either through public ownership or public control. He has argued that the private decisions of these corporations concerning economic investment and planning have so much impact on the public sector that the public must have some say in them, if the polity is to call itself a democracy<sup>27</sup>. On the other hand, Ithiel de Sole Pool and Duncan have stressed on the necessity of making relevant information available to responsible decision makers. It has been suggested to enhance citizens' control through public access to the otherwise proprietary files of a large

bureaucracy both public and private by means of a nationwide computerized information network. Such information can form the basis of direct participation by citizens in the public policy formulation.<sup>28</sup> Similarly, Frederick Thayer has suggested that democracy can only be achieved if the hierarchical authority to make decisions binding upon others is replaced by a co-operative network of individual decision makers, who meet in groups of 5 to 6.<sup>29</sup>

However, the task of linking principles of democratic theory to the practices of democratic governance has always been difficult and it has been rendered even more difficult in recent times by the ever expanding scope of welfare state. The pluralist-elite theorists have attempted to make a virtue out of the shortcomings of these institutions. They supplement the presumed linkages between citizens and representatives, realized through the electoral process, with indirect linkages realized through interest groups, political parties

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and leadership elites. Their critics have pointed out that governments based upon such practices violate too many democratic principles. However, they have failed to develop an alternative that remains true to democratic principles.

## **PARTICIPATORY THEORY OF DEMOCRACY**

The theories of democracy during the last 200 years have assumed that a proper system of government must provide opportunities for political participation by ordinary citizens in the affairs of the state. While the opportunity to vote in periodic elections is the minimum qualification for democracy, participatory democracy believes that comprehensive opportunities and forms of political participation are the essence of democracy. The participatory theory of democracy justifies participation both as an ideal i.e. why people should participate, and as a functional requirement, i.e., how to and how much to participate in the affairs of the state. Though the term 'Participatory Democracy' is frequently used to cover a variety of models from classical Athens to Marxist tradition, the type of participatory democracy with which we are dealing here is a new model of democracy developed by certain Left Wing political writers from 1960s onwards. It was the result of the political upheavals, student movements, internal debates within the left wing ideology and dissatisfaction with liberal and Marxist ideas on democracy. Many writers have contributed to the development of this new model of democracy, but primarily it is associated with three names: Carole Pateman, C.B. Macpherson and N. Poulantzas.<sup>30</sup> This theory was also developed as a counter model to Legal Democracy propounded by Hayek and Nozic. Although many writers have advocated participatory democracy as the appropriate response to twentieth century challenges, yet theory and practice of this model remains quite limited.

### **WHAT IS PARTICIPATORY DEMOCRACY**

Participatory Democracy has developed as a reaction against the Elitist/Pluralist theories of democracy. It is the common man's reaction against the 'expert'. In Elitist/Pluralist theories, power of decision-making is the monopoly of certain -elites or groups and the role of the masses

is reduced only to the selection of elites once in few years. The participatory democracy seeks to distribute decision-making power more equitably. The helplessness of the

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individual against the growth of the functions of the state and the concentration of decision-making power in a few hands led to a number of movements calling for the direct involvement of ordinary people in the decision-making. While adhering to equality and majority rule, participatory democracy wants to extend this political equality by some sort of grassroots decision-making of an authoritative nature. According to Cook and Morgan, participatory democracy has two broad features: i) decentralization of authoritative decision-making so as to bring it closer to the people affected by the decisions, ii) direct involvement of common man in making the decisions.<sup>31</sup>

Participatory democracy agrees with the classical liberal idea that democracy is not only a form of government but also a means of equal right to self-development. Such a development can be achieved only in a participatory society—a society which cares for collective problems and helps in the formation of politically active citizens who take a continuous interest in the governing process. It believes in direct participation of citizens in the regulation of key institutions of society, making political parties more open and accountable, and maintaining an open institutional system to ensure the possibility of experimentation with new political forms of participation.

Since Participatory Democracy wants to restore common man's participation, the natural questions are: i) why is there a need for participation, and ii) how to and how much participation? Let us see what the theorists of participatory democracy say on these questions.

## **NEED FOR PARTICIPATION**

As stated above, Participatory Democracy means involvement of common man in the authoritative decision-making. The early liberal thinkers like J.S. Mill had defended participation both on grounds of protecting the citizens from the oppression of the rulers and as a means of improvement and development of mankind as a whole. It were the elitist/pluralist theories which discouraged participation. The theorists of Participatory Democracy want to restore participation once again. According to Carole Pateman, the free and equal individual is found rarely in the contemporary democracies. The formal existence of rights (though not unimportant)

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is of little value if they cannot be actually realized. Freedom can be assessed from the concrete liberties and opportunities available to the individual in the society to participate actively in the political and civic life. Drawing upon the central notions of Rousseau and Mill, Pateman argues that participatory democracy fosters human development, enhances a sense of political efficacy, reduces the sense of estrangement from power centres, nurtures a concern for collective problems and contributes to the formation of an active citizenary capable of taking a more acute interest in government affairs. If people know that opportunities exist for effective participation

in decision-making, and that participation is worthwhile, they would definitely like to participate actively.<sup>32</sup> Similarly, Macpherson writes that liberty of the individual can be fully realized only with the direct participation of the people in the regulation of the affairs of the state.

Participation is a learning process. Participation changes the psychology of man since it socializes people into new beliefs, attitudes and values. According to Cook and Morgan, it increases the political efficacy or a person's sense of effectively manipulating his environment. In an age when people find themselves helpless in the administrative complexity, a change in the decision-making through participation can overcome this sense of powerlessness and the resultant apathy. Participation can lead to acquisition of more information on public affairs. Participants become aware of possible alternative solutions to problems. Participation can revive the feeling of community solidarity and increase the ability to cope up with the tensions of modern life.<sup>33</sup>

Participation also results in better decisions. Participatory democracy is everyman's revolt against the expert. Even ordinary people are experts in certain matters. They are better than elected representatives. Collective wisdom may be specially relevant to our times of rapidly expanding higher education in the industrial and technological societies. The more man knows collectively the better. Also the best protection from tyranny is through the dispersal of power. Participatory democracy can rescue the individual from apathy, ignorance and alienation.<sup>34</sup>

Thus participation is the essence of democracy and without the involvement of common man in the decision-making, it is

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meaningless.

## **METHODS AND SCOPE OF PARTICIPATION**

Now, if participation in the affairs of the government is a precondition for self-development, the question is what are the possible means available to the common man. In spite of disagreement among various theorists regarding the means and extent of participation, one can pinpoint a number of means in the modern democratic state. Some of these are: voting in local or national elections; canvassing or otherwise campaigning in the elections, active membership of a political party; active membership of a pressure group; taking part in political demonstrations; industrial strikes with political objectives or other activities aimed at changing public policy; various forms of civil disobedience such as refusing to pay taxes; membership of consumer councils for publically owned industries, involvement in the implementation of social policies; various forms of community development programmes such as women development, family planning, environment issues etc; taking part in referendum, recall etc.<sup>35</sup> The participatory democracy finds a number of shortcomings in the representative democracy and wants it to be supplemented by a number of measures by permitting the ordinary citizens to participate in the decision-making process. Opinions, however, differ as to how the people can directly and effectively participate and a number of alternatives have been and can be proposed.

The classical-liberal democracy had evolved a number of participatory means such as elections, universal adult franchise, individual rights and civil liberties, freedom of thought and belief, participation in local government, public debates and jury service etc. However, the recent supporters of participatory democracy consider these means inadequate. According to them, modern mass democracies produce alienated, isolated citizens, and that the governments in reality lack legitimacy. The inequality in power and resources have limited the means of life, liberty and equality, thereby restricting the capacity of the individual to effectively participate in political life. The state being a part of the productive process, produces a number of inequalities in daily life through its laws. Elections are not always an adequate mechanism to ensure the accountability of the representatives.

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Hence peoples' control over the democratic process becomes an urgent matter.

According to Poulantzas, since the state has grown in size and power, institutions of direct democracy or self-management cannot simply replace the state because this will leave a vacuum which will be filled by bureaucracy. However, participation of people can be enhanced through two sets of changes: i) the state must be democratized by making parliament, the state bureaucracies and political parties more open and accountable, and ii) new forms of struggles at local level through factory-based politics, women's movements, ecological groups must ensure that society as well as the state are democratized.<sup>36</sup> But how the two are to be interrelated is a big question mark.

Macpherson also admits that the problem posed by size and number of modern states are formidable and it is very difficult to imagine a political system in which all citizens can be involved in a face-to-face discussion every time a public issue arises. However, it does not mean that there is no scope for change. This can be achieved through a combination of competitive parties and organizations of direct democracy. There will always be issues and different interests around which political parties might form. Moreover, only competition between political parties guarantees a minimum response of government to the people. However, this party system can be organized on less hierarchical principles making political administrators and managers more accountable to the people. A substantial basis would be created for participatory democracy if i) parties are democratized according to the principle of 'direct democracy', ii) if these genuinely participatory parties operate within the parliamentary structure, iii) if they are supplemented by fully-managed organizations in the work-place and local community. Only such a political system can realize the democratic value of 'equal right to self-development'.<sup>37</sup>

According to Carole Pateman, participation can be increased by making democracy count in people's everyday life. This can be done by extending democratic control over those institutions which affect the daily life of the people. For this, democratic rights need to be extended to the economic enterprises and other institutions of society. The political rights of the citizens must be supplemented by a similar set of rights in the sphere of work and community

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relations. There is no doubt that the institutions of direct democracy cannot be extended to all political, social and economic spheres because of a number of constraints. Also many of the liberal democratic institutions like competitive parties, political representatives, periodic elections are unavoidable elements of participatory society. But direct participation and control over immediate local issues, complemented by party and interest group competition in government spheres can most realistically advance the principle of participatory democracy. Also the opportunity of participation at work place can radically alter the nature of national politics. Individuals would be able to learn more about the key issues in resource creation and hence would be better equipped to judge national questions, the performance of the representatives and participate in decisions of national importance when the opportunity arises. Through such methods, the representative democracy can be extended to change into participatory democracy.<sup>38</sup>

## **CHARACTERISTICS OF PARTICIPATORY DEMOCRACY**

On the basis of the above discussion, the chief characteristics of Participatory Democracy can be enumerated as follows:

1. It believes that democracy is not only a form of government but also a means of self-development. An equal right to self-development can be achieved through participatory society—a society which fosters a sense of political efficacy, nurtures a concern for collective problems and creates a kind of citizen who takes continuous interest in the governing process.
  2. Apart from representative institutions, it calls for direct participation of citizens in the regulation of key institutions of society such as work place and local community.
  3. It wants to reorganize the party system so as to make the representatives directly accountable to the people.
  4. Only ‘genuine’ accountable political parties should operate the parliamentary system.
  5. It wants to maintain an open institutional system to ensure the possibility of new forms of democratic control.
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6. It wants to make a direct improvement in the poor resource base of individuals and social groups by extending economic rights and redistribution of material resources.
  7. It wants to minimize the hold of unaccountable bureaucratic power in both public and private life.<sup>39</sup>

## **PROBLEMS OF PARTICIPATORY DEMOCRACY**

According to David Held, while the participatory democracy recognizes many difficulties associated with the previous models of democracy (classical-liberal, earliest/pluralist etc.) and

represents an advance upon them, it leaves many questions unresolved. There is no doubt that we learn to participate by participating and that it does help foster an active and knowledgeable citizenship, still it does not mean that an increased participation per se will automatically bring a new revolution in human development. There is no guarantee that people generally become more democratic, cooperative and dedicated to the common good. As Burnheim points out, it would probably be wiser to presuppose that people will not perform better either morally or intellectually than they do at present. There is every possibility that participation will lead to consistent strifes and clashes, leading to contradictions between individual liberty, distributive justice and democratic decisions.

Secondly, the participatory democracy is based on the belief that people in general want to extend the, sphere of control over their lives. However, it is one thing to recognize a right, and another to say that we must, irrespective of choice, must participate in public life. What if they do not want to do so? What if they do not really want to participate in the management of social and economic affairs.? What if they do not wish to become creatures of democratic reason? Or if they wield democratic power undemocratically, who is to check them?

Thirdly, participatory democracy consider democracy not only a form of government but also a way of life and human self-improvement. According to David Held, although participatory theorists are right in pursuing the implications of democratic principles for the organizational structure of society and state, yet they have not clearly resolved the highly complex relation between individual liberty, distributional matters and democratic process. By focusing on the desirability of collective decision-making,

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they leave these relations to be decided by democratic negotiations. But the basic problem is: Should there be limits on the power of the people to change and alter political circumstances; should the relation between liberty and equality be left to the whims of democratic decisions. Participatory theorists are vague on these points.<sup>40</sup>

Fourthly, according to Cook and Morgan, as a system of government also, participatory democracy has not been able to build a systematic theory. Participation of ordinary citizen in the decision-making process both at local level and national raises a number of problems which have not been adequately dealt with at theoretical level. Some of these problems are: i) What would be an appropriate unit for this kind of decision-making?, ii) What should be the proper size and function of the participatory unit, iii) The involvement of a large number of citizens may affect the efficiency and competence of the decisions, iv) How the decisions taken at the local levels may be coordinated with the political decisions at other levels and with the overall interest of the society at large.<sup>41</sup>

Such innumerable problems have created a variety of difficulties for the implementation of participatory democracy but have also a lot of criticism from the New Right school of thinkers.

## MARXIST THEORY OF DEMOCRACY OR THE CONCEPT OF PEOPLES' DEMOCRACY

Democracy is not the monopoly of the western liberal world. The concept was equally accepted by Marx, Engels and the subsequent Marxist writers, though with an altogether different connotation. As discussed above, the liberal world associated democracy with political institutions like elected legislatures, universal adult franchise, several political parties competing for power, freedom of thought, expression, association and assembly. Marxism, on the other hand, adjusted democracy in the overall philosophy of socialist revolution. It associated democracy with the dictatorship of the proletariat or peoples' democracy and the establishment of a socialist society, and its abolition as a form of state in the higher stage of communism.

As a form of political organization, Marxism considers democracy

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to be ultimately determined by the relations of production in a given society. In a class divided society, democracy exists practically for the members of the dominant class. In the bourgeois society, democracy is a form of dictatorship of the bourgeoisie. It frames constitutions, forms parliament and other representative bodies and introduces adult franchise and formal political liberties. But the bureaucratic machinery of the bourgeois state is so patterned that the political activities of the working class keep them out of the decision-making power. The rights are proclaimed formally and are not guaranteed, the representative bodies are no more than an instrument of policy of the ruling class. Hence the fight of the working class for democracy acquires a major significance as a condition and component of the proletariat's struggle for the socialist transformation of society. Socialist democracy, according to Marx, is the highest form of democracy because it is genuine democracy for the majority of the people. It is people's democracy. Economically, it is based on the social ownership of the means of production. Politically, it will involve the masses directly in the administration of the state and social affairs. It is in this context that Marx defined democracy as 'an association in which the free development of each is the condition for the free development of all'. In the higher state of communism, democracy as a form of government will wither away and it will become a habit or a way of life. Lenin, another Marxist writer, laid stress on the class character of democracy and defined democracy as nothing but a form of state which is essentially a class rule. However, the concept of democracy as interpreted by the Marxist writers bred in the European tradition such as Bernstein, Rosa Luxemburg, Kautsky and the Austo-Marxists laid less emphasis on the class concept of democracy and did not agree with the criticism of the bourgeois democracy per se. The working of peoples' democracy in USSR and East European countries brought into open serious contradictions in the theory and practice of Marxist theory of democracy. The state, in these countries, far from withering away strengthened its hold upon the society. In the seventies, the Eurocommunists made an attempt to blend communism and liberal democracy.

We can study the Marxist concept of democracy or peoples' democracy on the following lines:

- i. Criticism of the bourgeois concept of democracy

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- ii. Marxist concept of peoples' democracy or dictatorship of the proletariat.
- iii. Characteristics of Peoples' Democracy
- iv. Change made by Lenin and Stalin
- v. Other Marxist writers on democracy
- vi. How far the Communist states were democratic.

## CRITICISMS OF BOURGEOIS CONCEPT OF DEMOCRACY

During 1840s, Marx and Engels associated themselves with democracy which they saw as an egalitarian movement leading to socialism. Marx wrote twelve essays during this period to express the principle tenets of his democratic convictions. 'Organ of Democracy' was the subtitle of the journal which he edited. Marx was fully convinced that only democracy could help in establishing the state on a rational basis. He criticized the aristocratic, hereditary domination of landed interests, and property qualification for franchise. He wanted the popular will to permeate the executive and legislative branches of the government. Similarly, he also attacked the non-democratic bureaucracy. During this period, all his criticism of the despotic institutions was based upon his concept of humanism. His devotion to the goal of human freedom, respect for law as a human need, his concern for the separation of powers in a democratic state and his defence of the rights of the individual were all a part of the western liberal tradition. In the Paris Manuscripts of 1844, Marx put forward his concept of democracy which could accomplish general human emancipation.<sup>42</sup> Although he was critical of the rights granted by the bourgeois state, yet he realized the historical importance of these rights in so far as they provided an opportunity to the working class to organize themselves against the oppression of the dominant class for general emancipation. Similarly, he regarded the bourgeois freedom as only one step in the direction of man's total freedom. Marx was still to develop the class concept of democracy but his commitment to communism was quite clear i.e. it was to be classless and based upon the absence of exploitation of man by man.

The first great democratic battles which Marx and Engels experienced were a series of uprisings that exploded across the major cities of Europe in 1848. However, the happenings of 1848 led them to reject the view that communism and democracy were

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synonymous. This was because while the democrats wished to overthrow feudalism and establish representative institutions within the capitalist society, they were not ready to allow power to descend to the working class.<sup>43</sup> After the failure of revolutions in France and Germany, Marx saw the unreliability of the petty bourgeois democrats. Democracy was a progressive demand against autocracy but it was also the highest form of the capitalist state, and as such 'stands condemned if seen as an ultimate aim'. However, the meaning of democracy was not different from that of the liberal notion i.e. constitutionalism, civil liberties, representative institutions and universal adult franchise.<sup>49</sup> For liberals, this provided a satisfactory means of ascertaining and implementing the will of the people. However, for Marx, it made a mockery of its aim because the selfish and corrupt politicians misused democratic structure for their own personal ends. 'The

formal values of liberal constitutionalism were wrong in a number of ways. Firstly, the basis of bourgeois democracy was the economic system in which the means of production were vested in the capitalist class. The state sanctioned the existence of private property, personal ownership of capital, profit motive in production, free competition, free contract and free market. In a class-divided society where bourgeoisie controlled and owned the means of production, it also controlled and dominated the state apparatus. The state power, rights and privileges were exclusive to it and were defined in such a way that the working class did not possess them. Secondly, the state bureaucracy, courts and police, the army apparatus and maintenance of law and order were not neutral but served the interests of the dominant class. Here, we have the core of Marxist critique of bourgeois democracy. It is that 'the state parliament and the entire political sphere do not occupy neutral ground in which success is obtained purely on the basis of arguments and numerical appeal. On the other hand, for the working class, it was an enemy territory. These are simply the devices to delude and deceive the masses into believing that the power of the state belonged to them while in reality this was controlled and exercised by the bourgeois minority'. Parliaments talked without being listened to. Parliamentary influence could not bring any fundamental change in the basic social and political power which is in the hands of the bourgeoisie. Hence, democracy was nothing but a convenient form for the maintenance of class rule, to be used as and when and in so far as

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it serves the class interest. In short, the liberal bourgeois democracy hides its intentions, is a class state instead of a natural arbiter; it offers paper freedoms for real political freedoms; and it offers only political freedoms instead of general human emancipation'.<sup>45</sup>

However, while maintaining that bourgeois democracy was not real democracy for the working class and that working class cannot come to power through democratic means, Marx and Engels held the view that this kind of democracy could be used by the working class to organize itself, to raise the level of political consciousness and to achieve the level of proletarian revolution. The main feature of the bourgeois democracy was universal suffrage which provided a 'school of development' for the working class and offered definite but limited possibilities for the revolutionary movements. The question of suffrage was also connected with the 'transition to socialism'. Marx was willing to allow that there might be some isolated cases where the transition would be achieved by nonviolent means, though he was very sceptical about such a process and took it for granted that it would not be the common pattern. Nevertheless the notion that a revolutionary party has no interest in the bourgeois parliament finds no confirmation in the writings of Marx and Engels. For them, the revolutionary and the parliamentary paths were not opposed but complementary to each other. They accepted parliamentary tactics as one part of class struggle. But theirs was a vigorous, radical and suspicious parliamentarianism, and involving no renunciation of other forms of struggle'<sup>46</sup>.

## **PEOPLES' DEMOCRACY OR DICTATORSHIP OF THE PROLETARIAT**

Marx and Engels accepted the Enlightenment ideal of democracy as a participatory activity. However, he saw this notion of democracy as incompatible with the parliamentary model of bourgeois democracy which viewed politics as a specialised activity restricted to a relatively

harmless sphere. For Marx, genuine democracy, as distinct from the sham bourgeois democracy, comes into existence only after the proletarian revolution. The Paris Commune of 1871 provided an actual indication of 'the political form at last discovered under which to work out the economic emancipation of labour.<sup>47</sup> For Marx, the significance of the Paris Commune was that it had begun to dismantle the state apparatus and given power to the

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people. The whole initiative hitherto exercised by the state was laid into the hands of the Commune, whose municipal council was elected by universal suffrage and a majority of whose members were working men or acknowledged representatives of the working class. The Commune was to be a working, not a parliamentary body, executive and legislative at the same time'. It got rid of the police, suppressed the standing army and replaced it by armed people. Like the rest of the public servants, magistrates and judges were to be elected, responsible and revocable, and all public services had to be done at workmen's wages. In short, in the Commune, Marx saw an attempt to give power to the working class and to bring into being a regime as close to direct democracy as possible.

Marx and Engels pointed to the Paris Commune as illustrating what they meant by people's democracy as the Dictatorship of the Proletariat. However, the term Dictatorship of the Proletariat as understood by Marx and Engels and as it was interpreted by Lenin in the context of Russian Revolution deserves careful consideration. According to Selucky, the term was used by Marx not more than five times while Hal Draper finds this phrase used by Marx and Engels not more than eleven times. The study of the concept in the context of its appearance proves adequately the democratic credentials of Marx and Engels. In *The Class Struggles in France*, Marx referred to the class dictatorship of the proletariat as the inevitable transit point to the abolition of class differences generally. In *The Critique of the Gotha Programme* (1875), he wrote, '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'<sup>48</sup>.

After the seizure of power by the workers in the Paris Commune, Marx further elaborated the idea of democracy. This view of democracy cannot be understood without reference to the Dictatorship of the Proletariat. Democracy and Dictatorship of the Proletariat were not mutually exclusive concepts but this dictatorship permitted a clear distinction between the bourgeois democracy and the proletarian democracy. Marx and Engels conceived of every state as the dictatorship of the ruling class. They used the term dictatorship in the sense of rule of a particular social class and not as a

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government of a single party. For them the concept was not primarily a political concept but a social one. The opposite of this phrase was the 'dictatorship of the bourgeoisie' which signified the different forms of bourgeois governments such as absolute monarchy, constitutional monarchy, democratic republics.<sup>49</sup> Similarly the Dictatorship of the Proletariat was used to signify the different forms of proletariat governments. Marx and Engels were more concerned

with the content rather than the form of post-revolutionary state. Democracy meant no more no less than rule by the majority. Since Marx and Engles were certain that at the time of socialist revolution, the proletariat would be in the majority, this very notion of democracy merely suggests that 'the dictatorship of the proletariat meant to be the rule of the majority by the majority and for the majority.'<sup>50</sup> It was peoples' democracy in the real sense of the terms.

According to Marx and Engles, revolution could be violent or peaceful depending upon the presence of democratic political possibilities. However, whether peaceful or not, the socialist revolution must be democratic. Although, at the time of Communist Manifesto, there was no possibility of bringing any social change through peaceful, parliamentary means, yet the Manifesto declared that 'the first task after the revolution would be to raise the working class to the level of democracy'. In spite of being deficient and incomplete, both Marx and Engles positively assessed the historical importance of political emancipation of man (political right), universal suffrage and right to representation and association granted by the bourgeois democracy. Marx and Engles, as is well known, anticipated the possibility that socialism could be introduced peacefully by parliamentary means in countries like England and United States. Towards the end of his life, Engles explicitly declared that 'dictatorship of the proletariat' would express itself under the political form of bourgeois parliamentary republic. He wrote, 'If one thing is certain, it is that our Party and the working class can only come to power under the form of democratic republic. This is even the specific form of dictatorship of the proletariat as the great French revolution had already shown.'<sup>51</sup>

## **CHIEF CHARACTERISTICS OF PEOPLES' DEMOCRACY**

1. Democracy is essentially a participatory activity by the working class in the affairs of the state through direct democratic

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means. It is a rule by the majority, of the majority and for the majority.

2. Peoples' democracy can be established only after the proletarian revolution and raising the working class to the level of political decision-making. It requires the defeat of the bourgeoisie and their class privileges and the unity of the working class.

3. At economic level, peoples' democracy means social ownership of the means of production, appropriation of all large-scale private capital, central control of production in the hands of the state, rapid increase of productive forces, state control of transportation and communication, equal liability of All citizens to work, and public direction of employment.

4. At political level, democracy means integration of executive and legislative functions; all government personnel to be directly elected and subject to recall; election and recall of magistrates; replacement of army and police force by people's militia; full local autonomy; public officials to be paid no more than workmen's wages.

5. At social level, there will be no inheritance; free education for all children; heavy graduated taxation, reunion of town and country through more equitable distribution of population over the whole country; integration of work and non-work environments; sustained development of forces of production so that all basic needs are met and people have sufficient time to pursue non-work activities.

6. People's democracy is a transition stage between capitalist democracy and communism. After the abolition of classes and the establishment of socialist society will start the higher stage of communism. It will be a society based upon abolition of scarcity and private property, elimination of markets, exchange and money, end of social division of labour. Here government and politics will be replaced by self-regulation, all public affairs will be governed collectively, administrative tasks will be done by rotation or election; and all public questions will be decided on consensus. Thus communism will herald not only the end of politics but also of democracy as a form of government. It will become a part of habit and a way of life. It will turn into self-rule in the real sense

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of the term.

## **CHANGES MADE BY LENIN AND STALIN IN THE CONCEPT OF DICTATORSHIP OF THE PROLETARIAT**

The Marxist concept of democracy as the Dictatorship of the Proletariat as developed by Lenin and Stalin, and the establishment of peoples' democracies in USSR and other communist countries introduced major variations in the original concept. Lenin called DP as the major idea of Marx regarding the state, the main content of socialist revolution and necessary for workers for their victory. However, he gave different interpretations of this concept at different times. In 1918, he called revolutionary dictatorship of the proletariat as the 'rule won and maintained by the use of violence of the proletariat against the bourgeoisie, rule that is unrestricted by any laws'. In 1919, he shifted emphasis from the use of force to the organizational task of building socialism. In 1920, he made clear that the dictatorship of the proletariat can be exercised neither by the proletariat class as a whole nor by a mass proletariat organization but only through its vanguard—the Party, on behalf of the proletariat.<sup>52</sup>

The question of democracy was examined by Lenin in relation to three phases: Capitalist Democracy, Socialist Democracy, and Communist Democracy. Defining democracy, he wrote, 'Democracy is a form of state, one of its varieties'. In a class divided society, government is both democracy and dictatorship. It is democracy for one class and dictatorship for the other class. For example, the bourgeois democracy is the dictatorship of the bourgeois class over the working class; it is the dictatorship of the bourgeoisie. It is a democracy by an insignificant minority. It is democracy for the rich where the capitalist class controls not only the political institutions but also structures other institutions in such a way as to guarantee their overall control on the society. Since it does not serve the working class interest, it has to be destroyed and replaced by a radically different form of state, by a different set of institutions to serve the proletarian interests.



Regarding the socialist democracy, Lenin frankly accepts that the new socialist state established after the revolution will be an instrument of power and repression quite as much as the capitalist state. In it, the proletariat, 'organized as a ruling class creates its

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own appropriate apparatus of violence to enforce its class purpose on the non-proletarian and other elements'. The victory over the bourgeoisie requires a long persistent battle which can be carried through only by strong determination and use of force. During the transitional period from capitalism to communism, class struggle will continue and it will aim at the complete overthrow of the bourgeoisie. During this period, 'the state must inevitably be a state that is democratic in a new way (for the proletariat and the propertyless in general) and dictatorship in a new way (against the bourgeoisie)'.<sup>53</sup> DP is also class state but with a difference. The difference consists in the fact that all hitherto existing class states have been dictatorship of an exploiting class minority over the exploited majority, whereas the dictatorship of the proletariat is the dictatorship of the exploited majority over the exploiting minority<sup>54</sup>.

The twin purpose of the dictatorship of the proletariat is i) to defend the revolution and ii) to organize the new social and economic order. These functions, according to Lenin, are carried out by the Party which is the guide and leader of all the exploited classes. Thus in the hands of Lenin, the dictatorship of the proletariat became 'the dictatorship of the Party'. He advocated that the transition from socialism to communism will be carried out by the party which will not only suppress the exploiters but also discipline the workers and the whole population.

Reduced to simple terms, Lenin's argument was that any state is an instrument of class domination. Where there is dominance, there is neither freedom nor democracy. It is only in the communist society when the class struggle has ended and a classless society has been created that it will become possible to speak of freedom. 'Only then' according to Lenin 'will there become possible and realized a truly complete democracy, democracy without any exception whatever. And only then will democracy begin to wither away....Communism alone is capable of giving really complete democracy and the more complete it is, the more quickly will it become unnecessary, and wither away of itself. In other words, communism will cause even the truly complete democracy to wither away. He categorically states that 'it is constantly forgotten that the abolition of the state means also the abolition of democracy; that the withering away of the state means the withering away of

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democracy<sup>55</sup>. The more complete the democracy, the nearer the moment when it begins to be unnecessary.

Thus in the context of bourgeois democracy, democracy does not exist; in the context of dictatorship of the proletariat there is more democracy than before in the sense that the proletarian majority, rules over the minority, but all the same real democracy still cannot exist; in the context of communism, democracy should not exist because it is superfluous. While for Marx

democracy as such is a stateless society; for Lenin democracy is a form of state and therefore, a stateless society cannot be a democracy.

With Stalin, the dictatorship of the proletariat came to be associated with autocracy and reign of terror. A new turn was given to the theory of revolution; the party was converted into a centralized and all powerful bureaucracy. DP meant further centralization of power and greater use of repressive and arbitrary power. It became a regime in which one man had absolute power of a kind which Lenin had never imagined. Stalin used that power to the full, herding into camps millions upon millions of people and liquidation of countless others including the vast number of people who were part of the upper and uppermost layers of society.

Thus whereas Lenin reduced the DP to the dictatorship of the party; Stalin further reduced the dictatorship of the party to the dictatorship of one person. It was taken for granted that the Party and the working class formed a perfect unity and that the former represented the latter.

## **OTHER MARXIST WRITERS ON DEMOCRACY**

The concept of democracy as understood and interpreted by some Western Marxist writers has been quite different from that of Lenin and Stalin. Edward Bernstein, for example, not only challenged Marx's analysis of capitalism, he also claimed that socialist revolution and the dictatorship of the proletariat were neither necessary nor desirable. He believed that political democracy and liberal freedoms extended to the working class are much more important than a militant class struggle which could bring only crude communism. Another writer, Karl Kautsky, however, defended the basic tenets of Marxism but criticized the Marxist concept of democracy of DP as put forward by Lenin. Kautsky held that

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Lenin was wrong in claiming that UP was a particular form of government opposed to democratic form. For Marx and Engles, democracy had also social content. Also unless the proletariat represents a majority of population, no socialist revolution can be successful, and if they represent the majority, no dictatorship is necessary. He gave importance to democracy than to socialism and by merging the democratic tradition with the Marxist socialist doctrine, Kautsky laid the foundation of achieving socialism through democratic means.

Another Marxist revolutionary, Rosa Luxemburg also criticized the anti-democratic policy of Lenin, for suppression of free political life, of establishing the dictatorship not of the masses but over the masses. She agreed with Lenin that the party should seize power but rejected the social democratic principle that the party must first gain majority and only then think of taking over power. But this does not mean that the party should seize power despite the majority of population, should maintain itself by terror and reject all normal forms of political freedom and representation. Democratic institutions were not perfect but to abolish them was wrong because it would paralyse the political life of the masses. There must be unlimited democracy, a free public opinion, freedom of election and the press, the right to hold meetings and form associations. Otherwise the DP would be replaced by the dictatorship of the clique. Dictatorship is not a matter of abolishing democracy but of applying it correctly. Also it must be of the class

and not of the small leading minority. She wanted that the masses must participate actively in political life and in shaping the new order. For her socialism and freedom were inseparable.<sup>50</sup>

After the first world war and the collapse of the Second International, all key concepts of Marxism such as class struggle, DP, proletarian democracy became subjects of intense debate. It led to a variety of Marxist thought and different views on the nature of democracy. Moreover, the devastation of the economy after the war led to the rise of welfare state in Europe which made structural changes in the capitalist economy. As result, the working class in these countries instead of being the agents of revolution became a part of the capitalist system. A number of European communist parties quietly abandoned the goal of revolution and socialist democracy. During the second world war, the communist

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parties of Europe not only see their sight on constitutional changes but also shared power with political parties of opposite ideologies. While they declared that their purpose was the establishment of a socialist society and proclaimed their allegiance to Marxism, they nevertheless accepted constitutionalism, parliamentary democracy, electoral process and representative institutions of bourgeois democracy. Palmiro Togliatti, an Italian communist, for example, stated firmly: We always start from the idea then socialism is a regime in which there is the widest freedom for the workers, that they in fact participate in an organized manner in the direction of the entire social life. Togliatti's ideas later on led to the 'historical compromise' among the communist parties of France, Italy and Spain which gave rise to the concept of Euro-communism. These parties criticized the concept of DP as developed in Russia and stated that socialist transformation can be brought about only through peaceful democratic means.<sup>57</sup>

Thus the Western Marxist concept of democracy has been evolved in direct opposition to the Leninist concept of democracy as the DP. It firmly believes that the socialist transformation in the advanced capitalist societies can only be brought about by using the bourgeois democratic institutions. Socialism can be brought about by peaceful means. It implies parliamentary democracy, multiparty system, civil liberties, rights of freedom of expression and trade union activities. Democratic features are not the monopoly of the bourgeois regimes but a part of the Enlightenment tradition of the Western civilization. The revolutionary methods of seizure of power by the proletariat are not possible in the advanced capitalist societies.

## **HOW FAR THE COMMUNIST STATES WERE DEMOCRATIC**

Unfortunately, the historical experience of the DP has not been in keeping with the concept of proletarian democracy as developed by Marx and Engels. The goal of Marxism has been the establishment of a proletarian state and society in which men, free from the fetters of capitalism' would learn to organize production for the common good. The revolution in Russia failed to achieve this because it was proletarian in a new sense provided by Lenin and later on by Stalin. As stated above, the concept of DP was transformed into a minority, 'government of a small number' under the leadership of Lenin. Under Stalin, DP became a means of autocracy and

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reign of terror. The 1936 constitution admitted the exclusive domination of the Communist Party. The party, with restricted membership, never became a mass party. The effort was to make the party less proletarian and less democratic and convert it into a centralized bureaucracy.

The denunciation of Stalin by Khrushchev at the 20th party congress in 1956 had a profound repercussion on the communist movement. Khrushchev condemned the cult of individual and called for a restoration of Leninist principles of socialist democracy. The Communist Party was no longer the vanguard of the proletariat but became the party of the whole people. However the constitution of 1977 reinforced the power of the party, uniting the secretaryship of the party with the Presidency of the state. It dropped the talk about the dictatorship of the proletariat and used the term 'state of the whole people'. However, the lack of political and civil liberties and the establishment of state socialism or 'socialism from above' were criticized by many Marxist writers and Soviet dissidents such as Edward Kardelj, S. Stjanovic, Roy Medvedev. S. Stjanovic, for example, attacked the undemocratic nature of the Soviet socialist system where the concept of government by the working class was missing. The continuous increase in the power of the state gave birth to a new class and a bureaucratic socialist society. Similarly, Roy Medvedev called for decentralization of power, freedom of expression and freedom to form other political parties, democratization of social life, functioning of the Party on democratic lines, safeguards to the opinion of minorities, dissidents, freedom of press etc.

Whether the communist states were democratic depends upon the meaning of democracy. According to Macpherson, if we define democracy in the narrow sense, meaning a system of choosing and authorizing government, then the communist states being the vanguard states were governments for the people but not governments by the people. Again the vanguard state can be democratic if there is full intra-party democracy and the party membership is open. Even from this point of view, these states could not be called democratic. But there is a broader meaning of democracy which contains an ideal of human equality, an equality that can be realized only in a classless society. In this broad sense, the communist states could be termed democratic. But on the whole, whereas

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Marx's negative critique of bourgeois democracy was maintained, its positive alternatives were barely contemplated.<sup>58</sup>

## CONCLUSION

In conclusion, we can say that the Marxist theory broadens the area perceived as political and extends democracy into the economic and social domains. It thereby pursues a much fuller democracy than that envisaged in the liberal theory. However, its negative strength, i.e., its critique, of bourgeois democracy, was not matched by alternative positive achievements. Its failure posed a challenge not just for the advocates of Marxism but for anyone committed to the values of democracy itself.